

By: Representative Busby

To: Education

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1349

1 AN ACT TO ESTABLISH THE "MISSISSIPPI GREAT TEACHERS ACT OF
2 2019" FOR THE PURPOSE OF PROVIDING INCENTIVES TO INDIVIDUALS TO
3 ENTER INTO THE TEACHING PROFESSION AND TO ADDRESS THE CRITICAL
4 TEACHER SHORTAGE IN THE STATE; TO AMEND SECTION 37-3-2,
5 MISSISSIPPI CODE OF 1972, TO CLARIFY THE MEMBERSHIP OF THE
6 COMMISSION ON TEACHER AND ADMINISTRATOR EDUCATION, CERTIFICATION
7 AND LICENSURE AND DEVELOPMENT; TO CLARIFY PROCEDURES FOR APPEAL OF
8 EDUCATOR LICENSURE DECISIONS BY THE COMMISSION, ITS SUBCOMMITTEE
9 OR HEARING OFFICER; TO REVISE THE GROUNDS FOR DENIAL OF EDUCATOR
10 LICENSURE APPLICATIONS AND TO PROVIDE AUTHORITY FOR LICENSURES
11 PROBATION; TO CLARIFY GROUNDS FOR EDUCATION LICENSURE SUSPENSION
12 OR REVOCATION AND TO CLARIFY PROCEDURES FOR EDUCATOR LICENSURE
13 REINSTATEMENT FOLLOWING SUSPENSION; TO AUTHORIZE THE STATE
14 DEPARTMENT OF EDUCATION TO ISSUE A NONTRADITIONAL TEACHING ROUTE
15 STANDARD LICENSE TO INDIVIDUALS HOLDING ADVANCED DEGREES AND
16 ACHIEVING THE NATIONALLY RECOMMENDED PASSING SCORE ON THE PRAXIS
17 CORE ACADEMIC SKILLS FOR EDUCATORS EXAMINATION AND PRAXIS II
18 EXAMINATION PROVIDING THAT SUCH INDIVIDUALS COMPLETED THE COURSE
19 OF STUDY FOR THE ADVANCED DEGREE PROGRAM WITH THE GRADE OF A "C"
20 OR HIGHER AT THE TIME APPLICATION FOR LICENSURE IS SUBMITTED; TO
21 AMEND SECTIONS 37-9-201, 37-9-203, 37-9-205, 37-9-207, 37-9-209,
22 37-9-211 AND 37-9-213, MISSISSIPPI CODE OF 1972, WHICH ARE
23 PROVISIONS OF THE BEGINNING TEACHER SUPPORT PROGRAM, TO PROVIDE
24 FINANCIAL INCENTIVES TO TEACHER LEADERS TO PROMOTE THE SUPPORT AND
25 RETENTION OF EFFECTIVE CLASSROOM TEACHERS; TO AMEND SECTION
26 37-19-7, MISSISSIPPI CODE OF 1972, TO INCREASE THE MINIMUM TEACHER
27 SALARY SCALE BY \$2,000.00, TO BE PHASED IN OVER A TWO-YEAR PERIOD
28 AT \$1,000.00 PER YEAR BEGINNING WITH THE 2019-2020 SCHOOL YEAR; TO
29 INCREASE THE AMOUNT OF THE COMPENSATION TO TEACHER LEADERS IN THE
30 AMOUNT OF \$2,000.00 FOR EACH BEGINNING TEACHER MENTORED UNDER THE
31 BEGINNING TEACHER SUPPORT PROGRAM; TO AMEND SECTION 37-106-35,
32 MISSISSIPPI CODE OF 1972, TO REVISE THE ASSISTANT TEACHER
33 FORGIVABLE LOAN PROGRAM TO INCREASE THE AMOUNT OF FINANCIAL
34 ASSISTANCE AVAILABLE TO TEACHER ASSISTANTS TO EQUAL THE ACTUAL



35 COST OF SIX THREE-HOUR COURSES PER YEAR; TO REMOVE THE PROVISION
36 LIMITING THE PURPOSE OF THE LOAN FOR CRITICAL TEACHER SHORTAGE
37 AREAS; TO AMEND SECTION 37-149-1, MISSISSIPPI CODE OF 1972, TO
38 ESTABLISH SCHOLARSHIP PROGRAMS FOR THE MILITARY AND EXPERT
39 CITIZENS TO ENTER THE TEACHING PROFESSION; TO AMEND SECTION
40 37-159-9, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE MISSISSIPPI
41 CLASSIFIED SCHOOL EMPLOYEE TEACHER CREDENTIALING AND RETENTION
42 GRANT PROGRAM FOR THE PURPOSE OF PROVIDING SCHOLARSHIPS TO
43 ASSISTANT TEACHERS AND PARAPROFESSIONALS AS AN OPPORTUNITY TO EARN
44 A BACHELOR OF EDUCATION DEGREE FOR THE PURPOSE OF EMPLOYMENT AS
45 LICENSED TEACHERS IN GEOGRAPHICAL CRITICAL TEACHER SHORTAGE AREAS
46 AS DETERMINED BY THE STATE BOARD OF EDUCATION; TO REQUIRE
47 PARTICIPATING INSTITUTIONS OF HIGHER LEARNING TO COLLABORATE WITH
48 THE MISSISSIPPI TEACHER CENTER TO IDENTIFY, RECRUIT AND PLACE
49 TEACHER EDUCATION GRADUATES IN GEOGRAPHICAL CRITICAL TEACHER
50 SHORTAGE AREAS; TO REQUIRE ASSISTANT TEACHERS AND
51 PARAPROFESSIONALS WHO COMPLETE THE PROGRAM WITH A BACHELOR OF
52 EDUCATION DEGREE TO COMMIT TO TEACHING IN A PUBLIC SCHOOL IN A
53 GEOGRAPHICAL CRITICAL TEACHER SHORTAGE AREA FOR A PERIOD OF NOT
54 LESS THAN THREE YEARS AFTER COMPLETION; TO PROVIDE THAT
55 INDIVIDUALS THAT FAIL TO COMPLETE THE PROGRAM OR COMPLY WITH
56 EMPLOYMENT REQUIREMENTS SHALL BE LIABLE FOR THE SUM OF ALL AWARDS
57 RECEIVED UNDER THE PROGRAMS, PLUS INTEREST ACCRUING AT THE CURRENT
58 STAFFORD LOAN RATE; TO EXTEND THE DATE OF REPEAL ON THESE PROGRAMS
59 UNTIL JULY 1, 2024; TO CREATE NEW SECTION 25-11-126, MISSISSIPPI
60 CODE OF 1972, TO PROVIDE THAT PERSONS WHO HAVE AT LEAST 25 YEARS
61 OF CREDITABLE SERVICE IN THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM,
62 WHO WERE EMPLOYED AS PUBLIC SCHOOLTEACHERS AT THE TIME OF THEIR
63 RETIREMENT AND WHO HAVE BEEN RETIRED AND RECEIVING A RETIREMENT
64 ALLOWANCE FOR AT LEAST ONE YEAR, MAY BE EMPLOYED AS TEACHERS BY A
65 PUBLIC SCHOOL DISTRICT AFTER THEIR RETIREMENT AND RECEIVE A
66 RETIREMENT ALLOWANCE FROM THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM
67 DURING THEIR EMPLOYMENT AS TEACHERS IN ADDITION TO RECEIVING A
68 BEGINNING TEACHER'S SALARY; TO BRING FORWARD SECTION 25-11-105,
69 MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENTS;
70 TO AMEND SECTIONS 25-11-123 AND 25-11-127, MISSISSIPPI CODE OF
71 1972, IN CONFORMITY THERETO; TO AMEND SECTION 37-21-7, MISSISSIPPI
72 CODE IF 1972, TO INCREASE THE MINIMUM SALARY OF ASSISTANT TEACHERS
73 BY \$1,000.00, TO BE PHASED IN OVER A TWO-YEAR PERIOD AT \$500.00
74 PER YEAR BEGINNING WITH THE 2019-2020 SCHOOL YEAR; AND FOR RELATED
75 PURPOSES.

76 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

77 **SECTION 1.** This act shall be known and may be cited as the
78 "Mississippi Great Teachers Act of 2019."

79 **SECTION 2.** Section 37-3-2, Mississippi Code of 1972, is
80 amended as follows:



81 37-3-2. (1) There is established within the State
82 Department of Education the Commission on Teacher and
83 Administrator Education, Certification and Licensure and
84 Development. It shall be the purpose and duty of the commission
85 to make recommendations to the State Board of Education regarding
86 standards for the certification and licensure and continuing
87 professional development of those who teach or perform tasks of an
88 educational nature in the public schools of Mississippi.

89 (2) The commission shall be composed of fifteen (15)
90 qualified members. The membership of the commission shall be
91 composed of the following members to be appointed, three (3) from
92 each congressional district, as such districts existed on January
93 1, 2011, in accordance with the population calculations determined
94 by the 2010 federal decennial census, and three (3) members at
95 large. The make up of the commission members shall include: four
96 (4) classroom teachers; three (3) school administrators; one (1)
97 representative of schools of education of institutions of higher
98 learning located within the state to be recommended by the Board
99 of Trustees of State Institutions of Higher Learning; one (1)
100 representative from the schools of education of independent
101 institutions of higher learning to be recommended by the Board of
102 the Mississippi Association of Independent Colleges; one (1)
103 representative from public community and junior colleges located
104 within the state to be recommended by the Mississippi Community
105 College Board; one (1) local school board member; and four (4)



106 laypersons. All appointments shall be made by the State Board of
107 Education after consultation with the State Superintendent of
108 Public Education. The first appointments by the State Board of
109 Education shall be made as follows: five (5) members shall be
110 appointed for a term of one (1) year; five (5) members shall be
111 appointed for a term of two (2) years; and five (5) members shall
112 be appointed for a term of three (3) years. Thereafter, all
113 members shall be appointed for a term of four (4) years.

114 (3) The State Board of Education when making appointments
115 shall designate a chairman. The commission shall meet at least
116 once every two (2) months or more often if needed. Members of the
117 commission shall be compensated at a rate of per diem as
118 authorized by Section 25-3-69 and be reimbursed for actual and
119 necessary expenses as authorized by Section 25-3-41.

120 (4) (a) An appropriate staff member of the State Department
121 of Education shall be designated and assigned by the State
122 Superintendent of Public Education to serve as executive secretary
123 and coordinator for the commission. No less than two (2) other
124 appropriate staff members of the State Department of Education
125 shall be designated and assigned by the State Superintendent of
126 Public Education to serve on the staff of the commission.

127 (b) An Office of Educator Misconduct Evaluations shall
128 be established within the State Department of Education to assist
129 the commission in responding to infractions and violations, and in
130 conducting hearings and enforcing the provisions of subsections



131 (11), (12), (13), (14) and (15) of this section, and violations of
132 the Mississippi Educator Code of Ethics.

133 (5) It shall be the duty of the commission to:

134 (a) Set standards and criteria, subject to the approval
135 of the State Board of Education, for all educator preparation
136 programs in the state;

137 (b) Recommend to the State Board of Education each year
138 approval or disapproval of each educator preparation program in
139 the state, subject to a process and schedule determined by the
140 State Board of Education;

141 (c) Establish, subject to the approval of the State
142 Board of Education, standards for initial teacher certification
143 and licensure in all fields;

144 (d) Establish, subject to the approval of the State
145 Board of Education, standards for the renewal of teacher licenses
146 in all fields;

147 (e) Review and evaluate objective measures of teacher
148 performance, such as test scores, which may form part of the
149 licensure process, and to make recommendations for their use;

150 (f) Review all existing requirements for certification
151 and licensure;

152 (g) Consult with groups whose work may be affected by
153 the commission's decisions;



154 (h) Prepare reports from time to time on current
155 practices and issues in the general area of teacher education and
156 certification and licensure;

157 (i) Hold hearings concerning standards for teachers'
158 and administrators' education and certification and licensure with
159 approval of the State Board of Education;

160 (j) Hire expert consultants with approval of the State
161 Board of Education;

162 (k) Set up ad hoc committees to advise on specific
163 areas; and

164 (l) Perform such other functions as may fall within
165 their general charge and which may be delegated to them by the
166 State Board of Education.

167 (6) (a) **Standard License - Approved Program Route.** An
168 educator entering the school system of Mississippi for the first
169 time and meeting all requirements as established by the State
170 Board of Education shall be granted a standard five-year license.
171 Persons who possess two (2) years of classroom experience as an
172 assistant teacher or who have taught for one (1) year in an
173 accredited public or private school shall be allowed to fulfill
174 student teaching requirements under the supervision of a qualified
175 participating teacher approved by an accredited college of
176 education. The local school district in which the assistant
177 teacher is employed shall compensate such assistant teachers at
178 the required salary level during the period of time such



179 individual is completing student teaching requirements.
180 Applicants for a standard license shall submit to the department:
181 (i) An application on a department form;
182 (ii) An official transcript of completion of a
183 teacher education program approved by the department or a
184 nationally accredited program, subject to the following:
185 Licensure to teach in Mississippi prekindergarten through
186 kindergarten classrooms shall require completion of a teacher
187 education program or a Bachelor of Science degree with child
188 development emphasis from a program accredited by the American
189 Association of Family and Consumer Sciences (AAFCS) or by the
190 National Association for Education of Young Children (NAEYC) or by
191 the National Council for Accreditation of Teacher Education
192 (NCATE). Licensure to teach in Mississippi kindergarten, for
193 those applicants who have completed a teacher education program,
194 and in Grade 1 through Grade 4 shall require the completion of an
195 interdisciplinary program of studies. Licenses for Grades 4
196 through 8 shall require the completion of an interdisciplinary
197 program of studies with two (2) or more areas of concentration.
198 Licensure to teach in Mississippi Grades 7 through 12 shall
199 require a major in an academic field other than education, or a
200 combination of disciplines other than education. Students
201 preparing to teach a subject shall complete a major in the
202 respective subject discipline. All applicants for standard
203 licensure shall demonstrate that such person's college preparation



204 in those fields was in accordance with the standards set forth by
205 the National Council for Accreditation of Teacher Education
206 (NCATE) or the National Association of State Directors of Teacher
207 Education and Certification (NASDTEC) or, for those applicants who
208 have a Bachelor of Science degree with child development emphasis,
209 the American Association of Family and Consumer Sciences (AAFCS).
210 Effective July 1, 2016, for initial elementary education
211 licensure, a teacher candidate must earn a passing score on a
212 rigorous test of scientifically research-based reading instruction
213 and intervention and data-based decision-making principles as
214 approved by the State Board of Education;

215 (iii) A copy of test scores evidencing
216 satisfactory completion of nationally administered examinations of
217 achievement, such as the Educational Testing Service's teacher
218 testing examinations;

219 (iv) Any other document required by the State
220 Board of Education; and

221 (v) From and after September 30, 2015, no teacher
222 candidate shall be licensed to teach in Mississippi who did not
223 meet the following criteria for entrance into an approved teacher
224 education program:

225 1. Twenty-one (21) ACT equivalent or achieve
226 the nationally recommended passing score on the Praxis Core
227 Academic Skills for Educators examination; and



228 2. No less than 2.75 GPA on pre-major
229 coursework of the institution's approved teacher education program
230 provided that the accepted cohort of candidates meets or exceeds a
231 3.0 GPA on pre-major coursework.

232 (b) **Standard License - Nontraditional Teaching Route.**
233 From and after September 30, 2015, no teacher candidate shall be
234 licensed to teach in Mississippi under the alternate route who did
235 not meet the following criteria:

236 (i) Twenty-one (21) ACT equivalent or achieve the
237 nationally recommended passing score on the Praxis Core Academic
238 Skills for Educators examination; and

239 (ii) No less than 2.75 GPA on content coursework in
240 the requested area of certification or passing Praxis II scores at
241 or above the national recommended score provided that the accepted
242 cohort of candidates of the institution's teacher education
243 program meets or exceeds a 3.0 GPA on pre-major coursework.

244 Beginning January 1, 2004, an individual who has a passing
245 score on the Praxis I Basic Skills and Praxis II Specialty Area
246 Test in the requested area of endorsement may apply for the Teach
247 Mississippi Institute (TMI) program to teach students in Grades 7
248 through 12 if the individual meets the requirements of this
249 paragraph (b). The State Board of Education shall adopt rules
250 requiring that teacher preparation institutions which provide the
251 Teach Mississippi Institute (TMI) program for the preparation of



252 nontraditional teachers shall meet the standards and comply with
253 the provisions of this paragraph.

254 (i) The Teach Mississippi Institute (TMI) shall
255 include an intensive eight-week, nine-semester-hour summer program
256 or a curriculum of study in which the student matriculates in the
257 fall or spring semester, which shall include, but not be limited
258 to, instruction in education, effective teaching strategies,
259 classroom management, state curriculum requirements, planning and
260 instruction, instructional methods and pedagogy, using test
261 results to improve instruction, and a one (1) semester three-hour
262 supervised internship to be completed while the teacher is
263 employed as a full-time teacher intern in a local school district.
264 The TMI shall be implemented * * * with courses to be offered at
265 up to four (4) locations in the state, with one (1) TMI site to be
266 located in each of the * * * four (4) Congressional districts.

267 (ii) The school sponsoring the teacher intern
268 shall enter into a written agreement with the institution
269 providing the Teach Mississippi Institute (TMI) program, under
270 terms and conditions as agreed upon by the contracting parties,
271 providing that the school district shall provide teacher interns
272 seeking a nontraditional provisional teaching license with a
273 one-year classroom teaching experience. The teacher intern shall
274 successfully complete the one (1) semester three-hour intensive
275 internship in the school district during the semester immediately



276 following successful completion of the TMI and prior to the end of
277 the one-year classroom teaching experience.

278 (iii) Upon completion of the nine-semester-hour
279 TMI or the fall or spring semester option, the individual shall
280 submit his transcript to the commission for provisional licensure
281 of the intern teacher, and the intern teacher shall be issued a
282 provisional teaching license by the commission, which will allow
283 the individual to legally serve as a teacher while the person
284 completes a nontraditional teacher preparation internship program.

285 (iv) During the semester of internship in the
286 school district, the teacher preparation institution shall monitor
287 the performance of the intern teacher. The school district that
288 employs the provisional teacher shall supervise the provisional
289 teacher during the teacher's intern year of employment under a
290 nontraditional provisional license, and shall, in consultation
291 with the teacher intern's mentor at the school district of
292 employment, submit to the commission a comprehensive evaluation of
293 the teacher's performance sixty (60) days prior to the expiration
294 of the nontraditional provisional license. If the comprehensive
295 evaluation establishes that the provisional teacher intern's
296 performance fails to meet the standards of the approved
297 nontraditional teacher preparation internship program, the
298 individual shall not be approved for a standard license.

299 (v) An individual issued a provisional teaching
300 license under this nontraditional route shall successfully



301 complete, at a minimum, a one-year beginning teacher mentoring and
302 induction program administered by the employing school district
303 with the assistance of the State Department of Education.

304 (vi) Upon successful completion of the TMI and the
305 internship provisional license period, applicants for a Standard
306 License - Nontraditional Route shall submit to the commission a
307 transcript of successful completion of the twelve (12) semester
308 hours required in the internship program, and the employing school
309 district shall submit to the commission a recommendation for
310 standard licensure of the intern. If the school district
311 recommends licensure, the applicant shall be issued a Standard
312 License - Nontraditional Route which shall be valid for a
313 five-year period and be renewable.

314 (vii) At the discretion of the teacher preparation
315 institution, the individual shall be allowed to credit the twelve
316 (12) semester hours earned in the nontraditional teacher
317 internship program toward the graduate hours required for a Master
318 of Arts in Teacher (MAT) Degree.

319 (viii) The local school district in which the
320 nontraditional teacher intern or provisional licensee is employed
321 shall compensate such teacher interns at Step 1 of the required
322 salary level during the period of time such individual is
323 completing teacher internship requirements * * *.

324 Implementation of the TMI program provided for under this
325 paragraph (b) shall be contingent upon the availability of funds



326 appropriated specifically for such purpose by the Legislature.
327 Such implementation of the TMI program may not be deemed to
328 prohibit the State Board of Education from developing and
329 implementing additional alternative route teacher licensure
330 programs, as deemed appropriate by the board. The emergency
331 certification program in effect prior to July 1, 2002, shall
332 remain in effect.

333 (ix) From and after July 1, 2017, an individual
334 who has received a graduate degree in any subject matter or
335 educational discipline on the master's, educational specialist's
336 or doctoral level, who completes the college course of study
337 specific to that degree with at least eighteen (18) hours in the
338 same content area with a grade of "C" or higher at a regionally or
339 nationally accredited senior college or university, and who has
340 achieved the nationally recommended passing score on the Praxis
341 Core and Praxis II Specialty Area Test in the requested area of
342 endorsement at the time application for licensure is submitted,
343 and who has completed required additional coursework, including,
344 but not limited to, instruction in education, effective teaching
345 strategies, classroom management, state curriculum requirements,
346 planning and instruction, instructional methods and pedagogy, and
347 using test results to improve instruction, shall be issued an
348 alternate license to teach in Mississippi. When submitting the
349 application for licensure, applicants seeking licensure under this
350 subparagraph (ix) shall include an official transcript in a sealed



351 envelope or e-Scrip bearing the seal or signature of the registrar
352 of the institution from which the transcript was requested.

353 A Standard License - Approved Program Route shall be issued
354 for a five-year period, and may be renewed. Recognizing teaching
355 as a profession, a hiring preference shall be granted to persons
356 holding a Standard License - Approved Program Route or Standard
357 License - Nontraditional Teaching Route over persons holding any
358 other license.

359 (c) **Special License - Expert Citizen.** In order to
360 allow a school district to offer specialized or technical courses,
361 the State Department of Education, in accordance with rules and
362 regulations established by the State Board of Education, may grant
363 a one-year expert citizen-teacher license to local business or
364 other professional personnel to teach in a public school or
365 nonpublic school accredited or approved by the state. Such person
366 may begin teaching upon his employment by the local school board
367 and licensure by the Mississippi Department of Education. The
368 board shall adopt rules and regulations to administer the expert
369 citizen-teacher license. A Special License - Expert Citizen may
370 be renewed in accordance with the established rules and
371 regulations of the State Department of Education.

372 (d) **Special License - Nonrenewable.** The State Board of
373 Education is authorized to establish rules and regulations to
374 allow those educators not meeting requirements in paragraph (a),
375 (b) or (c) of this subsection (6) to be licensed for a period of



376 not more than three (3) years, except by special approval of the
377 State Board of Education.

378 (e) **Nonlicensed Teaching Personnel.** A nonlicensed
379 person may teach for a maximum of three (3) periods per teaching
380 day in a public school district or a nonpublic school
381 accredited/approved by the state. Such person shall submit to the
382 department a transcript or record of his education and experience
383 which substantiates his preparation for the subject to be taught
384 and shall meet other qualifications specified by the commission
385 and approved by the State Board of Education. In no case shall
386 any local school board hire nonlicensed personnel as authorized
387 under this paragraph in excess of five percent (5%) of the total
388 number of licensed personnel in any single school.

389 (f) **Special License - Transitional Bilingual Education.**
390 Beginning July 1, 2003, the commission shall grant special
391 licenses to teachers of transitional bilingual education who
392 possess such qualifications as are prescribed in this section.
393 Teachers of transitional bilingual education shall be compensated
394 by local school boards at not less than one (1) step on the
395 regular salary schedule applicable to permanent teachers licensed
396 under this section. The commission shall grant special licenses
397 to teachers of transitional bilingual education who present the
398 commission with satisfactory evidence that they (i) possess a
399 speaking and reading ability in a language, other than English, in
400 which bilingual education is offered and communicative skills in



401 English; (ii) are in good health and sound moral character; (iii)
402 possess a bachelor's degree or an associate's degree in teacher
403 education from an accredited institution of higher education; (iv)
404 meet such requirements as to courses of study, semester hours
405 therein, experience and training as may be required by the
406 commission; and (v) are legally present in the United States and
407 possess legal authorization for employment. A teacher of
408 transitional bilingual education serving under a special license
409 shall be under an exemption from standard licensure if he achieves
410 the requisite qualifications therefor. Two (2) years of service
411 by a teacher of transitional bilingual education under such an
412 exemption shall be credited to the teacher in acquiring a Standard
413 Educator License. Nothing in this paragraph shall be deemed to
414 prohibit a local school board from employing a teacher licensed in
415 an appropriate field as approved by the State Department of
416 Education to teach in a program in transitional bilingual
417 education.

418 (g) In the event any school district meets the highest
419 accreditation standards as defined by the State Board of Education
420 in the accountability system, the State Board of Education, in its
421 discretion, may exempt such school district from any restrictions
422 in paragraph (e) relating to the employment of nonlicensed
423 teaching personnel.

424 * * *



425 (7) **Administrator License.** The State Board of Education is
426 authorized to establish rules and regulations and to administer
427 the licensure process of the school administrators in the State of
428 Mississippi. There will be four (4) categories of administrator
429 licensure with exceptions only through special approval of the
430 State Board of Education.

431 (a) **Administrator License - Nonpracticing.** Those
432 educators holding administrative endorsement but having no
433 administrative experience or not serving in an administrative
434 position on January 15, 1997.

435 (b) **Administrator License - Entry Level.** Those
436 educators holding administrative endorsement and having met the
437 department's qualifications to be eligible for employment in a
438 Mississippi school district. Administrator License - Entry Level
439 shall be issued for a five-year period and shall be nonrenewable.

440 (c) **Standard Administrator License - Career Level.** An
441 administrator who has met all the requirements of the department
442 for standard administrator licensure.

443 (d) **Administrator License - Nontraditional Route.** The
444 board may establish a nontraditional route for licensing
445 administrative personnel. Such nontraditional route for
446 administrative licensure shall be available for persons holding,
447 but not limited to, a master of business administration degree, a
448 master of public administration degree, a master of public
449 planning and policy degree or a doctor of jurisprudence degree



450 from an accredited college or university, with five (5) years of
451 administrative or supervisory experience. Successful completion
452 of the requirements of alternate route licensure for
453 administrators shall qualify the person for a standard
454 administrator license.

455 Individuals seeking school administrator licensure under
456 paragraph (b), (c) or (d) shall successfully complete a training
457 program and an assessment process prescribed by the State Board of
458 Education. All applicants for school administrator licensure
459 shall meet all requirements prescribed by the department under
460 paragraph (b), (c) or (d), and the cost of the assessment process
461 required shall be paid by the applicant.

462 (8) **Reciprocity.** (a) The department shall grant a standard
463 license to any individual who possesses a valid standard license
464 from another state and meets minimum Mississippi license
465 requirements or equivalent requirements as determined by the State
466 Board of Education. The issuance of a license by reciprocity to a
467 military-trained applicant or military spouse shall be subject to
468 the provisions of Section 73-50-1.

469 (b) The department shall grant a nonrenewable special
470 license to any individual who possesses a credential which is less
471 than a standard license or certification from another state. Such
472 special license shall be valid for the current school year plus
473 one (1) additional school year to expire on June 30 of the second
474 year, not to exceed a total period of twenty-four (24) months,



475 during which time the applicant shall be required to complete the
476 requirements for a standard license in Mississippi.

477 (9) **Renewal and Reinstatement of Licenses.** The State Board
478 of Education is authorized to establish rules and regulations for
479 the renewal and reinstatement of educator and administrator
480 licenses. Effective May 15, 1997, the valid standard license held
481 by an educator shall be extended five (5) years beyond the
482 expiration date of the license in order to afford the educator
483 adequate time to fulfill new renewal requirements established
484 pursuant to this subsection. An educator completing a master of
485 education, educational specialist or doctor of education degree in
486 May 1997 for the purpose of upgrading the educator's license to a
487 higher class shall be given this extension of five (5) years plus
488 five (5) additional years for completion of a higher degree.

489 (10) All controversies involving the issuance, revocation,
490 suspension or any change whatsoever in the licensure of an
491 educator required to hold a license shall be initially heard in a
492 hearing de novo, by the commission or by a subcommittee
493 established by the commission and composed of commission members
494 or by a hearing officer retained and appointed by the commission
495 for the purpose of holding hearings. Any complaint seeking the
496 denial of issuance, revocation or suspension of a license shall be
497 by sworn affidavit filed with the Commission on Teacher and
498 Administrator Education, Certification and Licensure and
499 Development. The decision thereon by the commission or its



500 subcommittee or hearing officer shall be final, unless the
501 aggrieved party shall appeal to the State Board of Education,
502 within ten (10) days, of the decision of the * * * commission, its
503 subcommittee or hearing officer. An appeal to the State Board of
504 Education shall be perfected upon filing a notice of the appeal
505 and by the prepayment of the costs of the preparation of the
506 record of the proceedings by the commission, its subcommittee or
507 hearing officer. An appeal shall be on the record previously made
508 before the commission * * *, its subcommittee or hearing officer,
509 unless otherwise provided by rules and regulations adopted by the
510 board. The decision of the commission, its subcommittee or
511 hearing officer shall not be disturbed in appeal if: (i)
512 supported by substantial evidence; (ii) was not arbitrary and
513 capricious; (iii) was within the authority of the commission; and
514 (iv) did not violate some statutory or constitutional right. The
515 State Board of Education in its authority may reverse, or remand
516 with instructions, the decision of the * * * commission, its
517 subcommittee or hearing officer. The decision of the State Board
518 of Education shall be final.

519 (11) The State Board of Education, acting through the
520 commission, may deny an application for any teacher or
521 administrator license for one or more of the following:

522 (a) Lack of qualifications which are prescribed by law
523 or regulations adopted by the State Board of Education;



524 (b) The applicant has a physical, emotional or mental
525 disability that renders the applicant unfit to perform the duties
526 authorized by the license, as certified by a licensed psychologist
527 or psychiatrist;

528 (c) The applicant is actively addicted to or actively
529 dependent on alcohol or other habit-forming drugs or is a habitual
530 user of narcotics, barbiturates, amphetamines, hallucinogens or
531 other drugs having similar effect, at the time of application for
532 a license;

533 (d) Revocation, suspension or surrender of an
534 applicant's certificate or license by another state shall result
535 in immediate denial of licensure until such time that the records
536 predicated the revocation, suspension or surrender in the prior
537 state have been cleared;

538 (e) Fraud or deceit committed by the applicant in
539 securing or attempting to secure such certification and license;

540 (f) Failing or refusing to furnish reasonable evidence
541 of identification;

542 (g) The applicant has been convicted, has pled guilty
543 or entered a plea of nolo contendere to a felony, as defined by
544 federal or state law;

545 (h) The applicant has been convicted, has pled guilty
546 or entered a plea of nolo contendere to a sex offense as defined
547 by federal or state law, shall result in the immediate denial of
548 licensure application. For purposes of this paragraph (h) and



549 paragraph (g) of this subsection, a "guilty plea" includes a plea
550 of guilty, entry of a plea of nolo contendere, or entry of an
551 order granting pretrial or judicial diversion; * * *

552 (i) Probation or post-release supervision for a felony
553 or * * * conviction, as defined by federal or state law, shall
554 result in the immediate denial of licensure application until
555 expiration of the probationary or post-release supervision
556 period * * *; or

557 (j) Probation or post-release supervision for a sex
558 offense conviction, as defined by federal or state law, shall
559 result in the immediate denial of licensure application.

560 (12) The State Board of Education, acting through the
561 commission, may revoke, suspend or refuse to renew any teacher or
562 administrator license for specified periods of time or may place
563 on probation, * * * reprimand a licensee, or take other
564 disciplinary action with regard to any license issued under this
565 chapter for one or more of the following:

566 (a) Breach of contract or abandonment of employment may
567 result in the suspension of the license for one (1) school year as
568 provided in Section 37-9-57;

569 (b) Obtaining a license by fraudulent means shall
570 result in immediate suspension and continued suspension for one
571 (1) year after correction is made;

572 (c) Suspension or revocation of a certificate or
573 license by another state shall result in immediate suspension or



574 revocation and shall continue until records in the prior state
575 have been cleared;

576 (d) The license holder has been convicted, has pled
577 guilty or entered a plea of nolo contendere to a felony, as
578 defined by federal or state law. For purposes of this paragraph,
579 a "guilty plea" includes a plea of guilty, entry of a plea of nolo
580 contendere, or entry of an order granting pretrial or judicial
581 diversion;

582 (e) The license holder has been convicted, has pled
583 guilty or entered a plea of nolo contendere to a sex offense, as
584 defined by federal or state law, shall result in immediate
585 suspension or revocation;

586 (f) The license holder has received probation or
587 post-release supervision for a felony or sex offense conviction,
588 as defined by federal or state law, which shall result in
589 immediate suspension or revocation until expiration of the
590 probationary or post-release supervision period;

591 (g) The license holder knowingly and willfully
592 committing any of the acts affecting validity of mandatory uniform
593 test results as provided in Section 37-16-4(1);

594 (h) The license holder has engaged in unethical conduct
595 relating to an educator/student relationship as identified by the
596 State Board of Education in its rules;



597 (i) The license holder has fondled a student as
598 described in Section 97-5-23, or had any type of sexual
599 involvement with a student as described in Section 97-3-95;

600 (j) The license holder has failed to report sexual
601 involvement of a school employee with a student as required by
602 Section 97-5-24;

603 (k) The license holder served as superintendent or
604 principal in a school district during the time preceding and/or
605 that resulted in the Governor declaring a state of emergency and
606 the State Board of Education appointing a conservator;

607 (l) The license holder submitted a false certification
608 to the State Department of Education that a statewide test was
609 administered in strict accordance with the Requirements of the
610 Mississippi Statewide Assessment System; or

611 (m) The license holder has failed to comply with the
612 Procedures for Reporting Infractions as promulgated by the
613 commission and approved by the State Board of Education pursuant
614 to subsection (15) of this section.

615 For purposes of this subsection, probation shall be defined
616 as a length of time determined by the commission, its subcommittee
617 or hearing officer, and based on the severity of the offense, in
618 which the license holder shall meet certain requirements as
619 prescribed by the commission, its subcommittee or hearing officer.
620 Failure to complete the requirements of the time specified shall
621 result in immediate suspension of the license for one (1) year.



622 (13) (a) Dismissal or suspension of a licensed employee by
623 a local school board pursuant to Section 37-9-59, or a local
624 school board approved resignation of a licensed employee which
625 results from a violation of any of the professional code of ethics
626 and standards of conduct adopted by the State Board of Education,
627 may result in the suspension or revocation of a license for a
628 length of time which shall be determined by the commission and
629 based upon the severity of the offense.

630 (b) Any offense committed or attempted in any other
631 state shall result in the same penalty as if committed or
632 attempted in this state.

633 (c) A person may voluntarily surrender a license. The
634 surrender of such license may result in the commission
635 recommending any of the above penalties without the necessity of a
636 hearing. However, any such license which has voluntarily been
637 surrendered by a licensed employee may only be reinstated by a
638 majority vote of all members of the commission present at the
639 meeting called for such purpose.

640 (14) (a) A person whose license has been * * * suspended or
641 surrendered on any grounds except criminal grounds may petition
642 for reinstatement of the license after one (1) year from the date
643 of * * * suspension or surrender, or after one-half (1/2) of
644 the * * * suspended or surrendered time has lapsed, whichever is
645 greater. A person whose license has been suspended or revoked on
646 any grounds or violations under subsection (12) of this section



647 may be reinstated automatically or approved for a reinstatement
648 hearing, upon submission of a written request to the commission.
649 A license suspended, revoked or surrendered on criminal grounds
650 may be reinstated upon petition to the commission filed after
651 expiration of the sentence and parole or probationary period
652 imposed upon conviction. A revoked, suspended or surrendered
653 license may be reinstated upon satisfactory showing of evidence of
654 rehabilitation. The commission shall require all who petition for
655 reinstatement to furnish evidence satisfactory to the commission
656 of good character, good mental, emotional and physical health and
657 such other evidence as the commission may deem necessary to
658 establish the petitioner's rehabilitation and fitness to perform
659 the duties authorized by the license.

660 (b) A person whose license expires while under
661 investigation by the Office of Educator Misconduct for an alleged
662 violation may not be reinstated without a hearing before the
663 commission if required based on the results of the investigation.

664 (15) Reporting procedures and hearing procedures for dealing
665 with infractions under this section shall be promulgated by the
666 commission, subject to the approval of the State Board of
667 Education. The revocation or suspension of a license shall be
668 effected at the time indicated on the notice of suspension or
669 revocation. The commission shall immediately notify the
670 superintendent of the school district or school board where the
671 teacher or administrator is employed of any disciplinary action



672 and also notify the teacher or administrator of such revocation or
673 suspension and shall maintain records of action taken. The State
674 Board of Education may reverse or remand with instructions any
675 decision of the commission, its subcommittee or hearing officer,
676 regarding a petition for reinstatement of a license, and any such
677 decision of the State Board of Education shall be final.

678 (16) An appeal from the action of the State Board of
679 Education in denying an application, revoking or suspending a
680 license or otherwise disciplining any person under the provisions
681 of this section shall be filed in the Chancery Court of the First
682 Judicial District of Hinds County, Mississippi, on the record
683 made, including a verbatim transcript of the testimony at the
684 hearing. The appeal shall be filed within thirty (30) days after
685 notification of the action of the board is mailed or served and
686 the proceedings in chancery court shall be conducted as other
687 matters coming before the court. The appeal shall be perfected
688 upon filing notice of the appeal and by the prepayment of all
689 costs, including the cost of preparation of the record of the
690 proceedings by the State Board of Education, and the filing of a
691 bond in the sum of Two Hundred Dollars (\$200.00) conditioned that
692 if the action of the board be affirmed by the chancery court, the
693 applicant or license holder shall pay the costs of the appeal and
694 the action of the chancery court.

695 (17) All such programs, rules, regulations, standards and
696 criteria recommended or authorized by the commission shall become



697 effective upon approval by the State Board of Education as
698 designated by appropriate orders entered upon the minutes thereof.

699 (18) The granting of a license shall not be deemed a
700 property right nor a guarantee of employment in any public school
701 district. A license is a privilege indicating minimal eligibility
702 for teaching in the public school districts of Mississippi. This
703 section shall in no way alter or abridge the authority of local
704 school districts to require greater qualifications or standards of
705 performance as a prerequisite of initial or continued employment
706 in such districts.

707 (19) In addition to the reasons specified in subsections
708 (12) and (13) of this section, the board shall be authorized to
709 suspend the license of any licensee for being out of compliance
710 with an order for support, as defined in Section 93-11-153. The
711 procedure for suspension of a license for being out of compliance
712 with an order for support, and the procedure for the reissuance or
713 reinstatement of a license suspended for that purpose, and the
714 payment of any fees for the reissuance or reinstatement of a
715 license suspended for that purpose, shall be governed by Section
716 93-11-157 or 93-11-163, as the case may be. Actions taken by the
717 board in suspending a license when required by Section 93-11-157
718 or 93-11-163 are not actions from which an appeal may be taken
719 under this section. Any appeal of a license suspension that is
720 required by Section 93-11-157 or 93-11-163 shall be taken in
721 accordance with the appeal procedure specified in Section



722 93-11-157 or 93-11-163, as the case may be, rather than the
723 procedure specified in this section. If there is any conflict
724 between any provision of Section 93-11-157 or 93-11-163 and any
725 provision of this chapter, the provisions of Section 93-11-157 or
726 93-11-163, as the case may be, shall control.

727 **SECTION 3.** Section 37-9-201, Mississippi Code of 1972, is
728 amended as follows:

729 37-9-201. As used in Sections 37-9-201 through 37-9-213:

730 (a) "Beginning teacher" means a teacher who:

731 (i) Possesses a teaching license issued by the
732 Commission on Teacher and Administrator Education, Certification
733 and Licensure and Development;

734 (ii) Is employed at least half time, primarily as
735 a classroom teacher, by a school district; and

736 (iii) Has taught fewer than ninety (90)
737 consecutive days, or one hundred eighty (180) days total, as a
738 licensed teacher in any public school.

739 (b) "District" means any local school district.

740 (c) "Formal assistance" means a program provided by a
741 mentor teacher to a beginning teacher that includes, but is not
742 limited to, direct classroom observation and consultation;
743 assistance in instructional planning and preparation; support in
744 implementation and delivery of classroom instruction; and other
745 assistance intended to enhance the professional performance and
746 development of the beginning teacher.



747 (d) " * * * Teacher leader" means a teacher who:

748 (i) Possesses a standard teaching personnel
749 service or administrative license issued by the Commission on
750 Teacher and Administrator Education, Certification and Licensure
751 and Development;

752 (ii) At the time of selection, is employed under
753 contract primarily as a classroom teacher by a public school
754 district or is retired from a public school district;

755 (iii) Has successfully taught for three (3) or
756 more years as a licensed teacher in any public school;

757 (iv) Has been selected and trained as described in
758 Section 37-9-211; and

759 (v) Has demonstrated mastery of teaching skills
760 and subject matter knowledge.

761 (e) "Teacher" means a licensed employee of a local
762 school district who has direct responsibility for instruction,
763 coordination of educational programs or supervision of teachers
764 and who is compensated for services from public funds.

765 **SECTION 4.** Section 37-9-203, Mississippi Code of 1972, is
766 amended as follows:

767 37-9-203. The Legislature finds that:

768 (a) The quality of teaching in the public schools is of
769 vital importance to the future of this state;



770 (b) This state has a special interest in insuring that
771 the induction of beginning teachers into their profession is
772 conducive to their professional growth and development; and

773 (c) The formal assignment of * * * teacher leaders who
774 have demonstrated mastery of teaching skills and subject matter
775 knowledge should substantially improve the induction and
776 professional growth of beginning teachers in this state, as well
777 as provide * * * teacher leaders with additional and valuable
778 opportunities to enhance their own professional growth.

779 **SECTION 5.** Section 37-9-205, Mississippi Code of 1972, is
780 amended as follows:

781 37-9-205. (1) The Mississippi Teacher Center of the State
782 Department of Education shall establish a beginning teacher
783 support program to provide eligible beginning teachers in this
784 state with continued and sustained support from a formally
785 assigned * * * teacher leader during the first full year of
786 teaching.

787 (2) After the 1992-1993 school year, any district is
788 eligible to participate in the beginning teacher support program.

789 (3) Two (2) or more districts may operate jointly a
790 beginning teacher support program if they meet all the
791 requirements of Sections 37-9-201 through 37-9-213.

792 (4) Educational consortia established for approved teacher
793 education programs pursuant to rules of the Mississippi Teacher



794 Center are eligible to operate a beginning teacher support program
795 to serve beginning teachers in a participating school district.

796 (5) To the extent practicable, school districts may
797 coordinate with institutions of higher education in the design,
798 implementation and evaluation of * * * teacher leadership
799 programs.

800 **SECTION 6.** Section 37-9-207, Mississippi Code of 1972, is
801 amended as follows:

802 37-9-207. Each district that wishes to participate in the
803 beginning teacher support program shall submit a formal
804 application to the Mississippi Teacher Center no later than
805 September 15 of each school year, according to rules of the
806 Mississippi Teacher Center. By that date, districts shall inform
807 the department of:

808 (a) The names of all eligible beginning teachers
809 employed by the district and a description of their teaching
810 assignments and extracurricular duties;

811 (b) The names of * * * teacher leaders selected by a
812 district and a description of their teaching assignments and the
813 endorsement area in which they are certified to teach;

814 (c) A description of the content and calendar of the
815 proposed beginning teacher support program. The program must
816 provide a minimum of ninety (90) hours of direct contact
817 between * * * teacher leaders and beginning teachers, including



818 observation of or assistance with classroom teaching, or both,
819 during the school day;

820 (d) A description of the amount and nature of each
821 eligible beginning teacher's classroom and extracurricular duties
822 and assurance that these duties are not unreasonable for a
823 beginning teacher; and

824 (e) A certification that no eligible beginning teacher
825 is or may be misassigned outside the teacher's endorsement area,
826 except as provided for by rules of the Mississippi Teacher Center.

827 **SECTION 7.** Section 37-9-209, Mississippi Code of 1972, is
828 amended as follows:

829 37-9-209. After consulting with representatives of teachers,
830 administrators, school boards, schools of education, the
831 institutions of higher learning and such others as it considers
832 appropriate, the Mississippi Teacher Center shall develop or
833 approve workshops to provide training for * * * teacher leaders
834 and beginning teachers.

835 **SECTION 8.** Section 37-9-211, Mississippi Code of 1972, is
836 amended as follows:

837 37-9-211. (1) There is established the Mississippi Teacher
838 Leadership Program, as a four-year pilot program within the State
839 Department of Education. The purpose of the program shall be to
840 support and retain effective classroom teachers through teacher
841 leadership opportunities by making stipends available to teachers
842 who desire to lead while remaining in the classroom.



843 (* * *2) The selection, nature and extent of duties
844 of * * * teacher leaders shall be determined by the school
845 district. The following guidelines shall apply:

846 (a) No teacher shall be designated as a * * * teacher
847 leader unless willing to perform in that role;

848 (b) No * * * teacher leader shall participate in the
849 evaluation of beginning teachers;

850 (c) Each * * * teacher leader shall complete
851 successfully a training workshop provided or approved by the
852 Mississippi Teacher Center * * * before participating in the
853 beginning teacher support program; and

854 (d) If a * * * teacher leader receives additional
855 release time to support a beginning teacher, it is expected that
856 the total workload of other teachers regularly employed by the
857 school district should not increase in any substantial manner.

858 (2) A district may: (a) compensate * * * teacher leaders
859 from any available funds for additional duties to support a
860 beginning teacher which are performed after regular school hours;
861 (b) grant additional release time to * * * teacher leaders for
862 additional duties to support a beginning teacher which are
863 performed after regular school hours; and (c) employ and
864 compensate substitute teachers from any available funds for
865 assuming the regular teaching duties of * * * teacher leaders who
866 are participating in the beginning teacher program.



867 **SECTION 9.** Section 37-9-213, Mississippi Code of 1972, is
868 amended as follows:

869 37-9-213. The Mississippi Teacher Center shall be
870 responsible for the regular and ongoing evaluation of the
871 beginning teacher support program and may contract for such
872 evaluation. The evaluation shall include, but not be limited to,
873 assessments of the following:

874 (a) A survey and follow-up of all eligible * * *
875 teacher leaders and beginning teachers and appropriate district
876 officials, to assess satisfaction with and the effectiveness of
877 the beginning teacher support program;

878 (b) The amount and quality of the contact time
879 between * * * teacher leaders and beginning teachers;

880 (c) The effectiveness of workshops and other training
881 required under Sections 37-9-201 through 37-9-211;

882 (d) The effectiveness of the * * * teacher leadership
883 program in enhancing the professional development and retention of
884 new teachers in the district;

885 (e) The desirability of extending this assistance
886 program to students participating in graduate level teacher
887 preparation programs similar to those which have been proposed by
888 the Board of Trustees of State Institutions of Higher Learning;
889 and

890 (f) The desirability of extending this assistance
891 program to all probationary teachers.



892 **SECTION 10.** Section 37-19-7, Mississippi Code of 1972, is
893 amended as follows:

894 37-19-7. (1) The allowance in the Mississippi Adequate
895 Education Program for teachers' salaries in each county and
896 separate school district shall be determined and paid in
897 accordance with the scale for teachers' salaries as provided in
898 this subsection. For teachers holding the following types of
899 licenses or the equivalent as determined by the State Board of
900 Education, and the following number of years of teaching
901 experience, the scale shall be as follows: * * *

902
903 **2019-2020 MINIMUM SALARY SCHEDULE**

904 <u>Years</u>				
905 <u>Exp.</u>	<u>AAAA</u>	<u>AAA</u>	<u>AA</u>	<u>A</u>
906 <u>0</u>	<u>39,608.00</u>	<u>38,444.00</u>	<u>37,280.00</u>	<u>34,890.00</u>
907 <u>1</u>	<u>39,608.00</u>	<u>38,444.00</u>	<u>37,280.00</u>	<u>34,890.00</u>
908 <u>2</u>	<u>39,608.00</u>	<u>38,444.00</u>	<u>37,280.00</u>	<u>34,890.00</u>
909 <u>3</u>	<u>40,402.00</u>	<u>39,171.00</u>	<u>37,940.00</u>	<u>35,385.00</u>
910 <u>4</u>	<u>41,196.00</u>	<u>39,898.00</u>	<u>38,600.00</u>	<u>35,880.00</u>
911 <u>5</u>	<u>41,990.00</u>	<u>40,625.00</u>	<u>39,260.00</u>	<u>36,375.00</u>
912 <u>6</u>	<u>42,784.00</u>	<u>41,352.00</u>	<u>39,920.00</u>	<u>36,870.00</u>
913 <u>7</u>	<u>43,578.00</u>	<u>42,079.00</u>	<u>40,580.00</u>	<u>37,365.00</u>
914 <u>8</u>	<u>44,372.00</u>	<u>42,806.00</u>	<u>41,240.00</u>	<u>37,860.00</u>
915 <u>9</u>	<u>45,166.00</u>	<u>43,533.00</u>	<u>41,900.00</u>	<u>38,355.00</u>
916 <u>10</u>	<u>45,960.00</u>	<u>44,260.00</u>	<u>42,560.00</u>	<u>38,850.00</u>



917	<u>11</u>	<u>46,754.00</u>	<u>44,987.00</u>	<u>43,220.00</u>	<u>39,345.00</u>
918	<u>12</u>	<u>47,548.00</u>	<u>45,714.00</u>	<u>43,880.00</u>	<u>39,840.00</u>
919	<u>13</u>	<u>48,342.00</u>	<u>46,441.00</u>	<u>44,540.00</u>	<u>40,335.00</u>
920	<u>14</u>	<u>49,136.00</u>	<u>47,168.00</u>	<u>45,200.00</u>	<u>40,830.00</u>
921	<u>15</u>	<u>49,930.00</u>	<u>47,895.00</u>	<u>45,860.00</u>	<u>41,325.00</u>
922	<u>16</u>	<u>50,724.00</u>	<u>48,622.00</u>	<u>46,520.00</u>	<u>41,820.00</u>
923	<u>17</u>	<u>51,518.00</u>	<u>49,349.00</u>	<u>47,180.00</u>	<u>42,315.00</u>
924	<u>18</u>	<u>52,312.00</u>	<u>50,076.00</u>	<u>47,840.00</u>	<u>42,810.00</u>
925	<u>19</u>	<u>53,106.00</u>	<u>50,803.00</u>	<u>48,500.00</u>	<u>43,305.00</u>
926	<u>20</u>	<u>53,900.00</u>	<u>51,530.00</u>	<u>49,160.00</u>	<u>43,800.00</u>
927	<u>21</u>	<u>54,694.00</u>	<u>52,257.00</u>	<u>49,820.00</u>	<u>44,295.00</u>
928	<u>22</u>	<u>55,488.00</u>	<u>52,984.00</u>	<u>50,480.00</u>	<u>44,790.00</u>
929	<u>23</u>	<u>56,282.00</u>	<u>53,711.00</u>	<u>51,140.00</u>	<u>45,285.00</u>
930	<u>24</u>	<u>57,076.00</u>	<u>54,438.00</u>	<u>51,800.00</u>	<u>45,780.00</u>
931	<u>25</u>	<u>59,930.00</u>	<u>57,225.00</u>	<u>54,520.00</u>	<u>48,335.00</u>
932	<u>26</u>	<u>60,724.00</u>	<u>57,952.00</u>	<u>55,180.00</u>	<u>48,830.00</u>
933	<u>27</u>	<u>61,518.00</u>	<u>58,679.00</u>	<u>55,840.00</u>	<u>49,325.00</u>
934	<u>28</u>	<u>62,312.00</u>	<u>59,406.00</u>	<u>56,500.00</u>	<u>49,820.00</u>
935	<u>29</u>	<u>63,106.00</u>	<u>60,133.00</u>	<u>57,160.00</u>	<u>50,315.00</u>
936	<u>30</u>	<u>63,900.00</u>	<u>60,860.00</u>	<u>57,820.00</u>	<u>50,810.00</u>
937	<u>31</u>	<u>64,694.00</u>	<u>61,587.00</u>	<u>58,480.00</u>	<u>51,305.00</u>
938	<u>32</u>	<u>65,488.00</u>	<u>62,314.00</u>	<u>59,140.00</u>	<u>51,800.00</u>
939	<u>33</u>	<u>66,282.00</u>	<u>63,041.00</u>	<u>59,800.00</u>	<u>52,295.00</u>
940	<u>34</u>	<u>67,076.00</u>	<u>63,768.00</u>	<u>60,460.00</u>	<u>52,790.00</u>
941	<u>35</u>				



942 & above 67,870.00 64,495.00 61,120.00 53,285.00

943 **2020-2021 MINIMUM SALARY SCHEDULE**

944 Years

945	<u>Exp.</u>	<u>AAAA</u>	<u>AAA</u>	<u>AA</u>	<u>A</u>
946	<u>0</u>	<u>40,108.00</u>	<u>38,944.00</u>	<u>37,780.00</u>	<u>35,390.00</u>
947	<u>1</u>	<u>40,108.00</u>	<u>38,944.00</u>	<u>37,780.00</u>	<u>35,390.00</u>
948	<u>2</u>	<u>40,108.00</u>	<u>38,944.00</u>	<u>37,780.00</u>	<u>35,390.00</u>
949	<u>3</u>	<u>40,902.00</u>	<u>39,671.00</u>	<u>38,440.00</u>	<u>35,885.00</u>
950	<u>4</u>	<u>41,696.00</u>	<u>40,398.00</u>	<u>39,100.00</u>	<u>36,380.00</u>
951	<u>5</u>	<u>42,490.00</u>	<u>41,125.00</u>	<u>39,760.00</u>	<u>36,875.00</u>
952	<u>6</u>	<u>43,284.00</u>	<u>41,852.00</u>	<u>40,420.00</u>	<u>37,370.00</u>
953	<u>7</u>	<u>44,078.00</u>	<u>42,579.00</u>	<u>41,080.00</u>	<u>37,865.00</u>
954	<u>8</u>	<u>44,872.00</u>	<u>43,306.00</u>	<u>41,740.00</u>	<u>38,360.00</u>
955	<u>9</u>	<u>45,666.00</u>	<u>44,033.00</u>	<u>42,400.00</u>	<u>38,855.00</u>
956	<u>10</u>	<u>46,460.00</u>	<u>44,760.00</u>	<u>43,060.00</u>	<u>39,350.00</u>
957	<u>11</u>	<u>47,254.00</u>	<u>45,487.00</u>	<u>43,720.00</u>	<u>39,845.00</u>
958	<u>12</u>	<u>48,048.00</u>	<u>46,214.00</u>	<u>44,380.00</u>	<u>40,340.00</u>
959	<u>13</u>	<u>48,842.00</u>	<u>46,941.00</u>	<u>45,040.00</u>	<u>40,835.00</u>
960	<u>14</u>	<u>49,636.00</u>	<u>47,668.00</u>	<u>45,700.00</u>	<u>41,330.00</u>
961	<u>15</u>	<u>50,430.00</u>	<u>48,395.00</u>	<u>46,360.00</u>	<u>41,825.00</u>
962	<u>16</u>	<u>51,224.00</u>	<u>49,122.00</u>	<u>47,020.00</u>	<u>42,320.00</u>
963	<u>17</u>	<u>52,018.00</u>	<u>49,849.00</u>	<u>47,680.00</u>	<u>42,815.00</u>
964	<u>18</u>	<u>52,812.00</u>	<u>50,576.00</u>	<u>48,340.00</u>	<u>43,310.00</u>
965	<u>19</u>	<u>53,606.00</u>	<u>51,303.00</u>	<u>49,000.00</u>	<u>43,805.00</u>
966	<u>20</u>	<u>54,400.00</u>	<u>52,030.00</u>	<u>49,660.00</u>	<u>44,300.00</u>



967	<u>21</u>	<u>55,194.00</u>	<u>52,757.00</u>	<u>50,320.00</u>	<u>44,795.00</u>
968	<u>22</u>	<u>55,988.00</u>	<u>53,484.00</u>	<u>50,980.00</u>	<u>45,290.00</u>
969	<u>23</u>	<u>56,782.00</u>	<u>54,211.00</u>	<u>51,640.00</u>	<u>45,785.00</u>
970	<u>24</u>	<u>57,576.00</u>	<u>54,938.00</u>	<u>52,300.00</u>	<u>46,280.00</u>
971	<u>25</u>	<u>60,430.00</u>	<u>57,725.00</u>	<u>55,020.00</u>	<u>48,835.00</u>
972	<u>26</u>	<u>61,224.00</u>	<u>58,452.00</u>	<u>55,680.00</u>	<u>49,330.00</u>
973	<u>27</u>	<u>62,018.00</u>	<u>59,179.00</u>	<u>56,340.00</u>	<u>49,825.00</u>
974	<u>28</u>	<u>62,812.00</u>	<u>59,906.00</u>	<u>57,000.00</u>	<u>50,320.00</u>
975	<u>29</u>	<u>63,606.00</u>	<u>60,633.00</u>	<u>57,660.00</u>	<u>50,815.00</u>
976	<u>30</u>	<u>64,400.00</u>	<u>61,360.00</u>	<u>58,320.00</u>	<u>51,310.00</u>
977	<u>31</u>	<u>65,194.00</u>	<u>62,087.00</u>	<u>58,980.00</u>	<u>51,805.00</u>
978	<u>32</u>	<u>65,988.00</u>	<u>62,814.00</u>	<u>59,640.00</u>	<u>52,300.00</u>
979	<u>33</u>	<u>66,782.00</u>	<u>63,541.00</u>	<u>60,300.00</u>	<u>52,795.00</u>
980	<u>34</u>	<u>67,576.00</u>	<u>64,268.00</u>	<u>60,960.00</u>	<u>53,290.00</u>
981	<u>35</u>				
982	<u>& above</u>	<u>68,370.00</u>	<u>64,995.00</u>	<u>61,620.00</u>	<u>53,785.00</u>

983 It is the intent of the Legislature that any state funds made
984 available for salaries of licensed personnel in excess of the
985 funds paid for such salaries for the 1986-1987 school year shall
986 be paid to licensed personnel pursuant to a personnel appraisal
987 and compensation system implemented by the State Board of
988 Education. The State Board of Education shall have the authority
989 to adopt and amend rules and regulations as are necessary to
990 establish, administer and maintain the system.



991 All teachers employed on a full-time basis shall be paid a
992 minimum salary in accordance with the above scale. However, no
993 school district shall receive any funds under this section for any
994 school year during which the local supplement paid to any
995 individual teacher shall have been reduced to a sum less than that
996 paid to that individual teacher for performing the same duties
997 from local supplement during the immediately preceding school
998 year. The amount actually spent for the purposes of group health
999 and/or life insurance shall be considered as a part of the
1000 aggregate amount of local supplement but shall not be considered a
1001 part of the amount of individual local supplement.

1002 The level of professional training of each teacher to be used
1003 in establishing the salary allotment for the teachers for each
1004 year shall be determined by the type of valid teacher's license
1005 issued to those teachers on or before October 1 of the current
1006 school year. Provided, however, that school districts are
1007 authorized, in their discretion, to negotiate the salary levels
1008 applicable to certificated employees who are receiving retirement
1009 benefits from the retirement system of another state, and the
1010 annual experience increment provided above in Section 37-19-7
1011 shall not be applicable to any such retired certificated employee.

1012 (2) (a) The following employees shall receive an annual
1013 salary supplement in the amount of Six Thousand Dollars
1014 (\$6,000.00), plus fringe benefits, in addition to any other
1015 compensation to which the employee may be entitled:



1016 (i) Any licensed teacher who has met the
1017 requirements and acquired a Master Teacher certificate from the
1018 National Board for Professional Teaching Standards and who is
1019 employed by a local school board or the State Board of Education
1020 as a teacher and not as an administrator. Such teacher shall
1021 submit documentation to the State Department of Education that the
1022 certificate was received prior to October 15 in order to be
1023 eligible for the full salary supplement in the current school
1024 year, or the teacher shall submit such documentation to the State
1025 Department of Education prior to February 15 in order to be
1026 eligible for a prorated salary supplement beginning with the
1027 second term of the school year.

1028 (ii) A licensed nurse who has met the requirements
1029 and acquired a certificate from the National Board for
1030 Certification of School Nurses, Inc., and who is employed by a
1031 local school board or the State Board of Education as a school
1032 nurse and not as an administrator. The licensed school nurse
1033 shall submit documentation to the State Department of Education
1034 that the certificate was received before October 15 in order to be
1035 eligible for the full salary supplement in the current school
1036 year, or the licensed school nurse shall submit the documentation
1037 to the State Department of Education before February 15 in order
1038 to be eligible for a prorated salary supplement beginning with the
1039 second term of the school year. Provided, however, that the total



1040 number of licensed school nurses eligible for a salary supplement
1041 under this subparagraph (ii) shall not exceed thirty-five (35).

1042 (iii) Any licensed school counselor who has met
1043 the requirements and acquired a National Certified School
1044 Counselor (NCSC) endorsement from the National Board of Certified
1045 Counselors and who is employed by a local school board or the
1046 State Board of Education as a counselor and not as an
1047 administrator. Such licensed school counselor shall submit
1048 documentation to the State Department of Education that the
1049 endorsement was received prior to October 15 in order to be
1050 eligible for the full salary supplement in the current school
1051 year, or the licensed school counselor shall submit such
1052 documentation to the State Department of Education prior to
1053 February 15 in order to be eligible for a prorated salary
1054 supplement beginning with the second term of the school year.
1055 However, any school counselor who started the National Board for
1056 Professional Teaching Standards process for school counselors
1057 between June 1, 2003, and June 30, 2004, and completes the
1058 requirements and acquires the Master Teacher certificate shall be
1059 entitled to the master teacher supplement, and those counselors
1060 who complete the process shall be entitled to a one-time
1061 reimbursement for the actual cost of the process as outlined in
1062 paragraph (b) of this subsection.

1063 (iv) Any licensed speech-language pathologist and
1064 audiologist who has met the requirements and acquired a



1065 Certificate of Clinical Competence from the American
1066 Speech-Language-Hearing Association and any certified academic
1067 language therapist (CALT) who has met the certification
1068 requirements of the Academic Language Therapy Association and who
1069 is employed by a local school board or is employed by a state
1070 agency under the State Personnel Board. The licensed
1071 speech-language pathologist and audiologist and certified academic
1072 language therapist shall submit documentation to the State
1073 Department of Education that the certificate or endorsement was
1074 received before October 15 in order to be eligible for the full
1075 salary supplement in the current school year, or the licensed
1076 speech-language pathologist and audiologist and certified academic
1077 language therapist shall submit the documentation to the State
1078 Department of Education before February 15 in order to be eligible
1079 for a prorated salary supplement beginning with the second term of
1080 the school year. However, the total number of certified academic
1081 language therapists eligible for a salary supplement under this
1082 paragraph (iv) shall not exceed twenty (20).

1083 (b) An employee shall be reimbursed for the actual cost
1084 of completing each component of acquiring the certificate or
1085 endorsement, excluding any costs incurred for postgraduate
1086 courses, not to exceed Five Hundred Dollars (\$500.00) for each
1087 component, not to exceed four (4) components, for a teacher,
1088 school counselor or speech-language pathologist and audiologist,
1089 regardless of whether or not the process resulted in the award of



1090 the certificate or endorsement. A local school district or any
1091 private individual or entity may pay the cost of completing the
1092 process of acquiring the certificate or endorsement for any
1093 employee of the school district described under paragraph (a), and
1094 the State Department of Education shall reimburse the school
1095 district for such cost, regardless of whether or not the process
1096 resulted in the award of the certificate or endorsement. If a
1097 private individual or entity has paid the cost of completing the
1098 process of acquiring the certificate or endorsement for an
1099 employee, the local school district may agree to directly
1100 reimburse the individual or entity for such cost on behalf of the
1101 employee.

1102 (c) All salary supplements, fringe benefits and process
1103 reimbursement authorized under this subsection shall be paid
1104 directly by the State Department of Education to the local school
1105 district and shall be in addition to its minimum education program
1106 allotments and not a part thereof in accordance with regulations
1107 promulgated by the State Board of Education. Local school
1108 districts shall not reduce the local supplement paid to any
1109 employee receiving such salary supplement, and the employee shall
1110 receive any local supplement to which employees with similar
1111 training and experience otherwise are entitled. However, an
1112 educational employee shall receive the salary supplement in the
1113 amount of Six Thousand Dollars (\$6,000.00) for only one (1) of the
1114 qualifying certifications authorized under paragraph (a) of this



1115 subsection. No school district shall provide more than one (1)
1116 annual salary supplement under the provisions of this subsection
1117 to any one individual employee holding multiple qualifying
1118 national certifications.

1119 (d) If an employee for whom such cost has been paid, in
1120 full or in part, by a local school district or private individual
1121 or entity fails to complete the certification or endorsement
1122 process, the employee shall be liable to the school district or
1123 individual or entity for all amounts paid by the school district
1124 or individual or entity on behalf of that employee toward his or
1125 her certificate or endorsement.

1126 (3) The following employees shall receive an annual salary
1127 supplement in the amount of Four Thousand Dollars (\$4,000.00),
1128 plus fringe benefits, in addition to any other compensation to
1129 which the employee may be entitled:

1130 Effective July 1, 2016, if funds are available for that
1131 purpose, any licensed teacher who has met the requirements and
1132 acquired a Master Teacher Certificate from the National Board for
1133 Professional Teaching Standards and who is employed in a public
1134 school district located in one (1) of the following counties:
1135 Claiborne, Adams, Jefferson, Wilkinson, Amite, Bolivar, Coahoma,
1136 Leflore, Quitman, Sharkey, Issaquena, Sunflower and Washington.
1137 The salary supplement awarded under the provisions of this
1138 subsection (3) shall be in addition to the salary supplement
1139 awarded under the provisions of subsection (2) of this section.



1140 Teachers who meet the qualifications for a salary supplement
1141 under this subsection (3) who are assigned for less than one (1)
1142 full year or less than full time for the school year shall receive
1143 the salary supplement in a prorated manner, with the portion of
1144 the teacher's assignment to the critical geographic area to be
1145 determined as of June 15th of the school year.

1146 (4) (a) This section shall be known and may be cited as the
1147 "Mississippi Performance-Based Pay (MPBP)" plan. In addition to
1148 the minimum base pay described in this section, only after full
1149 funding of MAEP and if funds are available for that purpose, the
1150 State of Mississippi may provide monies from state funds to school
1151 districts for the purposes of rewarding certified teachers,
1152 administrators and nonlicensed personnel at individual schools
1153 showing improvement in student test scores. The MPBP plan shall
1154 be developed by the State Department of Education based on the
1155 following criteria:

1156 (i) It is the express intent of this legislation
1157 that the MPBP plan shall utilize only existing standards of
1158 accreditation and assessment as established by the State Board of
1159 Education.

1160 (ii) To ensure that all of Mississippi's teachers,
1161 administrators and nonlicensed personnel at all schools have equal
1162 access to the monies set aside in this section, the MPBP program
1163 shall be designed to calculate each school's performance as
1164 determined by the school's increase in scores from the prior



1165 school year. The MPBP program shall be based on a standardized
1166 scores rating where all levels of schools can be judged in a
1167 statistically fair and reasonable way upon implementation. At the
1168 end of each year, after all student achievement scores have been
1169 standardized, the State Department of Education shall implement
1170 the MPBP plan.

1171 (iii) To ensure all teachers cooperate in the
1172 spirit of teamwork, individual schools shall submit a plan to the
1173 local school district to be approved before the beginning of each
1174 school year beginning July 1, 2008. The plan shall include, but
1175 not be limited to, how all teachers, regardless of subject area,
1176 and administrators will be responsible for improving student
1177 achievement for their individual school.

1178 (b) The State Board of Education shall develop the
1179 processes and procedures for designating schools eligible to
1180 participate in the MPBP. State assessment results, growth in
1181 student achievement at individual schools and other measures
1182 deemed appropriate in designating successful student achievement
1183 shall be used in establishing MPBP criteria. The State Board of
1184 Education shall develop the MPBP policies and procedures and
1185 report to the Legislature and Governor by December 1, 2006.

1186 (5) (a) Beginning * * * with the * * * 2019-2020 school
1187 year through the 2022-2023 school years, if funds are available
1188 for * * * the purpose of the * * * Mississippi * * * Teacher
1189 Leadership Program pilot, as * * * established under Sections



1190 37-9-201 through 37-9-213, * * * teachers who assumes a teacher
1191 leadership role while remaining in the classroom shall receive
1192 additional base compensation provided for by the State Legislature
1193 in the amount of * * * Two Thousand Dollars (\$2,000.00) per each
1194 beginning teacher that is being mentored. The additional state
1195 compensation shall be limited to those * * * teacher leaders that
1196 provide mentoring services to beginning teachers. For the
1197 purposes of such funding, a beginning teacher shall be defined as
1198 any teacher in any school in Mississippi that has less than one
1199 (1) year of classroom experience teaching in a public school. For
1200 the purposes of such funding, no full-time academic teacher shall
1201 mentor more than two (2) beginning teachers.

1202 (b) To be eligible for this * * * consideration,
1203 teachers serving in teacher leader capacities * * * must be
1204 employed in schools that have a classroom management program
1205 approved by the local school board.

1206 (6) Effective with the 2014-2015 school year, the school
1207 districts participating in the Pilot Performance-Based
1208 Compensation System pursuant to Section 37-19-9 may award
1209 additional teacher and administrator pay based thereon.

1210 **SECTION 11.** Section 37-106-35, Mississippi Code of 1972, is
1211 amended as follows:

1212 37-106-35. (1) There is established the Assistant Teacher
1213 Forgivable Loan Program for the purpose of assisting eligible
1214 assistant teachers and teacher's aides to become certificated



1215 teachers through the awarding of forgivable loans and to attract
1216 and retain qualified teachers * * *. The forgivable loan program
1217 shall be implemented and administered by the board and is subject
1218 to the availability of funds appropriated specifically therefor by
1219 the Legislature.

1220 (2) Under the Assistant Teacher Forgivable Loan Program,
1221 qualified assistant teachers and teacher's aides may be awarded
1222 financial assistance in an amount that is equal to the actual cost
1223 of * * * six (6) three-hour academic courses per year. * * * An
1224 assistant teacher forgivable loan shall not be based upon an
1225 applicant's financial need, and the receipt of any other
1226 forgivable loan or financial assistance shall not affect an
1227 assistant teacher's or teacher's aide's eligibility under the
1228 program.

1229 (3) In order to qualify for an assistant teacher * * *
1230 forgivable loan, an applicant must satisfy the following
1231 requirements:

1232 (a) The applicant must be employed full-time as an
1233 assistant teacher or teacher's aide with a local school district;

1234 (b) The applicant must be accepted for enrollment at a
1235 baccalaureate degree-granting institution of higher learning in
1236 the State of Mississippi that is regionally accredited and
1237 approved by the board;

1238 (c) The assistant teacher or teacher's aide must
1239 maintain a minimum cumulative grade point average of * * * 2.75



1240 calculated on a 4.0 scale for all courses funded through the
1241 assistant teacher forgivable loan program; and

1242 (d) The assistant teacher or teacher's aide must have
1243 expressed in writing a present intention to teach in a critical
1244 teacher shortage geographic or academic subject area.

1245 (4) At the beginning of the school year next succeeding the
1246 date on which a person who has received an assistant teacher
1247 forgivable loan obtains a baccalaureate degree, that person shall
1248 begin to render service as a certificated teacher in a school
1249 district or academic subject area, or both, designated by the
1250 State Board of Education. The board shall establish by rule and
1251 regulation the duration of teaching service due for recipients of
1252 forgivable loans based upon the number of academic hours funded
1253 through the Assistant Teacher Forgivable Loan Program. Repayment
1254 and conversion terms shall be the same as those outlined in
1255 Section 37-106-53.

1256 **SECTION 12.** Section 37-149-1, Mississippi Code of 1972, is
1257 amended as follows:

1258 37-149-1. (1) There is established within the State
1259 Department of Education, the Mississippi Teacher Center for the
1260 purpose of insuring that the children of our state are taught by
1261 quality professionals. The center shall serve as an interagency
1262 center focused on teacher recruitment, enhanced training and
1263 initial instructional support.



1264 (2) The center shall have a staff which shall consist of one
1265 (1) director, one (1) administrative assistant and professional
1266 teacher recruiters. A steering committee shall be established
1267 which shall consist of one (1) member from each of the following:
1268 the Board of Trustees of State Institutions of Higher Learning,
1269 the Mississippi Community College Board, the State Board of
1270 Education, the Board of the Mississippi Association of Independent
1271 Colleges, the Board of the Mississippi Association of Colleges of
1272 Teacher Education, trustees of the local school boards, teachers
1273 and the private sector. The members of the steering committee
1274 shall be appointed by the state superintendent with the approval
1275 of the board. The steering committee shall direct the work and
1276 establish policies for the purpose of operating the center.

1277 (3) The center shall provide leadership for the following
1278 initiatives:

1279 (a) The initiation and monitoring of high school
1280 programs for teacher recruitment;

1281 (b) The initiation and monitoring of college level
1282 programs for teacher recruitment;

1283 (c) The establishment of a Beginning Teacher/Mentoring
1284 program, as authorized in Sections 37-9-201 through 37-9-213;

1285 (d) The sponsorship of a teacher renewal institute;

1286 (e) The continuation of the Teacher Corps program;

1287 (f) The enhancement of the William Winter Scholarship
1288 program;



1289 (g) Research for the development of professional
1290 teaching standards;

1291 (h) Provide additional scholarships for any targeted
1292 populations needing potential teachers; and

1293 (i) Provide assistance to local school districts in
1294 identifying and locating specific teacher needs.

1295 (4) * * * The Legislature recognizes that a highly qualified
1296 teacher in every public classroom in this state is fundamental to
1297 a quality education. The Legislature also recognizes that
1298 Mississippi has a serious shortage of qualified teachers to serve
1299 in the public schools of this state and that it has a
1300 responsibility to enact public policy in an effort to remedy that
1301 shortage of qualified teachers.

1302 (* * * 5) (a) There is hereby established * * * the
1303 Mississippi "Troops to Teachers" * * * Scholarship Program * * *
1304 to specifically assist former military personnel in completing the
1305 teacher certification process in order to teach in an elementary,
1306 secondary, vocational or career-technical school in the State of
1307 Mississippi and begin a second career in public education as a
1308 teacher. Individuals who wish to be considered for the
1309 Mississippi "Troops to Teachers" Scholarship Program must adhere
1310 to the requirements specified by the national "Troop to Teachers"
1311 program and the Mississippi Standard License-Nontraditional
1312 Teacher Route certification process as an alternate path to
1313 quality teaching certification, which shall include a one-year



1314 mentoring program conducted by the local school district, as
1315 authorized under Section 37-9-201 through 37-9-213. The Teacher
1316 Center in the State Department of Education shall collaborate with
1317 the national "Troops to Teachers" program to establish the
1318 criteria and procedures for allocation of funds provided by the
1319 federal government to administer the * * * scholarship program to
1320 ensure the most effective placement of such teachers around the
1321 state taking into consideration the degree of teacher shortage in
1322 each school district.

1323 (b) For each eligible individual authorized under
1324 paragraph (a) of this subsection who meet the requirements of the
1325 Mississippi Standard License-Nontraditional Teacher Route
1326 certification process as an alternate path to quality teaching
1327 certification, the Mississippi Teacher Center shall reimburse the
1328 actual cost of the Praxis Core Academic Skills for Educators
1329 Examination and Praxis II examination for the first administration
1330 of each examination.

1331 (c) For fiscal year 2020, and each fiscal year
1332 thereafter, the Legislature shall appropriate an additional Two
1333 Hundred Thousand Dollars (\$200,000.00) to the State Department of
1334 Education for the purpose of providing scholarships under the
1335 program established in this subsection. The funds * * *
1336 appropriated for the support of * * * the scholarship
1337 program * * * will not supplant federal funds provided for that
1338 purpose. The Office of the Governor shall transfer any federal



1339 funds provided for the Mississippi "Troops to Teachers"
1340 Scholarship Program to the State Department of Education for the
1341 administration of this program. Any unexpended amounts and
1342 interests generated therefrom remaining in the scholarship fund at
1343 the end of the fiscal year shall not lapse into the State General
1344 Fund, but shall remain inviolate to the credit of the State
1345 Department of Education and carried forward for the same purposes
1346 in succeeding fiscal years.

1347 * * *

1348 (6) (a) There is hereby established the Expert Citizen to
1349 Teacher Scholarship Program to specifically assist personnel of
1350 the business, professional and noneducator communities in
1351 completing the teacher certification process in order to teach in
1352 an elementary, secondary, vocational or career-technical school in
1353 the State of Mississippi and begin a second career in public
1354 education as a teacher. Individuals who wish to be considered for
1355 the program must adhere to the requirements specified by the
1356 Mississippi Standard License-Nontraditional Teacher Route
1357 certification process as an alternate path to quality teaching
1358 certification, which shall include a one-year mentoring program
1359 conducted by the local school district, as authorized under
1360 Section 37-9-201 through 37-9-213.

1361 (b) For each eligible individual authorized under
1362 paragraph (a) of this subsection who meet the requirements of the
1363 Mississippi Standard License-Nontraditional Teacher Route



1364 certification process as an alternate path to quality teaching
1365 certification, the Mississippi Teacher Center shall reimburse the
1366 actual cost of the Praxis Core Academic Skills for Educators
1367 Examination and Praxis II examination for the first administration
1368 of each examination.

1369 (c) For fiscal year 2020, and each fiscal year
1370 thereafter, the Legislature shall appropriate an additional Two
1371 Hundred Thousand Dollars (\$200,000.00) to the State Department of
1372 Education for the purpose of providing scholarships under the
1373 program established in this subsection. Any unexpended amounts
1374 and interests generated therefrom remaining in the scholarship
1375 fund at the end of the fiscal year shall not lapse into the State
1376 General Fund, but shall remain inviolate to the credit of the
1377 State Department of Education and carried forward for the same
1378 purposes in succeeding fiscal years.

1379 **SECTION 13.** Section 37-159-9, Mississippi Code of 1972, is
1380 amended as follows:

1381 37-159-9. (1) There is established the University Assisted
1382 Teacher Recruitment and Retention Grant Program within the State
1383 Department of Education. The purposes of the program shall be to
1384 attract additional qualified teachers to those geographical areas
1385 of the state where there exists a critical shortage of teachers
1386 and to retain the qualified teachers already serving as licensed
1387 teachers in geographical critical teacher shortage areas by making
1388 available scholarships to persons working towards a Master of



1389 Education degree or an Educational Specialist degree at an
1390 institution of higher learning whose teacher education program is
1391 approved by the State Board of Education.

1392 (2) Any institution of higher learning in the State of
1393 Mississippi which offers a Master of Education degree or an
1394 Educational Specialist degree may apply to the department for
1395 participation in the program. As part of the program,
1396 participating institutions shall collaborate with the Mississippi
1397 Teacher Center to identify, recruit and place teacher education
1398 graduates, from both within the state and out of state, in school
1399 districts situated within those areas of the state where there
1400 exists a critical shortage of teachers, as designated by the State
1401 Board of Education.

1402 (3) There is established the Mississippi Classified School
1403 Employee Teacher Credentialing and Retention Grant Program within
1404 the State Department of Education. The purposes of the program
1405 shall be to attract additional qualified teachers to those
1406 geographical areas of the state where there exists a critical
1407 shortage of teachers and to grow persons already serving as
1408 assistant teachers or paraprofessionals in geographical critical
1409 teacher shortage areas by making available scholarships towards
1410 earning a bachelor of education degree at any institution of
1411 higher learning in the State of Mississippi, whether public or
1412 private, which has its teacher education program approved by the
1413 State Board of Education.



1414 (4) Any institution of higher learning in the State of
1415 Mississippi, whether public or private, which offers a Bachelor
1416 of Education degree, may apply to the department for participation
1417 in the program described in subsection (3) of this section. As
1418 part of the program, participating institutions of higher learning
1419 shall collaborate with the Mississippi Teacher Center to identify,
1420 recruit and place teacher education graduates, from within the
1421 state, in school districts situated within those areas of the
1422 state where there exists a critical shortage of teachers, as
1423 designated by the State Board of Education.

1424 (* * *5) The State Department of Education shall provide
1425 funds to participating institutions of higher learning for the
1426 purpose of awarding scholarships to qualified persons pursuing a
1427 Master of Education degree or an Educational Specialist degree
1428 under subsections (1) and (2) of this section, and to qualified
1429 persons pursuing a bachelor of education degree under subsections
1430 (3) and (4) of this section, at such institutions while rendering
1431 service to the state as a licensed teacher in a school district in
1432 a geographical area of the state where there exists a critical
1433 shortage of teachers, as approved by the State Board of Education.
1434 The financial scholarship shall be applied to the total cost for
1435 tuition, books, materials and fees at the institution in which the
1436 student is enrolled, not to exceed an amount equal to the highest
1437 total cost of tuition, books, materials and fees assessed by a
1438 state institution of higher learning during that school year.



1439 Teachers who relocate within Mississippi from out of state in
1440 order to participate in the programs shall be classified as
1441 residents of the state for tuition purposes.

1442 (* * *6) Students awarded financial scholarships under the
1443 University Assisted Teacher Recruitment and Retention Grant
1444 Program and the Mississippi Classified School Employee Teacher
1445 Credentialing and Retention Grant Program may receive such awards
1446 for a maximum of four (4) school years; however, the maximum
1447 number of awards which may be made shall not exceed the length of
1448 time required to complete the number of academic hours necessary
1449 to obtain a bachelor of education degree, master of education
1450 degree or an educational specialist degree, respective to the
1451 program in which the student is a participant. Financial
1452 scholarships under the programs shall not be based upon an
1453 applicant's eligibility for financial aid.

1454 (* * *7) Persons relocating to a geographical area of the
1455 state where there exists a critical shortage of teachers, as
1456 approved by the State Board of Education, to participate in the
1457 University Assisted Teacher Recruitment and Retention Grant
1458 Program and the Mississippi Classified School Employee Teacher
1459 Credentialing and Retention Grant Program shall be eligible for
1460 reimbursement for their moving expenses to the critical teacher
1461 shortage area from the State Board of Education. The State Board
1462 of Education shall promulgate rules and regulations necessary for
1463 the administration of the relocation expense reimbursement



1464 component of the University Assisted Teacher Recruitment and
1465 Retention Grant Program and the Mississippi Classified School
1466 Employee Teacher Credentialing and Retention Grant Program.

1467 (* * *8) Subject to the availability of funds, the State
1468 Board of Education may provide for professional development and
1469 support services as may be necessary for the retention of teachers
1470 participating in the programs in those geographical areas of the
1471 state where there exists a critical shortage of teachers.

1472 (* * *9) Any person participating in the programs who fails
1473 to complete a program of study that will enable that person to
1474 obtain a bachelor of education degree, master of education degree
1475 or educational specialist degree shall become liable immediately
1476 to the State Board of Education for the sum of all awards made to
1477 that person under the programs, plus interest accruing at the
1478 current Stafford Loan rate at the time the person abrogates his
1479 participation in the programs.

1480 (* * *10) (a) As a condition for participation in the
1481 programs, a teacher, assistant teacher or paraprofessional shall
1482 agree to employment as a licensed teacher in a school district
1483 located in a geographical area of the state where there exists a
1484 critical shortage of teachers, as designated by the State Board of
1485 Education * * *:

1486 (i) For licensed teachers, for a period of not
1487 less than three (3) years, which shall include those years of



1488 service rendered while obtaining the master of education degree or
1489 educational specialist degree;

1490 (ii) For assistant teachers and paraprofessionals,
1491 for a period of not less than three (3) years after obtaining the
1492 bachelor of education degree * * *; and

1493 (iii) * * * For any person who obtained a
1494 baccalaureate degree in education with a financial scholarship
1495 under the Critical Needs Teacher Scholarship Program and who
1496 entered the University Assisted Teacher Recruitment and Retention
1497 Grant Program before rendering service as a teacher, the period of
1498 employment for the purposes of this subsection shall be two (2)
1499 years, in addition to the employment commitment required under the
1500 Critical Needs Teacher Scholarship Program.

1501 (b) Service rendered by a participant as a licensed
1502 teacher in a school district in a geographical critical teacher
1503 shortage area before that teacher becomes a participant in the
1504 program may not be considered to fulfill the employment commitment
1505 required under this subsection. Any person failing to comply with
1506 this employment commitment in any required school year shall
1507 immediately be in breach of contract and become liable immediately
1508 to the State Department of Education for the sum of all
1509 scholarships awarded and relocation expenses granted to that
1510 person, less one-third (1/3) of the amount of that sum for each
1511 year that service was rendered, or for those persons whose
1512 required period of employment is two (2) years, less one-half



1513 (1/2) of the amount of that sum for each year that service was
1514 rendered, plus interest accruing at the current Stafford Loan rate
1515 at the time the breach occurs, except in the case of a deferral
1516 for cause by the State Board of Education when there is no
1517 employment position immediately available upon the teacher's
1518 obtaining of the bachelor of education degree, master of education
1519 degree or educational specialist degree. After the period of such
1520 deferral, the person shall begin or resume the required teaching
1521 duties or shall become liable to the board under this subsection.
1522 If a claim for repayment under this subsection is placed in the
1523 hands of an attorney for collection after default, then the
1524 obligor shall be liable for an additional amount equal to a
1525 reasonable attorney's fee.

1526 (* * * 11) All funds received by the State Department of
1527 Education from the repayment of scholarship awards and relocation
1528 expenses by program participants shall be deposited in the
1529 Mississippi Critical Teacher Shortage Fund.

1530 (* * * 12) The State Board of Education shall promulgate
1531 rules and regulations necessary for the proper administration of
1532 the University Assisted Teacher Recruitment and Retention Grant
1533 Program and the Mississippi Classified School Employee Teacher
1534 Credentialing and Retention Grant Program.

1535 This section shall stand repealed on July 1, * * * 2024.

1536 **SECTION 14.** The following shall be codified as Section
1537 25-11-126, Mississippi Code of 1972:



1538 25-11-126. (1) Any person who has at least twenty-five (25)
1539 years of creditable service, who was employed as a public
1540 schoolteacher at the time of his or her retirement and who has
1541 been retired and receiving a retirement allowance for at least one
1542 (1) year, may be employed as a teacher in a public school district
1543 located in a geographic area of the state designated as a critical
1544 teacher shortage area or a critical subject and core academic area
1545 shortage by the State Board of Education after retirement, and
1546 choose to continue receiving the retirement allowance under this
1547 article during his or her employment as a teacher after retirement
1548 in addition to receiving the salary authorized under Section
1549 37-19-7 for teachers with half the number of years experience and
1550 the equivalent educational credentials and certification of the
1551 total number of years the returning retired teacher possessed at
1552 the time of his or her retirement. Additionally, the returning
1553 retired teacher's base compensation shall be annually graduated in
1554 the same manner as provided for other licensed teachers under
1555 Section 37-19-7 for the duration of his or her post-retirement
1556 reemployment.

1557 (2) (a) The retired teacher may be employed as a teacher,
1558 continue receiving his or her retirement allowance and be a
1559 contributing member of the system without accruing additional
1560 retirement benefits. This method is designed specifically to
1561 provide funding for the system to actuarially offset any pension
1562 liability by providing the employer contribution plus three



1563 percent (3%) of earned compensation as the employee contribution
1564 of employees hired under the authority of this section.

1565 (b) The State Department of Education shall transfer to
1566 the system the Mississippi Adequate Education Program funds of
1567 local school districts that on or after July 1, 2018, hire retired
1568 members as teachers under this section and other funds that
1569 otherwise would have been payable to the districts if the
1570 districts had not taken advantage of this section. The crediting
1571 of assets and financing shall follow the provisions of Section
1572 25-11-123.

1573 (c) Local educational agencies shall transfer to the
1574 system Mississippi Adequate Education Program funds of local
1575 school districts that on or after July 1, 2018, hire retired
1576 members as teachers under this section and other funds that
1577 otherwise would have been payable to the districts if the
1578 districts had not taken advantage of this section. The crediting
1579 of assets and financing must follow the provisions of Section
1580 25-11-123.

1581 (3) A person may be hired under this section subject to the
1582 following conditions:

1583 (a) The retired member holds any teacher's professional
1584 license or certificate as may be required in Section 37-3-2.

1585 (b) The superintendent of schools of the employing
1586 school district certifies in writing to the State Department of
1587 Education that the retired member has the requisite experience,



1588 training and expertise for the position to be filled and that no
1589 other qualified persons are available to fill the position.

1590 (c) The superintendent of schools of the district
1591 certifies or the principal of the school certifies that there was
1592 no preexisting arrangement for the person to be hired.

1593 (d) The person had a satisfactory performance review
1594 for the most recent period before retirement.

1595 (4) The State Superintendent of Public Education shall
1596 report the persons who are employed under this section to the
1597 Executive Director of the Public Employees' Retirement System.

1598 **SECTION 15.** Section 25-11-105, Mississippi Code of 1972, is
1599 brought forward as follows:

1600 25-11-105. **I. THOSE WHO ARE ELIGIBLE FOR MEMBERSHIP**

1601 The membership of this retirement system shall be composed as
1602 follows:

1603 (a) (i) All persons who become employees in the state
1604 service after January 31, 1953, and whose wages are subject to
1605 payroll taxes and are lawfully reported on IRS Form W-2, except
1606 those specifically excluded, or as to whom election is provided in
1607 Articles 1 and 3, shall become members of the retirement system as
1608 a condition of their employment.

1609 (ii) From and after July 1, 2002, any individual
1610 who is employed by a governmental entity to perform professional
1611 services shall become a member of the system if the individual is
1612 paid regular periodic compensation for those services that is



1613 subject to payroll taxes, is provided all other employee benefits
1614 and meets the membership criteria established by the regulations
1615 adopted by the board of trustees that apply to all other members
1616 of the system; however, any active member employed in such a
1617 position on July 1, 2002, will continue to be an active member for
1618 as long as they are employed in any such position.

1619 (b) All persons who become employees in the state
1620 service after January 31, 1953, except those specifically excluded
1621 or as to whom election is provided in Articles 1 and 3, unless
1622 they file with the board before the lapse of sixty (60) days of
1623 employment or sixty (60) days after the effective date of the
1624 cited articles, whichever is later, on a form prescribed by the
1625 board, a notice of election not to be covered by the membership of
1626 the retirement system and a duly executed waiver of all present
1627 and prospective benefits that would otherwise inure to them on
1628 account of their participation in the system, shall become members
1629 of the retirement system; however, no credit for prior service
1630 will be granted to members who became members of the system before
1631 July 1, 2007, until they have contributed to Article 3 of the
1632 retirement system for a minimum period of at least four (4) years,
1633 or to members who became members of the system on or after July 1,
1634 2007, until they have contributed to Article 3 of the retirement
1635 system for a minimum period of at least eight (8) years. Those
1636 members shall receive credit for services performed before January
1637 1, 1953, in employment now covered by Article 3, but no credit



1638 shall be granted for retroactive services between January 1, 1953,
1639 and the date of their entry into the retirement system, unless the
1640 employee pays into the retirement system both the employer's and
1641 the employee's contributions on wages paid him during the period
1642 from January 31, 1953, to the date of his becoming a contributing
1643 member, together with interest at the rate determined by the board
1644 of trustees. Members reentering after withdrawal from service
1645 shall qualify for prior service under the provisions of Section
1646 25-11-117. From and after July 1, 1998, upon eligibility as noted
1647 above, the member may receive credit for such retroactive service
1648 provided:

1649 (i) The member shall furnish proof satisfactory to
1650 the board of trustees of certification of that service from the
1651 covered employer where the services were performed; and

1652 (ii) The member shall pay to the retirement system
1653 on the date he or she is eligible for that credit or at any time
1654 thereafter before the date of retirement the actuarial cost for
1655 each year of that creditable service. The provisions of this
1656 subparagraph (ii) shall be subject to the limitations of Section
1657 415 of the Internal Revenue Code and regulations promulgated under
1658 Section 415.

1659 Nothing contained in this paragraph (b) shall be construed to
1660 limit the authority of the board to allow the correction of
1661 reporting errors or omissions based on the payment of the employee
1662 and employer contributions plus applicable interest.



1663 (c) All persons who become employees in the state
1664 service after January 31, 1953, and who are eligible for
1665 membership in any other retirement system shall become members of
1666 this retirement system as a condition of their employment, unless
1667 they elect at the time of their employment to become a member of
1668 that other system.

1669 (d) All persons who are employees in the state service
1670 on January 31, 1953, and who are members of any nonfunded
1671 retirement system operated by the State of Mississippi, or any of
1672 its departments or agencies, shall become members of this system
1673 with prior service credit unless, before February 1, 1953, they
1674 file a written notice with the board of trustees that they do not
1675 elect to become members.

1676 (e) All persons who are employees in the state service
1677 on January 31, 1953, and who under existing laws are members of
1678 any fund operated for the retirement of employees by the State of
1679 Mississippi, or any of its departments or agencies, shall not be
1680 entitled to membership in this retirement system unless, before
1681 February 1, 1953, any such person indicates by a notice filed with
1682 the board, on a form prescribed by the board, his individual
1683 election and choice to participate in this system, but no such
1684 person shall receive prior service credit unless he becomes a
1685 member on or before February 1, 1953.

1686 (f) Each political subdivision of the state and each
1687 instrumentality of the state or a political subdivision, or both,



1688 is authorized to submit, for approval by the board of trustees, a
1689 plan for extending the benefits of this article to employees of
1690 any such political subdivision or instrumentality. Each such plan
1691 or any amendment to the plan for extending benefits thereof shall
1692 be approved by the board of trustees if it finds that the plan, or
1693 the plan as amended, is in conformity with such requirements as
1694 are provided in Articles 1 and 3; however, upon approval of the
1695 plan or any such plan previously approved by the board of
1696 trustees, the approved plan shall not be subject to cancellation
1697 or termination by the political subdivision or instrumentality.
1698 No such plan shall be approved unless:

1699 (i) It provides that all services that constitute
1700 employment as defined in Section 25-11-5 and are performed in the
1701 employ of the political subdivision or instrumentality, by any
1702 employees thereof, shall be covered by the plan, with the
1703 exception of municipal employees who are already covered by
1704 existing retirement plans; however, those employees in this class
1705 may elect to come under the provisions of this article;

1706 (ii) It specifies the source or sources from which
1707 the funds necessary to make the payments required by paragraph (d)
1708 of Section 25-11-123 and of paragraph (f)(v)2 and 3 of this
1709 section are expected to be derived and contains reasonable
1710 assurance that those sources will be adequate for that purpose;

1711 (iii) It provides for such methods of
1712 administration of the plan by the political subdivision or



1713 instrumentality as are found by the board of trustees to be
1714 necessary for the proper and efficient administration thereof;

1715 (iv) It provides that the political subdivision or
1716 instrumentality will make such reports, in such form and
1717 containing such information, as the board of trustees may from
1718 time to time require;

1719 (v) It authorizes the board of trustees to
1720 terminate the plan in its entirety in the discretion of the board
1721 if it finds that there has been a failure to comply substantially
1722 with any provision contained in the plan, the termination to take
1723 effect at the expiration of such notice and on such conditions as
1724 may be provided by regulations of the board and as may be
1725 consistent with applicable federal law.

1726 1. The board of trustees shall not finally
1727 refuse to approve a plan submitted under paragraph (f), and shall
1728 not terminate an approved plan without reasonable notice and
1729 opportunity for hearing to each political subdivision or
1730 instrumentality affected by the board's decision. The board's
1731 decision in any such case shall be final, conclusive and binding
1732 unless an appeal is taken by the political subdivision or
1733 instrumentality aggrieved by the decision to the Circuit Court of
1734 the First Judicial District of Hinds County, Mississippi, in
1735 accordance with the provisions of law with respect to civil causes
1736 by certiorari.



1737 2. Each political subdivision or
1738 instrumentality as to which a plan has been approved under this
1739 section shall pay into the contribution fund, with respect to
1740 wages (as defined in Section 25-11-5), at such time or times as
1741 the board of trustees may by regulation prescribe, contributions
1742 in the amounts and at the rates specified in the applicable
1743 agreement entered into by the board.

1744 3. Every political subdivision or
1745 instrumentality required to make payments under paragraph (f)(v)2
1746 of this section is authorized, in consideration of the employees'
1747 retention in or entry upon employment after enactment of Articles
1748 1 and 3, to impose upon its employees, as to services that are
1749 covered by an approved plan, a contribution with respect to wages
1750 (as defined in Section 25-11-5) not exceeding the amount provided
1751 in Section 25-11-123(d) if those services constituted employment
1752 within the meaning of Articles 1 and 3, and to deduct the amount
1753 of the contribution from the wages as and when paid.

1754 Contributions so collected shall be paid into the contribution
1755 fund as partial discharge of the liability of the political
1756 subdivisions or instrumentalities under paragraph (f)(v)2 of this
1757 section. Failure to deduct the contribution shall not relieve the
1758 employee or employer of liability for the contribution.

1759 4. Any state agency, school, political
1760 subdivision, instrumentality or any employer that is required to
1761 submit contribution payments or wage reports under any section of



1762 this chapter shall be assessed interest on delinquent payments or
1763 wage reports as determined by the board of trustees in accordance
1764 with rules and regulations adopted by the board and delinquent
1765 payments, assessed interest and any other amount certified by the
1766 board as owed by an employer, may be recovered by action in a
1767 court of competent jurisdiction against the reporting agency
1768 liable therefor or may, upon due certification of delinquency and
1769 at the request of the board of trustees, be deducted from any
1770 other monies payable to the reporting agency by any department or
1771 agency of the state.

1772 5. Each political subdivision of the state
1773 and each instrumentality of the state or a political subdivision
1774 or subdivisions that submit a plan for approval of the board, as
1775 provided in this section, shall reimburse the board for coverage
1776 into the expense account, its pro rata share of the total expense
1777 of administering Articles 1 and 3 as provided by regulations of
1778 the board.

1779 (g) The board may, in its discretion, deny the right of
1780 membership in this system to any class of employees whose
1781 compensation is only partly paid by the state or who are occupying
1782 positions on a part-time or intermittent basis. The board may, in
1783 its discretion, make optional with employees in any such classes
1784 their individual entrance into this system.

1785 (h) An employee whose membership in this system is
1786 contingent on his own election, and who elects not to become a



1787 member, may thereafter apply for and be admitted to membership;
1788 but no such employee shall receive prior service credit unless he
1789 becomes a member before July 1, 1953, except as provided in
1790 paragraph (b).

1791 (i) If any member of this system changes his employment
1792 to any agency of the state having an actuarially funded retirement
1793 system, the board of trustees may authorize the transfer of the
1794 member's creditable service and of the present value of the
1795 member's employer's accumulation account and of the present value
1796 of the member's accumulated membership contributions to that other
1797 system, provided that the employee agrees to the transfer of his
1798 accumulated membership contributions and provided that the other
1799 system is authorized to receive and agrees to make the transfer.

1800 If any member of any other actuarially funded system
1801 maintained by an agency of the state changes his employment to an
1802 agency covered by this system, the board of trustees may authorize
1803 the receipt of the transfer of the member's creditable service and
1804 of the present value of the member's employer's accumulation
1805 account and of the present value of the member's accumulated
1806 membership contributions from the other system, provided that the
1807 employee agrees to the transfer of his accumulated membership
1808 contributions to this system and provided that the other system is
1809 authorized and agrees to make the transfer.



1810 (j) Wherever state employment is referred to in this
1811 section, it includes joint employment by state and federal
1812 agencies of all kinds.

1813 (k) Employees of a political subdivision or
1814 instrumentality who were employed by the political subdivision or
1815 instrumentality before an agreement between the entity and the
1816 Public Employees' Retirement System to extend the benefits of this
1817 article to its employees, and which agreement provides for the
1818 establishment of retroactive service credit, and who became
1819 members of the retirement system before July 1, 2007, and have
1820 remained contributors to the retirement system for four (4) years,
1821 or who became members of the retirement system on or after July 1,
1822 2007, and have remained contributors to the retirement system for
1823 eight (8) years, may receive credit for that retroactive service
1824 with the political subdivision or instrumentality, provided that
1825 the employee and/or employer, as provided under the terms of the
1826 modification of the joinder agreement in allowing that coverage,
1827 pay into the retirement system the employer's and employee's
1828 contributions on wages paid the member during the previous
1829 employment, together with interest or actuarial cost as determined
1830 by the board covering the period from the date the service was
1831 rendered until the payment for the credit for the service was
1832 made. Those wages shall be verified by the Social Security
1833 Administration or employer payroll records. Effective July 1,
1834 1998, upon eligibility as noted above, a member may receive credit



1835 for that retroactive service with the political subdivision or
1836 instrumentality provided:

1837 (i) The member shall furnish proof satisfactory to
1838 the board of trustees of certification of those services from the
1839 political subdivision or instrumentality where the services were
1840 rendered or verification by the Social Security Administration;
1841 and

1842 (ii) The member shall pay to the retirement system
1843 on the date he or she is eligible for that credit or at any time
1844 thereafter before the date of retirement the actuarial cost for
1845 each year of that creditable service. The provisions of this
1846 subparagraph (ii) shall be subject to the limitations of Section
1847 415 of the Internal Revenue Code and regulations promulgated under
1848 Section 415.

1849 Nothing contained in this paragraph (k) shall be construed to
1850 limit the authority of the board to allow the correction of
1851 reporting errors or omissions based on the payment of employee and
1852 employer contributions plus applicable interest. Payment for that
1853 time shall be made beginning with the most recent service. Upon
1854 the payment of all or part of the required contributions, plus
1855 interest or the actuarial cost as provided above, the member shall
1856 receive credit for the period of creditable service for which full
1857 payment has been made to the retirement system.

1858 (l) Through June 30, 1998, any state service eligible
1859 for retroactive service credit, no part of which has ever been



1860 reported, and requiring the payment of employee and employer
1861 contributions plus interest, or, from and after July 1, 1998, any
1862 state service eligible for retroactive service credit, no part of
1863 which has ever been reported to the retirement system, and
1864 requiring the payment of the actuarial cost for that creditable
1865 service, may, at the member's option, be purchased in quarterly
1866 increments as provided above at the time that its purchase is
1867 otherwise allowed.

1868 (m) All rights to purchase retroactive service credit
1869 or repay a refund as provided in Section 25-11-101 et seq. shall
1870 terminate upon retirement.

1871 **II. THOSE WHO ARE NOT ELIGIBLE FOR MEMBERSHIP**

1872 The following classes of employees and officers shall not
1873 become members of this retirement system, any other provisions of
1874 Articles 1 and 3 to the contrary notwithstanding:

1875 (a) Patient or inmate help in state charitable, penal
1876 or correctional institutions;

1877 (b) Students of any state educational institution
1878 employed by any agency of the state for temporary, part-time or
1879 intermittent work;

1880 (c) Participants of Comprehensive Employment and
1881 Training Act of 1973 (CETA) being Public Law 93-203, who enroll on
1882 or after July 1, 1979;

1883 (d) From and after July 1, 2002, individuals who are
1884 employed by a governmental entity to perform professional service



1885 on less than a full-time basis who do not meet the criteria
1886 established in I(a)(ii) of this section.

1887 **III. TERMINATION OF MEMBERSHIP**

1888 Membership in this system shall cease by a member withdrawing
1889 his accumulated contributions, or by a member withdrawing from
1890 active service with a retirement allowance, or by a member's
1891 death.

1892 **SECTION 16.** Section 25-11-123, Mississippi Code of 1972, is
1893 amended as follows:

1894 25-11-123. All of the assets of the system shall be credited
1895 according to the purpose for which they are held to one (1) of
1896 four (4) reserves; namely, the annuity savings account, the
1897 annuity reserve, the employer's accumulation account, and the
1898 expense account.

1899 (a) **Annuity savings account.** In the annuity savings account
1900 shall be accumulated the contributions made by members to provide
1901 for their annuities, including interest thereon which shall be
1902 posted monthly. Credits to and charges against the annuity
1903 savings account shall be made as follows:

1904 (1) Beginning July 1, 2010, except as otherwise
1905 provided by Section 25-11-126, the employer shall cause to be
1906 deducted from the salary of each member on each and every payroll
1907 of the employer for each and every payroll period nine percent
1908 (9%) of earned compensation as defined in Section 25-11-103.
1909 Future contributions shall be fixed biennially by the board on the



1910 basis of the liabilities of the retirement system for the various
1911 allowances and benefits as shown by actuarial valuation; however,
1912 any member earning at a rate less than Sixteen Dollars and
1913 Sixty-seven Cents (\$16.67) per month, or Two Hundred Dollars
1914 (\$200.00) per year, shall contribute not less than One Dollar
1915 (\$1.00) per month, or Twelve Dollars (\$12.00) per year.

1916 (2) The deductions provided in paragraph (1) of this
1917 subsection shall be made notwithstanding that the minimum
1918 compensation provided by law for any member is reduced by the
1919 deduction. Every member shall be deemed to consent and agree to
1920 the deductions made and provided for in paragraph (1) of this
1921 subsection and shall receipt for his full salary or compensation,
1922 and payment of salary or compensation less the deduction shall be
1923 a full and complete discharge and acquittance of all claims and
1924 demands whatsoever for the services rendered by the person during
1925 the period covered by the payment, except as to the benefits
1926 provided under Articles 1 and 3. The board shall provide by rules
1927 for the methods of collection of contributions from members and
1928 the employer. The board shall have full authority to require the
1929 production of evidence necessary to verify the correctness of
1930 amounts contributed.

1931 (b) **Annuity reserve.** The annuity reserve shall be the
1932 account representing the actuarial value of all annuities in
1933 force, and to it shall be charged all annuities and all benefits
1934 in lieu of annuities, payable as provided in this article. If a



1935 beneficiary retired on account of disability is restored to active
1936 service with a compensation not less than his average final
1937 compensation at the time of his last retirement, the remainder of
1938 his contributions shall be transferred from the annuity reserve to
1939 the annuity savings account and credited to his individual account
1940 therein, and the balance of his annuity reserve shall be
1941 transferred to the employer's accumulation account.

1942 (c) **Employer's accumulation account.** The employer's
1943 accumulation account shall represent the accumulation of all
1944 reserves for the payment of all retirement allowances and other
1945 benefits payable from contributions made by the employer, and
1946 against this account shall be charged all retirement allowances
1947 and other benefits on account of members. Credits to and charges
1948 against the employer's accumulation account shall be made as
1949 follows:

1950 (1) On account of each member there shall be paid
1951 monthly into the employer's accumulation account by the employers
1952 for the preceding fiscal year an amount equal to a certain
1953 percentage of the total earned compensation, as defined in Section
1954 25-11-103, of each member. The percentage rate of those
1955 contributions shall be fixed biennially by the board on the basis
1956 of the liabilities of the retirement system for the various
1957 allowances and benefits as shown by actuarial valuation.
1958 Beginning January 1, 1990, the rate shall be fixed at nine and
1959 three-fourths percent (9-3/4%). The board shall reduce the



1960 employer's contribution rate by one percent (1%) from and after
1961 July 1 of the year following the year in which the board
1962 determines and the board's actuary certifies that the employer's
1963 contribution rate can be reduced by that amount without causing
1964 the unfunded accrued actuarial liability amortization period for
1965 the retirement system to exceed twenty (20) years. Political
1966 subdivisions joining Article 3 of the Public Employees' Retirement
1967 System after July 1, 1968, may adjust the employer's contributions
1968 by agreement with the Board of Trustees of the Public Employees'
1969 Retirement System to provide service credits for any period before
1970 execution of the agreement based upon an actuarial determination
1971 of employer's contribution rates.

1972 (2) On the basis of regular interest and of such
1973 mortality and other tables as are adopted by the board of
1974 trustees, the actuary engaged by the board to make each valuation
1975 required by this article during the period over which the accrued
1976 liability contribution is payable, immediately after making that
1977 valuation, shall determine the uniform and constant percentage of
1978 the earnable compensation of each member which, if contributed by
1979 the employer on the basis of compensation of the member throughout
1980 his entire period of membership service, would be sufficient to
1981 provide for the payment of any retirement allowance payable on his
1982 account for that service. The percentage rate so determined shall
1983 be known as the "normal contribution rate." After the accrued
1984 liability contribution has ceased to be payable, the normal



1985 contribution rate shall be the percentage rate of the salary of
1986 all members obtained by deducting from the total liabilities on
1987 account of membership service the amount in the employer's
1988 accumulation account, and dividing the remainder by one percent
1989 (1%) of the present value of the prospective future salaries of
1990 all members as computed on the basis of the mortality and service
1991 tables adopted by the board of trustees and regular interest. The
1992 normal rate of contributions shall be determined by the actuary
1993 after each valuation.

1994 (3) The total amount payable in each year to the
1995 employer's accumulation account shall not be less than the sum of
1996 the percentage rate known as the "normal contribution rate" and
1997 the "accrued liability contribution rate" of the total
1998 compensation earnable by all members during the preceding year,
1999 provided that the payment by the employer shall be sufficient,
2000 when combined with the amounts in the account, to provide the
2001 allowances and other benefits chargeable to this account during
2002 the year then current.

2003 (4) The accrued liability contribution shall be
2004 discontinued as soon as the accumulated balance in the employer's
2005 accumulation account shall equal the present value, computed on
2006 the basis of the normal contribution rate then in force, or the
2007 prospective normal contributions to be received on account of all
2008 persons who are at that time members.



2009 (5) All allowances and benefits in lieu thereof, with
2010 the exception of those payable on account of members who receive
2011 no prior service credit, payable from contributions of the
2012 employer, shall be paid from the employer's accumulation account.

2013 (6) Upon the retirement of a member, an amount equal to
2014 his retirement allowance shall be transferred from the employer's
2015 accumulation account to the annuity reserve.

2016 (7) The employer's accumulation account shall be
2017 credited with any assets authorized by law to be credited to the
2018 account.

2019 (d) **Expense account.** The expense account shall be the
2020 account to which the expenses of the administration of the system
2021 shall be charged, exclusive of amounts payable as retirement
2022 allowances and as other benefits provided herein. The Legislature
2023 shall make annual appropriations in amounts sufficient to
2024 administer the system, which shall be credited to this account.
2025 There shall be transferred to the State Treasury from this
2026 account, not less than once per month, an amount sufficient for
2027 payment of the estimated expenses of the system for the succeeding
2028 thirty (30) days. Any interest earned on the expense account
2029 shall accrue to the benefit of the system. However,
2030 notwithstanding the provisions of Sections 25-11-15(10) and
2031 25-11-105(f)(v)5, all expenses of the administration of the system
2032 shall be paid from the interest earnings, provided the interest
2033 earnings are in excess of the actuarial interest assumption as



2034 determined by the board, and provided the present cost of the
2035 administrative expense fee of two percent (2%) of the
2036 contributions reported by the political subdivisions and
2037 instrumentalities shall be reduced to one percent (1%) from and
2038 after July 1, 1983, through June 30, 1984, and shall be eliminated
2039 thereafter.

2040 (e) **Collection of contributions.** The employer shall cause
2041 to be deducted on each and every payroll of a member for each and
2042 every payroll period, beginning subsequent to January 31, 1953,
2043 the contributions payable by the member as provided in Articles 1
2044 and 3.

2045 The employer shall make deductions from salaries of employees
2046 as provided in Articles 1 and 3 and shall transmit monthly, or at
2047 such time as the board of trustees designates, the amount
2048 specified to be deducted to the Executive Director of the Public
2049 Employees' Retirement System. The executive director, after
2050 making a record of all those receipts, shall deposit such amounts
2051 as provided by law.

2052 (f) (1) Upon the basis of each actuarial valuation provided
2053 herein, the board of trustees shall biennially determine the
2054 normal contribution rate and the accrued liability contribution
2055 rate as provided in this section. The sum of these two (2) rates
2056 shall be known as the "employer's contribution rate." Beginning
2057 on earned compensation effective January 1, 1990, the rate
2058 computed as provided in this section shall be nine and



2059 three-fourths percent (9-3/4%). The board shall reduce the
2060 employer's contribution rate by one percent (1%) from and after
2061 July 1 of the year following the year in which the board
2062 determines and the board's actuary certifies that the employer's
2063 contribution rate can be reduced by that amount without causing
2064 the unfunded accrued actuarial liability amortization period for
2065 the retirement system to exceed twenty (20) years. The percentage
2066 rate of those contributions shall be fixed biennially by the board
2067 on the basis of the liabilities of the retirement system for the
2068 various allowances and benefits as shown by actuarial valuation.

2069 (2) The amount payable by the employer on account of
2070 normal and accrued liability contributions shall be determined by
2071 applying the employer's contribution rate to the amount of
2072 compensation earned by employees who are members of the system.
2073 Monthly, or at such time as the board of trustees designates, each
2074 department or agency shall compute the amount of the employer's
2075 contribution payable, with respect to the salaries of its
2076 employees who are members of the system, and shall cause that
2077 amount to be paid to the board of trustees from the personal
2078 service allotment of the amount appropriated for the operation of
2079 the department or agency, or from funds otherwise available to the
2080 agency, for the payment of salaries to its employees.

2081 (3) Except as otherwise provided in Section 25-11-106:



2082 (i) Constables shall pay employer and employee
2083 contributions on their net fee income as well as the employee
2084 contributions on all direct treasury or county payroll income.

2085 (ii) The county shall be responsible for the
2086 employer contribution on all direct treasury or county payroll
2087 income of constables.

2088 (4) Except as otherwise provided in Section
2089 25-11-106.1, chancery and circuit clerks shall be responsible for
2090 both the employer and employee share of contributions on the
2091 proportionate share of net income attributable to fees, as well as
2092 the employee share of net income attributable to direct treasury
2093 or county payroll income, and the employing county shall be
2094 responsible for the employer contributions on the net income
2095 attributable to direct treasury or county payroll income.

2096 (5) Once each year, under procedures established by the
2097 system, each employer shall submit to the Public Employees'
2098 Retirement System a copy of their report to Social Security of all
2099 employees' earnings.

2100 (6) The board shall provide by rules for the methods of
2101 collection of contributions of employers and members. The amounts
2102 determined due by an agency to the various funds as specified in
2103 Articles 1 and 3 are made obligations of the agency to the board
2104 and shall be paid as provided herein. Failure to deduct those
2105 contributions shall not relieve the employee and employer from
2106 liability thereof. Delinquent employee contributions and any



2107 accrued interest shall be the obligation of the employee and
2108 delinquent employer contributions and any accrued interest shall
2109 be the obligation of the employer. The employer may, in its
2110 discretion, elect to pay any or all of the interest on delinquent
2111 employee contributions. From and after July 1, 1996, under rules
2112 and regulations established by the board, all employers are
2113 authorized and shall transfer all funds due to the Public
2114 Employees' Retirement System electronically and shall transmit any
2115 wage or other reports by computerized reporting systems.

2116 **SECTION 17.** Section 25-11-127, Mississippi Code of 1972, is
2117 amended as follows:

2118 25-11-127. (1) (a) No person who is being paid a
2119 retirement allowance or a pension after retirement under this
2120 article shall be employed or paid for any service by the State of
2121 Mississippi, including services as an employee, contract worker,
2122 contractual employee or independent contractor, until the retired
2123 person has been retired for not less than ninety (90) consecutive
2124 days from his or her effective date of retirement. After the
2125 person has been retired for not less than ninety (90) consecutive
2126 days from his or her effective date of retirement or such later
2127 date as established by the board, he or she may be reemployed
2128 while being paid a retirement allowance under the terms and
2129 conditions provided in this section or in Section 25-11-126.

2130 (b) No retiree of this retirement system who is
2131 reemployed or is reelected to office after retirement shall



2132 continue to draw retirement benefits while so reemployed, except
2133 as provided in this section or in Section 25-11-126.

2134 (c) No person employed or elected under the exceptions
2135 provided for in this section shall become a member under Article 3
2136 of the retirement system.

2137 (2) Except as otherwise provided in Section 25-11-126, any
2138 person who has been retired under the provisions of Article 3 and
2139 who is later reemployed in service covered by this article shall
2140 cease to receive benefits under this article and shall again
2141 become a contributing member of the retirement system. When the
2142 person retires again, if the person has been a contributing member
2143 of the retirement system during the reemployment and the
2144 reemployment exceeds six (6) months, the person shall have his or
2145 her benefit recomputed, including service after again becoming a
2146 member, provided that the total retirement allowance paid to the
2147 retired member in his or her previous retirement shall be deducted
2148 from the member's retirement reserve and taken into consideration
2149 in recalculating the retirement allowance under a new option
2150 selected.

2151 (3) The board shall have the right to prescribe rules and
2152 regulations for carrying out the provisions of this section.

2153 (4) The provisions of this section shall not be construed to
2154 prohibit any retiree, regardless of age, from being employed and
2155 drawing a retirement allowance either:



2156 (a) For a period of time not to exceed one-half (1/2)
2157 of the normal working days for the position in any fiscal year
2158 during which the retiree will receive no more than one-half (1/2)
2159 of the salary in effect for the position at the time of
2160 employment, or

2161 (b) For a period of time in any fiscal year sufficient
2162 in length to permit a retiree to earn not in excess of twenty-five
2163 percent (25%) of retiree's average compensation.

2164 To determine the normal working days for a position under
2165 paragraph (a) of this subsection, the employer shall determine the
2166 required number of working days for the position on a full-time
2167 basis and the equivalent number of hours representing the
2168 full-time position. The retiree then may work up to one-half
2169 (1/2) of the required number of working days or up to one-half
2170 (1/2) of the equivalent number of hours and receive up to one-half
2171 (1/2) of the salary for the position. In the case of employment
2172 with multiple employers, the limitation shall equal one-half (1/2)
2173 of the number of days or hours for a single full-time position.

2174 Notice shall be given in writing to the executive director,
2175 setting forth the facts upon which the employment is being made,
2176 and the notice shall be given within five (5) days from the date
2177 of employment and also from the date of termination of the
2178 employment.

2179 (5) Except as otherwise provided in subsection (6) of this
2180 section, the employer of any person who is receiving a retirement



2181 allowance and who is employed in service covered by subsection (4)
2182 of this section as an employee or a contractual employee shall pay
2183 to the board the full amount of the employer's contribution on the
2184 amount of compensation received by the retiree for his or her
2185 employment in accordance with regulations prescribed by the board.
2186 The retiree shall not receive any additional creditable service in
2187 the retirement system as a result of the payment of the employer's
2188 contribution. This subsection does not apply to persons who are
2189 receiving a retirement allowance and who contract with an employer
2190 to provide services as a true independent contractor, as defined
2191 by the board through regulation.

2192 (6) (a) A member may retire and continue in municipal or
2193 county elective office provided that the member has reached the
2194 age and/or service requirement that will not result in a
2195 prohibited in-service distribution as defined by the Internal
2196 Revenue Service, or a retiree may be elected to a municipal or
2197 county office, provided that the person:

2198 (i) Files annually, in writing, in the office of
2199 the employer and the office of the executive director of the
2200 system before the person takes office or as soon as possible after
2201 retirement, a waiver of all salary or compensation and elects to
2202 receive in lieu of that salary or compensation a retirement
2203 allowance as provided in this section, in which event no salary or
2204 compensation shall thereafter be due or payable for those
2205 services; however, any such officer or employee may receive, in



2206 addition to the retirement allowance, office expense allowance,
2207 mileage or travel expense authorized by any statute of the State
2208 of Mississippi; or

2209 (ii) Elects to receive compensation for that
2210 elective office in an amount not to exceed twenty-five percent
2211 (25%) of the retiree's average compensation. In order to receive
2212 compensation as allowed in this subparagraph, the retiree shall
2213 file annually, in writing, in the office of the employer and the
2214 office of the executive director of the system, an election to
2215 receive, in addition to a retirement allowance, compensation as
2216 allowed in this subparagraph.

2217 (b) The municipality or county in which the retired
2218 person holds elective office shall pay to the board the amount of
2219 the employer's contributions on the full amount of the regular
2220 compensation for the elective office that the retired person
2221 holds.

2222 (c) As used in this subsection, the term "compensation"
2223 does not include office expense allowance, mileage or travel
2224 expense authorized by a statute of the State of Mississippi.

2225 **SECTION 18.** Section 37-21-7, Mississippi Code of 1972, is
2226 amended as follows:

2227 37-21-7. (1) This section shall be referred to as the
2228 "Mississippi Elementary Schools Assistant Teacher Program," the
2229 purpose of which shall be to provide an early childhood education
2230 program that assists in the instruction of basic skills. The



2231 State Board of Education is authorized, empowered and directed to
2232 implement a statewide system of assistant teachers in kindergarten
2233 classes and in the first, second and third grades. The assistant
2234 teacher shall assist pupils in actual instruction under the strict
2235 supervision of a licensed teacher.

2236 (2) (a) Except as otherwise authorized under subsection
2237 (7), each school district shall employ the total number of
2238 assistant teachers funded under subsection (6) of this section.
2239 The superintendent of each district shall assign the assistant
2240 teachers to the kindergarten, first-, second- and third-grade
2241 classes in the district in a manner that will promote the maximum
2242 efficiency, as determined by the superintendent, in the
2243 instruction of skills such as verbal and linguistic skills,
2244 logical and mathematical skills, and social skills.

2245 (b) If a licensed teacher to whom an assistant teacher
2246 has been assigned is required to be absent from the classroom, the
2247 assistant teacher may assume responsibility for the classroom in
2248 lieu of a substitute teacher. However, no assistant teacher shall
2249 assume sole responsibility of the classroom for more than three
2250 (3) consecutive school days. Further, in no event shall any
2251 assistant teacher be assigned to serve as a substitute teacher for
2252 any teacher other than the licensed teacher to whom that assistant
2253 teacher has been assigned.

2254 (3) Assistant teachers shall have, at a minimum, a high
2255 school diploma or a High School Equivalency Diploma equivalent,



2256 and shall show demonstratable proficiency in reading and writing
2257 skills. The State Department of Education shall develop a testing
2258 procedure for assistant teacher applicants to be used in all
2259 school districts in the state.

2260 (4) (a) In order to receive funding, each school district
2261 shall:

2262 (i) Submit a plan on the implementation of a
2263 reading improvement program to the State Department of Education;
2264 and

2265 (ii) Develop a plan of educational accountability
2266 and assessment of performance, including pretests and posttests,
2267 for reading in Grades 1 through 6.

2268 (b) Additionally, each school district shall:

2269 (i) Provide annually a mandatory preservice
2270 orientation session, using an existing in-school service day, for
2271 administrators and teachers on the effective use of assistant
2272 teachers as part of a team in the classroom setting and on the
2273 role of assistant teachers, with emphasis on program goals;

2274 (ii) Hold periodic workshops for administrators
2275 and teachers on the effective use and supervision of assistant
2276 teachers;

2277 (iii) Provide training annually on specific
2278 instructional skills for assistant teachers;



2279 (iv) Annually evaluate their program in accordance
2280 with their educational accountability and assessment of
2281 performance plan; and

2282 (v) Designate the necessary personnel to supervise
2283 and report on their program.

2284 (5) The State Department of Education shall:

2285 (a) Develop and assist in the implementation of a
2286 statewide uniform training module, subject to the availability of
2287 funds specifically appropriated therefor by the Legislature, which
2288 shall be used in all school districts for training administrators,
2289 teachers and assistant teachers. The module shall provide for the
2290 consolidated training of each assistant teacher and teacher to
2291 whom the assistant teacher is assigned, working together as a
2292 team, and shall require further periodic training for
2293 administrators, teachers and assistant teachers regarding the role
2294 of assistant teachers;

2295 (b) Annually evaluate the program on the district and
2296 state level. Subject to the availability of funds specifically
2297 appropriated therefor by the Legislature, the department shall
2298 develop: (i) uniform evaluation reports, to be performed by the
2299 principal or assistant principal, to collect data for the annual
2300 overall program evaluation conducted by the department; or (ii) a
2301 program evaluation model that, at a minimum, addresses process
2302 evaluation; and



2303 (c) Promulgate rules, regulations and such other
2304 standards deemed necessary to effectuate the purposes of this
2305 section. Noncompliance with the provisions of this section and
2306 any rules, regulations or standards adopted by the department may
2307 result in a violation of compulsory accreditation standards as
2308 established by the State Board of Education and the Commission on
2309 School Accreditation.

2310 (6) In addition to other funds allotted under the Minimum
2311 Education or Adequate Education Program, each school district
2312 shall be allotted sufficient funding for the purpose of employing
2313 assistant teachers. No assistant teacher shall be paid less than
2314 the amount he or she received in the prior school year. No school
2315 district shall receive any funds under this section for any school
2316 year during which the aggregate amount of the local contribution
2317 to the salaries of assistant teachers by the district shall have
2318 been reduced below such amount for the previous year.

2319 For the * * * 2019-2020 school year * * *, the minimum annual
2320 salary for assistant teachers shall be * * * Thirteen Thousand
2321 Dollars (\$13,000.00). For the 2020-2021 school year, the minimum
2322 annual salary for assistant teachers shall be Thirteen Thousand
2323 Five Hundred Dollars (\$13,500.00).

2324 In addition, for each one percent (1%) that the Sine Die
2325 General Fund Revenue Estimate Growth exceeds five percent (5%) in
2326 fiscal year 2006, as certified by the Legislative Budget Office to
2327 the State Board of Education and subject to the specific



2328 appropriation therefor by the Legislature, the State Board of
2329 Education shall revise the salary scale in the appropriate year to
2330 provide an additional one percent (1%) across-the-board increase
2331 in the base salaries for assistant teachers. The State Board of
2332 Education shall revise the salaries prescribed above for assistant
2333 teachers to conform to any adjustments made in prior fiscal years
2334 due to revenue growth over and above five percent (5%). The
2335 assistant teachers shall not be restricted to working only in the
2336 grades for which the funds were allotted, but may be assigned to
2337 other classes as provided in subsection (2)(a) of this section.

2338 (7) (a) As an alternative to employing assistant teachers,
2339 any school district may use the allotment provided under
2340 subsection (6) of this section for the purpose of employing
2341 licensed teachers for kindergarten, first-, second- and
2342 third-grade classes; however, no school district shall be
2343 authorized to use the allotment for assistant teachers for the
2344 purpose of employing licensed teachers unless the district has
2345 established that the employment of licensed teachers using such
2346 funds will reduce the teacher:student ratio in the kindergarten,
2347 first-, second- and third-grade classes. All state funds for
2348 assistant teachers shall be applied to reducing teacher:student
2349 ratio in Grades K-3.

2350 It is the intent of the Legislature that no school district
2351 shall dismiss any assistant teacher for the purpose of using the
2352 assistant teacher allotment to employ licensed teachers. School



2353 districts may rely only upon normal attrition to reduce the number
2354 of assistant teachers employed in that district.

2355 (b) Districts meeting the highest levels of
2356 accreditation standards, as defined by the State Board of
2357 Education, shall be exempted from the provisions of subsection (4)
2358 of this section.

2359 **SECTION 19.** This act shall take effect and be in force from
2360 and after July 1, 2019.

