

By: Representatives Bennett, Foster, Summers

To: Education;
Appropriations

HOUSE BILL NO. 852
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE MINIMUM TEACHER SALARY SCALE BY INCREASING THE MINIMUM
3 SALARY; TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF 1972, TO
4 INCREASE THE MINIMUM ANNUAL SALARY FOR TEACHER ASSISTANTS; AND FOR
5 RELATED PURPOSES.

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

7 **SECTION 1.** Section 37-19-7, Mississippi Code of 1972, is
8 amended as follows:

9 37-19-7. (1) The allowance in the Mississippi Adequate
10 Education Program for teachers' salaries in each county and
11 separate school district shall be determined and paid in
12 accordance with the scale for teachers' salaries as provided in
13 this subsection. For teachers holding the following types of
14 licenses or the equivalent as determined by the State Board of
15 Education, and the following number of years of teaching
16 experience, the scale shall be as follows:

17 * * *

18 2021-2022 MINIMUM SALARY SCHEDULE

19 Years



20	<u>Exp.</u>	<u>AAAA</u>	<u>AAA</u>	<u>AA</u>	<u>A</u>
21	<u>0</u>	<u>41,608.00</u>	<u>40,444.00</u>	<u>39,280.00</u>	<u>37,000.00</u>
22	<u>1</u>	<u>41,608.00</u>	<u>40,444.00</u>	<u>39,280.00</u>	<u>37,000.00</u>
23	<u>2</u>	<u>41,608.00</u>	<u>40,444.00</u>	<u>39,280.00</u>	<u>37,000.00</u>
24	<u>3</u>	<u>42,402.00</u>	<u>41,171.00</u>	<u>39,940.00</u>	<u>37,385.00</u>
25	<u>4</u>	<u>43,196.00</u>	<u>41,898.00</u>	<u>40,600.00</u>	<u>37,880.00</u>
26	<u>5</u>	<u>43,990.00</u>	<u>42,625.00</u>	<u>41,260.00</u>	<u>38,375.00</u>
27	<u>6</u>	<u>44,784.00</u>	<u>43,352.00</u>	<u>41,920.00</u>	<u>38,870.00</u>
28	<u>7</u>	<u>45,578.00</u>	<u>44,079.00</u>	<u>42,580.00</u>	<u>39,365.00</u>
29	<u>8</u>	<u>46,372.00</u>	<u>44,806.00</u>	<u>43,240.00</u>	<u>39,860.00</u>
30	<u>9</u>	<u>47,166.00</u>	<u>45,533.00</u>	<u>43,900.00</u>	<u>40,355.00</u>
31	<u>10</u>	<u>47,960.00</u>	<u>46,260.00</u>	<u>44,560.00</u>	<u>40,850.00</u>
32	<u>11</u>	<u>48,754.00</u>	<u>46,987.00</u>	<u>45,220.00</u>	<u>41,345.00</u>
33	<u>12</u>	<u>49,548.00</u>	<u>47,714.00</u>	<u>45,880.00</u>	<u>41,840.00</u>
34	<u>13</u>	<u>50,342.00</u>	<u>48,441.00</u>	<u>46,540.00</u>	<u>42,335.00</u>
35	<u>14</u>	<u>51,136.00</u>	<u>49,168.00</u>	<u>47,200.00</u>	<u>42,830.00</u>
36	<u>15</u>	<u>51,930.00</u>	<u>49,895.00</u>	<u>47,860.00</u>	<u>43,325.00</u>
37	<u>16</u>	<u>52,724.00</u>	<u>50,622.00</u>	<u>48,520.00</u>	<u>43,820.00</u>
38	<u>17</u>	<u>53,518.00</u>	<u>51,349.00</u>	<u>49,180.00</u>	<u>44,315.00</u>
39	<u>18</u>	<u>54,312.00</u>	<u>52,076.00</u>	<u>49,840.00</u>	<u>44,810.00</u>
40	<u>19</u>	<u>55,106.00</u>	<u>52,803.00</u>	<u>50,500.00</u>	<u>45,305.00</u>
41	<u>20</u>	<u>55,900.00</u>	<u>53,530.00</u>	<u>51,160.00</u>	<u>45,800.00</u>
42	<u>21</u>	<u>56,694.00</u>	<u>54,257.00</u>	<u>51,820.00</u>	<u>46,295.00</u>
43	<u>22</u>	<u>57,488.00</u>	<u>54,984.00</u>	<u>52,480.00</u>	<u>46,790.00</u>
44	<u>23</u>	<u>58,282.00</u>	<u>55,711.00</u>	<u>53,140.00</u>	<u>47,285.00</u>



45	<u>24</u>	<u>59,076.00</u>	<u>56,438.00</u>	<u>53,800.00</u>	<u>47,780.00</u>
46	<u>25</u>	<u>61,930.00</u>	<u>59,225.00</u>	<u>56,520.00</u>	<u>50,335.00</u>
47	<u>26</u>	<u>62,724.00</u>	<u>59,952.00</u>	<u>57,180.00</u>	<u>50,830.00</u>
48	<u>27</u>	<u>63,518.00</u>	<u>60,679.00</u>	<u>57,840.00</u>	<u>51,325.00</u>
49	<u>28</u>	<u>64,312.00</u>	<u>61,406.00</u>	<u>58,500.00</u>	<u>51,820.00</u>
50	<u>29</u>	<u>65,106.00</u>	<u>62,133.00</u>	<u>59,160.00</u>	<u>52,315.00</u>
51	<u>30</u>	<u>65,900.00</u>	<u>62,860.00</u>	<u>59,820.00</u>	<u>52,810.00</u>
52	<u>31</u>	<u>66,694.00</u>	<u>63,587.00</u>	<u>60,480.00</u>	<u>53,305.00</u>
53	<u>32</u>	<u>67,488.00</u>	<u>64,314.00</u>	<u>61,140.00</u>	<u>53,800.00</u>
54	<u>33</u>	<u>68,282.00</u>	<u>65,041.00</u>	<u>61,800.00</u>	<u>54,295.00</u>
55	<u>34</u>	<u>69,076.00</u>	<u>65,768.00</u>	<u>62,460.00</u>	<u>54,790.00</u>
56	<u>35</u>				
57	<u>& above</u>	<u>69,870.00</u>	<u>66,495.00</u>	<u>63,120.00</u>	<u>55,285.00</u>

58 It is the intent of the Legislature that any state funds made
59 available for salaries of licensed personnel in excess of the
60 funds paid for such salaries for the 1986-1987 school year shall
61 be paid to licensed personnel pursuant to a personnel appraisal
62 and compensation system implemented by the State Board of
63 Education. The State Board of Education shall have the authority
64 to adopt and amend rules and regulations as are necessary to
65 establish, administer and maintain the system.

66 All teachers employed on a full-time basis shall be paid a
67 minimum salary in accordance with the above scale. However, no
68 school district shall receive any funds under this section for any
69 school year during which the local supplement paid to any



70 individual teacher shall have been reduced to a sum less than that
71 paid to that individual teacher for performing the same duties
72 from local supplement during the immediately preceding school
73 year. The amount actually spent for the purposes of group health
74 and/or life insurance shall be considered as a part of the
75 aggregate amount of local supplement but shall not be considered a
76 part of the amount of individual local supplement.

77 The level of professional training of each teacher to be used
78 in establishing the salary allotment for the teachers for each
79 year shall be determined by the type of valid teacher's license
80 issued to those teachers on or before October 1 of the current
81 school year. Provided, however, that school districts are
82 authorized, in their discretion, to negotiate the salary levels
83 applicable to certificated employees who are receiving retirement
84 benefits from the retirement system of another state, and the
85 annual experience increment provided above in Section 37-19-7
86 shall not be applicable to any such retired certificated employee.

87 (2) (a) The following employees shall receive an annual
88 salary supplement in the amount of Six Thousand Dollars
89 (\$6,000.00), plus fringe benefits, in addition to any other
90 compensation to which the employee may be entitled:

91 (i) Any licensed teacher who has met the
92 requirements and acquired a Master Teacher certificate from the
93 National Board for Professional Teaching Standards and who is
94 employed by a local school board or the State Board of Education



95 as a teacher and not as an administrator. Such teacher shall
96 submit documentation to the State Department of Education that the
97 certificate was received prior to October 15 in order to be
98 eligible for the full salary supplement in the current school
99 year, or the teacher shall submit such documentation to the State
100 Department of Education prior to February 15 in order to be
101 eligible for a prorated salary supplement beginning with the
102 second term of the school year.

103 (ii) A licensed nurse who has met the requirements
104 and acquired a certificate from the National Board for
105 Certification of School Nurses, Inc., and who is employed by a
106 local school board or the State Board of Education as a school
107 nurse and not as an administrator. The licensed school nurse
108 shall submit documentation to the State Department of Education
109 that the certificate was received before October 15 in order to be
110 eligible for the full salary supplement in the current school
111 year, or the licensed school nurse shall submit the documentation
112 to the State Department of Education before February 15 in order
113 to be eligible for a prorated salary supplement beginning with the
114 second term of the school year. Provided, however, that the total
115 number of licensed school nurses eligible for a salary supplement
116 under this subparagraph (ii) shall not exceed thirty-five (35).

117 (iii) Any licensed school counselor who has met
118 the requirements and acquired a National Certified School
119 Counselor (NCSC) endorsement from the National Board of Certified



120 Counselors and who is employed by a local school board or the
121 State Board of Education as a counselor and not as an
122 administrator. Such licensed school counselor shall submit
123 documentation to the State Department of Education that the
124 endorsement was received prior to October 15 in order to be
125 eligible for the full salary supplement in the current school
126 year, or the licensed school counselor shall submit such
127 documentation to the State Department of Education prior to
128 February 15 in order to be eligible for a prorated salary
129 supplement beginning with the second term of the school year.
130 However, any school counselor who started the National Board for
131 Professional Teaching Standards process for school counselors
132 between June 1, 2003, and June 30, 2004, and completes the
133 requirements and acquires the Master Teacher certificate shall be
134 entitled to the master teacher supplement, and those counselors
135 who complete the process shall be entitled to a one-time
136 reimbursement for the actual cost of the process as outlined in
137 paragraph (b) of this subsection.

138 (iv) Any licensed speech-language pathologist and
139 audiologist who has met the requirements and acquired a
140 Certificate of Clinical Competence from the American
141 Speech-Language-Hearing Association and any certified academic
142 language therapist (CALT) who has met the certification
143 requirements of the Academic Language Therapy Association and who
144 is employed by a local school board or is employed by a state



145 agency under the State Personnel Board. The licensed
146 speech-language pathologist and audiologist and certified academic
147 language therapist shall submit documentation to the State
148 Department of Education that the certificate or endorsement was
149 received before October 15 in order to be eligible for the full
150 salary supplement in the current school year, or the licensed
151 speech-language pathologist and audiologist and certified academic
152 language therapist shall submit the documentation to the State
153 Department of Education before February 15 in order to be eligible
154 for a prorated salary supplement beginning with the second term of
155 the school year. However, the total number of certified academic
156 language therapists eligible for a salary supplement under this
157 subparagraph (iv) shall not exceed twenty (20).

158 (b) An employee shall be reimbursed for the actual cost
159 of completing each component of acquiring the certificate or
160 endorsement, excluding any costs incurred for postgraduate
161 courses, not to exceed Five Hundred Dollars (\$500.00) for each
162 component, not to exceed four (4) components, for a teacher,
163 school counselor or speech-language pathologist and audiologist,
164 regardless of whether or not the process resulted in the award of
165 the certificate or endorsement. A local school district or any
166 private individual or entity may pay the cost of completing the
167 process of acquiring the certificate or endorsement for any
168 employee of the school district described under paragraph (a), and
169 the State Department of Education shall reimburse the school



170 district for such cost, regardless of whether or not the process
171 resulted in the award of the certificate or endorsement. If a
172 private individual or entity has paid the cost of completing the
173 process of acquiring the certificate or endorsement for an
174 employee, the local school district may agree to directly
175 reimburse the individual or entity for such cost on behalf of the
176 employee.

177 (c) All salary supplements, fringe benefits and process
178 reimbursement authorized under this subsection shall be paid
179 directly by the State Department of Education to the local school
180 district and shall be in addition to its minimum education program
181 allotments and not a part thereof in accordance with regulations
182 promulgated by the State Board of Education. Local school
183 districts shall not reduce the local supplement paid to any
184 employee receiving such salary supplement, and the employee shall
185 receive any local supplement to which employees with similar
186 training and experience otherwise are entitled. However, an
187 educational employee shall receive the salary supplement in the
188 amount of Six Thousand Dollars (\$6,000.00) for only one (1) of the
189 qualifying certifications authorized under paragraph (a) of this
190 subsection. No school district shall provide more than one (1)
191 annual salary supplement under the provisions of this subsection
192 to any one individual employee holding multiple qualifying
193 national certifications.



194 (d) If an employee for whom such cost has been paid, in
195 full or in part, by a local school district or private individual
196 or entity fails to complete the certification or endorsement
197 process, the employee shall be liable to the school district or
198 individual or entity for all amounts paid by the school district
199 or individual or entity on behalf of that employee toward his or
200 her certificate or endorsement.

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

205 Effective July 1, 2016, if funds are available for that
206 purpose, any licensed teacher who has met the requirements and
207 acquired a Master Teacher Certificate from the National Board for
208 Professional Teaching Standards and who is employed in a public
209 school district located in one (1) of the following counties:
210 Claiborne, Adams, Jefferson, Wilkinson, Amite, Bolivar, Coahoma,
211 Leflore, Quitman, Sharkey, Issaquena, Sunflower, Washington,
212 Holmes, Yazoo and Tallahatchie. The salary supplement awarded
213 under the provisions of this subsection (3) shall be in addition
214 to the salary supplement awarded under the provisions of
215 subsection (2) of this section.

216 Teachers who meet the qualifications for a salary supplement
217 under this subsection (3) who are assigned for less than one (1)
218 full year or less than full time for the school year shall receive



219 the salary supplement in a prorated manner, with the portion of
220 the teacher's assignment to the critical geographic area to be
221 determined as of June 15th of the school year.

222 (4) (a) This section shall be known and may be cited as the
223 "Mississippi Performance-Based Pay (MPBP)" plan. In addition to
224 the minimum base pay described in this section, only after full
225 funding of MAEP and if funds are available for that purpose, the
226 State of Mississippi may provide monies from state funds to school
227 districts for the purposes of rewarding certified teachers,
228 administrators and nonlicensed personnel at individual schools
229 showing improvement in student test scores. The MPBP plan shall
230 be developed by the State Department of Education based on the
231 following criteria:

232 (i) It is the express intent of this legislation
233 that the MPBP plan shall utilize only existing standards of
234 accreditation and assessment as established by the State Board of
235 Education.

236 (ii) To ensure that all of Mississippi's teachers,
237 administrators and nonlicensed personnel at all schools have equal
238 access to the monies set aside in this section, the MPBP program
239 shall be designed to calculate each school's performance as
240 determined by the school's increase in scores from the prior
241 school year. The MPBP program shall be based on a standardized
242 scores rating where all levels of schools can be judged in a
243 statistically fair and reasonable way upon implementation. At the



244 end of each year, after all student achievement scores have been
245 standardized, the State Department of Education shall implement
246 the MPBP plan.

247 (iii) To ensure all teachers cooperate in the
248 spirit of teamwork, individual schools shall submit a plan to the
249 local school district to be approved before the beginning of each
250 school year beginning July 1, 2008. The plan shall include, but
251 not be limited to, how all teachers, regardless of subject area,
252 and administrators will be responsible for improving student
253 achievement for their individual school.

254 (b) The State Board of Education shall develop the
255 processes and procedures for designating schools eligible to
256 participate in the MPBP. State assessment results, growth in
257 student achievement at individual schools and other measures
258 deemed appropriate in designating successful student achievement
259 shall be used in establishing MPBP criteria. The State Board of
260 Education shall develop the MPBP policies and procedures and
261 report to the Legislature and Governor by December 1, 2006.

262 (5) (a) Beginning in the 2008-2009 school year, if funds
263 are available for that purpose, each school in Mississippi shall
264 have mentor teachers, as defined by Sections 37-9-201 through
265 37-9-213, who shall receive additional base compensation provided
266 for by the State Legislature in the amount of One Thousand Dollars
267 (\$1,000.00) per each beginning teacher that is being mentored.
268 The additional state compensation shall be limited to those mentor



269 teachers that provide mentoring services to beginning teachers.
270 For the purposes of such funding, a beginning teacher shall be
271 defined as any teacher in any school in Mississippi that has less
272 than one (1) year of classroom experience teaching in a public
273 school. For the purposes of such funding, no full-time academic
274 teacher shall mentor more than two (2) beginning teachers.

275 (b) To be eligible for this state funding, the
276 individual school must have a classroom management program
277 approved by the local school board.

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

282 **SECTION 2.** Section 37-21-7, Mississippi Code of 1972, is
283 amended as follows:

284 37-21-7. (1) This section shall be referred to as the
285 "Mississippi Elementary Schools Assistant Teacher Program," the
286 purpose of which shall be to provide an early childhood education
287 program that assists in the instruction of basic skills. The
288 State Board of Education is authorized, empowered and directed to
289 implement a statewide system of assistant teachers in kindergarten
290 classes and in the first, second and third grades. The assistant
291 teacher shall assist pupils in actual instruction under the strict
292 supervision of a licensed teacher.



293 (2) (a) Except as otherwise authorized under subsection
294 (7), each school district shall employ the total number of
295 assistant teachers funded under subsection (6) of this section.
296 The superintendent of each district shall assign the assistant
297 teachers to the kindergarten, first-, second- and third-grade
298 classes in the district in a manner that will promote the maximum
299 efficiency, as determined by the superintendent, in the
300 instruction of skills such as verbal and linguistic skills,
301 logical and mathematical skills, and social skills.

302 (b) If a licensed teacher to whom an assistant teacher
303 has been assigned is required to be absent from the classroom, the
304 assistant teacher may assume responsibility for the classroom in
305 lieu of a substitute teacher. However, no assistant teacher shall
306 assume sole responsibility of the classroom for more than three
307 (3) consecutive school days. Further, in no event shall any
308 assistant teacher be assigned to serve as a substitute teacher for
309 any teacher other than the licensed teacher to whom that assistant
310 teacher has been assigned.

311 (3) Assistant teachers shall have, at a minimum, a high
312 school diploma or a High School Equivalency Diploma equivalent,
313 and shall show demonstratable proficiency in reading and writing
314 skills. The State Department of Education shall develop a testing
315 procedure for assistant teacher applicants to be used in all
316 school districts in the state.



317 (4) (a) In order to receive funding, each school district
318 shall:

319 (i) Submit a plan on the implementation of a
320 reading improvement program to the State Department of Education;
321 and

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

325 (b) Additionally, each school district shall:

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

331 (ii) Hold periodic workshops for administrators
332 and teachers on the effective use and supervision of assistant
333 teachers;

334 (iii) Provide training annually on specific
335 instructional skills for assistant teachers;

336 (iv) Annually evaluate their program in accordance
337 with their educational accountability and assessment of
338 performance plan; and

339 (v) Designate the necessary personnel to supervise
340 and report on their program.

341 (5) The State Department of Education shall:



342 (a) Develop and assist in the implementation of a
343 statewide uniform training module, subject to the availability of
344 funds specifically appropriated therefor by the Legislature, which
345 shall be used in all school districts for training administrators,
346 teachers and assistant teachers. The module shall provide for the
347 consolidated training of each assistant teacher and teacher to
348 whom the assistant teacher is assigned, working together as a
349 team, and shall require further periodic training for
350 administrators, teachers and assistant teachers regarding the role
351 of assistant teachers;

352 (b) Annually evaluate the program on the district and
353 state level. Subject to the availability of funds specifically
354 appropriated therefor by the Legislature, the department shall
355 develop: (i) uniform evaluation reports, to be performed by the
356 principal or assistant principal, to collect data for the annual
357 overall program evaluation conducted by the department; or (ii) a
358 program evaluation model that, at a minimum, addresses process
359 evaluation; and

360 (c) Promulgate rules, regulations and such other
361 standards deemed necessary to effectuate the purposes of this
362 section. Noncompliance with the provisions of this section and
363 any rules, regulations or standards adopted by the department may
364 result in a violation of compulsory accreditation standards as
365 established by the State Board of Education and the Commission on
366 School Accreditation.



367 (6) In addition to other funds allotted under the Minimum
368 Education or Adequate Education Program, each school district
369 shall be allotted sufficient funding for the purpose of employing
370 assistant teachers. No assistant teacher shall be paid less than
371 the amount he or she received in the prior school year. No school
372 district shall receive any funds under this section for any school
373 year during which the aggregate amount of the local contribution
374 to the salaries of assistant teachers by the district shall have
375 been reduced below such amount for the previous year.

376 * * *

377 For assistant teachers, the minimum annual salary shall be as
378 follows:

379 2021-2022 Minimum Salary.....\$15,000.00

380 In addition, for each one percent (1%) that the Sine Die
381 General Fund Revenue Estimate Growth exceeds five percent (5%) in
382 fiscal year 2006, as certified by the Legislative Budget Office to
383 the State Board of Education and subject to the specific
384 appropriation therefor by the Legislature, the State Board of
385 Education shall revise the salary scale in the appropriate year to
386 provide an additional one percent (1%) across-the-board increase
387 in the base salaries for assistant teachers. The State Board of
388 Education shall revise the salaries prescribed above for assistant
389 teachers to conform to any adjustments made in prior fiscal years
390 due to revenue growth over and above five percent (5%). The
391 assistant teachers shall not be restricted to working only in the



392 grades for which the funds were allotted, but may be assigned to
393 other classes as provided in subsection (2)(a) of this section.

394 (7) (a) As an alternative to employing assistant teachers,
395 any school district may use the allotment provided under
396 subsection (6) of this section for the purpose of employing
397 licensed teachers for kindergarten, first-, second- and
398 third-grade classes; however, no school district shall be
399 authorized to use the allotment for assistant teachers for the
400 purpose of employing licensed teachers unless the district has
401 established that the employment of licensed teachers using such
402 funds will reduce the teacher:student ratio in the kindergarten,
403 first-, second- and third-grade classes. All state funds for
404 assistant teachers shall be applied to reducing teacher:student
405 ratio in Grades K-3.

406 It is the intent of the Legislature that no school district
407 shall dismiss any assistant teacher for the purpose of using the
408 assistant teacher allotment to employ licensed teachers. School
409 districts may rely only upon normal attrition to reduce the number
410 of assistant teachers employed in that district.

411 (b) Districts meeting the highest levels of
412 accreditation standards, as defined by the State Board of
413 Education, shall be exempted from the provisions of subsection (4)
414 of this section.

415 **SECTION 3.** This act shall take effect and be in force from
416 and after July 1, 2021.

