REGULAR SESSION 2021

Appropriations

By: Senator(s) DeBar, Moran, Barnett, To: Education; Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Caughman, Chism, DeLano, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson (11th), Jackson (32nd), Johnson, Jordan, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Seymour, Simmons (12th), Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger, Simmons (13th), Sojourner, McDaniel, Blackmon, Chassaniol, Kirby, Carter

SENATE BILL NO. 2001

AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO 1 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.

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

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 Education Program for teachers' salaries in each county and 10 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 Education, and the following number of years of teaching 15 16 experience, the scale shall be as follows:

17 * * *

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2021-2022 MINIMUM SALARY SCHEDULE

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

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44	23	58,282.00	55,711.00	53,140.00	47,285.00
45	24	59,076.00	56,438.00	53,800.00	47,780.00
46	25	61,930.00	59,225.00	56,520.00	50,335.00
47	26	62,724.00	59,952.00	57,180.00	<u>50,830.00</u>
48	27	63,518.00	60,679.00	57,840.00	<u>51,325.00</u>
49	28	64,312.00	61,406.00	58,500.00	<u>51,820.00</u>
50	29	65,106.00	62,133.00	59,160.00	<u>52,315.00</u>
51	30	65,900.00	62,860.00	59,820.00	52,810.00
52	31	66,694.00	63,587.00	60,480.00	53,305.00
53	32	67,488.00	64,314.00	61,140.00	53,800.00
54	33	68,282.00	65,041.00	61,800.00	54,295.00
55	34	69,076.00	65,768.00	62,460.00	54,790.00
56	35				
57	& above	e <u>69,870.00</u>	66,495.00	63,120.00	55,285.00

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

All teachers employed on a full-time basis shall be paid a minimum salary in accordance with the above scale. However, no school district shall receive any funds under this section for any

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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 The amount actually spent for the purposes of group health vear. 74 and/or life insurance shall be considered as a part of the aggregate amount of local supplement but shall not be considered a 75 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 shall not be applicable to any such retired certificated employee. 86 87 (2)The following employees shall receive an annual (a)

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 year, or the licensed school nurse shall submit the documentation 111 112 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 under this subparagraph (ii) shall not exceed thirty-five (35). 116

117 (iii) Any licensed school counselor who has met 118 the requirements and acquired a National Certified School

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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 eligible for the full salary supplement in the current school 125 year, or the licensed school counselor shall submit such 126 127 documentation to the State Department of Education prior to February 15 in order to be eligible for a prorated salary 128 129 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.

(iv) Any licensed speech-language pathologist and
audiologist who has met the requirements and acquired a
Certificate of Clinical Competence from the American
Speech-Language-Hearing Association and any certified academic
language therapist (CALT) who has met the certification
requirements of the Academic Language Therapy Association and who

S. B. No. 2001 ~ OFFICIAL ~ 21/SS36/R289 PAGE 6 (scm\tb) 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 language therapist shall submit documentation to the State 147 148 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 An employee shall be reimbursed for the actual cost (b) 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 the certificate or endorsement. A local school district or any 165 166 private individual or entity may pay the cost of completing the 167 process of acquiring the certificate or endorsement for any employee of the school district described under paragraph (a), and 168

S. B. No. 2001 ~ OFFICIAL ~ 21/SS36/R289 PAGE 7 (scm\tb) 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 reimburse the individual or entity for such cost on behalf of the 175 176 employee.

177 All salary supplements, fringe benefits and process (C) reimbursement authorized under this subsection shall be paid 178 179 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 subsection. No school district shall provide more than one (1) 190 annual salary supplement under the provisions of this subsection 191 192 to any one individual employee holding multiple qualifying 193 national certifications.

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S. B. No. 2001 21/SS36/R289 PAGE 8 (scm\tb) (d) If an employee for whom such cost has been paid, in full or in part, by a local school district or private individual or entity fails to complete the certification or endorsement process, the employee shall be liable to the school district or individual or entity for all amounts paid by the school district or individual or entity on behalf of that employee toward his or her certificate or endorsement.

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

Effective July 1, 2016, if funds are available for that 205 206 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.

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

S. B. No. 2001 **~ OFFICIAL ~** 21/SS36/R289 PAGE 9 (scm\tb) the salary supplement in a prorated manner, with the portion of the teacher's assignment to the critical geographic area to be determined as of June 15th of the school year.

222 This section shall be known and may be cited as the (4)(a) 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:

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

To ensure that all of Mississippi's teachers, 236 (ii) 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 school year. The MPBP program shall be based on a standardized 241 242 scores rating where all levels of schools can be judged in a statistically fair and reasonable way upon implementation. At the 243

S. B. No. 2001 **~ OFFICIAL ~** 21/SS36/R289 PAGE 10 (scm\tb) end of each year, after all student achievement scores have been standardized, the State Department of Education shall implement the MPBP plan.

(iii) To ensure all teachers cooperate in the spirit of teamwork, individual schools shall submit a plan to the local school district to be approved before the beginning of each school year beginning July 1, 2008. The plan shall include, but not be limited to, how all teachers, regardless of subject area, and administrators will be responsible for improving student 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) Beginning in the 2008-2009 school year, if funds (a) 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

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S. B. No. 2001 21/SS36/R289 PAGE 11 (scm\tb) teachers that provide mentoring services to beginning teachers.
For the purposes of such funding, a beginning teacher shall be
defined as any teacher in any school in Mississippi that has less
than one (1) year of classroom experience teaching in a public
school. For the purposes of such funding, no full-time academic
teacher shall mentor more than two (2) beginning teachers.

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

(6) Effective with the 2014-2015 school year, the school
districts participating in the Pilot Performance-Based
Compensation System pursuant to Section 37-19-9 may award
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.

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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 teachers to the kindergarten, first-, second- and third-grade 297 298 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 If a licensed teacher to whom an assistant teacher (b) 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.

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

S. B. No. 2001 21/SS36/R289 PAGE 13 (scm\tb) 317 (4) (a) In order to receive funding, each school district 318 shall:

(i) Submit a plan on the implementation of a reading improvement program to the State Department of Education; 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.

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(b) Additionally, each school district shall:

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

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

(iii) Provide training annually on specificinstructional 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 supervise340 and report on their program.

341 (5) The State Department of Education shall:

342 Develop and assist in the implementation of a (a) statewide uniform training module, subject to the availability of 343 funds specifically appropriated therefor by the Legislature, which 344 shall be used in all school districts for training administrators, 345 346 teachers and assistant teachers. The module shall provide for the 347 consolidated training of each assistant teacher and teacher to whom the assistant teacher is assigned, working together as a 348 349 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 (i) uniform evaluation reports, to be performed by the develop: 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.

S. B. No. 2001 **~ OFFICIAL ~** 21/SS36/R289 PAGE 15 (scm\tb) 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 * * *

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

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 fiscal year 2006, as certified by the Legislative Budget Office to 382 383 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 assistant teachers shall not be restricted to working only in the 391

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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 (a) As an alternative to employing assistant teachers, (7)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.

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

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

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

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21/SS36/R289	ST:	Teachers'	salaries;	provide	for increase.
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