## Senate Amendments to House Bill No. 852

## TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

## AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

- 7 SECTION 1. Section 37-19-7, Mississippi Code of 1972, is amended as follows: 8 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 \* \* \* 18 2021-2022 MINIMUM SALARY SCHEDULE
- 19 Years 20 AAAA AAA AΑ A Exp. 21 41,608.00 40,444.00 39,280.00 37,000.00 22 40,444.00 1 41,608.00 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	<u>37,880.00</u>
26	<u>5</u>	43,990.00	42,625.00	41,260.00	<u>38,375.00</u>
27	<u>6</u>	44,784.00	43,352.00	41,920.00	38,870.00
28	<u>7</u>	45,578.00	44,079.00	42,580.00	39,365.00
29	<u>8</u>	46,372.00	44,806.00	43,240.00	39,860.00
30	<u>9</u>	47,166.00	45,533.00	43,900.00	40,355.00
31	<u>10</u>	47,960.00	46,260.00	44,560.00	40,850.00
32	<u>11</u>	48,754.00	46,987.00	45,220.00	41,345.00
33	<u>12</u>	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	<u>16</u>	52,724.00	50,622.00	48,520.00	43,820.00
38	<u>17</u>	53,518.00	51,349.00	49,180.00	44,315.00
39	<u>18</u>	54,312.00	52,076.00	49,840.00	44,810.00
40	<u>19</u>	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	<u>21</u>	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
44	<u>23</u>	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	<u>25</u>	61,930.00	59,225.00	56,520.00	50,335.00
47	26	62,724.00	59,952.00	57,180.00	50,830.00
48	<u>27</u>	63,518.00	60,679.00	57,840.00	51,325.00
49	28	64,312.00	61,406.00	58,500.00	51,820.00

50	<u>29</u>	65,106.00	<u>62,133.00</u>	59,160.00	52,315.00
51	30	65,900.00	62,860.00	59,820.00	<u>52,810.00</u>
52	<u>31</u>	66,694.00	63,587.00	60,480.00	53,305.00
53	<u>32</u>	<u>67,488.00</u>	64,314.00	61,140.00	<u>53,800.00</u>
54	<u>33</u>	<u>68,282.00</u>	65,041.00	61,800.00	54,295.00
55	34	69,076.00	65,768.00	62,460.00	54,790.00
56	<u>35</u>				
57	& above	69,870.00	66,495.00	63,120.00	55,285.00

It is the intent of the Legislature that any state funds made available for salaries of licensed personnel in excess of the funds paid for such salaries for the 1986-1987 school year shall be paid to licensed personnel pursuant to a personnel appraisal and compensation system implemented by the State Board of Education. The State Board of Education shall have the authority to adopt and amend rules and regulations as are necessary to 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 school year during which the local supplement paid to any individual teacher shall have been reduced to a sum less than that paid to that individual teacher for performing the same duties from local supplement during the immediately preceding school year. The amount actually spent for the purposes of group health and/or life insurance shall be considered as a part of the

aggregate amount of local supplement but shall not be considered a 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 year shall be determined by the type of valid teacher's license 79 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.

- (2) (a) The following employees shall receive an annual salary supplement in the amount of Six Thousand Dollars (\$6,000.00), plus fringe benefits, in addition to any other compensation to which the employee may be entitled:
- 91 Any licensed teacher who has met the (i) requirements and acquired a Master Teacher certificate from the 92 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

eligible for a prorated salary supplement beginning with the second term of the school year.

103 (ii) A licensed nurse who has met the requirements and acquired a certificate from the National Board for 104 105 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 number of licensed school nurses eligible for a salary supplement 115 116 under this subparagraph (ii) shall not exceed thirty-five (35). 117

(iii) Any licensed school counselor who has met the requirements and acquired a National Certified School Counselor (NCSC) endorsement from the National Board of Certified Counselors and who is employed by a local school board or the State Board of Education as a counselor and not as an administrator. Such licensed school counselor shall submit documentation to the State Department of Education that the endorsement was received prior to October 15 in order to be

eligible for the full salary supplement in the current school

126 year, or the licensed school counselor shall submit such

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- 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 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

component, not to exceed four (4) components, for a teacher, 162

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

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.

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177 All salary supplements, fringe benefits and process

reimbursement authorized under this subsection shall be paid

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 amount of Six Thousand Dollars (\$6,000.00) for only one (1) of the 188 189 qualifying certifications authorized under paragraph (a) of this 190 subsection. No school district shall provide more than one (1)

194 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.

annual salary supplement under the provisions of this subsection

to any one individual employee holding multiple qualifying

201 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:

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national certifications.

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

(4) (a) This section shall be known and may be cited as the "Mississippi Performance-Based Pay (MPBP)" plan. In addition to the minimum base pay described in this section, only after full funding of MAEP and if funds are available for that purpose, the State of Mississippi may provide monies from state funds to school districts for the purposes of rewarding certified teachers, administrators and nonlicensed personnel at individual schools 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.
- (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

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 amended as follows:
- 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

- assistant teacher be assigned to serve as a substitute teacher for any teacher other than the licensed teacher to whom that assistant 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:
- (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;

- 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 In addition to other funds allotted under the Minimum 368 Education or Adequate Education Program, each school district shall be allotted sufficient funding for the purpose of employing 369 370 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.

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

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

In addition, for each one percent (1%) that the Sine Die

General Fund Revenue Estimate Growth exceeds five percent (5%) in

fiscal year 2006, as certified by the Legislative Budget Office to

the State Board of Education and subject to the specific

appropriation therefor by the Legislature, the State Board of

Education shall revise the salary scale in the appropriate year to

provide an additional one percent (1%) across-the-board increase in the base salaries for assistant teachers. The State Board of Education shall revise the salaries prescribed above for assistant teachers to conform to any adjustments made in prior fiscal years due to revenue growth over and above five percent (5%). assistant teachers shall not be restricted to working only in the grades for which the funds were allotted, but may be assigned to other classes as provided in subsection (2)(a) of this section.

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

411	(b)	Districts	meeting	the	highest	levels	of
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- 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.

## Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO REVISE THE MINIMUM TEACHER SALARY SCALE BY INCREASING THE MINIMUM

SALARY; TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF 1972, TO

INCREASE THE MINIMUM ANNUAL SALARY FOR TEACHER ASSISTANTS; AND FOR

RELATED PURPOSES.

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SS26\HB852A.J

Eugene S. Clarke Secretary of the Senate