

By: Representative Scott

To: Education;
Appropriations

HOUSE BILL NO. 289

1 AN ACT TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE AN ANNUAL SALARY SUPPLEMENT TO ASSISTANT TEACHERS EMPLOYED
3 BY SCHOOL DISTRICTS RATED C, D OR F UNDER THE ACCOUNTABILITY
4 SYSTEM; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 37-21-7, Mississippi Code of 1972, is
7 amended as follows:

8 37-21-7. (1) This section shall be referred to as the
9 "Mississippi Elementary Schools Assistant Teacher Program," the
10 purpose of which shall be to provide an early childhood education
11 program that assists in the instruction of basic skills. The
12 State Board of Education is authorized, empowered and directed to
13 implement a statewide system of assistant teachers in kindergarten
14 classes and in the first, second and third grades. The assistant
15 teacher shall assist pupils in actual instruction under the strict
16 supervision of a licensed teacher.

17 (2) (a) Except as otherwise authorized under subsection
18 (7), each school district shall employ the total number of
19 assistant teachers funded under subsection (6) of this section.



20 The superintendent of each district shall assign the assistant
21 teachers to the kindergarten, first-, second- and third-grade
22 classes in the district in a manner that will promote the maximum
23 efficiency, as determined by the superintendent, in the
24 instruction of skills such as verbal and linguistic skills,
25 logical and mathematical skills, and social skills.

26 (b) If a licensed teacher to whom an assistant teacher
27 has been assigned is required to be absent from the classroom, the
28 assistant teacher may assume responsibility for the classroom in
29 lieu of a substitute teacher. However, no assistant teacher shall
30 assume sole responsibility of the classroom for more than three
31 (3) consecutive school days. Further, in no event shall any
32 assistant teacher be assigned to serve as a substitute teacher for
33 any teacher other than the licensed teacher to whom that assistant
34 teacher has been assigned.

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

41 (4) (a) In order to receive funding, each school district
42 shall:



43 (i) Submit a plan on the implementation of a
44 reading improvement program to the State Department of Education;
45 and

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

49 (b) Additionally, each school district shall:

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

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

58 (iii) Provide training annually on specific
59 instructional skills for assistant teachers;

60 (iv) Annually evaluate their program in accordance
61 with their educational accountability and assessment of
62 performance plan; and

63 (v) Designate the necessary personnel to supervise
64 and report on their program.

65 (5) The State Department of Education shall:

66 (a) Develop and assist in the implementation of a
67 statewide uniform training module, subject to the availability of



68 funds specifically appropriated therefor by the Legislature, which
69 shall be used in all school districts for training administrators,
70 teachers and assistant teachers. The module shall provide for the
71 consolidated training of each assistant teacher and teacher to
72 whom the assistant teacher is assigned, working together as a
73 team, and shall require further periodic training for
74 administrators, teachers and assistant teachers regarding the role
75 of assistant teachers;

76 (b) Annually evaluate the program on the district and
77 state level. Subject to the availability of funds specifically
78 appropriated therefor by the Legislature, the department shall
79 develop: (i) uniform evaluation reports, to be performed by the
80 principal or assistant principal, to collect data for the annual
81 overall program evaluation conducted by the department; or (ii) a
82 program evaluation model that, at a minimum, addresses process
83 evaluation; and

84 (c) Promulgate rules, regulations and such other
85 standards deemed necessary to effectuate the purposes of this
86 section. Noncompliance with the provisions of this section and
87 any rules, regulations or standards adopted by the department may
88 result in a violation of compulsory accreditation standards as
89 established by the State Board of Education and the Commission on
90 School Accreditation.

91 (6) (a) In addition to other funds allotted under the * * *
92 Adequate Education Program, each school district shall be allotted



93 sufficient funding for the purpose of employing assistant
94 teachers. No assistant teacher shall be paid less than the amount
95 he or she received in the prior school year. No school district
96 shall receive any funds under this section for any school year
97 during which the aggregate amount of the local contribution to the
98 salaries of assistant teachers by the district shall have been
99 reduced below such amount for the previous year.

100 (b) (i) For assistant teachers, the minimum annual
101 salary shall be as follows:

102 2021-2022 and School Years Thereafter Minimum
103 Salary.....\$15,000.00

104 * * *

105 (ii) In each school district that is assigned a C,
106 D or F rating under the accountability system, the minimum annual
107 salary prescribed in subparagraph (i) of this paragraph will be
108 increased by an amount equal to One Thousand Five Hundred Dollars
109 (\$1,500.00) for each assistant teacher employed by the district.
110 If the school district subsequently is assigned an accountability
111 rating higher than C, the salary supplement required under this
112 subparagraph will continue to be provided to assistant teachers,
113 notwithstanding the improved accountability rating.

114 (c) The assistant teachers shall not be restricted to
115 working only in the grades for which the funds were allotted, but
116 may be assigned to other classes as provided in subsection (2) (a)
117 of this section.



118 (7) (a) As an alternative to employing assistant teachers,
119 any school district may use the allotment provided under
120 subsection (6) of this section for the purpose of employing
121 licensed teachers for kindergarten, first-, second- and
122 third-grade classes; however, no school district shall be
123 authorized to use the allotment for assistant teachers for the
124 purpose of employing licensed teachers unless the district has
125 established that the employment of licensed teachers using such
126 funds will reduce the teacher:student ratio in the kindergarten,
127 first-, second- and third-grade classes. All state funds for
128 assistant teachers shall be applied to reducing teacher:student
129 ratio in Grades K-3.

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

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

139 **SECTION 2.** This act shall take effect and be in force from
140 and after July 1, 2022.

