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 Stamps, Foster, Clark, Thompson, Tubb, Summers, Faulkner, Johnson,  
 Hines, Mickens, Taylor, Darnell

To: Appropriations

HOUSE BILL NO. 530  
 (As Sent to Governor)

1 AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972,  
 2 FOR THE PURPOSE OF PROVIDING FOR AN INCREASE TO THE MINIMUM  
 3 TEACHER SALARY SCALE; TO DELETE THE CAP ON THE NUMBER OF NATIONAL  
 4 BOARD-CERTIFIED NURSES AND SPEECH-LANGUAGE PATHOLOGISTS AND  
 5 AUDIOLOGISTS EMPLOYED BY SCHOOL DISTRICTS WHO ARE ALLOWED TO  
 6 RECEIVE THE SALARY SUPPLEMENT FOR NATIONAL BOARD CERTIFICATION; TO  
 7 REQUIRE THE PAYMENT OF AN ANNUAL SALARY SUPPLEMENT TO  
 8 STATE-LICENSED ATHLETIC TRAINERS EMPLOYED BY A SCHOOL DISTRICT WHO  
 9 HAVE ACQUIRED NATIONAL BOARD CERTIFICATION; TO AMEND SECTION  
 10 37-21-7, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR AN INCREASE TO  
 11 THE MINIMUM BASE SALARY FOR TEACHER ASSISTANTS; AND FOR RELATED  
 12 PURPOSES.

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

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

16 37-19-7. (1) The allowance in the Mississippi Adequate  
 17 Education Program for teachers' salaries in each \* \* \* public  
 18 school district shall be determined and paid in accordance with  
 19 the scale for teachers' salaries as provided in this subsection.  
 20 For teachers holding the following types of licenses or the  
 21 equivalent as determined by the State Board of Education, and the  
 22 following number of years of teaching experience, the scale shall  
 23 be as follows:



24 \* \* \*

25 **2022-2023 AND SUBSEQUENT SCHOOL YEARS MINIMUM SALARY SCHEDULE**

26	<u>Exp.</u>	<u>AAAA</u>	<u>AAA</u>	<u>AA</u>	<u>A</u>
27	<u>0</u>	<u>45,500.00</u>	<u>44,000.00</u>	<u>43,000.00</u>	<u>41,500.00</u>
28	<u>1</u>	<u>46,100.00</u>	<u>44,550.00</u>	<u>43,525.00</u>	<u>41,900.00</u>
29	<u>2</u>	<u>46,700.00</u>	<u>45,100.00</u>	<u>44,050.00</u>	<u>42,300.00</u>
30	<u>3</u>	<u>47,300.00</u>	<u>45,650.00</u>	<u>44,575.00</u>	<u>42,700.00</u>
31	<u>4</u>	<u>47,900.00</u>	<u>46,200.00</u>	<u>45,100.00</u>	<u>43,100.00</u>
32	<u>5</u>	<u>49,250.00</u>	<u>47,500.00</u>	<u>46,350.00</u>	<u>44,300.00</u>
33	<u>6</u>	<u>49,850.00</u>	<u>48,050.00</u>	<u>46,875.00</u>	<u>44,700.00</u>
34	<u>7</u>	<u>50,450.00</u>	<u>48,600.00</u>	<u>47,400.00</u>	<u>45,100.00</u>
35	<u>8</u>	<u>51,050.00</u>	<u>49,150.00</u>	<u>47,925.00</u>	<u>45,500.00</u>
36	<u>9</u>	<u>51,650.00</u>	<u>49,700.00</u>	<u>48,450.00</u>	<u>45,900.00</u>
37	<u>10</u>	<u>53,000.00</u>	<u>51,000.00</u>	<u>49,700.00</u>	<u>47,100.00</u>
38	<u>11</u>	<u>53,600.00</u>	<u>51,550.00</u>	<u>50,225.00</u>	<u>47,500.00</u>
39	<u>12</u>	<u>54,200.00</u>	<u>52,100.00</u>	<u>50,750.00</u>	<u>47,900.00</u>
40	<u>13</u>	<u>54,800.00</u>	<u>52,650.00</u>	<u>51,275.00</u>	<u>48,300.00</u>
41	<u>14</u>	<u>55,400.00</u>	<u>53,200.00</u>	<u>51,800.00</u>	<u>48,700.00</u>
42	<u>15</u>	<u>56,750.00</u>	<u>54,500.00</u>	<u>53,050.00</u>	<u>49,900.00</u>
43	<u>16</u>	<u>57,350.00</u>	<u>55,050.00</u>	<u>53,575.00</u>	<u>50,300.00</u>
44	<u>17</u>	<u>57,950.00</u>	<u>55,600.00</u>	<u>54,100.00</u>	<u>50,700.00</u>
45	<u>18</u>	<u>58,550.00</u>	<u>56,150.00</u>	<u>54,625.00</u>	<u>51,100.00</u>
46	<u>19</u>	<u>59,150.00</u>	<u>56,700.00</u>	<u>55,150.00</u>	<u>51,500.00</u>
47	<u>20</u>	<u>60,500.00</u>	<u>58,000.00</u>	<u>56,400.00</u>	<u>52,700.00</u>
48	<u>21</u>	<u>61,100.00</u>	<u>58,550.00</u>	<u>56,925.00</u>	<u>53,100.00</u>



49	<u>22</u>	<u>61,700.00</u>	<u>59,100.00</u>	<u>57,450.00</u>	<u>53,500.00</u>
50	<u>23</u>	<u>62,300.00</u>	<u>59,650.00</u>	<u>57,975.00</u>	<u>53,900.00</u>
51	<u>24</u>	<u>62,900.00</u>	<u>60,200.00</u>	<u>58,500.00</u>	<u>54,300.00</u>
52	<u>25</u>	<u>65,400.00</u>	<u>62,700.00</u>	<u>61,000.00</u>	<u>56,800.00</u>
53	<u>26</u>	<u>66,000.00</u>	<u>63,250.00</u>	<u>61,525.00</u>	<u>57,200.00</u>
54	<u>27</u>	<u>66,600.00</u>	<u>63,800.00</u>	<u>62,050.00</u>	<u>57,600.00</u>
55	<u>28</u>	<u>67,200.00</u>	<u>64,350.00</u>	<u>62,575.00</u>	<u>58,000.00</u>
56	<u>29</u>	<u>67,800.00</u>	<u>64,900.00</u>	<u>63,100.00</u>	<u>58,400.00</u>
57	<u>30</u>	<u>68,400.00</u>	<u>65,450.00</u>	<u>63,625.00</u>	<u>58,800.00</u>
58	<u>31</u>	<u>69,000.00</u>	<u>66,000.00</u>	<u>64,150.00</u>	<u>59,200.00</u>
59	<u>32</u>	<u>69,600.00</u>	<u>66,550.00</u>	<u>64,675.00</u>	<u>59,600.00</u>
60	<u>33</u>	<u>70,200.00</u>	<u>67,100.00</u>	<u>65,200.00</u>	<u>60,000.00</u>
61	<u>34</u>	<u>70,800.00</u>	<u>67,650.00</u>	<u>65,725.00</u>	<u>60,400.00</u>
62	<u>35</u>				
63	<u>&amp; above</u>	<u>71,400.00</u>	<u>68,200.00</u>	<u>66,250.00</u>	<u>60,800.00</u>

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

72 All teachers employed on a full-time basis shall be paid a  
73 minimum salary in accordance with the above scale. However, no



74 school district shall receive any funds under this section for any  
75 school year during which the local supplement paid to any  
76 individual teacher shall have been reduced to a sum less than that  
77 paid to that individual teacher for performing the same duties  
78 from local supplement during the immediately preceding school  
79 year. The amount actually spent for the purposes of group health  
80 and/or life insurance shall be considered as a part of the  
81 aggregate amount of local supplement but shall not be considered a  
82 part of the amount of individual local supplement.

83 The level of professional training of each teacher to be used  
84 in establishing the salary allotment for the teachers for each  
85 year shall be determined by the type of valid teacher's license  
86 issued to those teachers on or before October 1 of the current  
87 school year. \* \* \* However, \* \* \* school districts are  
88 authorized, in their discretion, to negotiate the salary levels  
89 applicable to \* \* \* licensed employees who are receiving  
90 retirement benefits from the retirement system of another state,  
91 and the annual experience increment provided above in Section  
92 37-19-7 shall not be applicable to any such retired certificated  
93 employee.

94 (2) (a) The following employees shall receive an annual  
95 salary supplement in the amount of Six Thousand Dollars  
96 (\$6,000.00), plus fringe benefits, in addition to any other  
97 compensation to which the employee may be entitled:



98                   (i) Any licensed teacher who has met the  
99 requirements and acquired a Master Teacher certificate from the  
100 National Board for Professional Teaching Standards and who is  
101 employed by a local school board or the State Board of Education  
102 as a teacher and not as an administrator. Such teacher shall  
103 submit documentation to the State Department of Education that the  
104 certificate was received prior to October 15 in order to be  
105 eligible for the full salary supplement in the current school  
106 year, or the teacher shall submit such documentation to the State  
107 Department of Education prior to February 15 in order to be  
108 eligible for a prorated salary supplement beginning with the  
109 second term of the school year.

110                   (ii) A licensed nurse who has met the requirements  
111 and acquired a certificate from the National Board for  
112 Certification of School Nurses, Inc., and who is employed by a  
113 local school board or the State Board of Education as a school  
114 nurse and not as an administrator. The licensed school nurse  
115 shall submit documentation to the State Department of Education  
116 that the certificate was received before October 15 in order to be  
117 eligible for the full salary supplement in the current school  
118 year, or the licensed school nurse shall submit the documentation  
119 to the State Department of Education before February 15 in order  
120 to be eligible for a prorated salary supplement beginning with the  
121 second term of the school year. \* \* \*



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

143 (iv) Any licensed speech-language pathologist and  
144 audiologist who has met the requirements and acquired a  
145 Certificate of Clinical Competence from the American  
146 Speech-Language-Hearing Association and any certified academic



147 language therapist (CALT) who has met the certification  
148 requirements of the Academic Language Therapy Association and who  
149 is employed by a local school board \* \* \*. The licensed  
150 speech-language pathologist and audiologist and certified academic  
151 language therapist shall submit documentation to the State  
152 Department of Education that the certificate or endorsement was  
153 received before October 15 in order to be eligible for the full  
154 salary supplement in the current school year, or the licensed  
155 speech-language pathologist and audiologist and certified academic  
156 language therapist shall submit the documentation to the State  
157 Department of Education before February 15 in order to be eligible  
158 for a prorated salary supplement beginning with the second term of  
159 the school year. \* \* \*

160 (v) Any licensed athletic trainer who has met the  
161 requirements and acquired Board Certification for the Athletic  
162 Trainer from the Board of Certification, Inc., and who is employed  
163 by a local school board or the State Board of Education as an  
164 athletic trainer and not as an administrator. The licensed  
165 athletic trainer shall submit documentation to the State  
166 Department of Education that the certificate was received before  
167 October 15 in order to be eligible for the full salary supplement  
168 in the current school year, or the licensed athletic trainer shall  
169 submit the documentation to the State Department of Education  
170 before February 15 in order to be eligible for a prorated salary  
171 supplement beginning with the second term of the school year.



172           (b) An employee shall be reimbursed for the actual cost  
173 of completing each component of acquiring the certificate or  
174 endorsement, excluding any costs incurred for postgraduate  
175 courses, not to exceed Five Hundred Dollars (\$500.00) for each  
176 component, not to exceed four (4) components, for a teacher,  
177 school counselor or speech-language pathologist and audiologist,  
178 regardless of whether or not the process resulted in the award of  
179 the certificate or endorsement. A local school district or any  
180 private individual or entity may pay the cost of completing the  
181 process of acquiring the certificate or endorsement for any  
182 employee of the school district described under paragraph (a), and  
183 the State Department of Education shall reimburse the school  
184 district for such cost, regardless of whether or not the process  
185 resulted in the award of the certificate or endorsement. If a  
186 private individual or entity has paid the cost of completing the  
187 process of acquiring the certificate or endorsement for an  
188 employee, the local school district may agree to directly  
189 reimburse the individual or entity for such cost on behalf of the  
190 employee.

191           (c) All salary supplements, fringe benefits and process  
192 reimbursement authorized under this subsection shall be paid  
193 directly by the State Department of Education to the local school  
194 district and shall be in addition to its \* \* \* adequate education  
195 program allotments and not a part thereof in accordance with  
196 regulations promulgated by the State Board of Education. Local





197 school districts shall not reduce the local supplement paid to any  
198 employee receiving such salary supplement, and the employee shall  
199 receive any local supplement to which employees with similar  
200 training and experience otherwise are entitled. However, an  
201 educational employee shall receive the salary supplement in the  
202 amount of Six Thousand Dollars (\$6,000.00) for only one (1) of the  
203 qualifying certifications authorized under paragraph (a) of this  
204 subsection. No school district shall provide more than one (1)  
205 annual salary supplement under the provisions of this subsection  
206 to any one (1) individual employee holding multiple qualifying  
207 national certifications.

208 (d) If an employee for whom such cost has been paid, in  
209 full or in part, by a local school district or private individual  
210 or entity fails to complete the certification or endorsement  
211 process, the employee shall be liable to the school district or  
212 individual or entity for all amounts paid by the school district  
213 or individual or entity on behalf of that employee toward his or  
214 her certificate or endorsement.

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

219 Effective July 1, 2016, if funds are available for that  
220 purpose, any licensed teacher who has met the requirements and  
221 acquired a Master Teacher Certificate from the National Board for



222 Professional Teaching Standards and who is employed in a public  
223 school district located in one (1) of the following counties:  
224 Claiborne, Adams, Jefferson, Wilkinson, Amite, Bolivar, Coahoma,  
225 Leflore, Quitman, Sharkey, Issaquena, Sunflower, Washington,  
226 Holmes, Yazoo and Tallahatchie. The salary supplement awarded  
227 under the provisions of this subsection (3) shall be in addition  
228 to the salary supplement awarded under the provisions of  
229 subsection (2) of this section.

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

236 (4) (a) This section shall be known and may be cited as the  
237 "Mississippi Performance-Based Pay (MPBP)" plan. In addition to  
238 the minimum base pay described in this section, only after full  
239 funding of MAEP and if funds are available for that purpose, the  
240 State of Mississippi may provide monies from state funds to school  
241 districts for the purposes of rewarding \* \* \* licensed teachers,  
242 administrators and nonlicensed personnel at individual schools  
243 showing improvement in student test scores. The MPBP plan shall  
244 be developed by the State Department of Education based on the  
245 following criteria:



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

250 (ii) To ensure that all of Mississippi's teachers,  
251 administrators and nonlicensed personnel at all schools have equal  
252 access to the monies set aside in this section, the MPBP program  
253 shall be designed to calculate each school's performance as  
254 determined by the school's increase in scores from the prior  
255 school year. The MPBP program shall be based on a standardized  
256 scores rating where all levels of schools can be judged in a  
257 statistically fair and reasonable way upon implementation. At the  
258 end of each year, after all student achievement scores have been  
259 standardized, the State Department of Education shall implement  
260 the MPBP plan.

261 (iii) To ensure all teachers cooperate in the  
262 spirit of teamwork, individual schools shall submit a plan to the  
263 local school district to be approved before the beginning of each  
264 school year beginning July 1, 2008. The plan shall include, but  
265 not be limited to, how all teachers, regardless of subject area,  
266 and administrators will be responsible for improving student  
267 achievement for their individual school.

268 (b) The State Board of Education shall develop the  
269 processes and procedures for designating schools eligible to  
270 participate in the MPBP. State assessment results, growth in



271 student achievement at individual schools and other measures  
272 deemed appropriate in designating successful student achievement  
273 shall be used in establishing MPBP criteria. \* \* \*

274 (5) (a) \* \* \* If funds are available for that purpose, each  
275 school in Mississippi shall have mentor teachers, as defined by  
276 Sections 37-9-201 through 37-9-213, who shall receive additional  
277 base compensation provided for by the State Legislature in the  
278 amount of One Thousand Dollars (\$1,000.00) per each beginning  
279 teacher that is being mentored. The additional state compensation  
280 shall be limited to those mentor teachers that provide mentoring  
281 services to beginning teachers. For the purposes of such funding,  
282 a beginning teacher shall be defined as any teacher in any school  
283 in Mississippi that has less than one (1) year of classroom  
284 experience teaching in a public school. For the purposes of such  
285 funding, no full-time academic teacher shall mentor more than two  
286 (2) beginning teachers.

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

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

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



296           37-21-7. (1) This section shall be referred to as the  
297 "Mississippi Elementary Schools Assistant Teacher Program," the  
298 purpose of which shall be to provide an early childhood education  
299 program that assists in the instruction of basic skills. The  
300 State Board of Education is authorized, empowered and directed to  
301 implement a statewide system of assistant teachers in kindergarten  
302 classes and in the first, second and third grades. The assistant  
303 teacher shall assist pupils in actual instruction under the strict  
304 supervision of a licensed teacher.

305           (2) (a) Except as otherwise authorized under subsection  
306 (7), each school district shall employ the total number of  
307 assistant teachers funded under subsection (6) of this section.  
308 The superintendent of each district shall assign the assistant  
309 teachers to the kindergarten, first-, second- and third-grade  
310 classes in the district in a manner that will promote the maximum  
311 efficiency, as determined by the superintendent, in the  
312 instruction of skills such as verbal and linguistic skills,  
313 logical and mathematical skills, and social skills.

314           (b) If a licensed teacher to whom an assistant teacher  
315 has been assigned is required to be absent from the classroom, the  
316 assistant teacher may assume responsibility for the classroom in  
317 lieu of a substitute teacher. However, no assistant teacher shall  
318 assume sole responsibility of the classroom for more than three  
319 (3) consecutive school days. Further, in no event shall any  
320 assistant teacher be assigned to serve as a substitute teacher for



321 any teacher other than the licensed teacher to whom that assistant  
322 teacher has been assigned.

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

329 (4) (a) In order to receive funding, each school district  
330 shall:

331 (i) Submit a plan on the implementation of a  
332 reading improvement program to the State Department of Education;  
333 and

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

337 (b) Additionally, each school district shall:

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

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



346 (iii) Provide training annually on specific  
347 instructional skills for assistant teachers;

348 (iv) Annually evaluate their program in accordance  
349 with their educational accountability and assessment of  
350 performance plan; and

351 (v) Designate the necessary personnel to supervise  
352 and report on their program.

353 (5) The State Department of Education shall:

354 (a) Develop and assist in the implementation of a  
355 statewide uniform training module, subject to the availability of  
356 funds specifically appropriated therefor by the Legislature, which  
357 shall be used in all school districts for training administrators,  
358 teachers and assistant teachers. The module shall provide for the  
359 consolidated training of each assistant teacher and teacher to  
360 whom the assistant teacher is assigned, working together as a  
361 team, and shall require further periodic training for  
362 administrators, teachers and assistant teachers regarding the role  
363 of assistant teachers;

364 (b) Annually evaluate the program on the district and  
365 state level. Subject to the availability of funds specifically  
366 appropriated therefor by the Legislature, the department shall  
367 develop: (i) uniform evaluation reports, to be performed by the  
368 principal or assistant principal, to collect data for the annual  
369 overall program evaluation conducted by the department; or (ii) a



370 program evaluation model that, at a minimum, addresses process  
371 evaluation; and

372 (c) Promulgate rules, regulations and such other  
373 standards deemed necessary to effectuate the purposes of this  
374 section. Noncompliance with the provisions of this section and  
375 any rules, regulations or standards adopted by the department may  
376 result in a violation of compulsory accreditation standards as  
377 established by the State Board of Education and the Commission on  
378 School Accreditation.

379 (6) In addition to other funds allotted under the Minimum  
380 Education or Adequate Education Program, each school district  
381 shall be allotted sufficient funding for the purpose of employing  
382 assistant teachers. No assistant teacher shall be paid less than  
383 the amount he or she received in the prior school year. No school  
384 district shall receive any funds under this section for any school  
385 year during which the aggregate amount of the local contribution  
386 to the salaries of assistant teachers by the district shall have  
387 been reduced below such amount for the previous year.

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

390 \* \* \*

391 2022-2023 and Subsequent Years Minimum Salary.....\$17,000.00

392 In addition, for each one percent (1%) that the Sine Die  
393 General Fund Revenue Estimate Growth exceeds five percent (5%) in  
394 fiscal year 2006, as certified by the Legislative Budget Office to





395 the State Board of Education and subject to the specific  
396 appropriation therefor by the Legislature, the State Board of  
397 Education shall revise the salary scale in the appropriate year to  
398 provide an additional one percent (1%) across-the-board increase  
399 in the base salaries for assistant teachers. The State Board of  
400 Education shall revise the salaries prescribed above for assistant  
401 teachers to conform to any adjustments made in prior fiscal years  
402 due to revenue growth over and above five percent (5%). The  
403 assistant teachers shall not be restricted to working only in the  
404 grades for which the funds were allotted, but may be assigned to  
405 other classes as provided in subsection (2)(a) of this section.

406 (7) (a) As an alternative to employing assistant teachers,  
407 any school district may use the allotment provided under  
408 subsection (6) of this section for the purpose of employing  
409 licensed teachers for kindergarten, first-, second- and  
410 third-grade classes; however, no school district shall be  
411 authorized to use the allotment for assistant teachers for the  
412 purpose of employing licensed teachers unless the district has  
413 established that the employment of licensed teachers using such  
414 funds will reduce the teacher:student ratio in the kindergarten,  
415 first-, second- and third-grade classes. All state funds for  
416 assistant teachers shall be applied to reducing teacher:student  
417 ratio in Grades K-3.

418 It is the intent of the Legislature that no school district  
419 shall dismiss any assistant teacher for the purpose of using the



420 assistant teacher allotment to employ licensed teachers. School  
421 districts may rely only upon normal attrition to reduce the number  
422 of assistant teachers employed in that district.

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

427 **SECTION 3.** This act shall take effect and be in force from  
428 and after July 1, 2022, and the amendments to subparagraphs (ii),  
429 (iv) and (v) of Section 37-19-7(2) (a) in this act shall be  
430 retroactive to July 1, 2021.

