

By: Representative Cameron

To: Education;
Appropriations

HOUSE BILL NO. 348

1 AN ACT TO ESTABLISH A PERFORMANCE PAY PLAN FOR LICENSED
 2 TEACHERS; TO PRESCRIBE STANDARDS FOR PERFORMANCE LEVELS OF
 3 TEACHING LICENSES TO BE ADMINISTERED BY THE COMMISSION ON TEACHER
 4 AND ADMINISTRATOR EDUCATION, CERTIFICATION AND LICENSURE AND
 5 DEVELOPMENT; TO PROVIDE FOR THE PAYMENT OF SALARY SUPPLEMENTS FOR
 6 OUTSTANDING PERFORMANCE BY TEACHERS UNDER THE PERFORMANCE PAY
 7 PLAN; TO PROVIDE FOR THE IMPLEMENTATION OF THE PERFORMANCE PAY
 8 PLAN FOR PRESENTLY LICENSED TEACHERS AND PROSPECTIVE TEACHERS; TO
 9 PROVIDE EVALUATION PROCEDURES FOR TEACHERS AND CRITERIA FOR
 10 EVALUATIONS TO BE ESTABLISHED BY THE COMMISSION; TO PROVIDE TERMS
 11 OF EMPLOYMENT AND RENEWAL PERIODS FOR PERFORMANCE PAY PLAN
 12 TEACHERS; TO PROVIDE ADDITIONAL DUTIES FOR PERFORMANCE PAY PLAN
 13 TEACHERS; TO PROVIDE APPEAL PROCEDURES; TO PROVIDE REASONS FOR THE
 14 LOSS OF SALARY SUPPLEMENTS UNDER THE PLAN; AND FOR RELATED
 15 PURPOSES.

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

17 **SECTION 1.** (1) The purpose of this act is to establish a
 18 performance pay plan for licensed teachers.

19 (2) The performance pay plan shall consist of Advanced
 20 Teacher, Lead Teacher and Master Teacher positions. The
 21 performance pay plan shall be designed: (a) to recognize career
 22 teachers in Mississippi; (b) to promote staff development among
 23 teachers in Mississippi; and (c) to reward those teachers
 24 evaluated as outstanding and who may accept additional
 25 responsibilities as applicable.

26 (3) All performance pay plan licenses shall be supplementary
 27 to the basic license.

28 **SECTION 2.** For the purposes of this act, unless the context
 29 otherwise requires:

30 (a) "Performance pay plan teacher" means a person who
 31 has been employed as a teacher for not less than three (3) years
 32 and who holds an Advanced Teacher license, Lead Teacher license or



33 Master Teacher license issued by the State Board of Education,
34 acting through the commission;

35 (b) "School month" means any month except June, July or
36 August, regardless of the actual months in which a school may be
37 in session;

38 (c) "School year" means the months of September through
39 May regardless of the actual months in which individual school
40 districts conduct classes; and

41 (d) "Commission" means the Commission on Teacher and
42 Administrator Education, Certification and Licensure and
43 Development created by Section 37-3-2.

44 **SECTION 3.** (1) This act shall apply to all teachers who
45 enter the teaching profession for the first time after July 1,
46 2002, or who are licensed or certified as a career ladder teacher
47 after July 1, 2002.

48 (2) Nothing in this act shall be construed to grant
49 duplicate supplements to such teachers.

50 (3) Participation in the performance pay plan shall be
51 voluntary for all teachers.

52 (4) Teachers employed by the Departments of Corrections,
53 Mental Health and Human Services shall be eligible to participate
54 in the performance pay plan provided for in this act. The State
55 Personnel Board, in consultation with the Department of Finance
56 and Administration and the departments involved, shall prepare an
57 implementation plan for the evaluation of its teacher employees
58 which substantially complies with the intent of this act. This
59 plan shall be approved by the State Board of Education before
60 implementation.

61 (5) Teachers who are employed on a part-time basis shall be
62 included under this act; such persons who work fifty percent (50%)
63 of the school days in successive years shall be granted credit for
64 the number of days actually worked for purposes of determining
65 eligibility for participation in the performance pay plan. Such



66 persons must obtain their license provided for in this act while
67 performing such part-time service.

68 (6) Persons who are employed to teach vocational or other
69 courses and who are not required to hold a college degree shall be
70 eligible to participate in the performance pay plan on the same
71 terms as other teachers. The commission, with the approval of the
72 State Board of Education, shall develop comparable and appropriate
73 licensure and evaluation standards, criteria, procedures and
74 instruments in accordance with this act for the evaluation and
75 advancement of such nondegreed teachers.

76 (7) Licensed personnel who are not employed in academic
77 classroom instruction, such as, but not limited to, principals,
78 assistant principals, guidance counselors, special education
79 teachers, physical education teachers, librarians, music or art
80 teachers, shall be eligible to participate in the performance pay
81 plan on the same terms as other teachers. The commission, with
82 the approval of the State Board of Education, shall develop
83 comparable and appropriate licensure and evaluation standards,
84 criteria, procedures and instruments in accordance with this act
85 for the evaluation and advancement of such teachers.

86 (8) The commission shall recommend to the State Board of
87 Education appropriate rules regarding the applications and
88 placement in the performance pay plan of full-time teachers who
89 fill dual capacity positions, such as, but not limited to,
90 principal-teachers, supervisor-teachers or teachers with split
91 grade classes.

92 (9) All performance pay plan licenses for teachers and
93 administrators and renewals thereof shall be issued by the State
94 Board of Education, on the recommendation of the commission in
95 accordance with the terms of Section 37-3-2. Persons applying for
96 any license provided for in this act shall apply to the
97 commission.



98 (10) All licenses of teachers who are not included in the
99 performance pay plan provided for in this act, in effect on July
100 1, 2002, shall remain in full force and effect according to their
101 terms and may be renewed, in accordance with the regulations of
102 the State Board of Education.

103 **SECTION 4.** For the purposes of implementing the new
104 licensure system known as the performance pay plan for teachers
105 and providing the transition opportunity for presently licensed
106 teachers to enter the new licensure system voluntarily: (a) any
107 public school teacher who has been employed as a licensed teacher
108 for at least eight (8) years on July 1, 2002, may apply for and is
109 eligible to be considered for licensure as an Advanced Teacher,
110 Lead Teacher or a Master Teacher; (b) any such teacher who has
111 been employed as a licensed teacher for at least five (5) years
112 may apply for and is eligible to be considered for licensure as an
113 Advanced Teacher or a Lead Teacher; and (c) any person who has
114 been employed as a licensed teacher for at least three (3) years
115 may apply for and is eligible to be considered for licensure as an
116 Advanced Teacher.

117 **SECTION 5.** When determining whether any person applying for
118 any license provided for in this act meets a minimum qualification
119 relating to prior years of experience, the applicant's total
120 current, relevant years of experience shall be credited,
121 notwithstanding any breaks in employment. The State Board of
122 Education, on the recommendation of the commission, may establish,
123 by rule, criteria by which the currency and relevancy of the prior
124 experience may be determined.

125 **SECTION 6.** Costs of administration of this act shall not be
126 a part of or paid through the Adequate Education Program.

127 **SECTION 7.** (1) Superintendents, principals, assistant
128 principals, supervisors and teachers shall not be held liable,
129 personally or officially, when performing their duties in the
130 evaluation of teachers pursuant to this act.



131 (2) Immunity shall not extend to willful acts determined to
132 be arbitrary, capricious, intended to damage the teacher's
133 reputation, or which are discriminatory or illegally motivated.

134 **SECTION 8.** (1) The State Board of Education acting through
135 the commission has jurisdiction over the issuance of all teaching
136 licenses and performance pay plan licenses as otherwise provided
137 in this act. Teachers possessing a current, valid license on July
138 1, 2002, are eligible to apply for performance pay plan licenses
139 based on experience as set out in Section 4 of this act. Teachers
140 who are employed initially after July 1, 2002, are eligible to
141 apply for performance pay plan licenses based on experience, as
142 follows:

143 (a) Advanced Teacher -- Employment for three (3) years
144 as a licensed teacher;

145 (b) Lead Teacher -- Employment for at least two (2)
146 years as an Advanced Teacher; or

147 (c) Master Teacher -- Employment for at least three (3)
148 years as a Lead Teacher.

149 (2) Teachers shall be entitled to undergo evaluation during
150 the year in which they gain eligibility for Advanced, Lead or
151 Master Teacher status, based on experience set forth in subsection
152 (1).

153 **SECTION 9.** (1) The initial license for Advanced, Lead and
154 Master Teachers shall be valid for ten (10) years and shall be
155 renewable for additional periods of ten (10) years.

156 (2) Any teacher holding an Advanced Teacher license whose
157 license is not renewed in due course because of the teacher's
158 failure to meet the relevant licensure standards shall be issued,
159 at the expiration of the Advanced Teacher's license and if minimum
160 competency standards are met, a license that shall be valid for
161 ten (10) years and shall be subject to renewal in the same manner
162 as other teacher licenses.



163 (3) Any teacher holding a Lead Teacher license whose license
164 is not renewed in due course because of the teacher's failure to
165 meet the relevant licensure standards shall be issued, at the
166 expiration of such license and if minimum competency standards are
167 met, an Advanced Teacher license that shall be valid for ten (10)
168 years and shall be subject to renewal in the same manner as other
169 such licenses.

170 (4) Any teacher holding a Master Teacher license whose
171 license is not renewed in due course because of the teacher's
172 failure to meet the relevant license standards shall be issued, at
173 the expiration of the Master Teacher's license and if minimum
174 competency standards are met, a Lead Teacher license that shall be
175 valid for ten (10) years and shall be subject to renewal in the
176 same manner as other such licenses.

177 (5) Any career ladder license may be extended by the State
178 Board of Education for a period of time not to exceed one (1) year
179 if a person's illness, disability or family hardship prevents the
180 completion of the evaluation for the purpose of relicensure.

181 **SECTION 10.** (1) The minimum criteria for the initial
182 evaluation and relicensure of licensed teachers which are to be
183 used by the commission for Advanced Teacher and Lead Teacher
184 licensure shall be established by a nine-member task force of
185 licensed teachers and administrators, appointed as provided in
186 this section, and approved by the State Board of Education. The
187 Governor shall appoint one (1) licensed teacher from each of
188 Mississippi's five (5) congressional districts and the state
189 superintendent shall appoint one (1) licensed school administrator
190 from each of Mississippi's three (3) Supreme Court districts and
191 one (1) licensed teacher from the state at large. The task force
192 shall meet on the call of the state superintendent, shall organize
193 and elect aldermen, and shall make its report of proposed minimum
194 criteria for Advanced and Lead Teacher evaluation to the State
195 Board of Education on or before January 1, 2003.



196 (2) In order to be licensed as a Master Teacher, the
197 applicant shall meet the requirements and acquire a Master Teacher
198 certificate from the National Board for Professional Teaching
199 Standards.

200 **SECTION 11.** (1) The procedural rules for the evaluation of
201 teachers which are to be used by the commission shall be designed
202 to assure a fair and meaningful evaluation of a teacher's
203 development, growth and performance in the teaching profession.
204 These rules shall be developed in consultation with local school
205 administrators and teachers and the State Board of Education.

206 (2) The procedural rules shall include the opportunity for
207 multiple evaluations of all teachers holding performance pay plan
208 licenses. The performance of all performance pay plan teachers
209 shall be evaluated at least two (2) times between the time their
210 license is issued or renewed and the license's expiration date and
211 may be evaluated at more frequent intervals by the local school
212 board using procedures and evaluation criteria promulgated by the
213 State Board of Education, on recommendation of the commission.
214 However, teachers holding Lead Teacher or Master Teacher licenses
215 shall not be reevaluated until five (5) years after receiving such
216 career ladder licensure. The scheduling of such evaluations shall
217 be determined in accordance with the evaluation plan adopted by
218 the local school board and approved by the State Board of
219 Education.

220 (3) Nothing in the evaluation procedure mandated by this act
221 shall require a decision by a local school board to grant
222 continued employment from year to year to a performance pay plan
223 teacher. Nothing in this act shall be construed to limit or
224 prevent a local school board from nonrenewal of a teacher pursuant
225 to the School Employment Procedures Act.

226 (4) Evaluations conducted pursuant to this act shall be open
227 for inspection by the teacher, principal or local school board or
228 their designated representatives.



229 (5) Upon being informed of the composition of the evaluating
230 team, the teacher being evaluated shall be entitled to request
231 that one (1) member of the team be removed and that the commission
232 name a new member.

233 **SECTION 12.** (1) Any duly licensed Advanced Teacher may be
234 employed for ten (10) months. An Advanced Teacher shall perform
235 those duties prescribed by the local school board and such
236 additional duties as may be provided for in Section 15.

237 (2) Beginning with the 2003-2004 school year, a duly
238 licensed Advanced Teacher who has met the standards for licensure
239 established by the State Board of Education, on the recommendation
240 of the task force, and who is employed as such by a local school
241 board, shall receive a One Thousand Dollar (\$1,000.00) salary
242 supplement in addition to any other compensation to which the
243 teacher may be entitled.

244 (3) For school years beginning after the 2003-2004 school
245 year, the commission shall establish, with the approval of the
246 State Board of Education, the deadline by which all requirements
247 for licensure shall be met.

248 **SECTION 13.** (1) Any duly licensed Lead Teacher paid as such
249 may be employed for not less than ten (10) nor more than eleven
250 (11) months and shall perform those duties prescribed by the local
251 school board and such other additional duties as may be provided
252 for in Section 15. Upon receiving a Lead Teacher license, a
253 teacher may choose either a ten-month or eleven-month contract.
254 If the teacher chooses an eleven-month contract, that teacher may
255 receive either the full amount of the eleven-month supplement, if
256 that teacher's services are required during the eleventh month, or
257 that part of the supplement paid for outstanding performance, if
258 the services of that teacher are not required during the eleventh
259 month. The amount received by the teacher shall be determined by
260 the needs of the local school board for teachers during the
261 eleventh month.



262 (2) Beginning with the 2003-2004 school year, Lead Teachers
263 who are employed by a local school board shall receive a Three
264 Thousand Dollar (\$3,000.00) salary supplement in addition to any
265 other compensation to which the teacher may be entitled.

266 **SECTION 14.** (1) Any licensed Master Teacher may be employed
267 for not less than ten (10) nor more than twelve (12) months and
268 perform those duties prescribed by the local school board and such
269 other additional duties as may be provided for in Section 15.

270 (2) Duly licensed Master Teachers who are employed as such
271 by a local school board shall receive a Six Thousand Dollar
272 (\$6,000.00) salary supplement in addition to any other
273 compensation to which the teacher may be entitled.

274 **SECTION 15.** (1) (a) An Advanced Teacher shall be eligible
275 for assignment by the principal to supervise and assist student
276 interns and probationary teachers as an additional responsibility.

277 (b) A Lead Teacher shall be subject to assignment by
278 the system superintendent to work with gifted or remedial students
279 or in other student enrichment programs as an additional
280 responsibility in accordance with the plan required in subsection
281 (2). Such teacher, at the discretion and direction of the
282 principal, also may supervise and participate in the skills
283 development of provisional and other licensed teachers. A Lead
284 Teacher who has appropriate training and experience shall be
285 subject to assignment by the system superintendent to work with
286 special needs students.

287 (c) As an additional responsibility, a Master Teacher,
288 at the direction of the principal, shall supervise and assist in
289 the skills development of provisional, licensed, Advanced and Lead
290 Teachers. Teachers with eleven- or twelve-month contracts shall
291 be assigned, as an additional responsibility, to work with
292 remedial or gifted students according to the plan required in
293 subsection (2), or in other student enrichment programs designed
294 by the local school board. A Master Teacher who has appropriate



295 training and experience shall be subject to assignment by the
296 system superintendent to work with special needs students.

297 (d) In addition to the foregoing, Lead and Master
298 Teachers may perform other activities consistent with the plan
299 called for in subsection (2), including, but not limited to,
300 teaching in the adult education and literacy program.

301 (2) (a) Each local school board shall conduct an annual
302 needs assessment to determine the focus of the extended contract
303 activities authorized by this section. Priority for such
304 activities shall be student needs, with school and teacher needs
305 of secondary importance. Subject to guidelines developed by the
306 commission and approved by the State Board of Education, each
307 local school board shall have an extended contract committee
308 consisting of teachers, including one (1) Lead or Master Teacher
309 where possible, and administrators, which, as determined by the
310 local school board, shall conduct or assist in the needs
311 assessment and advise on or certify to the need for specific
312 programs served through extended contracts. Each local
313 superintendent shall devise a plan consistent with the needs and
314 abilities of the district to utilize the additional months of
315 service which may be required from teachers in accordance with the
316 provisions of this section. Such plans shall include, but not be
317 limited to:

318 (i) Enrichment programs for gifted and talented
319 students;

320 (ii) Programs to enhance adult literacy and
321 education;

322 (iii) Programs relative to students who are at
323 risk of dropping out of school;

324 (iv) Parent involvement projects aimed at
325 assisting and improving their children's performance at school;

326 (v) Extended programs for the full range of
327 handicapped students;



328 (vi) Developmental or remediation programs for
329 students according to their needs; and

330 (vii) Enrichment programs in academic projects for
331 all students or activities that will best utilize the particular
332 talents and qualifications of the performance pay plan teachers
333 and meet the needs of the local school population.

334 (b) The plan also shall include the time periods in
335 which the programs and activities shall occur. If at all
336 possible, each system shall include a summer program in order to
337 fully employ those teachers on ten-, eleven- and twelve-month
338 contracts. Only if a superintendent and local school board
339 certify that it would not be feasible to finance the cost of
340 attendance by students in the summer months may a plan be devised
341 to utilize extra time each day, or during weekends or holidays to
342 offer such programs, instead of summer sessions. A plan, however,
343 may include enrichment or other programs at any time.

344 (3) Appropriately licensed teachers with Lead and Master
345 level status shall be given priority of opportunity to participate
346 in extended contract activities. When extended contract positions
347 cannot be filled by Lead and Master Teachers, other teachers may
348 be used.

349 **SECTION 16.** (1) Any person who has been duly licensed as a
350 performance pay plan teacher shall be qualified to teach in any
351 local school district. Any local school board, upon the
352 superintendent's recommendation, shall have the authority to
353 employ a teacher with a performance pay plan license. Such a
354 teacher may be employed from within or without the local school
355 district, but may not be employed in place of a licensed teacher
356 currently employed by that local school district, or a teacher on
357 leave.

358 (2) A person licensed as a Lead or Master Teacher may enter
359 into an employment agreement with a local school district to be



360 employed as a Lead or Master Teacher for a term not to exceed the
361 time within which such license is valid.

362 **SECTION 17.** Any Lead or Master Teacher who declines the
363 duties of Lead or Master Teacher may not receive the state salary
364 supplement authorized in this act.

365 **SECTION 18.** (1) All supplements due to teachers under this
366 act shall be paid directly by the Department of Education to the
367 local school district and shall be in addition to its Adequate
368 Education Program entitlement and not a part of its Adequate
369 Education Program allotment.

370 (2) Once determined, the state salary supplement for
371 performance pay plan teachers shall remain constant
372 notwithstanding any increased training and experience attained,
373 except the salary supplements for Lead Teachers may be increased,
374 as applicable, if the teacher chooses a ten-, eleven- or
375 twelve-month contract.

376 (3) All supplements shall be subject to the availability of
377 funds as appropriated by the Legislature.

378 (4) Any person receiving a salary supplement shall continue
379 to receive the state base pay to which he would be entitled if he
380 were not receiving a salary supplement provided for in this act.
381 In devising its local salary schedule, a local school district may
382 not reduce or freeze the pay of any person receiving a salary
383 supplement under this act, but such person shall receive any local
384 pay to which teachers with similar training and experience
385 otherwise are entitled.

386 (5) In order to ensure that no federal funds used to pay a
387 teacher are withheld due to payments made under this act, any
388 payment made under this act to a teacher whose base compensation
389 is paid from federal funds shall be limited, to the extent
390 necessary, to those funds which constitute the supplement for
391 outstanding performance and not those funds which in the case of a



392 teacher on a ten-, eleven- or twelve-month contract constitute
393 compensation for work performed during that month.

394 (6) Any teacher who applies for performance pay plan
395 licenses after January 1, 2003, shall receive his performance pay
396 plan supplement beginning the year after he completes all
397 requirements for such licensure, but not before the 2003-2004
398 school year.

399 (7) Persons eligible for evaluation pursuant to the criteria
400 set out in this act, who are chosen as evaluators in the first
401 year of a new evaluation system implemented by the commission, and
402 who return to the assignment previously held before evaluator
403 service, shall receive pay supplements retroactive to the
404 beginning of the academic year in which such persons are
405 evaluated; however, such persons must make timely application for
406 evaluation and such evaluation must be completed during the first
407 year of their return to the previous assignment following service
408 as an evaluator.

409 **SECTION 19.** (1) Any person applying for a license provided
410 for in this act who is not recommended for licensure by the
411 commission may request the State Board of Education to review the
412 decision by filing a written request for review of the decision of
413 the commission within sixty (60) days following the date of the
414 decision. This request shall contain a detailed statement of the
415 basis of the request for review. The detailed statement of the
416 basis of the request for review may be amended any time before the
417 state board's staff member closing the record and preparing the
418 proposed findings of fact and recommended decision that will be
419 mailed to the parties. The person requesting a review by the
420 State Board of Education also shall file a copy of the request for
421 review with the local school district employing him.

422 (2) Upon its receipt of the copy of the request for review,
423 the local school board, at its option, may intervene before the
424 State Board of Education. Upon such intervention, the local



425 school board shall have all the rights of other parties provided
426 for in this section.

427 (3) The State Board of Education shall conduct this review
428 based upon the record prepared by the commission and shall have
429 the authority, by rule, to prescribe the contents and form of this
430 record. This record shall include any statements or written
431 evidence which the person applying for the license desires to
432 submit. The record shall be available to the parties for review
433 and, upon payment of reasonable copying costs, the record shall be
434 mailed to the party requesting it. The parties shall have sixty
435 (60) days from receipt of the record to add additional statements
436 or evidence. All parties shall be given notice that additions
437 have been made to the record, and have the opportunity to secure
438 copies of such additions to the record.

439 (4) Upon the receipt of the request for review of a decision
440 and the record of the proceedings of the commission, the State
441 Board of Education shall authorize a staff member to review the
442 record and prepare proposed findings of fact and a recommended
443 decision which shall be sent to the parties. The proposed
444 findings of fact shall specify the staff member's evidentiary
445 facts for each contested content area or data source.

446 (5) Any person applying for the licensure who does not agree
447 with this proposed decision in his case may file, within
448 forty-five (45) days of his receipt of the decision, written
449 exceptions to the decision stating his reasons for taking
450 exception to the proposed decision and may request a hearing
451 before a duly authorized hearing officer of the State Board of
452 Education. If a hearing is requested, it shall be limited to the
453 record below. The person filing the exception shall be entitled
454 to introduce new evidence relating to the bias or prejudice of the
455 commission or, with the approval of the hearing officer, any other
456 additional evidence when it has been shown to the satisfaction of
457 the hearing officer that the additional evidence is material and



458 that there were good reasons for failure to present it in the
459 proceedings before the commission. The hearing officer shall
460 forward a recommendation to the State Board of Education which
461 shall make a final decision in a timely manner.

462 (6) Any person applying for a license provided for in this
463 act who is aggrieved by the decision of the State Board of
464 Education, or local school board employing such person, is
465 entitled to judicial review in the manner provided by law.

466 (7) No person seeking to review a decision of the commission
467 or the State Board of Education shall be entitled to be paid the
468 salary supplement for the license in dispute but shall be entitled
469 to receive the salary supplement for any current, valid license
470 held by such person.

471 (8) The State Board of Education, in its discretion, may
472 direct the commission to extend the validity of a license provided
473 for in this act, for a period not to exceed one (1) year, for any
474 person requesting a review of a decision of the commission.
475 However, any person whose license is extended after it otherwise
476 expires shall not be entitled to the salary supplement provided
477 for in this act and shall not be required to perform the
478 additional duties, if any, required in this act.

479 (9) The State Board of Education shall construe this act,
480 and the rules, regulations and evaluation criteria promulgated
481 pursuant to this act, in favor of the person seeking review,
482 absent substantial and material evidence to the contrary.
483 However, the burden of going forward with the evidence shall be
484 upon the person seeking to review the decision of the commission.

485 **SECTION 20.** Once a person qualifies for and receives a
486 salary supplement as an Advanced, Lead or Master Teacher, such
487 person shall not be denied the supplement unless:

- 488 (a) He is dismissed for cause;
- 489 (b) He fails to maintain or renew any license provided
490 for in this act; or



491 (c) He elects not to or refuses to perform the extra
492 duties required in this act. Any performance pay plan teacher who
493 has a change in positions but who remains within the performance
494 pay plan licensure system shall retain his state salary supplement
495 for the remaining year(s) of validity of the performance pay plan
496 license. However, a teacher who holds more than one (1)
497 performance pay plan license may receive only one (1) state salary
498 supplement, the highest of those for which he is otherwise
499 eligible.

500 **SECTION 21.** This act shall take effect and be in force from
501 and after July 1, 2002.

