

By: Representative Brown

To: Education;
Appropriations

HOUSE BILL NO. 1355

1 AN ACT TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF 1972, TO
2 REMOVE THE PROHIBITION AGAINST SCHOOL DISTRICTS DISMISSING
3 ASSISTANT TEACHERS AND USING THE STATE FUNDS ALLOTTED FOR
4 EMPLOYING ASSISTANT TEACHERS TO HIRE LICENSED TEACHERS; AND FOR
5 RELATED PURPOSES.

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

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

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

18 (2) (a) Except as otherwise authorized under subsection
19 (7), each school district shall employ the total number of
20 assistant teachers funded under subsection (6) of this section.
21 The superintendent of each district shall assign the assistant
22 teachers to the kindergarten, first-, second- and third-grade
23 classes in the district in a manner that will promote the maximum
24 efficiency, as determined by the superintendent, in the
25 instruction of skills such as verbal and linguistic skills,
26 logical and mathematical skills, and social skills.

27 (b) If a licensed teacher to whom an assistant teacher
28 has been assigned is required to be absent from the classroom, the



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

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

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

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

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

50 (b) Additionally, each school district shall:

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

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

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



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

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

66 (5) The State Department of Education shall:

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

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

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

92 (6) In addition to other funds allotted under the Minimum
93 Education or Adequate Education Program, each school district



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

101 For the 2001-2002 school year, the minimum salary for
102 assistant teachers shall be Nine Thousand Three Hundred Sixty-five
103 Dollars (\$9,365.00).

104 For the 2002-2003 school year, the minimum salary for
105 assistant teachers shall be Nine Thousand Nine Hundred Dollars
106 (\$9,900.00).

107 For the 2003-2004 school year, the minimum salary for
108 assistant teachers shall be Ten Thousand Five Hundred Dollars
109 (\$10,500.00).

110 For the 2004-2005 school year, the minimum salary for
111 assistant teachers shall be Eleven Thousand Two Hundred Dollars
112 (\$11,200.00).

113 For the 2005-2006 school year and school years thereafter,
114 the minimum salary for assistant teachers shall be Twelve Thousand
115 Dollars (\$12,000.00).

116 In addition, for each one percent (1%) that the Sine Die
117 General Fund Revenue Estimate Growth exceeds five percent (5%) in
118 fiscal year 2003, 2004, 2005 or 2006, as certified by the
119 Legislative Budget Office to the State Board of Education and
120 subject to the specific appropriation therefor by the Legislature,
121 the State Board of Education shall revise the salary scale in the
122 appropriate year to provide an additional one percent (1%) across
123 the board increase in the base salaries for assistant teachers.
124 The State Board of Education shall revise the salaries prescribed
125 above for assistant teachers to conform to any adjustments made in
126 prior fiscal years due to revenue growth over and above five



127 percent (5%). The assistant teachers shall not be restricted to
128 working only in the grades for which the funds were allotted, but
129 may be assigned to other classes as provided in subsection (2)(a)
130 of this section.

131 (7) (a) As an alternative to employing assistant teachers,
132 any school district may use the adequate education program
133 allotments * * * for the purpose of employing licensed teachers
134 for kindergarten, first-, second- and third-grade classes;
135 however, no school district shall be authorized to use the funds
136 for assistant teachers for the purpose of employing licensed
137 teachers unless the district has established that the employment
138 of licensed teachers using such funds will reduce the
139 teacher:student ratio in the kindergarten, first-, second- and
140 third-grade classes. All adequate education program funds for
141 assistant teachers shall be applied to reducing teacher:student
142 ratio in Grades K-3.

143 * * *

144 (b) In the event any school district meets Level 4 or 5
145 accreditation requirements, the State Board of Education, in its
146 discretion, may exempt such school district from any accreditation
147 requirements for the district's early childhood education program
148 or reading improvement program.

149 **SECTION 2.** This act shall take effect and be in force from
150 and after July 1, 2002.

