

By: Senator(s) Tollison

To: Education;
Appropriations

SENATE BILL NO. 2962

1 AN ACT TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF 1972, TO
2 REMOVE THE PROHIBITION ON USING STATE FUNDS TO EMPLOY LICENSED
3 TEACHERS IN LIEU OF ASSISTANT TEACHERS; AND FOR RELATED PURPOSES.

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

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

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

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

25 (b) If a licensed teacher to whom an assistant teacher
26 has been assigned is required to be absent from the classroom, the
27 assistant teacher may assume responsibility for the classroom in



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

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

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

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

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

48 (b) Additionally, each school district shall:

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

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

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



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

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

64 (5) The State Department of Education shall:

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

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

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

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



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

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

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

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

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

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

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



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

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

141 * * *

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

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

