

By: Representative Fillingane

To: Education;
Appropriations

HOUSE BILL NO. 859

1 AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT A LICENSED ATHLETIC TRAINER WHO HAS MET THE
3 REQUIREMENTS AND ACQUIRED A NATIONAL CERTIFIED ATHLETIC TRAINER
4 (NCAT) CERTIFICATE FROM THE NATIONAL ATHLETIC TRAINERS ASSOCIATION
5 BOARD OF CERTIFICATION, INC., AND WHO IS EMPLOYED BY A LOCAL
6 SCHOOL BOARD OR THE STATE BOARD OF EDUCATION AS AN ATHLETIC
7 TRAINER AND NOT AS AN ADMINISTRATOR SHALL RECEIVE AN ANNUAL SALARY
8 SUPPLEMENT; AND FOR RELATED PURPOSES.

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

10 SECTION 1. Section 37-19-7, Mississippi Code of 1972, is
11 amended as follows:

12 37-19-7. (1) This section shall be known and may be cited
13 as the Mississippi "Teacher Opportunity Program (TOP)." The
14 allowance in the minimum education program and the Mississippi
15 Adequate Education Program for teachers' salaries in each county
16 and separate school district shall be determined and paid in
17 accordance with the scale for teachers' salaries as provided in
18 this subsection. For teachers holding the following types of
19 licenses or the equivalent as determined by the State Board of
20 Education, and the following number of years of teaching
21 experience, the scale shall be as follows:

22 * * *

23 2005-2006 School Year and School Years Thereafter

24 Less Than 25 Years of Teaching Experience

25	AAAA.....	\$ 34,000.00
26	AAA.....	33,000.00
27	AA.....	32,000.00
28	A.....	30,000.00

29 25 or More Years of Teaching Experience

30	AAAA.....	\$ 36,000.00
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31	AAA.....	35,000.00
32	AA.....	34,000.00
33	A.....	32,000.00

34 The State Board of Education shall revise the salary scale
35 prescribed above for the 2005-2006 school year to conform to any
36 adjustments made to the salary scale in prior fiscal years due to
37 revenue growth over and above five percent (5%). For each one
38 percent (1%) that the Sine Die General Fund Revenue Estimate
39 Growth exceeds five percent (5%) for fiscal year 2006, as
40 certified by the Legislative Budget Office to the State Board of
41 Education and subject to specific appropriation therefor by the
42 Legislature, the State Board of Education shall revise the salary
43 scale to provide an additional one percent (1%) across the board
44 increase in the base salaries for each type of license.

45 It is the intent of the Legislature that any state funds made
46 available for salaries of licensed personnel in excess of the
47 funds paid for such salaries for the 1986-1987 school year shall
48 be paid to licensed personnel pursuant to a personnel appraisal
49 and compensation system implemented by the State Board of
50 Education. The State Board of Education shall have the authority
51 to adopt and amend rules and regulations as are necessary to
52 establish, administer and maintain the system.

53 All teachers employed on a full-time basis shall be paid a
54 minimum salary in accordance with the above scale. However, no
55 school district shall receive any funds under this section for any
56 school year during which the local supplement paid to any
57 individual teacher shall have been reduced to a sum less than that
58 paid to that individual teacher for performing the same duties
59 from local supplement during the immediately preceding school
60 year. The amount actually spent for the purposes of group health
61 and/or life insurance shall be considered as a part of the
62 aggregate amount of local supplement but shall not be considered a
63 part of the amount of individual local supplement.

64 * * *

65 **2005-2006 School Year**

66 **and School Years Thereafter Annual Increments**

67 For teachers holding a Class AAAA license, the minimum base
68 pay specified in this subsection shall be increased by the sum of
69 Seven Hundred Seventy Dollars (\$770.00) for each year of teaching
70 experience possessed by the person holding such license until such
71 person shall have twenty-five (25) years of teaching experience.

72 For teachers holding a Class AAA license, the minimum base
73 pay specified in this subsection shall be increased by the sum of
74 Seven Hundred Five Dollars (\$705.00) for each year of teaching
75 experience possessed by the person holding such license until such
76 person shall have twenty-five (25) years of teaching experience.

77 For teachers holding a Class AA license, the minimum base pay
78 specified in this subsection shall be increased by the sum of Six
79 Hundred Forty Dollars (\$640.00) for each year of teaching
80 experience possessed by the person holding such license until such
81 person shall have twenty-five (25) years of teaching experience.

82 For teachers holding a Class A license, the minimum base pay
83 specified in this subsection shall be increased by the sum of Four
84 Hundred Eighty Dollars (\$480.00) for each year of teaching
85 experience possessed by the person holding such license until such
86 person shall have twenty-four (24) years of teaching experience.

87 The level of professional training of each teacher to be used
88 in establishing the salary allotment for the teachers for each
89 year shall be determined by the type of valid teacher's license
90 issued to those teachers on or before October 1 of the current
91 school year.

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

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

108 (ii) A licensed nurse who has met the requirements
109 and acquired a certificate from the National Board for
110 Certification of School Nurses, Inc., and who is employed by a
111 local school board or the State Board of Education as a school
112 nurse and not as an administrator. The licensed school nurse
113 shall submit documentation to the State Department of Education
114 that the certificate was received before October 15 in order to be
115 eligible for the full salary supplement in the current school
116 year, or the licensed school nurse shall submit the documentation
117 to the State Department of Education before February 15 in order
118 to be eligible for a prorated salary supplement beginning with the
119 second term of the school year. Provided, however, that the total
120 number of licensed school nurses eligible for a salary supplement
121 under this paragraph (ii) shall not exceed twenty (20).

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 (1) 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 who is employed by a local
147 school board. Such licensed speech-language pathologist and
148 audiologist shall submit documentation to the State Department of
149 Education that the certificate or endorsement was received prior
150 to October 15 in order to be eligible for the full salary
151 supplement in the current school year, or the licensed
152 speech-language pathologist and audiologist shall submit such
153 documentation to the State Department of Education prior to
154 February 15 in order to be eligible for a prorated salary
155 supplement beginning with the second term of the school year.

156 (v) Any licensed athletic trainer who has met the
157 requirements and acquired a National Certified Athletic Trainer
158 (NCAT) certificate from the National Athletic Trainers Association
159 Board of Certification, Inc., and who is employed by a local
160 school board or the State Board of Education as an athletic
161 trainer and not as an administrator. The licensed athletic

162 trainer shall submit documentation to the State Department of
163 Education that the certificate was received before October 15 in
164 order to be eligible for the full salary supplement in the current
165 school year, or the licensed athletic trainer shall submit the
166 documentation to the State Department of Education before February
167 15 in order to be eligible for a prorated salary supplement
168 beginning with the second term of the school year.

169 (b) An employee shall be reimbursed one (1) time for
170 the actual cost of completing the process of acquiring the
171 certificate or endorsement, excluding any costs incurred for
172 postgraduate courses, not to exceed Five Hundred Dollars (\$500.00)
173 for a school counselor or speech-language pathologist and
174 audiologist, regardless of whether or not the process resulted in
175 the award of the certificate or endorsement. A local school
176 district or any private individual or entity may pay the cost of
177 completing the process of acquiring the certificate or endorsement
178 for any employee of the school district described under paragraph
179 (a), and the State Department of Education shall reimburse the
180 school district for such cost, regardless of whether or not the
181 process resulted in the award of the certificate or endorsement.
182 If a private individual or entity has paid the cost of completing
183 the process of acquiring the certificate or endorsement for an
184 employee, the local school district may agree to directly
185 reimburse the individual or entity for such cost on behalf of the
186 employee.

187 (c) All salary supplements, fringe benefits and process
188 reimbursement authorized under this subsection shall be paid
189 directly by the State Department of Education to the local school
190 district and shall be in addition to its minimum education program
191 allotments and not a part thereof in accordance with regulations
192 promulgated by the State Board of Education, and subject to
193 appropriation by the Legislature. Local school districts shall
194 not reduce the local supplement paid to any employee receiving

195 such salary supplement, and the employee shall receive any local
196 supplement to which employees with similar training and experience
197 otherwise are entitled.

198 (d) The State Department of Education may not pay any
199 process reimbursement to a school district for an employee who
200 does not complete the certification or endorsement process
201 required to be eligible for the certificate or endorsement. If an
202 employee for whom such cost has been paid in full or in part by a
203 local school district or private individual or entity fails to
204 complete the certification or endorsement process, the employee
205 shall be liable to the school district or individual or entity for
206 all amounts paid by the school district or individual or entity on
207 behalf of that employee toward his or her certificate or
208 endorsement.

209 **SECTION 2.** This act shall take effect and be in force from
210 and after July 1, 2005.