

By: Representative Brown

To: Education

HOUSE BILL NO. 1052

1 AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO
2 INCREASE THE NUMBER OF YEARS OF TEACHING EXPERIENCE FOR WHICH
3 TEACHERS ARE PAID AN ANNUAL INCREMENTAL INCREASE; AND FOR RELATED
4 PURPOSES.

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

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

8 37-19-7. (1) This subsection shall be known and may be
9 cited as the Mississippi "Teacher Opportunity Program (TOP)." The
10 allowance in the * * * Mississippi Adequate Education Program for
11 teachers' salaries in each county and separate school district
12 shall be determined and paid in accordance with the scale for
13 teachers' salaries as provided in this subsection. For teachers
14 holding the following types of licenses or the equivalent as
15 determined by the State Board of Education, and the following
16 number of years of teaching experience, the scale shall be as
17 follows:

18 2005-2006 School Year and School Years Thereafter

19 Less Than 25 Years of Teaching Experience

Table with 2 columns: License type (AAAA, AAA, AA, A) and Salary (\$ 34,000.00, 33,000.00, 32,000.00, 30,000.00)

24 25 or More Years of Teaching Experience

Table with 2 columns: License type (AAAA, AAA, AA, A) and Salary (\$ 36,000.00, 35,000.00, 34,000.00, 32,000.00)

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

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

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

59 **2005-2006 School Year**
60 **and School Years Thereafter Annual Increments**

61 For teachers holding a Class AAAA license, the minimum base
62 pay specified in this subsection shall be increased by the sum of
63 Seven Hundred Seventy Dollars (\$770.00) for each year of teaching
64 experience possessed by the person holding such license until such
65 person shall have thirty (30) years of teaching experience.

66 For teachers holding a Class AAA license, the minimum base
67 pay specified in this subsection shall be increased by the sum of
68 Seven Hundred Five Dollars (\$705.00) for each year of teaching
69 experience possessed by the person holding such license until such
70 person shall have thirty (30) years of teaching experience.

71 For teachers holding a Class AA license, the minimum base pay
72 specified in this subsection shall be increased by the sum of Six
73 Hundred Forty Dollars (\$640.00) for each year of teaching
74 experience possessed by the person holding such license until such
75 person shall have thirty (30) years of teaching experience.

76 For teachers holding a Class A license, the minimum base pay
77 specified in this subsection shall be increased by the sum of Four
78 Hundred Eighty Dollars (\$480.00) for each year of teaching
79 experience possessed by the person holding such license until such
80 person shall have thirty (30) years of teaching experience.

81 The level of professional training of each teacher to be used
82 in establishing the salary allotment for the teachers for each
83 year shall be determined by the type of valid teacher's license
84 issued to those teachers on or before October 1 of the current
85 school year.

86 (2) (a) The following employees shall receive an annual
87 salary supplement in the amount of Six Thousand Dollars
88 (\$6,000.00), plus fringe benefits, in addition to any other
89 compensation to which the employee may be entitled:

90 (i) Any licensed teacher who has met the
91 requirements and acquired a Master Teacher certificate from the
92 National Board for Professional Teaching Standards and who is
93 employed by a local school board or the State Board of Education

94 as a teacher and not as an administrator. Such teacher shall
95 submit documentation to the State Department of Education that the
96 certificate was received prior to October 15 in order to be
97 eligible for the full salary supplement in the current school
98 year, or the teacher shall submit such documentation to the State
99 Department of Education prior to February 15 in order to be
100 eligible for a prorated salary supplement beginning with the
101 second term of the school year.

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

116 (iii) Any licensed school counselor who has met
117 the requirements and acquired a National Certified School
118 Counselor (NCSC) endorsement from the National Board of Certified
119 Counselors and who is employed by a local school board or the
120 State Board of Education as a counselor and not as an
121 administrator. Such licensed school counselor shall submit
122 documentation to the State Department of Education that the
123 endorsement was received prior to October 15 in order to be
124 eligible for the full salary supplement in the current school
125 year, or the licensed school counselor shall submit such
126 documentation to the State Department of Education prior to

127 February 15 in order to be eligible for a prorated salary
128 supplement beginning with the second term of the school year.
129 However, any school counselor who started the National Board for
130 Professional Teaching Standards process for school counselors
131 between June 1, 2003, and June 30, 2004, and completes the
132 requirements and acquires the master teacher certificate shall be
133 entitled to the master teacher supplement, and those counselors
134 who complete the process shall be entitled to a one-time
135 reimbursement for the actual cost of the process as outlined in
136 paragraph (b) of this subsection.

137 (iv) Any licensed speech-language pathologist and
138 audiologist who has met the requirements and acquired a
139 Certificate of Clinical Competence from the American
140 Speech-Language-Hearing Association and who is employed by a local
141 school board. Such licensed speech-language pathologist and
142 audiologist shall submit documentation to the State Department of
143 Education that the certificate or endorsement was received prior
144 to October 15 in order to be eligible for the full salary
145 supplement in the current school year, or the licensed
146 speech-language pathologist and audiologist shall submit such
147 documentation to the State Department of Education prior to
148 February 15 in order to be eligible for a prorated salary
149 supplement beginning with the second term of the school year.

150 (b) An employee shall be reimbursed one (1) time for
151 the actual cost of completing the process of acquiring the
152 certificate or endorsement, excluding any costs incurred for
153 postgraduate courses, not to exceed Five Hundred Dollars (\$500.00)
154 for a school counselor or speech-language pathologist and
155 audiologist, regardless of whether or not the process resulted in
156 the award of the certificate or endorsement. A local school
157 district or any private individual or entity may pay the cost of
158 completing the process of acquiring the certificate or endorsement
159 for any employee of the school district described under paragraph

160 (a), and the State Department of Education shall reimburse the
161 school district for such cost, regardless of whether or not the
162 process resulted in the award of the certificate or endorsement.
163 If a private individual or entity has paid the cost of completing
164 the process of acquiring the certificate or endorsement for an
165 employee, the local school district may agree to directly
166 reimburse the individual or entity for such cost on behalf of the
167 employee.

168 (c) All salary supplements, fringe benefits and process
169 reimbursement authorized under this subsection shall be paid
170 directly by the State Department of Education to the local school
171 district and shall be in addition to its minimum education program
172 allotments and not a part thereof in accordance with regulations
173 promulgated by the State Board of Education, and subject to
174 appropriation by the Legislature. Local school districts shall
175 not reduce the local supplement paid to any employee receiving
176 such salary supplement, and the employee shall receive any local
177 supplement to which employees with similar training and experience
178 otherwise are entitled.

179 (d) The State Department of Education may not pay any
180 process reimbursement to a school district for an employee who
181 does not complete the certification or endorsement process
182 required to be eligible for the certificate or endorsement. If an
183 employee for whom such cost has been paid in full or in part by a
184 local school district or private individual or entity fails to
185 complete the certification or endorsement process, the employee
186 shall be liable to the school district or individual or entity for
187 all amounts paid by the school district or individual or entity on
188 behalf of that employee toward his or her certificate or
189 endorsement.

190 (3) (a) Effective July 1, 2007, if funds are available for
191 that purpose, the Legislature may authorize state funds for
192 additional base compensation for teachers holding licenses in

193 critical subject areas or the equivalent and who teach at least a
194 majority of their courses in a critical subject area, as
195 determined by the State Board of Education.

196 (b) Effective July 1, 2007, if funds are available for
197 that purpose, the Legislature may authorize state funds for
198 additional base compensation for teachers employed in a public
199 school district located in a geographic area of the state
200 designated as a critical teacher shortage area by the State Board
201 of Education.

202 (4) (a) This subsection shall be known and may be cited as
203 the "Mississippi Performance Based Pay (MPBP)" plan. In addition
204 to the minimum base pay described in this section, only after full
205 funding of MAEP and if funds are available for that purpose, the
206 State of Mississippi may provide monies from state funds to school
207 districts for the purposes of rewarding certified teachers,
208 administrators and nonlicensed personnel at individual schools
209 showing improvement in student test scores. The MPBP plan shall
210 be developed by the State Department of Education based on the
211 following criteria:

212 (i) It is the express intent of this legislation
213 that the MPBP plan shall utilize only existing standards of
214 accreditation and assessment as established by the State Board of
215 Education.

216 (ii) To ensure that all of Mississippi's teachers,
217 administrators and nonlicensed personnel at all schools have equal
218 access to the monies set aside in this section, the MPBP program
219 shall be designed to calculate each school's performance as
220 determined by the school's increase in scores from the prior
221 school year. The MPBP program shall be based on a standardized
222 scores rating where all levels of schools can be judged in a
223 statistically fair and reasonable way upon implementation. At the
224 end of each year, after all student achievement scores have been

225 standardized, the State Department of Education shall implement
226 the MPBP plan.

227 (iii) To ensure all teachers cooperate in the
228 spirit of teamwork, individual schools shall submit a plan to the
229 local school educational authority to be approved before the
230 beginning of each school year beginning July 1, 2008. The plan
231 shall include, but not be limited to, how all teachers, regardless
232 of subject area, and administrators will be responsible for
233 improving student achievement for their individual school.

234 (b) The State Board of Education shall develop the
235 processes and procedures for designating schools eligible to
236 participate in the MPBP. State assessment results, growth in
237 student achievement at individual schools and other measures
238 deemed appropriate in designating successful student achievement
239 shall be used in establishing MPBP criteria. The State Board of
240 Education shall develop the MPBP policies and procedures and
241 report to the Legislature and Governor by December 1, 2006.

242 (5) (a) Beginning in the 2006-2007 school year, if funds
243 are available for that purpose, each middle school in Mississippi
244 shall have at least two (2) mentor teachers, as defined by
245 Sections 37-9-201 through 37-9-213, who shall receive additional
246 base compensation provided for by the State Legislature in the
247 amount of One Thousand Dollars (\$1,000.00). For the purposes of
248 this subsection (5), "middle school" means any school composed
249 individually or of some composite of Grades 6 through 8.

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

253 (c) If funds are available for that purpose, the state
254 shall provide additional funding under this subsection for two (2)
255 mentor teachers per middle school; however, local school districts
256 may provide additional salary supplements for more than two (2)
257 teacher mentors from nonadequate education program funds. The

258 state department may develop an implementation process that fairly
259 distributes these funds for the consideration of the Legislature.

260 **SECTION 2.** This act shall take effect and be in force from
261 and after July 1, 2007.