

By: Senator(s) DeBar

To: Education

SENATE BILL NO. 2003

1 AN ACT TO AMEND SECTION 25-11-126, MISSISSIPPI CODE OF 1972,
2 TO REDUCE THE REQUIRED SEPARATION PERIOD FOR RETIREES RETURNING TO
3 WORK AS TEACHERS UNDER THE SECTION FROM 90 DAYS TO 45 DAYS; TO
4 REMOVE THE REQUIREMENT OF A MINIMUM NUMBER OF YEARS OF CREDITABLE
5 SERVICE FOR SUCH A RETIREE TO RETURN TO WORK AS A TEACHER; TO
6 REMOVE THE REQUIREMENT THAT SUCH A RETIREE RETURNING TO WORK AS A
7 TEACHER BE HIRED TO TEACH ONLY IN A DISTRICT HAVING A CRITICAL
8 TEACHER SHORTAGE OR CRITICAL SUBJECT-AREA SHORTAGE; TO ADJUST THE
9 PENSION LIABILITY PARTICIPATION ASSESSMENT AND SUCH RETIREE'S
10 SALARY FOR RETURNING TO WORK AS A TEACHER, AS DETERMINED IN
11 SECTION 37-19-7; TO ALLOW LOCAL EDUCATION AGENCIES TO PAY, FROM
12 LOCAL EDUCATION FUNDING, ALL OR A PORTION OF THE HEALTH INSURANCE
13 PREMIUMS FOR SUCH RETIREES RETURNING TO WORK AS TEACHERS; TO ALLOW
14 A MEMBER TO CONTINUE AS A LICENSED TEACHER IN AN INSTRUCTIONAL
15 POSITION IF THE PERSON HAS REACHED THE AGE AND/OR SERVICE
16 REQUIREMENT THAT WILL NOT RESULT IN A PROHIBITED IN-SERVICE
17 DISTRIBUTION AS DEFINED BY THE INTERNAL REVENUE SERVICE, PROVIDED
18 THAT THE PERSON ELECTS TO RECEIVE COMPENSATION AS PROVIDED FOR
19 OTHER RETIREES RETURNING TO WORK AS TEACHERS UNDER THIS SECTION;
20 TO AMEND SECTIONS 25-11-127 AND 25-9-120, MISSISSIPPI CODE OF
21 1972, TO CONFORM; TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF
22 1972, TO PROVIDE THAT A SCHOOL DISTRICT MAY PAY NO MORE THAN 65%
23 OF A RETIRED TEACHER'S COMPENSATION AS SALARY, AND THE DISTRICT
24 SHALL PAY TO THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES'
25 RETIREMENT SYSTEM OF MISSISSIPPI A PENSION LIABILITY PARTICIPATION
26 ASSESSMENT IN THE AMOUNT OF THE EMPLOYER AND EMPLOYEE
27 CONTRIBUTIONS ON THE FULL AMOUNT OF THE REGULAR COMPENSATION FOR
28 THE POSITION HELD BY THE RETIRED TEACHER; AND FOR RELATED
29 PURPOSES.

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



31 **SECTION 1.** Section 25-11-126, Mississippi Code of 1972, is
32 amended as follows:

33 25-11-126. (1) For purposes of this section, "retiree"
34 means any person who * * * is receiving a retirement
35 allowance * * * and holds a standard teaching license in
36 Mississippi * * * at the time of reemployment.

37 (2) A retiree may be employed as a teacher in a public
38 school district after * * * having been retired at least
39 forty-five (45) days, and choose to continue receiving the
40 retirement allowance under this article during his or her
41 employment as a teacher after retirement in addition to receiving
42 the salary authorized under this section, along with the local
43 contribution of the school district in which the retiree is
44 employed, at the discretion of the school district. * * *

45 (* * *3) * * * The base compensation authorized for
46 returning retired teachers under Section 37-19-7 shall not be
47 graduated annually in the same manner as teachers who are employed
48 by a school district under traditional employment guidelines, but
49 shall remain static for the entirety of his or her eligible
50 teaching period as a retired teacher.

51 (* * *4) (a) A * * * retiree may be employed as a teacher,
52 continue receiving his or her retirement allowance and be a
53 contributing member of the system without accruing additional
54 retirement benefits for a total of five (5) years, which may be
55 performed consecutively or intermittently. This method is



56 designed specifically to provide funding for the system to
57 actuarially offset any pension liability created by this section.
58 Each school district hiring * * * retirees under * * * this
59 section * * * shall make a direct payment to PERS, which shall
60 serve as a pension liability participation assessment. The
61 pension liability participation assessment and the * * * retiree's
62 salary for returning to work as a teacher shall be determined
63 as * * * provided in Section 37-19-7(1)(b).

64 * * *

65 (b) If a * * * retiree, reemployed under * * * this
66 section, works in a school district for any portion of a
67 scholastic year less than a full contractual term of traditional
68 teachers, the time worked by the * * * retiree shall constitute
69 one (1) of the five (5) years of post-retirement teaching
70 eligibility. A * * * retiree, under * * * this section, shall be
71 entitled to work in any applicable school district and shall not
72 be obligated to remain in any one (1) school district for the
73 entirety of his or her post retirement teaching eligibility, but
74 shall be cumulative in nature so as not to exceed five (5) years.
75 The salary authorized under Section 37-19-7 for retired teachers
76 shall be prorated for any period worked by the * * * retiree that
77 is less than one (1) full academic year.

78 (c) The State Department of Education shall transfer to
79 the system the * * * total funding formula funds of local school
80 districts that on or after July 1, 2024, hire * * * retirees as



81 teachers under this section and other funds that otherwise would
82 have been payable to the districts if the districts had not taken
83 advantage of this section. The crediting of assets and financing
84 shall follow * * * Section 25-11-123.

85 (d) Local educational agencies shall transfer to the
86 system * * * total funding formula funds of local school districts
87 that on or after July 1, 2024, hire * * * retirees as teachers
88 under this section and other funds that otherwise would have been
89 payable to the districts if the districts had not taken advantage
90 of this section. The crediting of assets and financing must
91 follow * * * Section 25-11-123.

92 (e) Local education agencies may pay, from local
93 education funding, all or a portion of the health insurance
94 premiums for retirees returning to work as teachers under this
95 section.

96 * * *

97 (5) A * * * retiree may be hired under this section subject
98 to the following conditions:

99 (a) The * * * retiree holds any teacher's professional
100 license or certificate as may be required in Section 37-3-2, and
101 holds the related standard teaching license and/or endorsements to
102 teach in the applicable subject area;

103 (b) The superintendent of the employing school district
104 certifies in writing to the State Department of Education that the



retired member has the requisite experience, training and expertise for the position to be filled;

(c) The superintendent of the school district certifies or the principal of the school certifies that there was no preexisting arrangement for the person to be hired; and

(d) The person had a satisfactory performance review for the most recent period before retirement * * *.

* * *

(6) The State Superintendent of Public Education shall report the persons who are employed under this section to the Executive Director of the Public Employees' Retirement System.

(7) The Department of Education shall promulgate regulations that prescribe a salary schedule that reflects the provisions of this section. Each school district shall create a policy, approved by the local school board, related to the hiring of * * * retirees and including, but not limited to, the hiring of retirees as full- and part-time * * * teachers * * * under this section and Section 25-11-127.

(8) A member may retire and continue as a licensed teacher in an instructional position if the member has reached both the age and service requirements that will not result in a prohibited in-service distribution as defined by the Internal Revenue Service, provided that the person elects to receive compensation for that instructional position as provided in subsections (3) and (4) (a) of this section. In order to receive such compensation,



the retiree shall file annually, in writing, in the office of the employer and the office of the executive director of the system, an election to receive, in addition to a retirement allowance, compensation as allowed in this subsection (8).

(* * *9) Any * * * retiree who returns to work as a teacher in accordance with this section shall not be eligible to return to work under * * * Section 25-11-127.

SECTION 2. Section 25-11-127, Mississippi Code of 1972, is amended as follows:

25-11-127. (1) (a) Except as otherwise provided in Section 25-11-126, no person who is being paid a retirement allowance or a pension after retirement under this article shall be employed or paid for any service by the State of Mississippi, including services as an employee, contract worker, contractual employee or independent contractor, until the retired person has been retired for not less than ninety (90) consecutive days from his or her effective date of retirement. After the person has been retired for not less than ninety (90) consecutive days from his or her effective date of retirement or such later date as established by the board, he or she may be reemployed while being paid a retirement allowance under * * * this section * * *.

(b) No retiree of this retirement system who is reemployed or is reelected to office after retirement shall continue to draw retirement benefits while so reemployed, except as provided in this section or in Section 25-11-126.



155 (c) No person employed or elected under the exceptions
156 provided for in this section shall become a member under Article 3
157 of the retirement system.

158 (2) Except as otherwise provided in Section 25-11-126, any
159 person who has been retired under the provisions of Article 3 and
160 who is later reemployed in service covered by this article shall
161 cease to receive benefits under this article and shall again
162 become a contributing member of the retirement system. When the
163 person retires again, if the reemployment exceeds six (6) months,
164 the person shall have his or her benefit recomputed, including
165 service after again becoming a member, provided that the total
166 retirement allowance paid to the retired member in his or her
167 previous retirement shall be deducted from the member's retirement
168 reserve and taken into consideration in recalculating the
169 retirement allowance under a new option selected.

170 (3) The board shall have the right to prescribe rules and
171 regulations for carrying out * * * this section.

172 (4) * * * This section shall not be construed to prohibit
173 any retiree, regardless of age, from being employed and drawing a
174 retirement allowance either:

175 (a) For a period of time not to exceed one-half (1/2)
176 of the normal working days for the position in any fiscal year
177 during which the retiree will receive no more than one-half (1/2)
178 of the salary in effect for the position at the time of
179 employment, or



180 (b) For a period of time in any fiscal year sufficient
181 in length to permit a retiree to earn not in excess of twenty-five
182 percent (25%) of retiree's average compensation.

183 To determine the normal working days for a position under
184 paragraph (a) of this subsection, the employer shall determine the
185 required number of working days for the position on a full-time
186 basis and the equivalent number of hours representing the
187 full-time position. The retiree then may work up to one-half
188 (1/2) of the required number of working days or up to one-half
189 (1/2) of the equivalent number of hours and receive up to one-half
190 (1/2) of the salary for the position. In the case of employment
191 with multiple employers, the limitation shall equal one-half (1/2)
192 of the number of days or hours for a single full-time position.

193 Notice shall be given in writing to the executive director,
194 setting forth the facts upon which the employment is being made,
195 and the notice shall be given within five (5) days from the date
196 of employment and also from the date of termination of the
197 employment.

198 (5) Except as otherwise provided in subsection (6) of this
199 section, the employer of any person who is receiving a retirement
200 allowance and who is employed in service covered by subsection (4)
201 of this section as an employee or a contractual employee shall pay
202 to the board the full amount of the employer's contribution on the
203 amount of compensation received by the retiree for his or her
204 employment in accordance with regulations prescribed by the board.



The retiree shall not receive any additional creditable service in the retirement system as a result of the payment of the employer's contribution. This subsection does not apply to persons who are receiving a retirement allowance and who contract with an employer to provide services as a true independent contractor, as defined by the board through regulation.

(6) (a) A member may retire and continue in municipal or county elective office provided that the member has reached the age and/or service requirement that will not result in a prohibited in-service distribution as defined by the Internal Revenue Service, or a retiree may be elected to a municipal or county office, provided that the person:

(i) Files annually, in writing, in the office of the employer and the office of the executive director of the system before the person takes office or as soon as possible after retirement, a waiver of all salary or compensation and elects to receive in lieu of that salary or compensation a retirement allowance as provided in this section, in which event no salary or compensation shall thereafter be due or payable for those services; however, any such officer or employee may receive, in addition to the retirement allowance, office expense allowance, mileage or travel expense authorized by any statute of the State of Mississippi; or

(ii) Elects to receive compensation for that elective office in an amount not to exceed twenty-five percent



(25%) of the retiree's average compensation. In order to receive compensation as allowed in this subparagraph, the retiree shall file annually, in writing, in the office of the employer and the office of the executive director of the system, an election to receive, in addition to a retirement allowance, compensation as allowed in this subparagraph.

(b) The municipality or county in which the retired person holds elective office shall pay to the board the amount of the employer's contributions on the full amount of the regular compensation for the elective office that the retired person holds.

(c) As used in this subsection, the term "compensation" does not include office expense allowance, mileage or travel expense authorized by a statute of the State of Mississippi.

(7) Any retired teacher who returns to work in accordance with this section shall not be eligible to return to work under the provisions of Section 25-11-126.

SECTION 3. Section 25-9-120, Mississippi Code of 1972, is amended as follows:

25-9-120. (1) (a) Contract personnel, whether classified as contract workers or independent contractors shall not be deemed state service or nonstate service employees of the State of Mississippi, and shall not be eligible to participate in the Public Employees' Retirement System, nor be allowed credit for personal and sick leave and other leave benefits as employees of



the State of Mississippi, notwithstanding Sections 25-3-91 through 25-3-101; 25-9-101 through 25-9-151; 25-11-1 through 25-11-126; 25-11-128 through 25-11-131; 25-15-1 through 25-15-23 and for the purpose set forth herein. Contract workers, i.e., contract personnel who do not meet the criteria of independent contractors, shall be subject to * * * Section 25-11-126 or 25-11-127.

(b) Contract workers for any department, agency or institution of the state government, any school district, community/junior college, public library or university-based program, whether classified as contract workers or independent contractors, may purchase the base plan of the State and School Employees' Health Insurance Plan provided that such person pays the full price of such plan without contribution from their employer. Such government entities shall offer the base plan to any such personnel who work at least one hundred thirty (130) hours per month. The provisions of this paragraph (b) shall not apply to independent contractors. The State and School Employees' Health Insurance Management Board shall establish the premiums.

(2) The Personal Service Contract Review Board is abolished. The Public Procurement Review Board shall be the Personal Service Contract Review Board and shall retain all powers and duties granted by law to the Personal Service Contract Review Board. All equipment, inventories, records, personnel, resources and other property, real or personal, tangible or intangible, of the Personal Service Contract Review Board shall be transferred to the



280 Public Procurement Review Board as provided in Section 27-104-7.
281 The transfer of personnel shall be commensurate with the number
282 and classification of positions (PINS) allocated to the Personal
283 Service Contract Review Board on June 30, 2017. Wherever the
284 terms "Personal Service Contract Review Board" or "board," when
285 referring to the Personal Service Contract Review Board, appear in
286 any law, rule, regulation or document the same shall be construed
287 to mean the Public Procurement Review Board.

288 **SECTION 4.** Section 37-19-7, Mississippi Code of 1972, is
289 amended as follows:

290 37-19-7. (1) (a) Teachers' salaries in each public school
291 district shall be determined and paid in accordance with the scale
292 for teachers' salaries as provided in this subsection. For
293 teachers holding the following types of licenses or the equivalent
294 as determined by the State Board of Education, and the following
295 number of years of teaching experience, the scale shall be as
296 follows:

297 **2022-2023 AND SUBSEQUENT SCHOOL YEARS MINIMUM SALARY SCHEDULE**

298	Exp.	AAAA	AAA	AA	A
299	0	45,500.00	44,000.00	43,000.00	41,500.00
300	1	46,100.00	44,550.00	43,525.00	41,900.00
301	2	46,700.00	45,100.00	44,050.00	42,300.00
302	3	47,300.00	45,650.00	44,575.00	42,700.00
303	4	47,900.00	46,200.00	45,100.00	43,100.00
304	5	49,250.00	47,500.00	46,350.00	44,300.00



305	6	49,850.00	48,050.00	46,875.00	44,700.00
306	7	50,450.00	48,600.00	47,400.00	45,100.00
307	8	51,050.00	49,150.00	47,925.00	45,500.00
308	9	51,650.00	49,700.00	48,450.00	45,900.00
309	10	53,000.00	51,000.00	49,700.00	47,100.00
310	11	53,600.00	51,550.00	50,225.00	47,500.00
311	12	54,200.00	52,100.00	50,750.00	47,900.00
312	13	54,800.00	52,650.00	51,275.00	48,300.00
313	14	55,400.00	53,200.00	51,800.00	48,700.00
314	15	56,750.00	54,500.00	53,050.00	49,900.00
315	16	57,350.00	55,050.00	53,575.00	50,300.00
316	17	57,950.00	55,600.00	54,100.00	50,700.00
317	18	58,550.00	56,150.00	54,625.00	51,100.00
318	19	59,150.00	56,700.00	55,150.00	51,500.00
319	20	60,500.00	58,000.00	56,400.00	52,700.00
320	21	61,100.00	58,550.00	56,925.00	53,100.00
321	22	61,700.00	59,100.00	57,450.00	53,500.00
322	23	62,300.00	59,650.00	57,975.00	53,900.00
323	24	62,900.00	60,200.00	58,500.00	54,300.00
324	25	65,400.00	62,700.00	61,000.00	56,800.00
325	26	66,000.00	63,250.00	61,525.00	57,200.00
326	27	66,600.00	63,800.00	62,050.00	57,600.00
327	28	67,200.00	64,350.00	62,575.00	58,000.00
328	29	67,800.00	64,900.00	63,100.00	58,400.00
329	30	68,400.00	65,450.00	63,625.00	58,800.00



330	31	69,000.00	66,000.00	64,150.00	59,200.00
331	32	69,600.00	66,550.00	64,675.00	59,600.00
332	33	70,200.00	67,100.00	65,200.00	60,000.00
333	34	70,800.00	67,650.00	65,725.00	60,400.00
334	35				
335	& above	71,400.00	68,200.00	66,250.00	60,800.00

336 **2024-2025 AND SUBSEQUENT SCHOOL YEARS MINIMUM SALARY SCHEDULE**

337 The school district, with assistance from the Department of
338 Education, shall consider the teacher's years of service and
339 license type and determine the corresponding salary for the
340 retired teacher.

341 **(b)** After determining the retired teacher's
342 corresponding salary, the school district may allocate up to one
343 hundred twenty-five percent (125%) of the amount provided under
344 the salary schedule for such teacher, as applicable, as salary and
345 assessment under the program. * * * The school district may pay
346 no more than * * * sixty-five percent (65%) of the retired
347 teacher's compensation as salary to the retired teacher. * * *
348 The school district in which the retired teacher holds a position
349 shall pay to the board a pension liability participation
350 assessment in the amount of the employer and employee
351 contributions on the full amount of the regular compensation for
352 the position held by the retired teacher.

353 **(c)** It is the intent of the Legislature that any state
354 funds made available for salaries of licensed personnel in excess



of the funds paid for such salaries for the 1986-1987 school year shall be paid to licensed personnel pursuant to a personnel appraisal and compensation system implemented by the State Board of Education. The State Board of Education shall have the authority to adopt and amend rules and regulations as are necessary to establish, administer and maintain the system.

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

(e) The level of professional training of each teacher to be used in establishing the salary for the teacher for each year shall be determined by the type of valid teacher's license issued to that teacher on or before October 1 of the current school year. However, school districts are authorized, in their discretion, to negotiate the salary levels applicable to licensed employees who are receiving retirement benefits from the retirement system of another state.



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

(i) Any licensed teacher or retired teacher employed by a school district under * * * Section 25-11-126 who has met the requirements and acquired a Master Teacher certificate from the National Board for Professional Teaching Standards and who is employed by a local school board or the State Board of Education as a teacher and not as an administrator. Such teacher shall submit documentation to the State Department of Education that the certificate was received prior to October 15 in order to be eligible for the full salary supplement in the current school year, or the teacher shall submit such documentation to the State Department of Education prior to February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year.

(ii) A licensed nurse who has met the requirements and acquired a certificate from the National Board for Certification of School Nurses, Inc., and who is employed by a local school board or the State Board of Education as a school nurse and not as an administrator. The licensed school nurse shall submit documentation to the State Department of Education that the certificate was received before October 15 in order to be eligible for the full salary supplement in the current school



year, or the licensed school nurse shall submit the documentation to the State Department of Education before February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year.

(iii) Any licensed school counselor who has met the requirements and acquired a National Certified School Counselor (NCSC) endorsement from the National Board of Certified Counselors and who is employed by a local school board or the State Board of Education as a counselor and not as an administrator. Such licensed school counselor shall submit documentation to the State Department of Education that the endorsement was received prior to October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed school counselor shall submit such documentation to the State Department of Education prior to February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year. However, any school counselor who started the National Board for Professional Teaching Standards process for school counselors between June 1, 2003, and June 30, 2004, and completes the requirements and acquires the Master Teacher certificate shall be entitled to the master teacher supplement, and those counselors who complete the process shall be entitled to a one-time reimbursement for the actual cost of the process as outlined in paragraph (b) of this subsection.



430 (iv) Any licensed speech-language pathologist and
431 audiologist who has met the requirements and acquired a
432 Certificate of Clinical Competence from the American
433 Speech-Language-Hearing Association and any certified academic
434 language therapist (CALT) who has met the certification
435 requirements of the Academic Language Therapy Association and who
436 is employed by a local school board. The licensed speech-language
437 pathologist and audiologist and certified academic language
438 therapist shall submit documentation to the State Department of
439 Education that the certificate or endorsement was received before
440 October 15 in order to be eligible for the full salary supplement
441 in the current school year, or the licensed speech-language
442 pathologist and audiologist and certified academic language
443 therapist shall submit the documentation to the State Department
444 of Education before February 15 in order to be eligible for a
445 prorated salary supplement beginning with the second term of the
446 school year.

447 (v) Any licensed athletic trainer who has met the
448 requirements and acquired Board Certification for the Athletic
449 Trainer from the Board of Certification, Inc., and who is employed
450 by a local school board or the State Board of Education as an
451 athletic trainer and not as an administrator. The licensed
452 athletic trainer shall submit documentation to the State
453 Department of Education that the certificate was received before
454 October 15 in order to be eligible for the full salary supplement



in the current school year, or the licensed athletic trainer shall submit the documentation to the State Department of Education before February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year.

(b) An employee shall be reimbursed for the actual cost of completing each component of acquiring the certificate or endorsement, excluding any costs incurred for postgraduate courses, not to exceed Five Hundred Dollars (\$500.00) for each component, not to exceed four (4) components, for a teacher, school counselor or speech-language pathologist and audiologist, regardless of whether or not the process resulted in the award of the certificate or endorsement. A local school district or any private individual or entity may pay the cost of completing the process of acquiring the certificate or endorsement for any employee of the school district described under paragraph (a), and the State Department of Education shall reimburse the school district for such cost, regardless of whether or not the process resulted in the award of the certificate or endorsement. If a private individual or entity has paid the cost of completing the process of acquiring the certificate or endorsement for an employee, the local school district may agree to directly reimburse the individual or entity for such cost on behalf of the employee.

(c) All salary supplements, fringe benefits and process reimbursement authorized under this subsection shall be paid



480 directly by the State Department of Education to the local school
481 district and shall be in addition to its allotments from the total
482 funding formula provided in Sections 37-151-200 through 37-151-215
483 and not a part thereof in accordance with regulations promulgated
484 by the State Board of Education. Local school districts shall not
485 reduce the local supplement paid to any employee receiving such
486 salary supplement, and the employee shall receive any local
487 supplement to which employees with similar training and experience
488 otherwise are entitled. However, an educational employee shall
489 receive the salary supplement in the amount of Six Thousand
490 Dollars (\$6,000.00) for only one (1) of the qualifying
491 certifications authorized under paragraph (a) of this subsection.
492 No school district shall provide more than one (1) annual salary
493 supplement under * * * this subsection to any one (1) individual
494 employee holding multiple qualifying national certifications.

495 (d) If an employee for whom such cost has been paid, in
496 full or in part, by a local school district or private individual
497 or entity fails to complete the certification or endorsement
498 process, the employee shall be liable to the school district or
499 individual or entity for all amounts paid by the school district
500 or individual or entity on behalf of that employee toward his or
501 her certificate or endorsement.

502 (3) The following employees shall receive an annual salary
503 supplement in the amount of Four Thousand Dollars (\$4,000.00),



plus fringe benefits, in addition to any other compensation to which the employee may be entitled:

Effective July 1, 2016, if funds are available for that purpose, any licensed teacher or retired teacher employed by a local school district under * * * Section 25-11-126 who has met the requirements and acquired a Master Teacher Certificate from the National Board for Professional Teaching Standards and who is employed in a public school district located in one (1) of the following counties: Claiborne, Adams, Jefferson, Wilkinson, Amite, Bolivar, Coahoma, Leflore, Quitman, Sharkey, Issaquena, Sunflower, Washington, Holmes, Yazoo and Tallahatchie. The salary supplement awarded under * * * this subsection (3) shall be in addition to the salary supplement awarded under * * * subsection (2) of this section.

Teachers who meet the qualifications for a salary supplement under this subsection (3) who are assigned for less than one (1) full year or less than full time for the school year shall receive the salary supplement in a prorated manner, with the portion of the teacher's assignment to the critical geographic area to be determined as of June 15th of the school year.

(4) (a) This subsection shall be known and may be cited as the "Mississippi Performance-Based Pay (MPBP)" plan. In addition to the minimum base pay described in this section, only if funds are available for that purpose, the State of Mississippi may provide monies from state funds to school districts for the



529 purposes of rewarding licensed teachers, administrators and
530 nonlicensed personnel at individual schools showing improvement in
531 student test scores. The MPBP plan shall be developed by the
532 State Department of Education based on the following criteria:

533 (i) It is the express intent of this legislation
534 that the MPBP plan shall utilize only existing standards of
535 accreditation and assessment as established by the State Board of
536 Education.

537 (ii) To ensure that all of Mississippi's teachers,
538 administrators and nonlicensed personnel at all schools have equal
539 access to the monies set aside in this section, the MPBP program
540 shall be designed to calculate each school's performance as
541 determined by the school's increase in scores from the prior
542 school year. The MPBP program shall be based on a standardized
543 scores rating where all levels of schools can be judged in a
544 statistically fair and reasonable way upon implementation. At the
545 end of each year, after all student achievement scores have been
546 standardized, the State Department of Education shall implement
547 the MPBP plan.

548 (iii) To ensure all teachers cooperate in the
549 spirit of teamwork, individual schools shall submit a plan to the
550 local school district to be approved before the beginning of each
551 school year. The plan shall include, but not be limited to, how
552 all teachers, regardless of subject area, and administrators will



be responsible for improving student achievement for their individual school.

(b) The State Board of Education shall develop the processes and procedures for designating schools eligible to participate in the MPBP. State assessment results, growth in student achievement at individual schools and other measures deemed appropriate in designating successful student achievement shall be used in establishing MPBP criteria.

(5) (a) If funds are available for that purpose, each school in Mississippi shall have mentor teachers, as defined by Sections 37-9-201 through 37-9-213, who shall receive additional base compensation provided for by the State Legislature in the amount of One Thousand Dollars (\$1,000.00) per each beginning teacher that is being mentored. The additional state compensation shall be limited to those mentor teachers that provide mentoring services to beginning teachers. For the purposes of such funding, a beginning teacher shall be defined as any teacher in any school in Mississippi that has less than one (1) year of classroom experience teaching in a public school. For the purposes of such funding, no full-time academic teacher shall mentor more than two (2) beginning teachers.

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



577 (6) Effective with the 2014-2015 school year, the school
578 districts participating in the Pilot Performance-Based
579 Compensation System pursuant to Section 37-19-9 may award
580 additional teacher and administrator pay based thereon.

581 **SECTION 5.** This act shall take effect and be in force from
582 and after July 1, 2026.

