4/2/14 10:55 A.M.

Chapter No. 503
14/HR40/R1247SG
gs / gab

HOUSE BILL NO. 504

Originated in House _____ Clerk

HOUSE BILL NO. 504

AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO REVISE THE MINIMUM TEACHER SALARY SCALE; TO PROVIDE THAT THE RECEIPT OF ANNUAL SALARY SUPPLEMENTS TO CERTAIN EDUCATIONAL EMPLOYEES HOLDING CERTAIN QUALIFYING NATIONAL CERTIFICATIONS SHALL BE LIMITED TO ONE SUPPLEMENT PER EMPLOYEE REGARDLESS OF THE NUMBER OF CERTIFICATIONS HELD; TO PROVIDE A SCHOOL RECOGNITION PROGRAM TO PROVIDE FINANCIAL AWARDS TO HIGH-PERFORMING SCHOOLS BEGINNING WITH THE 2016-2017 SCHOOL YEAR; AND FOR RELATED PURPOSES.

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

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

37-19-7. (1) *** * *** The allowance in the Mississippi Adequate Education Program for teachers' salaries in each county and separate school district shall be determined and paid in accordance with the scale for teachers' salaries as provided in this subsection. For teachers holding the following types of licenses or the equivalent as determined by the State Board of Education, and the following number of years of teaching experience, the scale shall be as follows:

2014-2015 MINIMUM SALARY SCHEDULE

Years Exp.	AAAA	AAA	AA	A
0	38,108.00	36,944.00	35,780.00	33,390.00
1	38,108.00	36,944.00	35,780.00	33,390.00
2	38,108.00	36,944.00	35,780.00	33,390.00
3	38,902.00	37,671.00	36,440.00	33,885.00
4	39,696.00	38,398.00	37,100.00	34,380.00
5	40,490.00	39,125.00	37,760.00	34,875.00
6	41,284.00	39,852.00	38,420.00	35,370.00
7	42,078.00	40,579.00	39,080.00	35,865.00
8	42,872.00	41,306.00	39,740.00	36,360.00
9	43,666.00	42,033.00	40,400.00	36,855.00
10	44,460.00	42,760.00	41,060.00	37,350.00
11	45,254.00	43,487.00	41,720.00	37,845.00
12	46,048.00	44,214.00	42,380.00	38,340.00
13	46,842.00	44,941.00	43,040.00	38,835.00
14	47,636.00	45,668.00	43,700.00	39,330.00
15	48,430.00	46,395.00	44,360.00	39,825.00
16	49,224.00	47,122.00	45,020.00	40,320.00
17	50,018.00	47,849.00	45,680.00	40,815.00
18	50,812.00	48,576.00	46,340.00	41,310.00
19	51,606.00	49,303.00	47,000.00	41,805.00
20	52,400.00	50,030.00	47,660.00	42,300.00
21	53,194.00	50,757.00	48,320.00	42,795.00
22	53,988.00	51,484.00	48,980.00	43,290.00
23	54,782.00	52,211.00	49,640.00	43,785.00

24	55,576.00	52,938.00	50,300.00	44,280.00
25	58,430.00	55,725.00	53,020.00	46,835.00
26	59,224.00	56,452.00	53,680.00	47,330.00
27	60,018.00	57,179.00	54,340.00	47,825.00
28	60,812.00	57,906.00	55,000.00	48,320.00
29	61,606.00	58,633.00	55,660.00	48,815.00
30	62,400.00	59,360.00	56,320.00	49,310.00
31	63,194.00	60,087.00	56,980.00	49,805.00
32	63,988.00	60,814.00	57,640.00	50,300.00
33	64,782.00	61,541.00	58,300.00	50,795.00
34	65,576.00	62,268.00	58,960.00	51,290.00
35 & above	66,370.00	62,995.00	59,620.00	51,785.00

2015-2016 MINIMUM SALARY SCHEDULE

Years Exp.	AAAA	AAA	AA	A
0	39,108.00	37,944.00	36,780.00	34,390.00
1	39,108.00	37,944.00	36,780.00	34,390.00
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22	54,988.00	52,484.00	49,980.00	44,290.00
23	55,782.00	53,211.00	50,640.00	44,785.00
24	56,576.00	53,938.00	51,300.00	45,280.00
25	59,430.00	56,725.00	54,020.00	47,835.00
26	60,224.00	57,452.00	54,680.00	48,330.00
27	61,018.00	58,179.00	55,340.00	48,825.00
28	61,812.00	58,906.00	56,000.00	49,320.00
29	62,606.00	59,633.00	56,660.00	49,815.00
30	63,400.00	60,360.00	57,320.00	50,310.00
31	64,194.00	61,087.00	57,980.00	50,805.00
32	64,988.00	61,814.00	58,640.00	51,300.00
33	65,782.00	62,541.00	59,300.00	51,795.00
34	66,576.00	63,268.00	59,960.00	52,290.00
35 & above	67,370.00	63,995.00	60,620.00	52,785.00

* * *

It is the intent of the Legislature that any state 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.

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.

* * *

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

school year. Provided, however, that school districts are authorized, in their discretion, to negotiate the salary levels applicable to certificated employees who are receiving retirement benefits from the retirement system of another state, and the annual experience increment provided above in Section 37-19-7 shall not be applicable to any such retired certificated employee.

(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 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. Provided, however, that the total number of licensed school nurses eligible for a salary supplement under this subparagraph (ii) shall not exceed thirty-five (35).

(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.

(iv) Any licensed speech-language pathologist and audiologist who has met the requirements and acquired a Certificate of Clinical Competence from the American Speech-Language-Hearing Association and any certified academic language therapist (CALT) who has met the certification requirements of the Academic Language Therapy Association and who is employed by a local school board or is employed by a state agency under the State Personnel Board. The licensed speech-language pathologist and audiologist and certified academic language therapist shall submit documentation to the State Department of Education that the certificate or endorsement was received before October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed speech-language pathologist and audiologist and certified academic language therapist 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. However, the total number of certified academic

language therapists eligible for a salary supplement under this paragraph (iv) shall not exceed twenty (20).

(b) An employee shall be reimbursed one time for the actual cost of completing the process of acquiring the certificate or endorsement, excluding any costs incurred for postgraduate courses, not to exceed Five Hundred Dollars ($500.00) for a 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 directly by the State Department of Education to the local school district and shall be in addition to its minimum education program allotments and not a part thereof in accordance with regulations

promulgated by the State Board of Education. Local school districts shall not reduce the local supplement paid to any employee receiving such salary supplement, and the employee shall receive any local supplement to which employees with similar training and experience otherwise are entitled. However, an educational employee shall receive the salary supplement in the amount of Six Thousand Dollars ($6,000.00) for only one (1) of the qualifying certifications authorized under paragraph (a) of this subsection. No school district shall provide more than one (1) annual salary supplement under the provisions of this subsection to any one individual employee holding multiple qualifying national certifications.

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

(3) (a) Effective July 1, 2007, if funds are available for that purpose, the Legislature may authorize state funds for

additional base compensation for teachers holding licenses in critical subject areas or the equivalent and who teach at least a majority of their courses in a critical subject area, as determined by the State Board of Education.

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

(4) (a) This section 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 after full funding of MAEP and if funds are available for that purpose, the State of Mississippi may provide monies from state funds to school districts for the purposes of rewarding certified teachers, administrators and nonlicensed personnel at individual schools showing improvement in student test scores. The MPBP plan shall be developed by the State Department of Education based on the following criteria:

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

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

(iii) To ensure all teachers cooperate in the spirit of teamwork, individual schools shall submit a plan to the local school district to be approved before the beginning of each school year beginning July 1, 2008. The plan shall include, but not be limited to, how 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. The State Board of

Education shall develop the MPBP policies and procedures and report to the Legislature and Governor by December 1, 2006.

(5) (a) Beginning in the 2008-2009 school year, 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.

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

SECTION 2. (1) The Legislature finds that there is a need for a performance incentive program for outstanding teachers and staff in highly productive schools.

(2) Beginning with the 2016-2017 school year, the School Recognition Program is created to provide financial awards to public schools that:

(a) Sustain high performance by earning a school accountability rating of "A" which shall be funded at One Hundred Dollars ($100.00) per pupil in average daily attendance;

(b) Sustain high performance by earning a school accountability rating of "B" which shall be funded at Seventy-five Dollars ($75.00) per pupil in average daily attendance; or

(c) Demonstrate exemplary performance by improving at least one (1) letter grade, which shall be funded at One Hundred Dollars ($100.00) per pupil in average daily attendance.

(3) All public schools, including charter schools, earning the appropriate school rating are eligible to participate in the program.

(4) School recognition awards must be used for nonrecurring salary supplements to the teachers and staff employed in the school receiving the financial award. Any nonrecurring salary supplements paid to teachers and staff shall be prospective, shall be paid over the remainder of the year, and shall not be considered part of the local supplement. For contracted individuals, there shall be an amendment to the existing contract.

(5) School recognition awards shall not be used for administrators.

(6) There is hereby created in the State Treasury, the School Recognition Program Fund which shall be used by the State Department of Education, depending on the availability of funds as appropriated, to provide financial awards to schools under this section. It shall be the duty of the State Department of Education to file with the State Treasurer and the State Fiscal Officer such data and information as may be required to enable the said State Treasurer and State Fiscal Officer to distribute the School Recognition Program Funds by electronic funds transfer to the several school districts at the time required and provided under the provisions of this section. Such data and information so filed shall show in detail the amount of funds to which each school district is entitled from the School Recognition Program Fund. Such data and information so filed may be revised from time to time as necessitated by law. At the time provided by law, the State Treasurer and the State Fiscal Officer shall distribute to the several school districts the amounts to which they are entitled from the School Recognition Program Fund as provided by this section. Such distribution shall be made by electronic funds transfer to the depositories of the several school districts designated in writing to the State Treasurer based upon the data and information supplied by the State Department of Education for such distribution. In such instances, the State Treasurer shall submit a request for an electronic funds transfer to the State Fiscal Officer, which shall set forth the purpose, amount and

payees, and shall be in such form as may be approved by the State Fiscal Officer so as to provide the necessary information as would be required for a requisition and issuance of a warrant. A copy of the record of said electronic funds transfers shall be transmitted by the school district depositories to the Treasurer, who shall file duplicates with the State Fiscal Officer. The Treasurer and State Fiscal Officer shall jointly promulgate regulations for the utilization of electronic funds transfers to school districts from the School Recognition Program Fund.

(7) It is the intent of the Legislature to develop a plan to reward high-performing teachers in schools with an accountability rating of "C," "D" and "F" by July 1, 2016.

SECTION 3. This act shall take effect and be in force from and after July 1, 2014.

PASSED BY THE HOUSE OF REPRESENTATIVES
April 1, 2014.

Philip Gunn

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
April 1, 2014

Tate Reeves

PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR

Phil Bryant

GOVERNOR

4/22/14 10:55 Am