

By: Senator(s) Norwood, Witherspoon, Simmons To: Education; Finance
(12th)

SENATE BILL NO. 2523

1 AN ACT TO AMEND SECTION 37-159-9, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO COLLABORATE WITH
3 THE UNIVERSITY ASSISTED TEACHER RECRUITMENT AND RETENTION GRANT
4 PROGRAM, STATE INSTITUTIONS OF HIGHER LEARNING WITH TEACHER
5 EDUCATION PROGRAMS AND SCHOOL ADMINISTRATORS IN CRITICAL TEACHER
6 SHORTAGE AREAS TO DEVELOP AN ALTERNATIVE LICENSING PROCEDURE
7 SPECIFICALLY FOR TEACHERS EMPLOYED IN ALL CRITICAL TEACHER
8 SHORTAGE AREAS; TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972,
9 TO AUTHORIZE THE COMMISSION ON TEACHER AND ADMINISTRATOR
10 EDUCATION, CERTIFICATION AND LICENSURE AND DEVELOPMENT TO ISSUE
11 CRITICAL TEACHER SHORTAGE AREA LICENSES TO CERTAIN EDUCATORS
12 BEGINNING JULY 1, 2018; TO PRESCRIBE THE REQUIREMENTS USED IN
13 AWARDING A CRITICAL TEACHER SHORTAGE AREA LICENSE; TO PROVIDE THAT
14 THE LICENSE MAY ONLY BE USED BY SCHOOL DISTRICTS IN CRITICAL
15 TEACHER SHORTAGE AREAS WHICH MAKE A FORMAL WRITTEN REQUEST TO THE
16 STATE DEPARTMENT OF EDUCATION FOR SUCH ALLOWANCES AT THE
17 CONCLUSION OF EACH ACADEMIC TERM; TO REQUIRE AFFECTED SCHOOL
18 DISTRICTS TO PROVIDE A MINIMUM OF FIFTY ADDITIONAL HOURS OF
19 PROFESSIONAL DEVELOPMENT TO HOLDERS OF A CRITICAL TEACHER SHORTAGE
20 AREA LICENSE DURING THE FIRST THREE YEARS OF EMPLOYMENT WITH THE
21 SCHOOL DISTRICT; TO REQUIRE THE AFFECTED SCHOOL DISTRICT TO ASSIGN
22 A VETERAN ON-SITE MENTOR TEACHER TO THE CRITICAL TEACHER SHORTAGE
23 AREA LICENSEE DURING THE FIRST TWO YEARS OF EMPLOYMENT; TO BRING
24 FORWARD SECTIONS 37-159-1, 37-159-5, 37-159-7, 37-159-11,
25 37-159-13 AND 37-159-17, MISSISSIPPI CODE OF 1972, WHICH ARE
26 PROVISIONS OF THE "MISSISSIPPI CRITICAL TEACHER SHORTAGE ACT OF
27 1998," FOR THE PURPOSE OF POSSIBLE AMENDMENTS; TO CREATE NEW
28 SECTION 25-11-126, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT
29 PERSONS WHO HAVE AT LEAST 25 YEARS OF CREDITABLE SERVICE IN THE
30 PUBLIC EMPLOYEES' RETIREMENT SYSTEM, WHO WERE EMPLOYED AS PUBLIC
31 SCHOOL TEACHERS AT THE TIME OF THEIR RETIREMENT AND WHO HAVE BEEN
32 RETIRED AND RECEIVING A RETIREMENT ALLOWANCE FOR AT LEAST ONE
33 YEAR, MAY BE EMPLOYED AS TEACHERS BY A PUBLIC SCHOOL DISTRICT
34 AFTER THEIR RETIREMENT AND RECEIVE A RETIREMENT ALLOWANCE FROM THE



35 PUBLIC EMPLOYEES' RETIREMENT SYSTEM DURING THEIR EMPLOYMENT AS
36 TEACHERS IN ADDITION TO RECEIVING A BEGINNING TEACHER'S SALARY; TO
37 BRING FORWARD SECTION 25-11-105, MISSISSIPPI CODE OF 1972, FOR THE
38 PURPOSE OF POSSIBLE AMENDMENTS; TO AMEND SECTIONS 25-11-123 AND
39 25-11-127, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO
40 BRING FORWARD SECTION 37-19-7, MISSISSIPPI CODE OF 1972, FOR THE
41 PURPOSE OF POSSIBLE AMENDMENTS; AND FOR RELATED PURPOSES.

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

43 **SECTION 1.** Section 37-159-9, Mississippi Code of 1972, is
44 amended as follows:

45 37-159-9. (1) (a) There is established the University
46 Assisted Teacher Recruitment and Retention Grant Program within
47 the State Department of Education. The purposes of the program
48 shall be to attract additional qualified teachers to those
49 geographical areas of the state where there exists a critical
50 shortage of teachers and to retain the qualified teachers already
51 serving as licensed teachers in geographical critical teacher
52 shortage areas by making available scholarships to persons working
53 towards a Master of Education degree or an Educational Specialist
54 degree at an institution of higher learning whose teacher
55 education program is approved by the State Board of Education.

56 (b) Additionally the State Department of Education
57 shall collaborate with the University Assisted Teacher Recruitment
58 and Retention Grant Program, state institutions of higher learning
59 with teacher education programs and school administrators in
60 critical teacher shortage areas to develop an alternative
61 licensing procedure specifically for teachers employed in all
62 critical teacher shortage areas, as designated by the State Board
63 of Education, consistent with the procedures established by the



64 Commission on Teacher and Administrator Education, Certification
65 and Licensure and Development in Section 37-3-2(6)(i). The
66 purpose of the alternative licensing procedure shall be to attract
67 individuals to the field of education by emphasizing professional
68 development and the effort to reduce the number of certified
69 teachers in critical teacher shortage areas by seventy-five
70 percent (75%).

71 (2) Any institution of higher learning in the State of
72 Mississippi which offers a Master of Education degree or an
73 Educational Specialist degree may apply to the department for
74 participation in the program. As part of the program,
75 participating institutions shall collaborate with the Mississippi
76 Teacher Center to identify, recruit and place teacher education
77 graduates, from both within the state and out of state, in school
78 districts situated within those areas of the state where there
79 exists a critical shortage of teachers, as designated by the State
80 Board of Education.

81 (3) The State Department of Education shall provide funds to
82 participating institutions of higher learning for the purpose of
83 awarding scholarships to qualified persons pursuing a Master of
84 Education degree or an Educational Specialist degree at such
85 institutions while rendering service to the state as a licensed
86 teacher in a school district in a geographical area of the state
87 where there exists a critical shortage of teachers, as approved by
88 the State Board of Education. The financial scholarship shall be



89 applied to the total cost for tuition, books, materials and fees
90 at the institution in which the student is enrolled, not to exceed
91 an amount equal to the highest total cost of tuition, books,
92 materials and fees assessed by a state institution of higher
93 learning during that school year. Teachers who relocate within
94 Mississippi from out of state in order to participate in the
95 program shall be classified as residents of the state for tuition
96 purposes.

97 (4) Students awarded financial scholarships under the
98 University Assisted Teacher Recruitment and Retention Grant
99 Program may receive such awards for a maximum of four (4) school
100 years; however, the maximum number of awards which may be made
101 shall not exceed the length of time required to complete the
102 number of academic hours necessary to obtain a Master of Education
103 degree or an Educational Specialist degree. Financial
104 scholarships under the program shall not be based upon an
105 applicant's eligibility for financial aid.

106 (5) Persons relocating to a geographical area of the state
107 where there exists a critical shortage of teachers, as approved by
108 the State Board of Education, to participate in the University
109 Assisted Teacher Recruitment and Retention Grant Program shall be
110 eligible for reimbursement for their moving expenses to the
111 critical teacher shortage area from the State Board of Education.
112 The State Board of Education shall promulgate rules and
113 regulations necessary for the administration of the relocation



114 expense reimbursement component of the University Assisted Teacher
115 Recruitment and Retention Grant Program.

116 (6) Subject to the availability of funds, the State Board of
117 Education may provide for professional development and support
118 services as may be necessary for the retention of teachers
119 participating in the program in those geographical areas of the
120 state where there exists a critical shortage of teachers.

121 (7) Any person participating in the program who fails to
122 complete a program of study that will enable that person to obtain
123 a Master of Education degree or Educational Specialist degree
124 shall become liable immediately to the State Board of Education
125 for the sum of all awards made to that person under the program,
126 plus interest accruing at the current Stafford Loan rate at the
127 time the person abrogates his participation in the program.

128 (8) As a condition for participation in the program, a
129 teacher shall agree to employment as a licensed teacher in a
130 school district located in a geographical area of the state where
131 there exists a critical shortage of teachers, as designated by the
132 State Board of Education, for a period of not less than three (3)
133 years, which shall include those years of service rendered while
134 obtaining the Master of Education degree or Educational Specialist
135 degree. However, for any person who obtained a baccalaureate
136 degree in education with a financial scholarship under the
137 Critical Needs Teacher Scholarship Program and who entered the
138 University Assisted Teacher Recruitment and Retention Grant



139 Program before rendering service as a teacher, the period of
140 employment for the purposes of this subsection shall be two (2)
141 years, in addition to the employment commitment required under the
142 Critical Needs Teacher Scholarship Program. Service rendered by a
143 participant as a licensed teacher in a school district in a
144 geographical critical teacher shortage area before that teacher
145 becomes a participant in the program may not be considered to
146 fulfill the employment commitment required under this subsection.
147 Any person failing to comply with this employment commitment in
148 any required school year shall immediately be in breach of
149 contract and become liable immediately to the State Department of
150 Education for the sum of all scholarships awarded and relocation
151 expenses granted to that person, less one-third (1/3) of the
152 amount of that sum for each year that service was rendered, or for
153 those persons whose required period of employment is two (2)
154 years, less one-half (1/2) of the amount of that sum for each year
155 that service was rendered, plus interest accruing at the current
156 Stafford Loan rate at the time the breach occurs, except in the
157 case of a deferral for cause by the State Board of Education when
158 there is no employment position immediately available upon the
159 teacher's obtaining of the Master of Education degree or
160 Educational Specialist degree. After the period of such deferral,
161 the person shall begin or resume the required teaching duties or
162 shall become liable to the board under this subsection. If a
163 claim for repayment under this subsection is placed in the hands



164 of an attorney for collection after default, then the obligor
165 shall be liable for an additional amount equal to a reasonable
166 attorney's fee.

167 (9) All funds received by the State Department of Education
168 from the repayment of scholarship awards and relocation expenses
169 by program participants shall be deposited in the Mississippi
170 Critical Teacher Shortage Fund.

171 (10) The State Board of Education shall promulgate rules and
172 regulations necessary for the proper administration of the
173 University Assisted Teacher Recruitment and Retention Grant
174 Program.

175 **SECTION 2.** Section 37-3-2, Mississippi Code of 1972, is
176 amended as follows:

177 37-3-2. (1) There is established within the State
178 Department of Education the Commission on Teacher and
179 Administrator Education, Certification and Licensure and
180 Development. It shall be the purpose and duty of the commission
181 to make recommendations to the State Board of Education regarding
182 standards for the certification and licensure and continuing
183 professional development of those who teach or perform tasks of an
184 educational nature in the public schools of Mississippi.

185 (2) The commission shall be composed of fifteen (15)
186 qualified members. The membership of the commission shall be
187 composed of the following members to be appointed, three (3) from
188 each congressional district: four (4) classroom teachers; three



189 (3) school administrators; one (1) representative of schools of
190 education of institutions of higher learning located within the
191 state to be recommended by the Board of Trustees of State
192 Institutions of Higher Learning; one (1) representative from the
193 schools of education of independent institutions of higher
194 learning to be recommended by the Board of the Mississippi
195 Association of Independent Colleges; one (1) representative from
196 public community and junior colleges located within the state to
197 be recommended by the Mississippi Community College Board; one (1)
198 local school board member; and four (4) laypersons. All
199 appointments shall be made by the State Board of Education after
200 consultation with the State Superintendent of Public Education.
201 The first appointments by the State Board of Education shall be
202 made as follows: five (5) members shall be appointed for a term
203 of one (1) year; five (5) members shall be appointed for a term of
204 two (2) years; and five (5) members shall be appointed for a term
205 of three (3) years. Thereafter, all members shall be appointed
206 for a term of four (4) years.

207 (3) The State Board of Education when making appointments
208 shall designate a chairman. The commission shall meet at least
209 once every two (2) months or more often if needed. Members of the
210 commission shall be compensated at a rate of per diem as
211 authorized by Section 25-3-69 and be reimbursed for actual and
212 necessary expenses as authorized by Section 25-3-41.



213 (4) (a) An appropriate staff member of the State Department
214 of Education shall be designated and assigned by the State
215 Superintendent of Public Education to serve as executive secretary
216 and coordinator for the commission. No less than two (2) other
217 appropriate staff members of the State Department of Education
218 shall be designated and assigned by the State Superintendent of
219 Public Education to serve on the staff of the commission.

220 (b) An Office of Educator Misconduct Evaluations shall
221 be established within the State Department of Education to assist
222 the commission in responding to infractions and violations, and in
223 conducting hearings and enforcing the provisions of subsections
224 (11), (12), (13), (14) and (15) of this section, and violations of
225 the Mississippi Educator Code of Ethics.

226 (5) It shall be the duty of the commission to:

227 (a) Set standards and criteria, subject to the approval
228 of the State Board of Education, for all educator preparation
229 programs in the state;

230 (b) Recommend to the State Board of Education each year
231 approval or disapproval of each educator preparation program in
232 the state, subject to a process and schedule determined by the
233 State Board of Education;

234 (c) Establish, subject to the approval of the State
235 Board of Education, standards for initial teacher certification
236 and licensure in all fields;



237 (d) Establish, subject to the approval of the State
238 Board of Education, standards for the renewal of teacher licenses
239 in all fields;

240 (e) Review and evaluate objective measures of teacher
241 performance, such as test scores, which may form part of the
242 licensure process, and to make recommendations for their use;

243 (f) Review all existing requirements for certification
244 and licensure;

245 (g) Consult with groups whose work may be affected by
246 the commission's decisions;

247 (h) Prepare reports, from time to time, on current
248 practices and issues in the general area of teacher education and
249 certification and licensure;

250 (i) Hold hearings concerning standards for teachers'
251 and administrators' education and certification and licensure with
252 approval of the State Board of Education;

253 (j) Hire expert consultants with approval of the State
254 Board of Education;

255 (k) Set up ad hoc committees to advise on specific
256 areas; and

257 (l) Perform such other functions as may fall within
258 their general charge and which may be delegated to them by the
259 State Board of Education.

260 (6) (a) **Standard License - Approved Program Route.** An
261 educator entering the school system of Mississippi for the first



262 time and meeting all requirements as established by the State
263 Board of Education shall be granted a standard five-year license.
264 Persons who possess two (2) years of classroom experience as an
265 assistant teacher or who have taught for one (1) year in an
266 accredited public or private school shall be allowed to fulfill
267 student teaching requirements under the supervision of a qualified
268 participating teacher approved by an accredited college of
269 education. The local school district in which the assistant
270 teacher is employed shall compensate such assistant teachers at
271 the required salary level during the period of time such
272 individual is completing student teaching requirements.

273 Applicants for a standard license shall submit to the department:

- 274 (i) An application on a department form;
- 275 (ii) An official transcript of completion of a
276 teacher education program approved by the department or a
277 nationally accredited program, subject to the following:
- 278 Licensure to teach in Mississippi prekindergarten through
279 kindergarten classrooms shall require completion of a teacher
280 education program or a Bachelor of Science degree with child
281 development emphasis from a program accredited by the American
282 Association of Family and Consumer Sciences (AAFCS) or by the
283 National Association for Education of Young Children (NAEYC) or by
284 the National Council for Accreditation of Teacher Education
285 (NCATE). Licensure to teach in Mississippi kindergarten, for
286 those applicants who have completed a teacher education program,



287 and in Grade 1 through Grade 4 shall require the completion of an
288 interdisciplinary program of studies. Licenses for Grades 4
289 through 8 shall require the completion of an interdisciplinary
290 program of studies with two (2) or more areas of concentration.
291 Licensure to teach in Mississippi Grades 7 through 12 shall
292 require a major in an academic field other than education, or a
293 combination of disciplines other than education. Students
294 preparing to teach a subject shall complete a major in the
295 respective subject discipline. All applicants for standard
296 licensure shall demonstrate that such person's college preparation
297 in those fields was in accordance with the standards set forth by
298 the National Council for Accreditation of Teacher Education
299 (NCATE) or the National Association of State Directors of Teacher
300 Education and Certification (NASDTEC) or, for those applicants who
301 have a Bachelor of Science degree with child development emphasis,
302 the American Association of Family and Consumer Sciences (AAFCS).
303 Effective July 1, 2016, for initial elementary education
304 licensure, a teacher candidate must earn a passing score on a
305 rigorous test of scientifically research-based reading instruction
306 and intervention and data-based decision-making principles as
307 approved by the State Board of Education;

308 (iii) A copy of test scores evidencing
309 satisfactory completion of nationally administered examinations of
310 achievement, such as the Educational Testing Service's teacher
311 testing examinations;



312 (iv) Any other document required by the State
313 Board of Education; and

314 (v) From and after September 30, 2015, no teacher
315 candidate shall be licensed to teach in Mississippi who did not
316 meet the following criteria for entrance into an approved teacher
317 education program:

318 1. Twenty-one (21) ACT equivalent or achieve
319 the nationally recommended passing score on the Praxis Core
320 Academic Skills for Educators examination; and

321 2. No less than 2.75 GPA on pre-major
322 coursework of the institution's approved teacher education program
323 provided that the accepted cohort of candidates meets or exceeds a
324 3.0 GPA on pre-major coursework.

325 (b) **Standard License - Nontraditional Teaching Route.**

326 From and after September 30, 2015, no teacher candidate shall be
327 licensed to teach in Mississippi under the alternate route who did
328 not meet the following criteria:

329 (i) Twenty-one (21) ACT equivalent or achieve the
330 nationally recommended passing score on the Praxis Core Academic
331 Skills for Educators examination; and

332 (ii) No less than 2.75 GPA on content coursework
333 in the requested area of certification or passing Praxis II scores
334 at or above the national recommended score provided that the
335 accepted cohort of candidates of the institution's teacher



336 education program meets or exceeds a 3.0 GPA on pre-major
337 coursework.

338 Beginning January 1, 2004, an individual who has a passing
339 score on the Praxis I Basic Skills and Praxis II Specialty Area
340 Test in the requested area of endorsement may apply for the Teach
341 Mississippi Institute (TMI) program to teach students in Grades 7
342 through 12 if the individual meets the requirements of this
343 paragraph (b). The State Board of Education shall adopt rules
344 requiring that teacher preparation institutions which provide the
345 Teach Mississippi Institute (TMI) program for the preparation of
346 nontraditional teachers shall meet the standards and comply with
347 the provisions of this paragraph.

348 (i) The Teach Mississippi Institute (TMI) shall
349 include an intensive eight-week, nine-semester-hour summer program
350 or a curriculum of study in which the student matriculates in the
351 fall or spring semester, which shall include, but not be limited
352 to, instruction in education, effective teaching strategies,
353 classroom management, state curriculum requirements, planning and
354 instruction, instructional methods and pedagogy, using test
355 results to improve instruction, and a one (1) semester three-hour
356 supervised internship to be completed while the teacher is
357 employed as a full-time teacher intern in a local school district.
358 The TMI shall be implemented on a pilot program basis, with
359 courses to be offered at up to four (4) locations in the state,



360 with one (1) TMI site to be located in each of the three (3)
361 Mississippi Supreme Court districts.

362 (ii) The school sponsoring the teacher intern
363 shall enter into a written agreement with the institution
364 providing the Teach Mississippi Institute (TMI) program, under
365 terms and conditions as agreed upon by the contracting parties,
366 providing that the school district shall provide teacher interns
367 seeking a nontraditional provisional teaching license with a
368 one-year classroom teaching experience. The teacher intern shall
369 successfully complete the one (1) semester three-hour intensive
370 internship in the school district during the semester immediately
371 following successful completion of the TMI and prior to the end of
372 the one-year classroom teaching experience.

373 (iii) Upon completion of the nine-semester-hour
374 TMI or the fall or spring semester option, the individual shall
375 submit his transcript to the commission for provisional licensure
376 of the intern teacher, and the intern teacher shall be issued a
377 provisional teaching license by the commission, which will allow
378 the individual to legally serve as a teacher while the person
379 completes a nontraditional teacher preparation internship program.

380 (iv) During the semester of internship in the
381 school district, the teacher preparation institution shall monitor
382 the performance of the intern teacher. The school district that
383 employs the provisional teacher shall supervise the provisional
384 teacher during the teacher's intern year of employment under a



385 nontraditional provisional license, and shall, in consultation
386 with the teacher intern's mentor at the school district of
387 employment, submit to the commission a comprehensive evaluation of
388 the teacher's performance sixty (60) days prior to the expiration
389 of the nontraditional provisional license. If the comprehensive
390 evaluation establishes that the provisional teacher intern's
391 performance fails to meet the standards of the approved
392 nontraditional teacher preparation internship program, the
393 individual shall not be approved for a standard license.

394 (v) An individual issued a provisional teaching
395 license under this nontraditional route shall successfully
396 complete, at a minimum, a one-year beginning teacher mentoring and
397 induction program administered by the employing school district
398 with the assistance of the State Department of Education.

399 (vi) Upon successful completion of the TMI and the
400 internship provisional license period, applicants for a Standard
401 License - Nontraditional Route shall submit to the commission a
402 transcript of successful completion of the twelve (12) semester
403 hours required in the internship program, and the employing school
404 district shall submit to the commission a recommendation for
405 standard licensure of the intern. If the school district
406 recommends licensure, the applicant shall be issued a Standard
407 License - Nontraditional Route which shall be valid for a
408 five-year period and be renewable.



409 (vii) At the discretion of the teacher preparation
410 institution, the individual shall be allowed to credit the twelve
411 (12) semester hours earned in the nontraditional teacher
412 internship program toward the graduate hours required for a Master
413 of Arts in Teacher (MAT) Degree.

414 (viii) The local school district in which the
415 nontraditional teacher intern or provisional licensee is employed
416 shall compensate such teacher interns at Step 1 of the required
417 salary level during the period of time such individual is
418 completing teacher internship requirements and shall compensate
419 such Standard License - Nontraditional Route teachers at Step 3 of
420 the required salary level when they complete license requirements.

421 Implementation of the TMI program provided for under this
422 paragraph (b) shall be contingent upon the availability of funds
423 appropriated specifically for such purpose by the Legislature.
424 Such implementation of the TMI program may not be deemed to
425 prohibit the State Board of Education from developing and
426 implementing additional alternative route teacher licensure
427 programs, as deemed appropriate by the board. The emergency
428 certification program in effect prior to July 1, 2002, shall
429 remain in effect.

430 A Standard License - Approved Program Route shall be issued
431 for a five-year period, and may be renewed. Recognizing teaching
432 as a profession, a hiring preference shall be granted to persons
433 holding a Standard License - Approved Program Route or Standard



434 License - Nontraditional Teaching Route over persons holding any
435 other license.

436 (c) **Special License - Expert Citizen.** In order to
437 allow a school district to offer specialized or technical courses,
438 the State Department of Education, in accordance with rules and
439 regulations established by the State Board of Education, may grant
440 a one-year expert citizen-teacher license to local business or
441 other professional personnel to teach in a public school or
442 nonpublic school accredited or approved by the state. Such person
443 may begin teaching upon his employment by the local school board
444 and licensure by the Mississippi Department of Education. The
445 board shall adopt rules and regulations to administer the expert
446 citizen-teacher license. A Special License - Expert Citizen may
447 be renewed in accordance with the established rules and
448 regulations of the State Department of Education.

449 (d) **Special License - Nonrenewable.** The State Board of
450 Education is authorized to establish rules and regulations to
451 allow those educators not meeting requirements in paragraph (a),
452 (b) or (c) of this subsection (6) to be licensed for a period of
453 not more than three (3) years, except by special approval of the
454 State Board of Education.

455 (e) **Nonlicensed Teaching Personnel.** A nonlicensed
456 person may teach for a maximum of three (3) periods per teaching
457 day in a public school district or a nonpublic school
458 accredited/approved by the state. Such person shall submit to the



459 department a transcript or record of his education and experience
460 which substantiates his preparation for the subject to be taught
461 and shall meet other qualifications specified by the commission
462 and approved by the State Board of Education. In no case shall
463 any local school board hire nonlicensed personnel as authorized
464 under this paragraph in excess of five percent (5%) of the total
465 number of licensed personnel in any single school.

466 (f) **Special License - Transitional Bilingual Education.**
467 Beginning July 1, 2003, the commission shall grant special
468 licenses to teachers of transitional bilingual education who
469 possess such qualifications as are prescribed in this section.
470 Teachers of transitional bilingual education shall be compensated
471 by local school boards at not less than one (1) step on the
472 regular salary schedule applicable to permanent teachers licensed
473 under this section. The commission shall grant special licenses
474 to teachers of transitional bilingual education who present the
475 commission with satisfactory evidence that they (i) possess a
476 speaking and reading ability in a language, other than English, in
477 which bilingual education is offered and communicative skills in
478 English; (ii) are in good health and sound moral character; (iii)
479 possess a bachelor's degree or an associate's degree in teacher
480 education from an accredited institution of higher education; (iv)
481 meet such requirements as to courses of study, semester hours
482 therein, experience and training as may be required by the
483 commission; and (v) are legally present in the United States and



484 possess legal authorization for employment. A teacher of
485 transitional bilingual education serving under a special license
486 shall be under an exemption from standard licensure if he achieves
487 the requisite qualifications therefor. Two (2) years of service
488 by a teacher of transitional bilingual education under such an
489 exemption shall be credited to the teacher in acquiring a Standard
490 Educator License. Nothing in this paragraph shall be deemed to
491 prohibit a local school board from employing a teacher licensed in
492 an appropriate field as approved by the State Department of
493 Education to teach in a program in transitional bilingual
494 education.

495 (g) In the event any school district meets the highest
496 accreditation standards as defined by the State Board of Education
497 in the accountability system, the State Board of Education, in its
498 discretion, may exempt such school district from any restrictions
499 in paragraph (e) relating to the employment of nonlicensed
500 teaching personnel.

501 (h) **Highly Qualified Teachers.** Beginning July 1, 2006,
502 any teacher from any state meeting the federal definition of
503 highly qualified, as described in the No Child Left Behind Act,
504 must be granted a standard five-year license by the State
505 Department of Education.

506 (i) **Critical Teacher Shortage Area License.** Beginning
507 July 1, 2018, the commission shall grant critical teacher shortage



508 area licenses to educators who successfully meet either of the
509 following:

510 (i) Earned a twenty-one (21) ACT equivalent,
511 achieved the nationally recommended score on the Praxis Core
512 Academic Skills for Educators examination or earned an eighteen
513 (18) ACT equivalent while maintaining no less than a 2.75 GPA on
514 content coursework in the area of certification, which shall serve
515 as an alternate to a passing Praxis Core examination score;

516 (ii) Achieved the nationally recommended passing
517 score on all but one (1) developmental area of the Praxis Core and
518 Praxis II examinations;

519 (iii) Submit a portfolio and video based on the
520 Teacher Growth Rubric, which shall serve as an alternative to
521 achieving the nationally recommended passing score on the Praxis
522 II examination; or

523 (iv) Be a retired teacher receiving full
524 retirement benefits under the provisions of this act, who are
525 authorized to return to the classroom on a full-time basis.

526 This critical teacher shortage area license may only be used
527 by school districts in critical teacher shortage areas, as
528 designated by the State Board of Education, which make a formal
529 written request to the State Department of Education for such
530 allowances at the conclusion of each academic term. As a
531 condition of being approved to employ educators with a critical
532 teacher shortage area license, the affected school district must



533 provide a minimum of fifty (50) additional hours of professional
534 development to holders of a critical teacher shortage area license
535 above that which is required for educators who hold a standard
536 license during the first three (3) years of employment with the
537 affected school district. The school district shall assign a
538 veteran on-site mentor teacher to the critical teacher shortage
539 area licensee, who shall be compensated for mentoring services in
540 the same manner provided under Section 37-9-211.

541 (7) **Administrator License.** The State Board of Education is
542 authorized to establish rules and regulations and to administer
543 the licensure process of the school administrators in the State of
544 Mississippi. There will be four (4) categories of administrator
545 licensure with exceptions only through special approval of the
546 State Board of Education.

547 (a) **Administrator License - Nonpracticing.** Those
548 educators holding administrative endorsement but having no
549 administrative experience or not serving in an administrative
550 position on January 15, 1997.

551 (b) **Administrator License - Entry Level.** Those
552 educators holding administrative endorsement and having met the
553 department's qualifications to be eligible for employment in a
554 Mississippi school district. Administrator License - Entry Level
555 shall be issued for a five-year period and shall be nonrenewable.



556 (c) **Standard Administrator License - Career Level.** An
557 administrator who has met all the requirements of the department
558 for standard administrator licensure.

559 (d) **Administrator License - Nontraditional Route.** The
560 board may establish a nontraditional route for licensing
561 administrative personnel. Such nontraditional route for
562 administrative licensure shall be available for persons holding,
563 but not limited to, a master of business administration degree, a
564 master of public administration degree, a master of public
565 planning and policy degree or a doctor of jurisprudence degree
566 from an accredited college or university, with five (5) years of
567 administrative or supervisory experience. Successful completion
568 of the requirements of alternate route licensure for
569 administrators shall qualify the person for a standard
570 administrator license.

571 Individuals seeking school administrator licensure under
572 paragraph (b), (c) or (d) shall successfully complete a training
573 program and an assessment process prescribed by the State Board of
574 Education. All applicants for school administrator licensure
575 shall meet all requirements prescribed by the department under
576 paragraph (b), (c) or (d), and the cost of the assessment process
577 required shall be paid by the applicant.

578 (8) **Reciprocity.** (a) The department shall grant a standard
579 license to any individual who possesses a valid standard license
580 from another state and meets minimum Mississippi license



581 requirements or equivalent requirements as determined by the State
582 Board of Education. The issuance of a license by reciprocity to a
583 military-trained applicant or military spouse shall be subject to
584 the provisions of Section 73-50-1.

585 (b) The department shall grant a nonrenewable special
586 license to any individual who possesses a credential which is less
587 than a standard license or certification from another state. Such
588 special license shall be valid for the current school year plus
589 one (1) additional school year to expire on June 30 of the second
590 year, not to exceed a total period of twenty-four (24) months,
591 during which time the applicant shall be required to complete the
592 requirements for a standard license in Mississippi.

593 (9) **Renewal and Reinstatement of Licenses.** The State Board
594 of Education is authorized to establish rules and regulations for
595 the renewal and reinstatement of educator and administrator
596 licenses. Effective May 15, 1997, the valid standard license held
597 by an educator shall be extended five (5) years beyond the
598 expiration date of the license in order to afford the educator
599 adequate time to fulfill new renewal requirements established
600 pursuant to this subsection. An educator completing a master of
601 education, educational specialist or doctor of education degree in
602 May 1997 for the purpose of upgrading the educator's license to a
603 higher class shall be given this extension of five (5) years plus
604 five (5) additional years for completion of a higher degree.



605 (10) All controversies involving the issuance, revocation,
606 suspension or any change whatsoever in the licensure of an
607 educator required to hold a license shall be initially heard in a
608 hearing de novo, by the commission or by a subcommittee
609 established by the commission and composed of commission members
610 for the purpose of holding hearings. Any complaint seeking the
611 denial of issuance, revocation or suspension of a license shall be
612 by sworn affidavit filed with the Commission on Teacher and
613 Administrator Education, Certification and Licensure and
614 Development. The decision thereon by the commission or its
615 subcommittee shall be final, unless the aggrieved party shall
616 appeal to the State Board of Education, within ten (10) days, of
617 the decision of the committee or its subcommittee. An appeal to
618 the State Board of Education shall be on the record previously
619 made before the commission or its subcommittee unless otherwise
620 provided by rules and regulations adopted by the board. The State
621 Board of Education in its authority may reverse, or remand with
622 instructions, the decision of the committee or its subcommittee.
623 The decision of the State Board of Education shall be final.

624 (11) The State Board of Education, acting through the
625 commission, may deny an application for any teacher or
626 administrator license for one or more of the following:

627 (a) Lack of qualifications which are prescribed by law
628 or regulations adopted by the State Board of Education;



629 (b) The applicant has a physical, emotional or mental
630 disability that renders the applicant unfit to perform the duties
631 authorized by the license, as certified by a licensed psychologist
632 or psychiatrist;

633 (c) The applicant is actively addicted to or actively
634 dependent on alcohol or other habit-forming drugs or is a habitual
635 user of narcotics, barbiturates, amphetamines, hallucinogens or
636 other drugs having similar effect, at the time of application for
637 a license;

638 (d) Revocation, suspension or surrender of an
639 applicant's certificate or license by another state shall result
640 in immediate denial of licensure until such time that the records
641 predicated the revocation, suspension or surrender in the prior
642 state have been cleared;

643 (e) Fraud or deceit committed by the applicant in
644 securing or attempting to secure such certification and license;

645 (f) Failing or refusing to furnish reasonable evidence
646 of identification;

647 (g) The applicant has been convicted, has pled guilty
648 or entered a plea of nolo contendere to a felony, as defined by
649 federal or state law;

650 (h) The applicant has been convicted, has pled guilty
651 or entered a plea of nolo contendere to a sex offense as defined
652 by federal or state law. For purposes of this paragraph (h) and
653 paragraph (g) of this subsection, a "guilty plea" includes a plea



654 of guilty, entry of a plea of nolo contendere, or entry of an
655 order granting pretrial or judicial diversion; or

656 (i) Probation or post-release supervision for a felony
657 or sex offense conviction, as defined by federal or state law,
658 shall result in the immediate denial of licensure application
659 until expiration of the probationary or post-release supervision
660 period.

661 (12) The State Board of Education, acting through the
662 commission, may revoke, suspend or refuse to renew any teacher or
663 administrator license for specified periods of time or may place
664 on probation, censure, reprimand a licensee, or take other
665 disciplinary action with regard to any license issued under this
666 chapter for one or more of the following:

667 (a) Breach of contract or abandonment of employment may
668 result in the suspension of the license for one (1) school year as
669 provided in Section 37-9-57;

670 (b) Obtaining a license by fraudulent means shall
671 result in immediate suspension and continued suspension for one
672 (1) year after correction is made;

673 (c) Suspension or revocation of a certificate or
674 license by another state shall result in immediate suspension or
675 revocation and shall continue until records in the prior state
676 have been cleared;

677 (d) The license holder has been convicted, has pled
678 guilty or entered a plea of nolo contendere to a felony, as



679 defined by federal or state law. For purposes of this paragraph,
680 a "guilty plea" includes a plea of guilty, entry of a plea of nolo
681 contendere, or entry of an order granting pretrial or judicial
682 diversion;

683 (e) The license holder has been convicted, has pled
684 guilty or entered a plea of nolo contendere to a sex offense, as
685 defined by federal or state law, shall result in immediate
686 suspension or revocation;

687 (f) The license holder has received probation or
688 post-release supervision for a felony or sex offense conviction,
689 as defined by federal or state law, which shall result in
690 immediate suspension or revocation until expiration of the
691 probationary or post-release supervision period;

692 (g) The license holder knowingly and willfully
693 committing any of the acts affecting validity of mandatory uniform
694 test results as provided in Section 37-16-4(1);

695 (h) The license holder has engaged in unethical conduct
696 relating to an educator/student relationship as identified by the
697 State Board of Education in its rules;

698 (i) The license holder has fondled a student as
699 described in Section 97-5-23, or had any type of sexual
700 involvement with a student as described in Section 97-3-95;

701 (j) The license holder has failed to report sexual
702 involvement of a school employee with a student as required by
703 Section 97-5-24;



704 (k) The license holder served as superintendent or
705 principal in a school district during the time preceding and/or
706 that resulted in the Governor declaring a state of emergency and
707 the State Board of Education appointing a conservator;

708 (l) The license holder submitted a false certification
709 to the State Department of Education that a statewide test was
710 administered in strict accordance with the Requirements of the
711 Mississippi Statewide Assessment System; or

712 (m) The license holder has failed to comply with the
713 Procedures for Reporting Infractions as promulgated by the
714 commission and approved by the State Board of Education pursuant
715 to subsection (15) of this section.

716 (13) (a) Dismissal or suspension of a licensed employee by
717 a local school board pursuant to Section 37-9-59 may result in the
718 suspension or revocation of a license for a length of time which
719 shall be determined by the commission and based upon the severity
720 of the offense.

721 (b) Any offense committed or attempted in any other
722 state shall result in the same penalty as if committed or
723 attempted in this state.

724 (c) A person may voluntarily surrender a license. The
725 surrender of such license may result in the commission
726 recommending any of the above penalties without the necessity of a
727 hearing. However, any such license which has voluntarily been
728 surrendered by a licensed employee may only be reinstated by a



729 majority vote of all members of the commission present at the
730 meeting called for such purpose.

731 (14) (a) A person whose license has been revoked or
732 surrendered on any grounds except criminal grounds may petition
733 for reinstatement of the license after one (1) year from the date
734 of revocation or surrender, or after one-half (1/2) of the revoked
735 or surrendered time has lapsed, whichever is greater. A person
736 whose license has been suspended on any grounds or violations
737 under subsection (12) of this section may be reinstated
738 automatically or approved for a reinstatement hearing, upon
739 submission of a written request to the commission. A license
740 suspended, revoked or surrendered on criminal grounds may be
741 reinstated upon petition to the commission filed after expiration
742 of the sentence and parole or probationary period imposed upon
743 conviction. A revoked, suspended or surrendered license may be
744 reinstated upon satisfactory showing of evidence of
745 rehabilitation. The commission shall require all who petition for
746 reinstatement to furnish evidence satisfactory to the commission
747 of good character, good mental, emotional and physical health and
748 such other evidence as the commission may deem necessary to
749 establish the petitioner's rehabilitation and fitness to perform
750 the duties authorized by the license.

751 (b) A person whose license expires while under
752 investigation by the Office of Educator Misconduct for an alleged



753 violation may not be reinstated without a hearing before the
754 commission if required based on the results of the investigation.

755 (15) Reporting procedures and hearing procedures for dealing
756 with infractions under this section shall be promulgated by the
757 commission, subject to the approval of the State Board of
758 Education. The revocation or suspension of a license shall be
759 effected at the time indicated on the notice of suspension or
760 revocation. The commission shall immediately notify the
761 superintendent of the school district or school board where the
762 teacher or administrator is employed of any disciplinary action
763 and also notify the teacher or administrator of such revocation or
764 suspension and shall maintain records of action taken. The State
765 Board of Education may reverse or remand with instructions any
766 decision of the commission regarding a petition for reinstatement
767 of a license, and any such decision of the State Board of
768 Education shall be final.

769 (16) An appeal from the action of the State Board of
770 Education in denying an application, revoking or suspending a
771 license or otherwise disciplining any person under the provisions
772 of this section shall be filed in the Chancery Court of the First
773 Judicial District of Hinds County, Mississippi, on the record
774 made, including a verbatim transcript of the testimony at the
775 hearing. The appeal shall be filed within thirty (30) days after
776 notification of the action of the board is mailed or served and
777 the proceedings in chancery court shall be conducted as other



778 matters coming before the court. The appeal shall be perfected
779 upon filing notice of the appeal and by the prepayment of all
780 costs, including the cost of preparation of the record of the
781 proceedings by the State Board of Education, and the filing of a
782 bond in the sum of Two Hundred Dollars (\$200.00) conditioned that
783 if the action of the board be affirmed by the chancery court, the
784 applicant or license holder shall pay the costs of the appeal and
785 the action of the chancery court.

786 (17) All such programs, rules, regulations, standards and
787 criteria recommended or authorized by the commission shall become
788 effective upon approval by the State Board of Education as
789 designated by appropriate orders entered upon the minutes thereof.

790 (18) The granting of a license shall not be deemed a
791 property right nor a guarantee of employment in any public school
792 district. A license is a privilege indicating minimal eligibility
793 for teaching in the public school districts of Mississippi. This
794 section shall in no way alter or abridge the authority of local
795 school districts to require greater qualifications or standards of
796 performance as a prerequisite of initial or continued employment
797 in such districts.

798 (19) In addition to the reasons specified in subsections
799 (12) and (13) of this section, the board shall be authorized to
800 suspend the license of any licensee for being out of compliance
801 with an order for support, as defined in Section 93-11-153. The
802 procedure for suspension of a license for being out of compliance



803 with an order for support, and the procedure for the reissuance or
804 reinstatement of a license suspended for that purpose, and the
805 payment of any fees for the reissuance or reinstatement of a
806 license suspended for that purpose, shall be governed by Section
807 93-11-157 or 93-11-163, as the case may be. Actions taken by the
808 board in suspending a license when required by Section 93-11-157
809 or 93-11-163 are not actions from which an appeal may be taken
810 under this section. Any appeal of a license suspension that is
811 required by Section 93-11-157 or 93-11-163 shall be taken in
812 accordance with the appeal procedure specified in Section
813 93-11-157 or 93-11-163, as the case may be, rather than the
814 procedure specified in this section. If there is any conflict
815 between any provision of Section 93-11-157 or 93-11-163 and any
816 provision of this chapter, the provisions of Section 93-11-157 or
817 93-11-163, as the case may be, shall control.

818 **SECTION 3.** Section 37-159-1, Mississippi Code of 1972, is
819 brought forward as follows:

820 37-159-1. This act [Laws of 1998, Chapter 544] shall be
821 known and may be cited as the "Mississippi Critical Teacher
822 Shortage Act of 1998."

823 This section shall stand repealed on July 1, 2020.

824 **SECTION 4.** Section 37-159-5, Mississippi Code of 1972, is
825 brought forward as follows:

826 37-159-5. The State Board of Education shall prescribe rules
827 and regulations which, subject to available appropriations, allow



828 for reimbursement to the state licensed teachers, from both in
829 state and out of state, who enter into a contract for employment
830 in a school district situated within a geographical area of the
831 state where there exists a critical shortage of teachers, as
832 designated by the State Board of Education, for the expense of
833 moving when the employment necessitates the relocation of the
834 teacher to a different geographical area than that in which the
835 teacher resides before entering into such contract. In order to
836 be eligible for the reimbursement, the teacher must apply to the
837 local district and the district must obtain the prior approval
838 from the department for reimbursement before the relocation
839 occurs. If the reimbursement is approved, the department shall
840 provide funds to the school district to reimburse the teacher an
841 amount not to exceed One Thousand Dollars (\$1,000.00) for the
842 documented actual expenses incurred in the course of relocating,
843 including the expense of any professional moving company or
844 persons employed to assist with the move, rented moving vehicles
845 or equipment, mileage in the amount authorized for state employees
846 under Section 25-3-41 if the teacher used his personal vehicle or
847 vehicles for the move, meals and such other expenses associated
848 with the relocation in accordance with the department's
849 established rules and regulations. No teacher may be reimbursed
850 for moving expenses under this section on more than one (1)
851 occasion.



852 Nothing in this section shall be construed to require the
853 actual residence to which the teacher relocates to be within the
854 boundaries of the school district which has executed a contract
855 for employment with the teacher or within the boundaries of the
856 area designated by the State Board of Education as the critical
857 teacher shortage area in order for the teacher to be eligible for
858 reimbursement for his moving expenses. However, teachers must
859 relocate within the boundaries of the State of Mississippi.

860 This section shall stand repealed July 1, 2020.

861 **SECTION 5.** Section 37-159-7, Mississippi Code of 1972, is
862 brought forward as follows:

863 37-159-7. The school board of any school district situated
864 within a geographical area of the state where there exists a
865 critical shortage of teachers, as designated by the State Board of
866 Education, in its discretion, may reimburse persons who interview
867 for employment as a licensed teacher with the district for the
868 mileage and other actual expenses incurred in the course of travel
869 to and from the interview by such persons at the rate authorized
870 for county and municipal employees under Section 25-3-41. Any
871 reimbursement by a school board under this section shall be paid
872 from nonminimum education program funds.

873 This section shall stand repealed July 1, 2020.

874 This section shall stand repealed on July 1, 2020.

875 **SECTION 6.** Section 37-159-11, Mississippi Code of 1972, is
876 brought forward as follows:



877 37-159-11. (1) There is established the Mississippi
878 Employer-Assisted Housing Teacher Program, which shall be a
879 special home loan program for eligible licensed teachers who
880 render service to the state in a geographical area of the state
881 where there exists a critical shortage of teachers, as designated
882 by the State Board of Education. The home loan program shall be
883 administered by the State Department of Education in conjunction
884 with the Federal National Mortgage Association (Fannie Mae). The
885 department may contract with one or more public or private
886 entities to provide assistance in implementing and administering
887 the program. The State Board of Education shall adopt rules and
888 regulations regarding the implementation and administration of the
889 program.

890 (2) Participation in the loan program shall be available to
891 any licensed teacher who renders service in a geographical area of
892 the state where there exists a critical shortage of teachers, as
893 designated by the State Board of Education. Any person who
894 receives a loan under the program shall be required to purchase a
895 house and reside in a county in which the school district for
896 which the teacher is rendering service, or any portion of the
897 school district, is located. The maximum amount of a loan that
898 may be made under the program to any person shall be Six Thousand
899 Dollars (\$6,000.00).

900 (3) Any loan made under the program to a person who actually
901 renders service as a teacher in a geographical area of the state



902 where there exists a critical shortage of teachers, as designated
903 by the State Board of Education, shall be converted to an
904 interest-free grant on the basis of one (1) year's service for
905 one-third (1/3) of the amount of the loan. Any person who does
906 not render three (3) years' service as a teacher in a geographical
907 area of the state where there exists a critical shortage of
908 teachers, as designated by the State Board of Education, shall be
909 liable to the State Department of Education for one-third (1/3) of
910 the amount of the loan for each year that he does not render such
911 service, plus interest accruing at the current Stafford Loan rate
912 at the time the person discontinues his service. If a claim for
913 repayment under this subsection is placed in the hands of an
914 attorney for collection, the obligor shall be liable for an
915 additional amount equal to a reasonable attorney's fee.

916 (4) All funds received by the State Department of Education
917 as repayment of loans by program participants shall be deposited
918 in the Mississippi Critical Teacher Shortage Fund.

919 This section shall stand repealed July 1, 2020.

920 **SECTION 7.** Section 37-159-13, Mississippi Code of 1972, is
921 brought forward as follows:

922 37-159-13. (1) There is established a pilot program to
923 provide for the construction of rental housing units for teachers
924 in the West Tallahatchie School District, which pilot program
925 shall be administered by the State Department of Education. The
926 department may contract with one or more public or private



927 entities to provide assistance in implementing and administering
928 the program. The State Board of Education shall adopt rules and
929 regulations regarding the implementation and administration of the
930 program.

931 (2) The West Tallahatchie School District shall receive
932 proposals from developers for the construction of the rental
933 housing units, and submit its recommendation to the State
934 Department of Education about which developer should construct the
935 units. The department shall make the final determination about
936 the developer that will construct the units.

937 (3) After selection of the developer, the department shall
938 loan the developer not more than Two Hundred Thousand Dollars
939 (\$200,000.00) for construction of the units. The interest rate on
940 the loan shall be equal to one percent (1%) below the discount
941 rate at the Federal Reserve Bank in the Federal Reserve district
942 in which the school district is located, and the loan shall be
943 repaid in not more than fifteen (15) years, as determined by the
944 department. All funds received by the department as repayment of
945 the principal and interest of the loan shall be deposited in the
946 Mississippi Critical Teacher Shortage Fund. If a claim against
947 the developer for repayment is placed in the hands of an attorney
948 for collection, the obligor shall be liable for an additional
949 amount equal to a reasonable attorney's fee.

950 (4) The developer shall operate the rental housing units.
951 For a period of ten (10) years or until such time as the loan to



952 the developer is repaid, whichever is longer, the priority for
953 residence in the units shall be given first to teachers employed
954 by the school district, then to other licensed school district
955 employees, and then to any other school district employees.

956 This section shall stand repealed July 1, 2020.

957 **SECTION 8.** Section 37-159-17, Mississippi Code of 1972, is
958 brought forward as follows:

959 37-159-17. There is established in the State Treasury a
960 special fund to be designated the "Mississippi Critical Teacher
961 Shortage Fund," into which shall be deposited those funds
962 appropriated by the Legislature, and any other funds that may be
963 made available, for the purpose of implementing the programs
964 established under Sections 37-159-5, 37-9-77, 37-3-91 and 37-159-9
965 through 37-159-13. Money in the fund at the end of a fiscal year
966 shall not lapse into the General Fund, and interest earned on any
967 amounts deposited into the fund shall be credited to the special
968 fund.

969 This section shall stand repealed on July 1, 2020.

970 **SECTION 9.** The following shall be codified as Section
971 25-11-126, Mississippi Code of 1972:

972 25-11-126. (1) Any person who has at least twenty-five (25)
973 years of creditable service, who was employed as a public
974 schoolteacher at the time of his or her retirement, and who has
975 been retired and receiving a retirement allowance for at least one
976 (1) year, may be employed as a teacher in a public school district



977 located in a geographic area of the state designated as a critical
978 teacher shortage area by the State Board of Education after
979 retirement, and choose to continue receiving the retirement
980 allowance under this article during his or her employment as a
981 teacher after retirement in addition to receiving the salary
982 authorized under Section 37-19-7 for teachers with zero to three
983 (3) years of teaching experience with a Class A certification for
984 the duration of his or her post-retirement reemployment.

985 (2) (a) The retired teacher may be employed as a teacher,
986 continue receiving his or her retirement allowance and be a
987 contributing member of the system without accruing additional
988 retirement benefits. This method is designed specifically to
989 provide funding for the system to actuarially offset any pension
990 liability by providing the employer contribution plus three
991 percent (3%) of earned compensation as the employee contribution
992 of employees hired under the authority of this section.

993 (b) The State Department of Education shall transfer to
994 the system the Mississippi Adequate Education Program funds of
995 local school districts that on or after July 1, 2018, hire retired
996 members as teachers under this section and other funds that
997 otherwise would have been payable to the districts if the
998 districts had not taken advantage of this section. The crediting
999 of assets and financing shall follow the provisions of Section
1000 25-11-123.



1001 (c) Local educational agencies shall transfer to the
1002 system Mississippi Adequate Education Program funds of local
1003 school districts that on or after July 1, 2018, hire retired
1004 members as teachers under this section and other funds that
1005 otherwise would have been payable to the districts if the
1006 districts had not taken advantage of this section. The crediting
1007 of assets and financing must follow the provisions of Section
1008 25-11-123.

1009 (3) A person may be hired under this section subject to the
1010 following conditions:

1011 (a) The retired member holds any teacher's professional
1012 license or certificate as may be required in Section 37-3-2.

1013 (b) The superintendent of schools of the employing
1014 school district certifies in writing to the State Department of
1015 Education that the retired member has the requisite experience,
1016 training and expertise for the position to be filled and that no
1017 other qualified persons are available to fill the position.

1018 (c) The superintendent of schools of the district
1019 certifies or the principal of the school certifies that there was
1020 no preexisting arrangement for the person to be hired.

1021 (d) The person had a satisfactory performance review
1022 for the most recent period before retirement.

1023 (4) The State Superintendent of Public Education shall
1024 report the persons who are employed under this section to the
1025 Executive Director of the Public Employees' Retirement System.



1026 **SECTION 10.** Section 25-11-105, Mississippi Code of 1972, is
1027 brought forward as follows:

1028 25-11-105. **I. THOSE WHO ARE ELIGIBLE FOR MEMBERSHIP**

1029 The membership of this retirement system shall be composed as
1030 follows:

1031 (a) (i) All persons who become employees in the state
1032 service after January 31, 1953, and whose wages are subject to
1033 payroll taxes and are lawfully reported on IRS Form W-2, except
1034 those specifically excluded, or as to whom election is provided in
1035 Articles 1 and 3, shall become members of the retirement system as
1036 a condition of their employment.

1037 (ii) From and after July 1, 2002, any individual
1038 who is employed by a governmental entity to perform professional
1039 services shall become a member of the system if the individual is
1040 paid regular periodic compensation for those services that is
1041 subject to payroll taxes, is provided all other employee benefits
1042 and meets the membership criteria established by the regulations
1043 adopted by the board of trustees that apply to all other members
1044 of the system; however, any active member employed in such a
1045 position on July 1, 2002, will continue to be an active member for
1046 as long as they are employed in any such position.

1047 (b) All persons who become employees in the state
1048 service after January 31, 1953, except those specifically excluded
1049 or as to whom election is provided in Articles 1 and 3, unless
1050 they file with the board before the lapse of sixty (60) days of



1051 employment or sixty (60) days after the effective date of the
1052 cited articles, whichever is later, on a form prescribed by the
1053 board, a notice of election not to be covered by the membership of
1054 the retirement system and a duly executed waiver of all present
1055 and prospective benefits that would otherwise inure to them on
1056 account of their participation in the system, shall become members
1057 of the retirement system; however, no credit for prior service
1058 will be granted to members who became members of the system before
1059 July 1, 2007, until they have contributed to Article 3 of the
1060 retirement system for a minimum period of at least four (4) years,
1061 or to members who became members of the system on or after July 1,
1062 2007, until they have contributed to Article 3 of the retirement
1063 system for a minimum period of at least eight (8) years. Those
1064 members shall receive credit for services performed before January
1065 1, 1953, in employment now covered by Article 3, but no credit
1066 shall be granted for retroactive services between January 1, 1953,
1067 and the date of their entry into the retirement system, unless the
1068 employee pays into the retirement system both the employer's and
1069 the employee's contributions on wages paid him during the period
1070 from January 31, 1953, to the date of his becoming a contributing
1071 member, together with interest at the rate determined by the board
1072 of trustees. Members reentering after withdrawal from service
1073 shall qualify for prior service under the provisions of Section
1074 25-11-117. From and after July 1, 1998, upon eligibility as noted



1075 above, the member may receive credit for such retroactive service
1076 provided:

1077 (i) The member shall furnish proof satisfactory to
1078 the board of trustees of certification of that service from the
1079 covered employer where the services were performed; and

1080 (ii) The member shall pay to the retirement system
1081 on the date he or she is eligible for that credit or at any time
1082 thereafter before the date of retirement the actuarial cost for
1083 each year of that creditable service. The provisions of this
1084 subparagraph (ii) shall be subject to the limitations of Section
1085 415 of the Internal Revenue Code and regulations promulgated under
1086 Section 415.

1087 Nothing contained in this paragraph (b) shall be construed to
1088 limit the authority of the board to allow the correction of
1089 reporting errors or omissions based on the payment of the employee
1090 and employer contributions plus applicable interest.

1091 (c) All persons who become employees in the state
1092 service after January 31, 1953, and who are eligible for
1093 membership in any other retirement system shall become members of
1094 this retirement system as a condition of their employment, unless
1095 they elect at the time of their employment to become a member of
1096 that other system.

1097 (d) All persons who are employees in the state service
1098 on January 31, 1953, and who are members of any nonfunded
1099 retirement system operated by the State of Mississippi, or any of



1100 its departments or agencies, shall become members of this system
1101 with prior service credit unless, before February 1, 1953, they
1102 file a written notice with the board of trustees that they do not
1103 elect to become members.

1104 (e) All persons who are employees in the state service
1105 on January 31, 1953, and who under existing laws are members of
1106 any fund operated for the retirement of employees by the State of
1107 Mississippi, or any of its departments or agencies, shall not be
1108 entitled to membership in this retirement system unless, before
1109 February 1, 1953, any such person indicates by a notice filed with
1110 the board, on a form prescribed by the board, his individual
1111 election and choice to participate in this system, but no such
1112 person shall receive prior service credit unless he becomes a
1113 member on or before February 1, 1953.

1114 (f) Each political subdivision of the state and each
1115 instrumentality of the state or a political subdivision, or both,
1116 is authorized to submit, for approval by the board of trustees, a
1117 plan for extending the benefits of this article to employees of
1118 any such political subdivision or instrumentality. Each such plan
1119 or any amendment to the plan for extending benefits thereof shall
1120 be approved by the board of trustees if it finds that the plan, or
1121 the plan as amended, is in conformity with such requirements as
1122 are provided in Articles 1 and 3; however, upon approval of the
1123 plan or any such plan previously approved by the board of
1124 trustees, the approved plan shall not be subject to cancellation



1125 or termination by the political subdivision or instrumentality.

1126 No such plan shall be approved unless:

1127 (i) It provides that all services that constitute
1128 employment as defined in Section 25-11-5 and are performed in the
1129 employ of the political subdivision or instrumentality, by any
1130 employees thereof, shall be covered by the plan, with the
1131 exception of municipal employees who are already covered by
1132 existing retirement plans; however, those employees in this class
1133 may elect to come under the provisions of this article;

1134 (ii) It specifies the source or sources from which
1135 the funds necessary to make the payments required by paragraph (d)
1136 of Section 25-11-123 and of paragraph (f) (v)2 and 3 of this
1137 section are expected to be derived and contains reasonable
1138 assurance that those sources will be adequate for that purpose;

1139 (iii) It provides for such methods of
1140 administration of the plan by the political subdivision or
1141 instrumentality as are found by the board of trustees to be
1142 necessary for the proper and efficient administration thereof;

1143 (iv) It provides that the political subdivision or
1144 instrumentality will make such reports, in such form and
1145 containing such information, as the board of trustees may from
1146 time to time require;

1147 (v) It authorizes the board of trustees to
1148 terminate the plan in its entirety in the discretion of the board
1149 if it finds that there has been a failure to comply substantially



1150 with any provision contained in the plan, the termination to take
1151 effect at the expiration of such notice and on such conditions as
1152 may be provided by regulations of the board and as may be
1153 consistent with applicable federal law.

1154 1. The board of trustees shall not finally
1155 refuse to approve a plan submitted under paragraph (f), and shall
1156 not terminate an approved plan without reasonable notice and
1157 opportunity for hearing to each political subdivision or
1158 instrumentality affected by the board's decision. The board's
1159 decision in any such case shall be final, conclusive and binding
1160 unless an appeal is taken by the political subdivision or
1161 instrumentality aggrieved by the decision to the Circuit Court of
1162 the First Judicial District of Hinds County, Mississippi, in
1163 accordance with the provisions of law with respect to civil causes
1164 by certiorari.

1165 2. Each political subdivision or
1166 instrumentality as to which a plan has been approved under this
1167 section shall pay into the contribution fund, with respect to
1168 wages (as defined in Section 25-11-5), at such time or times as
1169 the board of trustees may by regulation prescribe, contributions
1170 in the amounts and at the rates specified in the applicable
1171 agreement entered into by the board.

1172 3. Every political subdivision or
1173 instrumentality required to make payments under paragraph (f)(v)2
1174 of this section is authorized, in consideration of the employees'



1175 retention in or entry upon employment after enactment of Articles
1176 1 and 3, to impose upon its employees, as to services that are
1177 covered by an approved plan, a contribution with respect to wages
1178 (as defined in Section 25-11-5) not exceeding the amount provided
1179 in Section 25-11-123(d) if those services constituted employment
1180 within the meaning of Articles 1 and 3, and to deduct the amount
1181 of the contribution from the wages as and when paid.

1182 Contributions so collected shall be paid into the contribution
1183 fund as partial discharge of the liability of the political
1184 subdivisions or instrumentalities under paragraph (f)(v)2 of this
1185 section. Failure to deduct the contribution shall not relieve the
1186 employee or employer of liability for the contribution.

1187 4. Any state agency, school, political
1188 subdivision, instrumentality or any employer that is required to
1189 submit contribution payments or wage reports under any section of
1190 this chapter shall be assessed interest on delinquent payments or
1191 wage reports as determined by the board of trustees in accordance
1192 with rules and regulations adopted by the board and delinquent
1193 payments, assessed interest and any other amount certified by the
1194 board as owed by an employer, may be recovered by action in a
1195 court of competent jurisdiction against the reporting agency
1196 liable therefor or may, upon due certification of delinquency and
1197 at the request of the board of trustees, be deducted from any
1198 other monies payable to the reporting agency by any department or
1199 agency of the state.



1200 5. Each political subdivision of the state
1201 and each instrumentality of the state or a political subdivision
1202 or subdivisions that submit a plan for approval of the board, as
1203 provided in this section, shall reimburse the board for coverage
1204 into the expense account, its pro rata share of the total expense
1205 of administering Articles 1 and 3 as provided by regulations of
1206 the board.

1207 (g) The board may, in its discretion, deny the right of
1208 membership in this system to any class of employees whose
1209 compensation is only partly paid by the state or who are occupying
1210 positions on a part-time or intermittent basis. The board may, in
1211 its discretion, make optional with employees in any such classes
1212 their individual entrance into this system.

1213 (h) An employee whose membership in this system is
1214 contingent on his own election, and who elects not to become a
1215 member, may thereafter apply for and be admitted to membership;
1216 but no such employee shall receive prior service credit unless he
1217 becomes a member before July 1, 1953, except as provided in
1218 paragraph (b).

1219 (i) If any member of this system changes his employment
1220 to any agency of the state having an actuarially funded retirement
1221 system, the board of trustees may authorize the transfer of the
1222 member's creditable service and of the present value of the
1223 member's employer's accumulation account and of the present value
1224 of the member's accumulated membership contributions to that other



1225 system, provided that the employee agrees to the transfer of his
1226 accumulated membership contributions and provided that the other
1227 system is authorized to receive and agrees to make the transfer.

1228 If any member of any other actuarially funded system
1229 maintained by an agency of the state changes his employment to an
1230 agency covered by this system, the board of trustees may authorize
1231 the receipt of the transfer of the member's creditable service and
1232 of the present value of the member's employer's accumulation
1233 account and of the present value of the member's accumulated
1234 membership contributions from the other system, provided that the
1235 employee agrees to the transfer of his accumulated membership
1236 contributions to this system and provided that the other system is
1237 authorized and agrees to make the transfer.

1238 (j) Wherever state employment is referred to in this
1239 section, it includes joint employment by state and federal
1240 agencies of all kinds.

1241 (k) Employees of a political subdivision or
1242 instrumentality who were employed by the political subdivision or
1243 instrumentality before an agreement between the entity and the
1244 Public Employees' Retirement System to extend the benefits of this
1245 article to its employees, and which agreement provides for the
1246 establishment of retroactive service credit, and who became
1247 members of the retirement system before July 1, 2007, and have
1248 remained contributors to the retirement system for four (4) years,
1249 or who became members of the retirement system on or after July 1,



1250 2007, and have remained contributors to the retirement system for
1251 eight (8) years, may receive credit for that retroactive service
1252 with the political subdivision or instrumentality, provided that
1253 the employee and/or employer, as provided under the terms of the
1254 modification of the joinder agreement in allowing that coverage,
1255 pay into the retirement system the employer's and employee's
1256 contributions on wages paid the member during the previous
1257 employment, together with interest or actuarial cost as determined
1258 by the board covering the period from the date the service was
1259 rendered until the payment for the credit for the service was
1260 made. Those wages shall be verified by the Social Security
1261 Administration or employer payroll records. Effective July 1,
1262 1998, upon eligibility as noted above, a member may receive credit
1263 for that retroactive service with the political subdivision or
1264 instrumentality provided:

1265 (i) The member shall furnish proof satisfactory to
1266 the board of trustees of certification of those services from the
1267 political subdivision or instrumentality where the services were
1268 rendered or verification by the Social Security Administration;
1269 and

1270 (ii) The member shall pay to the retirement system
1271 on the date he or she is eligible for that credit or at any time
1272 thereafter before the date of retirement the actuarial cost for
1273 each year of that creditable service. The provisions of this
1274 subparagraph (ii) shall be subject to the limitations of Section



1275 415 of the Internal Revenue Code and regulations promulgated under
1276 Section 415.

1277 Nothing contained in this paragraph (k) shall be construed to
1278 limit the authority of the board to allow the correction of
1279 reporting errors or omissions based on the payment of employee and
1280 employer contributions plus applicable interest. Payment for that
1281 time shall be made beginning with the most recent service. Upon
1282 the payment of all or part of the required contributions, plus
1283 interest or the actuarial cost as provided above, the member shall
1284 receive credit for the period of creditable service for which full
1285 payment has been made to the retirement system.

1286 (1) Through June 30, 1998, any state service eligible
1287 for retroactive service credit, no part of which has ever been
1288 reported, and requiring the payment of employee and employer
1289 contributions plus interest, or, from and after July 1, 1998, any
1290 state service eligible for retroactive service credit, no part of
1291 which has ever been reported to the retirement system, and
1292 requiring the payment of the actuarial cost for that creditable
1293 service, may, at the member's option, be purchased in quarterly
1294 increments as provided above at the time that its purchase is
1295 otherwise allowed.

1296 (m) All rights to purchase retroactive service credit
1297 or repay a refund as provided in Section 25-11-101 et seq. shall
1298 terminate upon retirement.

1299 **II. THOSE WHO ARE NOT ELIGIBLE FOR MEMBERSHIP**



1300 The following classes of employees and officers shall not
1301 become members of this retirement system, any other provisions of
1302 Articles 1 and 3 to the contrary notwithstanding:

1303 (a) Patient or inmate help in state charitable, penal
1304 or correctional institutions;

1305 (b) Students of any state educational institution
1306 employed by any agency of the state for temporary, part-time or
1307 intermittent work;

1308 (c) Participants of Comprehensive Employment and
1309 Training Act of 1973 (CETA) being Public Law 93-203, who enroll on
1310 or after July 1, 1979;

1311 (d) From and after July 1, 2002, individuals who are
1312 employed by a governmental entity to perform professional service
1313 on less than a full-time basis who do not meet the criteria
1314 established in I(a)(ii) of this section.

1315 **III. TERMINATION OF MEMBERSHIP**

1316 Membership in this system shall cease by a member withdrawing
1317 his accumulated contributions, or by a member withdrawing from
1318 active service with a retirement allowance, or by a member's
1319 death.

1320 **SECTION 11.** Section 25-11-123, Mississippi Code of 1972, is
1321 amended as follows:

1322 25-11-123. All of the assets of the system shall be credited
1323 according to the purpose for which they are held to one (1) of
1324 four (4) reserves; namely, the annuity savings account, the



1325 annuity reserve, the employer's accumulation account, and the
1326 expense account.

1327 (a) **Annuity savings account.** In the annuity savings account
1328 shall be accumulated the contributions made by members to provide
1329 for their annuities, including interest thereon which shall be
1330 posted monthly. Credits to and charges against the annuity
1331 savings account shall be made as follows:

1332 (1) Beginning July 1, 2010, except as otherwise
1333 provided by Section 25-11-126, the employer shall cause to be
1334 deducted from the salary of each member on each and every payroll
1335 of the employer for each and every payroll period nine percent
1336 (9%) of earned compensation as defined in Section 25-11-103.
1337 Future contributions shall be fixed biennially by the board on the
1338 basis of the liabilities of the retirement system for the various
1339 allowances and benefits as shown by actuarial valuation; however,
1340 any member earning at a rate less than Sixteen Dollars and
1341 Sixty-seven Cents (\$16.67) per month, or Two Hundred Dollars
1342 (\$200.00) per year, shall contribute not less than One Dollar
1343 (\$1.00) per month, or Twelve Dollars (\$12.00) per year.

1344 (2) The deductions provided in paragraph (1) of this
1345 subsection shall be made notwithstanding that the minimum
1346 compensation provided by law for any member is reduced by the
1347 deduction. Every member shall be deemed to consent and agree to
1348 the deductions made and provided for in paragraph (1) of this
1349 subsection and shall receipt for his full salary or compensation,



1350 and payment of salary or compensation less the deduction shall be
1351 a full and complete discharge and acquittance of all claims and
1352 demands whatsoever for the services rendered by the person during
1353 the period covered by the payment, except as to the benefits
1354 provided under Articles 1 and 3. The board shall provide by rules
1355 for the methods of collection of contributions from members and
1356 the employer. The board shall have full authority to require the
1357 production of evidence necessary to verify the correctness of
1358 amounts contributed.

1359 (b) **Annuity reserve.** The annuity reserve shall be the
1360 account representing the actuarial value of all annuities in
1361 force, and to it shall be charged all annuities and all benefits
1362 in lieu of annuities, payable as provided in this article. If a
1363 beneficiary retired on account of disability is restored to active
1364 service with a compensation not less than his average final
1365 compensation at the time of his last retirement, the remainder of
1366 his contributions shall be transferred from the annuity reserve to
1367 the annuity savings account and credited to his individual account
1368 therein, and the balance of his annuity reserve shall be
1369 transferred to the employer's accumulation account.

1370 (c) **Employer's accumulation account.** The employer's
1371 accumulation account shall represent the accumulation of all
1372 reserves for the payment of all retirement allowances and other
1373 benefits payable from contributions made by the employer, and
1374 against this account shall be charged all retirement allowances



1375 and other benefits on account of members. Credits to and charges
1376 against the employer's accumulation account shall be made as
1377 follows:

1378 (1) On account of each member there shall be paid
1379 monthly into the employer's accumulation account by the employers
1380 for the preceding fiscal year an amount equal to a certain
1381 percentage of the total earned compensation, as defined in Section
1382 25-11-103, of each member. The percentage rate of those
1383 contributions shall be fixed biennially by the board on the basis
1384 of the liabilities of the retirement system for the various
1385 allowances and benefits as shown by actuarial valuation.
1386 Beginning January 1, 1990, the rate shall be fixed at nine and
1387 three-fourths percent (9-3/4%). The board shall reduce the
1388 employer's contribution rate by one percent (1%) from and after
1389 July 1 of the year following the year in which the board
1390 determines and the board's actuary certifies that the employer's
1391 contribution rate can be reduced by that amount without causing
1392 the unfunded accrued actuarial liability amortization period for
1393 the retirement system to exceed twenty (20) years. Political
1394 subdivisions joining Article 3 of the Public Employees' Retirement
1395 System after July 1, 1968, may adjust the employer's contributions
1396 by agreement with the Board of Trustees of the Public Employees'
1397 Retirement System to provide service credits for any period before
1398 execution of the agreement based upon an actuarial determination
1399 of employer's contribution rates.



1400 (2) On the basis of regular interest and of such
1401 mortality and other tables as are adopted by the board of
1402 trustees, the actuary engaged by the board to make each valuation
1403 required by this article during the period over which the accrued
1404 liability contribution is payable, immediately after making that
1405 valuation, shall determine the uniform and constant percentage of
1406 the earnable compensation of each member which, if contributed by
1407 the employer on the basis of compensation of the member throughout
1408 his entire period of membership service, would be sufficient to
1409 provide for the payment of any retirement allowance payable on his
1410 account for that service. The percentage rate so determined shall
1411 be known as the "normal contribution rate." After the accrued
1412 liability contribution has ceased to be payable, the normal
1413 contribution rate shall be the percentage rate of the salary of
1414 all members obtained by deducting from the total liabilities on
1415 account of membership service the amount in the employer's
1416 accumulation account, and dividing the remainder by one percent
1417 (1%) of the present value of the prospective future salaries of
1418 all members as computed on the basis of the mortality and service
1419 tables adopted by the board of trustees and regular interest. The
1420 normal rate of contributions shall be determined by the actuary
1421 after each valuation.

1422 (3) The total amount payable in each year to the
1423 employer's accumulation account shall not be less than the sum of
1424 the percentage rate known as the "normal contribution rate" and



1425 the "accrued liability contribution rate" of the total
1426 compensation earnable by all members during the preceding year,
1427 provided that the payment by the employer shall be sufficient,
1428 when combined with the amounts in the account, to provide the
1429 allowances and other benefits chargeable to this account during
1430 the year then current.

1431 (4) The accrued liability contribution shall be
1432 discontinued as soon as the accumulated balance in the employer's
1433 accumulation account shall equal the present value, computed on
1434 the basis of the normal contribution rate then in force, or the
1435 prospective normal contributions to be received on account of all
1436 persons who are at that time members.

1437 (5) All allowances and benefits in lieu thereof, with
1438 the exception of those payable on account of members who receive
1439 no prior service credit, payable from contributions of the
1440 employer, shall be paid from the employer's accumulation account.

1441 (6) Upon the retirement of a member, an amount equal to
1442 his retirement allowance shall be transferred from the employer's
1443 accumulation account to the annuity reserve.

1444 (7) The employer's accumulation account shall be
1445 credited with any assets authorized by law to be credited to the
1446 account.

1447 (d) **Expense account.** The expense account shall be the
1448 account to which the expenses of the administration of the system
1449 shall be charged, exclusive of amounts payable as retirement



1450 allowances and as other benefits provided herein. The Legislature
1451 shall make annual appropriations in amounts sufficient to
1452 administer the system, which shall be credited to this account.
1453 There shall be transferred to the State Treasury from this
1454 account, not less than once per month, an amount sufficient for
1455 payment of the estimated expenses of the system for the succeeding
1456 thirty (30) days. Any interest earned on the expense account
1457 shall accrue to the benefit of the system. However,
1458 notwithstanding the provisions of Sections 25-11-15(10) and
1459 25-11-105(f) (v)5, all expenses of the administration of the system
1460 shall be paid from the interest earnings, provided the interest
1461 earnings are in excess of the actuarial interest assumption as
1462 determined by the board, and provided the present cost of the
1463 administrative expense fee of two percent (2%) of the
1464 contributions reported by the political subdivisions and
1465 instrumentalities shall be reduced to one percent (1%) from and
1466 after July 1, 1983, through June 30, 1984, and shall be eliminated
1467 thereafter.

1468 (e) **Collection of contributions.** The employer shall cause
1469 to be deducted on each and every payroll of a member for each and
1470 every payroll period, beginning subsequent to January 31, 1953,
1471 the contributions payable by the member as provided in Articles 1
1472 and 3.

1473 The employer shall make deductions from salaries of employees
1474 as provided in Articles 1 and 3 and shall transmit monthly, or at



1475 such time as the board of trustees designates, the amount
1476 specified to be deducted to the Executive Director of the Public
1477 Employees' Retirement System. The executive director, after
1478 making a record of all those receipts, shall deposit such amounts
1479 as provided by law.

1480 (f) (1) Upon the basis of each actuarial valuation provided
1481 herein, the board of trustees shall biennially determine the
1482 normal contribution rate and the accrued liability contribution
1483 rate as provided in this section. The sum of these two (2) rates
1484 shall be known as the "employer's contribution rate." Beginning
1485 on earned compensation effective January 1, 1990, the rate
1486 computed as provided in this section shall be nine and
1487 three-fourths percent (9-3/4%). The board shall reduce the
1488 employer's contribution rate by one percent (1%) from and after
1489 July 1 of the year following the year in which the board
1490 determines and the board's actuary certifies that the employer's
1491 contribution rate can be reduced by that amount without causing
1492 the unfunded accrued actuarial liability amortization period for
1493 the retirement system to exceed twenty (20) years. The percentage
1494 rate of those contributions shall be fixed biennially by the board
1495 on the basis of the liabilities of the retirement system for the
1496 various allowances and benefits as shown by actuarial valuation.

1497 (2) The amount payable by the employer on account of
1498 normal and accrued liability contributions shall be determined by
1499 applying the employer's contribution rate to the amount of



1500 compensation earned by employees who are members of the system.
1501 Monthly, or at such time as the board of trustees designates, each
1502 department or agency shall compute the amount of the employer's
1503 contribution payable, with respect to the salaries of its
1504 employees who are members of the system, and shall cause that
1505 amount to be paid to the board of trustees from the personal
1506 service allotment of the amount appropriated for the operation of
1507 the department or agency, or from funds otherwise available to the
1508 agency, for the payment of salaries to its employees.

1509 (3) Except as otherwise provided in Section 25-11-106:

1510 (i) Constables shall pay employer and employee
1511 contributions on their net fee income as well as the employee
1512 contributions on all direct treasury or county payroll income.

1513 (ii) The county shall be responsible for the
1514 employer contribution on all direct treasury or county payroll
1515 income of constables.

1516 (4) Except as otherwise provided in Section
1517 25-11-106.1, chancery and circuit clerks shall be responsible for
1518 both the employer and employee share of contributions on the
1519 proportionate share of net income attributable to fees, as well as
1520 the employee share of net income attributable to direct treasury
1521 or county payroll income, and the employing county shall be
1522 responsible for the employer contributions on the net income
1523 attributable to direct treasury or county payroll income.



1524 (5) Once each year, under procedures established by the
1525 system, each employer shall submit to the Public Employees'
1526 Retirement System a copy of their report to Social Security of all
1527 employees' earnings.

1528 (6) The board shall provide by rules for the methods of
1529 collection of contributions of employers and members. The amounts
1530 determined due by an agency to the various funds as specified in
1531 Articles 1 and 3 are made obligations of the agency to the board
1532 and shall be paid as provided herein. Failure to deduct those
1533 contributions shall not relieve the employee and employer from
1534 liability thereof. Delinquent employee contributions and any
1535 accrued interest shall be the obligation of the employee and
1536 delinquent employer contributions and any accrued interest shall
1537 be the obligation of the employer. The employer may, in its
1538 discretion, elect to pay any or all of the interest on delinquent
1539 employee contributions. From and after July 1, 1996, under rules
1540 and regulations established by the board, all employers are
1541 authorized and shall transfer all funds due to the Public
1542 Employees' Retirement System electronically and shall transmit any
1543 wage or other reports by computerized reporting systems.

1544 **SECTION 12.** Section 25-11-127, Mississippi Code of 1972, is
1545 amended as follows:

1546 25-11-127. (1) (a) No person who is being paid a
1547 retirement allowance or a pension after retirement under this
1548 article shall be employed or paid for any service by the State of



1549 Mississippi, including services as an employee, contract worker,
1550 contractual employee or independent contractor, until the retired
1551 person has been retired for not less than ninety (90) consecutive
1552 days from his or her effective date of retirement. After the
1553 person has been retired for not less than ninety (90) consecutive
1554 days from his or her effective date of retirement or such later
1555 date as established by the board, he or she may be reemployed
1556 while being paid a retirement allowance under the terms and
1557 conditions provided in this section or in Section 25-11-126.

1558 (b) No retiree of this retirement system who is
1559 reemployed or is reelected to office after retirement shall
1560 continue to draw retirement benefits while so reemployed, except
1561 as provided in this section or in Section 25-11-126.

1562 (c) No person employed or elected under the exceptions
1563 provided for in this section shall become a member under Article 3
1564 of the retirement system.

1565 (2) Except as otherwise provided in Section 25-11-126, any
1566 person who has been retired under the provisions of Article 3 and
1567 who is later reemployed in service covered by this article shall
1568 cease to receive benefits under this article and shall again
1569 become a contributing member of the retirement system. When the
1570 person retires again, if the person has been a contributing member
1571 of the retirement system during the reemployment and the
1572 reemployment exceeds six (6) months, the person shall have his or
1573 her benefit recomputed, including service after again becoming a



1574 member, provided that the total retirement allowance paid to the
1575 retired member in his or her previous retirement shall be deducted
1576 from the member's retirement reserve and taken into consideration
1577 in recalculating the retirement allowance under a new option
1578 selected.

1579 (3) The board shall have the right to prescribe rules and
1580 regulations for carrying out the provisions of this section.

1581 (4) The provisions of this section shall not be construed to
1582 prohibit any retiree, regardless of age, from being employed and
1583 drawing a retirement allowance either:

1584 (a) For a period of time not to exceed one-half (1/2)
1585 of the normal working days for the position in any fiscal year
1586 during which the retiree will receive no more than one-half (1/2)
1587 of the salary in effect for the position at the time of
1588 employment, or

1589 (b) For a period of time in any fiscal year sufficient
1590 in length to permit a retiree to earn not in excess of twenty-five
1591 percent (25%) of retiree's average compensation.

1592 To determine the normal working days for a position under
1593 paragraph (a) of this subsection, the employer shall determine the
1594 required number of working days for the position on a full-time
1595 basis and the equivalent number of hours representing the
1596 full-time position. The retiree then may work up to one-half
1597 (1/2) of the required number of working days or up to one-half
1598 (1/2) of the equivalent number of hours and receive up to one-half



1599 (1/2) of the salary for the position. In the case of employment
1600 with multiple employers, the limitation shall equal one-half (1/2)
1601 of the number of days or hours for a single full-time position.

1602 Notice shall be given in writing to the executive director,
1603 setting forth the facts upon which the employment is being made,
1604 and the notice shall be given within five (5) days from the date
1605 of employment and also from the date of termination of the
1606 employment.

1607 (5) Except as otherwise provided in subsection (6) of this
1608 section, the employer of any person who is receiving a retirement
1609 allowance and who is employed in service covered by subsection (4)
1610 of this section as an employee or a contractual employee shall pay
1611 to the board the full amount of the employer's contribution on the
1612 amount of compensation received by the retiree for his or her
1613 employment in accordance with regulations prescribed by the board.
1614 The retiree shall not receive any additional creditable service in
1615 the retirement system as a result of the payment of the employer's
1616 contribution. This subsection does not apply to persons who are
1617 receiving a retirement allowance and who contract with an employer
1618 to provide services as a true independent contractor, as defined
1619 by the board through regulation.

1620 (6) (a) A member may retire and continue in municipal or
1621 county elective office provided that the member has reached the
1622 age and/or service requirement that will not result in a
1623 prohibited in-service distribution as defined by the Internal



1624 Revenue Service, or a retiree may be elected to a municipal or
1625 county office, provided that the person:

1626 (i) Files annually, in writing, in the office of
1627 the employer and the office of the executive director of the
1628 system before the person takes office or as soon as possible after
1629 retirement, a waiver of all salary or compensation and elects to
1630 receive in lieu of that salary or compensation a retirement
1631 allowance as provided in this section, in which event no salary or
1632 compensation shall thereafter be due or payable for those
1633 services; however, any such officer or employee may receive, in
1634 addition to the retirement allowance, office expense allowance,
1635 mileage or travel expense authorized by any statute of the State
1636 of Mississippi; or

1637 (ii) Elects to receive compensation for that
1638 elective office in an amount not to exceed twenty-five percent
1639 (25%) of the retiree's average compensation. In order to receive
1640 compensation as allowed in this subparagraph, the retiree shall
1641 file annually, in writing, in the office of the employer and the
1642 office of the executive director of the system, an election to
1643 receive, in addition to a retirement allowance, compensation as
1644 allowed in this subparagraph.

1645 (b) The municipality or county in which the retired
1646 person holds elective office shall pay to the board the amount of
1647 the employer's contributions on the full amount of the regular



1648 compensation for the elective office that the retired person
1649 holds.

1650 (c) As used in this subsection, the term "compensation"
1651 does not include office expense allowance, mileage or travel
1652 expense authorized by a statute of the State of Mississippi.

1653 **SECTION 13.** Section 37-19-7, Mississippi Code of 1972, is
1654 brought forward as follows:

1655 37-19-7. (1) The allowance in the Mississippi Adequate
1656 Education Program for teachers' salaries in each county and
1657 separate school district shall be determined and paid in
1658 accordance with the scale for teachers' salaries as provided in
1659 this subsection. For teachers holding the following types of
1660 licenses or the equivalent as determined by the State Board of
1661 Education, and the following number of years of teaching
1662 experience, the scale shall be as follows:

1663 **2014-2015 MINIMUM SALARY SCHEDULE**

1664	Years				
1665	Exp.	AAAA	AAA	AA	A
1666	0	38,108.00	36,944.00	35,780.00	33,390.00
1667	1	38,108.00	36,944.00	35,780.00	33,390.00
1668	2	38,108.00	36,944.00	35,780.00	33,390.00
1669	3	38,902.00	37,671.00	36,440.00	33,885.00
1670	4	39,696.00	38,398.00	37,100.00	34,380.00
1671	5	40,490.00	39,125.00	37,760.00	34,875.00
1672	6	41,284.00	39,852.00	38,420.00	35,370.00



1673	7	42,078.00	40,579.00	39,080.00	35,865.00
1674	8	42,872.00	41,306.00	39,740.00	36,360.00
1675	9	43,666.00	42,033.00	40,400.00	36,855.00
1676	10	44,460.00	42,760.00	41,060.00	37,350.00
1677	11	45,254.00	43,487.00	41,720.00	37,845.00
1678	12	46,048.00	44,214.00	42,380.00	38,340.00
1679	13	46,842.00	44,941.00	43,040.00	38,835.00
1680	14	47,636.00	45,668.00	43,700.00	39,330.00
1681	15	48,430.00	46,395.00	44,360.00	39,825.00
1682	16	49,224.00	47,122.00	45,020.00	40,320.00
1683	17	50,018.00	47,849.00	45,680.00	40,815.00
1684	18	50,812.00	48,576.00	46,340.00	41,310.00
1685	19	51,606.00	49,303.00	47,000.00	41,805.00
1686	20	52,400.00	50,030.00	47,660.00	42,300.00
1687	21	53,194.00	50,757.00	48,320.00	42,795.00
1688	22	53,988.00	51,484.00	48,980.00	43,290.00
1689	23	54,782.00	52,211.00	49,640.00	43,785.00
1690	24	55,576.00	52,938.00	50,300.00	44,280.00
1691	25	58,430.00	55,725.00	53,020.00	46,835.00
1692	26	59,224.00	56,452.00	53,680.00	47,330.00
1693	27	60,018.00	57,179.00	54,340.00	47,825.00
1694	28	60,812.00	57,906.00	55,000.00	48,320.00
1695	29	61,606.00	58,633.00	55,660.00	48,815.00
1696	30	62,400.00	59,360.00	56,320.00	49,310.00
1697	31	63,194.00	60,087.00	56,980.00	49,805.00



1698	32	63,988.00	60,814.00	57,640.00	50,300.00
1699	33	64,782.00	61,541.00	58,300.00	50,795.00
1700	34	65,576.00	62,268.00	58,960.00	51,290.00
1701	35				
1702	& above	66,370.00	62,995.00	59,620.00	51,785.00

2015-2016 MINIMUM SALARY SCHEDULE

1704	Years				
1705	Exp.	AAAA	AAA	AA	A
1706	0	39,108.00	37,944.00	36,780.00	34,390.00
1707	1	39,108.00	37,944.00	36,780.00	34,390.00
1708	2	39,108.00	37,944.00	36,780.00	34,390.00
1709	3	39,902.00	38,671.00	37,440.00	34,885.00
1710	4	40,696.00	39,398.00	38,100.00	35,380.00
1711	5	41,490.00	40,125.00	38,760.00	35,875.00
1712	6	42,284.00	40,852.00	39,420.00	36,370.00
1713	7	43,078.00	41,579.00	40,080.00	36,865.00
1714	8	43,872.00	42,306.00	40,740.00	37,360.00
1715	9	44,666.00	43,033.00	41,400.00	37,855.00
1716	10	45,460.00	43,760.00	42,060.00	38,350.00
1717	11	46,254.00	44,487.00	42,720.00	38,845.00
1718	12	47,048.00	45,214.00	43,380.00	39,340.00
1719	13	47,842.00	45,941.00	44,040.00	39,835.00
1720	14	48,636.00	46,668.00	44,700.00	40,330.00
1721	15	49,430.00	47,395.00	45,360.00	40,825.00
1722	16	50,224.00	48,122.00	46,020.00	41,320.00



1723	17	51,018.00	48,849.00	46,680.00	41,815.00
1724	18	51,812.00	49,576.00	47,340.00	42,310.00
1725	19	52,606.00	50,303.00	48,000.00	42,805.00
1726	20	53,400.00	51,030.00	48,660.00	43,300.00
1727	21	54,194.00	51,757.00	49,320.00	43,795.00
1728	22	54,988.00	52,484.00	49,980.00	44,290.00
1729	23	55,782.00	53,211.00	50,640.00	44,785.00
1730	24	56,576.00	53,938.00	51,300.00	45,280.00
1731	25	59,430.00	56,725.00	54,020.00	47,835.00
1732	26	60,224.00	57,452.00	54,680.00	48,330.00
1733	27	61,018.00	58,179.00	55,340.00	48,825.00
1734	28	61,812.00	58,906.00	56,000.00	49,320.00
1735	29	62,606.00	59,633.00	56,660.00	49,815.00
1736	30	63,400.00	60,360.00	57,320.00	50,310.00
1737	31	64,194.00	61,087.00	57,980.00	50,805.00
1738	32	64,988.00	61,814.00	58,640.00	51,300.00
1739	33	65,782.00	62,541.00	59,300.00	51,795.00
1740	34	66,576.00	63,268.00	59,960.00	52,290.00
1741	35				
1742	& above	67,370.00	63,995.00	60,620.00	52,785.00

1743 It is the intent of the Legislature that any state funds made
1744 available for salaries of licensed personnel in excess of the
1745 funds paid for such salaries for the 1986-1987 school year shall
1746 be paid to licensed personnel pursuant to a personnel appraisal
1747 and compensation system implemented by the State Board of



1748 Education. The State Board of Education shall have the authority
1749 to adopt and amend rules and regulations as are necessary to
1750 establish, administer and maintain the system.

1751 All teachers employed on a full-time basis shall be paid a
1752 minimum salary in accordance with the above scale. However, no
1753 school district shall receive any funds under this section for any
1754 school year during which the local supplement paid to any
1755 individual teacher shall have been reduced to a sum less than that
1756 paid to that individual teacher for performing the same duties
1757 from local supplement during the immediately preceding school
1758 year. The amount actually spent for the purposes of group health
1759 and/or life insurance shall be considered as a part of the
1760 aggregate amount of local supplement but shall not be considered a
1761 part of the amount of individual local supplement.

1762 The level of professional training of each teacher to be used
1763 in establishing the salary allotment for the teachers for each
1764 year shall be determined by the type of valid teacher's license
1765 issued to those teachers on or before October 1 of the current
1766 school year. Provided, however, that school districts are
1767 authorized, in their discretion, to negotiate the salary levels
1768 applicable to certificated employees who are receiving retirement
1769 benefits from the retirement system of another state, and the
1770 annual experience increment provided above in Section 37-19-7
1771 shall not be applicable to any such retired certificated employee.



1772 (2) (a) The following employees shall receive an annual
1773 salary supplement in the amount of Six Thousand Dollars
1774 (\$6,000.00), plus fringe benefits, in addition to any other
1775 compensation to which the employee may be entitled:

1776 (i) Any licensed teacher who has met the
1777 requirements and acquired a Master Teacher certificate from the
1778 National Board for Professional Teaching Standards and who is
1779 employed by a local school board or the State Board of Education
1780 as a teacher and not as an administrator. Such teacher shall
1781 submit documentation to the State Department of Education that the
1782 certificate was received prior to October 15 in order to be
1783 eligible for the full salary supplement in the current school
1784 year, or the teacher shall submit such documentation to the State
1785 Department of Education prior to February 15 in order to be
1786 eligible for a prorated salary supplement beginning with the
1787 second term of the school year.

1788 (ii) A licensed nurse who has met the requirements
1789 and acquired a certificate from the National Board for
1790 Certification of School Nurses, Inc., and who is employed by a
1791 local school board or the State Board of Education as a school
1792 nurse and not as an administrator. The licensed school nurse
1793 shall submit documentation to the State Department of Education
1794 that the certificate was received before October 15 in order to be
1795 eligible for the full salary supplement in the current school
1796 year, or the licensed school nurse shall submit the documentation



1797 to the State Department of Education before February 15 in order
1798 to be eligible for a prorated salary supplement beginning with the
1799 second term of the school year. Provided, however, that the total
1800 number of licensed school nurses eligible for a salary supplement
1801 under this subparagraph (ii) shall not exceed thirty-five (35).

1802 (iii) Any licensed school counselor who has met
1803 the requirements and acquired a National Certified School
1804 Counselor (NCSC) endorsement from the National Board of Certified
1805 Counselors and who is employed by a local school board or the
1806 State Board of Education as a counselor and not as an
1807 administrator. Such licensed school counselor shall submit
1808 documentation to the State Department of Education that the
1809 endorsement was received prior to October 15 in order to be
1810 eligible for the full salary supplement in the current school
1811 year, or the licensed school counselor shall submit such
1812 documentation to the State Department of Education prior to
1813 February 15 in order to be eligible for a prorated salary
1814 supplement beginning with the second term of the school year.
1815 However, any school counselor who started the National Board for
1816 Professional Teaching Standards process for school counselors
1817 between June 1, 2003, and June 30, 2004, and completes the
1818 requirements and acquires the Master Teacher certificate shall be
1819 entitled to the master teacher supplement, and those counselors
1820 who complete the process shall be entitled to a one-time



1821 reimbursement for the actual cost of the process as outlined in
1822 paragraph (b) of this subsection.

1823 (iv) Any licensed speech-language pathologist and
1824 audiologist who has met the requirements and acquired a
1825 Certificate of Clinical Competence from the American
1826 Speech-Language-Hearing Association and any certified academic
1827 language therapist (CALT) who has met the certification
1828 requirements of the Academic Language Therapy Association and who
1829 is employed by a local school board or is employed by a state
1830 agency under the State Personnel Board. The licensed
1831 speech-language pathologist and audiologist and certified academic
1832 language therapist shall submit documentation to the State
1833 Department of Education that the certificate or endorsement was
1834 received before October 15 in order to be eligible for the full
1835 salary supplement in the current school year, or the licensed
1836 speech-language pathologist and audiologist and certified academic
1837 language therapist shall submit the documentation to the State
1838 Department of Education before February 15 in order to be eligible
1839 for a prorated salary supplement beginning with the second term of
1840 the school year. However, the total number of certified academic
1841 language therapists eligible for a salary supplement under this
1842 paragraph (iv) shall not exceed twenty (20).

1843 (b) An employee shall be reimbursed for the actual cost
1844 of completing each component of acquiring the certificate or
1845 endorsement, excluding any costs incurred for postgraduate



1846 courses, not to exceed Five Hundred Dollars (\$500.00) for each
1847 component, not to exceed four (4) components, for a teacher,
1848 school counselor or speech-language pathologist and audiologist,
1849 regardless of whether or not the process resulted in the award of
1850 the certificate or endorsement. A local school district or any
1851 private individual or entity may pay the cost of completing the
1852 process of acquiring the certificate or endorsement for any
1853 employee of the school district described under paragraph (a), and
1854 the State Department of Education shall reimburse the school
1855 district for such cost, regardless of whether or not the process
1856 resulted in the award of the certificate or endorsement. If a
1857 private individual or entity has paid the cost of completing the
1858 process of acquiring the certificate or endorsement for an
1859 employee, the local school district may agree to directly
1860 reimburse the individual or entity for such cost on behalf of the
1861 employee.

1862 (c) All salary supplements, fringe benefits and process
1863 reimbursement authorized under this subsection shall be paid
1864 directly by the State Department of Education to the local school
1865 district and shall be in addition to its minimum education program
1866 allotments and not a part thereof in accordance with regulations
1867 promulgated by the State Board of Education. Local school
1868 districts shall not reduce the local supplement paid to any
1869 employee receiving such salary supplement, and the employee shall
1870 receive any local supplement to which employees with similar



1871 training and experience otherwise are entitled. However, an
1872 educational employee shall receive the salary supplement in the
1873 amount of Six Thousand Dollars (\$6,000.00) for only one (1) of the
1874 qualifying certifications authorized under paragraph (a) of this
1875 subsection. No school district shall provide more than one (1)
1876 annual salary supplement under the provisions of this subsection
1877 to any one individual employee holding multiple qualifying
1878 national certifications.

1879 (d) If an employee for whom such cost has been paid, in
1880 full or in part, by a local school district or private individual
1881 or entity fails to complete the certification or endorsement
1882 process, the employee shall be liable to the school district or
1883 individual or entity for all amounts paid by the school district
1884 or individual or entity on behalf of that employee toward his or
1885 her certificate or endorsement.

1886 (3) The following employees shall receive an annual salary
1887 supplement in the amount of Four Thousand Dollars (\$4,000.00),
1888 plus fringe benefits, in addition to any other compensation to
1889 which the employee may be entitled:

1890 Effective July 1, 2016, if funds are available for that
1891 purpose, any licensed teacher who has met the requirements and
1892 acquired a Master Teacher Certificate from the National Board for
1893 Professional Teaching Standards and who is employed in a public
1894 school district located in one (1) of the following counties:
1895 Claiborne, Adams, Jefferson, Wilkinson, Amite, Bolivar, Coahoma,



1896 Leflore, Quitman, Sharkey, Issaquena, Sunflower and Washington.
1897 The salary supplement awarded under the provisions of this
1898 subsection (3) shall be in addition to the salary supplement
1899 awarded under the provisions of subsection (2) of this section.

1900 Teachers who meet the qualifications for a salary supplement
1901 under this subsection (3) who are assigned for less than one (1)
1902 full year or less than full time for the school year shall receive
1903 the salary supplement in a prorated manner, with the portion of
1904 the teacher's assignment to the critical geographic area to be
1905 determined as of June 15th of the school year.

1906 (4) (a) This section shall be known and may be cited as the
1907 "Mississippi Performance-Based Pay (MPBP)" plan. In addition to
1908 the minimum base pay described in this section, only after full
1909 funding of MAEP and if funds are available for that purpose, the
1910 State of Mississippi may provide monies from state funds to school
1911 districts for the purposes of rewarding certified teachers,
1912 administrators and nonlicensed personnel at individual schools
1913 showing improvement in student test scores. The MPBP plan shall
1914 be developed by the State Department of Education based on the
1915 following criteria:

1916 (i) It is the express intent of this legislation
1917 that the MPBP plan shall utilize only existing standards of
1918 accreditation and assessment as established by the State Board of
1919 Education.



1920 (ii) To ensure that all of Mississippi's teachers,
1921 administrators and nonlicensed personnel at all schools have equal
1922 access to the monies set aside in this section, the MPBP program
1923 shall be designed to calculate each school's performance as
1924 determined by the school's increase in scores from the prior
1925 school year. The MPBP program shall be based on a standardized
1926 scores rating where all levels of schools can be judged in a
1927 statistically fair and reasonable way upon implementation. At the
1928 end of each year, after all student achievement scores have been
1929 standardized, the State Department of Education shall implement
1930 the MPBP plan.

1931 (iii) To ensure all teachers cooperate in the
1932 spirit of teamwork, individual schools shall submit a plan to the
1933 local school district to be approved before the beginning of each
1934 school year beginning July 1, 2008. The plan shall include, but
1935 not be limited to, how all teachers, regardless of subject area,
1936 and administrators will be responsible for improving student
1937 achievement for their individual school.

1938 (b) The State Board of Education shall develop the
1939 processes and procedures for designating schools eligible to
1940 participate in the MPBP. State assessment results, growth in
1941 student achievement at individual schools and other measures
1942 deemed appropriate in designating successful student achievement
1943 shall be used in establishing MPBP criteria. The State Board of



1944 Education shall develop the MPBP policies and procedures and
1945 report to the Legislature and Governor by December 1, 2006.

1946 (5) (a) Beginning in the 2008-2009 school year, if funds
1947 are available for that purpose, each school in Mississippi shall
1948 have mentor teachers, as defined by Sections 37-9-201 through
1949 37-9-213, who shall receive additional base compensation provided
1950 for by the State Legislature in the amount of One Thousand Dollars
1951 (\$1,000.00) per each beginning teacher that is being mentored.
1952 The additional state compensation shall be limited to those mentor
1953 teachers that provide mentoring services to beginning teachers.
1954 For the purposes of such funding, a beginning teacher shall be
1955 defined as any teacher in any school in Mississippi that has less
1956 than one (1) year of classroom experience teaching in a public
1957 school. For the purposes of such funding, no full-time academic
1958 teacher shall mentor more than two (2) beginning teachers.

1959 (b) To be eligible for this state funding, the
1960 individual school must have a classroom management program
1961 approved by the local school board.

1962 (6) Effective with the 2014-2015 school year, the school
1963 districts participating in the Pilot Performance-Based
1964 Compensation System pursuant to Section 37-19-9 may award
1965 additional teacher and administrator pay based thereon.

1966 **SECTION 14.** This act shall take effect and be in force from
1967 and after its passage.

