MISSISSIPPI LEGISLATURE
REGULAR SESSION 2018

By: Senator(s) Norwood, Witherspoon, Simmons

To: Education; Finance

(12th)

SENATE BILL NO. 2523

AN ACT TO AMEND SECTION 37-159-9, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO COLLABORATE WITH THE UNIVERSITY ASSISTED TEACHER RECRUITMENT AND RETENTION GRANT PROGRAM, STATE INSTITUTIONS OF HIGHER LEARNING WITH TEACHER EDUCATION PROGRAMS AND SCHOOL ADMINISTRATORS IN CRITICAL TEACHER SHORTAGE AREAS TO DEVELOP AN ALTERNATIVE LICENSING PROCEDURE SPECIFICALLY FOR TEACHERS EMPLOYED IN ALL CRITICAL TEACHER SHORTAGE AREAS; TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSION ON TEACHER AND ADMINISTRATOR EDUCATION, CERTIFICATION AND LICENSURE AND DEVELOPMENT TO ISSUE CRITICAL TEACHER SHORTAGE AREA LICENSES TO CERTAIN EDUCATORS BEGINNING JULY 1, 2018; TO PRESCRIBE THE REQUIREMENTS USED IN AWARDING A CRITICAL TEACHER SHORTAGE AREA LICENSE; TO PROVIDE THAT THE LICENSE MAY ONLY BE USED BY SCHOOL DISTRICTS IN CRITICAL TEACHER SHORTAGE AREAS WHICH MAKE A FORMAL WRITTEN REQUEST TO THE STATE DEPARTMENT OF EDUCATION FOR SUCH ALLOWANCES AT THE CONCLUSION OF EACH ACADEMIC TERM; TO REQUIRE AFFECTED SCHOOL DISTRICTS TO PROVIDE A MINIMUM OF FIFTY ADDITIONAL HOURS OF PROFESSIONAL DEVELOPMENT TO HOLDERS OF A CRITICAL TEACHER SHORTAGE AREA LICENSE DURING THE FIRST THREE YEARS OF EMPLOYMENT WITH THE SCHOOL DISTRICT; TO REQUIRE THE AFFECTED SCHOOL DISTRICT TO ASSIGN A VETERAN ON-SITE MENTOR TEACHER TO THE CRITICAL TEACHER SHORTAGE AREA LICENSEE DURING THE FIRST TWO YEARS OF EMPLOYMENT; TO BRING FORWARD SECTIONS 37-159-1, 37-159-5, 37-159-7, 37-159-11, 37-159-13 AND 37-159-17, MISSISSIPPI CODE OF 1972, WHICH ARE PROVISIONS OF THE "MISSISSIPPI CRITICAL TEACHER SHORTAGE ACT OF 1998," FOR THE PURPOSE OF POSSIBLE AMENDMENTS; TO CREATE NEW SECTION 25-11-126, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONS WHO HAVE AT LEAST 25 YEARS OF CREDITABLE SERVICE IN THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM, WHO WERE EMPLOYED AS PUBLIC SCHOOL TEACHERS AT THE TIME OF THEIR RETIREMENT AND WHO HAVE BEEN RETIRED AND RECEIVING A RETIREMENT ALLOWANCE FOR AT LEAST ONE YEAR, MAY BE EMPLOYED AS TEACHERS BY A PUBLIC SCHOOL DISTRICT AFTER THEIR RETIREMENT AND RECEIVE A RETIREMENT ALLOWANCE FROM THE
S. B. No. 2523

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

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

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

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

(b) Additionally the State Department of Education shall collaborate with the University Assisted Teacher Recruitment and Retention Grant Program, state institutions of higher learning with teacher education programs and school administrators in critical teacher shortage areas to develop an alternative licensing procedure specifically for teachers employed in all critical teacher shortage areas, as designated by the State Board of Education, consistent with the procedures established by the
Commission on Teacher and Administrator Education, Certification and Licensure and Development in Section 37-3-2(6)(i). The purpose of the alternative licensing procedure shall be to attract individuals to the field of education by emphasizing professional development and the effort to reduce the number of certified teachers in critical teacher shortage areas by seventy-five percent (75%).

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

(3) The State Department of Education shall provide funds to participating institutions of higher learning for the purpose of awarding scholarships to qualified persons pursuing a Master of Education degree or an Educational Specialist degree at such institutions while rendering service to the state as a licensed teacher in a school district in a geographical area of the state where there exists a critical shortage of teachers, as approved by the State Board of Education. The financial scholarship shall be
applied to the total cost for tuition, books, materials and fees at the institution in which the student is enrolled, not to exceed an amount equal to the highest total cost of tuition, books, materials and fees assessed by a state institution of higher learning during that school year. Teachers who relocate within Mississippi from out of state in order to participate in the program shall be classified as residents of the state for tuition purposes.

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

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

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

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

(8) As a condition for participation in the program, a
teacher shall agree to employment as a licensed teacher in a
school district located in a geographical area of the state where
there exists a critical shortage of teachers, as designated by the
State Board of Education, for a period of not less than three (3)
years, which shall include those years of service rendered while
obtaining the Master of Education degree or Educational Specialist
degree. However, for any person who obtained a baccalaureate
degree in education with a financial scholarship under the
Critical Needs Teacher Scholarship Program and who entered the
University Assisted Teacher Recruitment and Retention Grant
Program before rendering service as a teacher, the period of employment for the purposes of this subsection shall be two (2) years, in addition to the employment commitment required under the Critical Needs Teacher Scholarship Program. Service rendered by a participant as a licensed teacher in a school district in a geographical critical teacher shortage area before that teacher becomes a participant in the program may not be considered to fulfill the employment commitment required under this subsection. Any person failing to comply with this employment commitment in any required school year shall immediately be in breach of contract and become liable immediately to the State Department of Education for the sum of all scholarships awarded and relocation expenses granted to that person, less one-third (1/3) of the amount of that sum for each year that service was rendered, or for those persons whose required period of employment is two (2) years, less one-half (1/2) of the amount of that sum for each year that service was rendered, plus interest accruing at the current Stafford Loan rate at the time the breach occurs, except in the case of a deferral for cause by the State Board of Education when there is no employment position immediately available upon the teacher's obtaining of the Master of Education degree or Educational Specialist degree. After the period of such deferral, the person shall begin or resume the required teaching duties or shall become liable to the board under this subsection. If a claim for repayment under this subsection is placed in the hands
of an attorney for collection after default, then the obligor shall be liable for an additional amount equal to a reasonable attorney's fee.

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

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

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

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

(2) The commission shall be composed of fifteen (15) qualified members. The membership of the commission shall be composed of the following members to be appointed, three (3) from each congressional district: four (4) classroom teachers; three
(3) school administrators; one (1) representative of schools of education of institutions of higher learning located within the state to be recommended by the Board of Trustees of State Institutions of Higher Learning; one (1) representative from the schools of education of independent institutions of higher learning to be recommended by the Board of the Mississippi Association of Independent Colleges; one (1) representative from public community and junior colleges located within the state to be recommended by the Mississippi Community College Board; one (1) local school board member; and four (4) laypersons. All appointments shall be made by the State Board of Education after consultation with the State Superintendent of Public Education. The first appointments by the State Board of Education shall be made as follows: five (5) members shall be appointed for a term of one (1) year; five (5) members shall be appointed for a term of two (2) years; and five (5) members shall be appointed for a term of three (3) years. Thereafter, all members shall be appointed for a term of four (4) years.

(3) The State Board of Education when making appointments shall designate a chairman. The commission shall meet at least once every two (2) months or more often if needed. Members of the commission shall be compensated at a rate of per diem as authorized by Section 25-3-69 and be reimbursed for actual and necessary expenses as authorized by Section 25-3-41.
(4) (a) An appropriate staff member of the State Department of Education shall be designated and assigned by the State Superintendent of Public Education to serve as executive secretary and coordinator for the commission. No less than two (2) other appropriate staff members of the State Department of Education shall be designated and assigned by the State Superintendent of Public Education to serve on the staff of the commission.

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

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

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

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

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

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

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

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

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

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

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

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

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

(6) (a) **Standard License - Approved Program Route.** An educator entering the school system of Mississippi for the first
time and meeting all requirements as established by the State Board of Education shall be granted a standard five-year license. Persons who possess two (2) years of classroom experience as an assistant teacher or who have taught for one (1) year in an accredited public or private school shall be allowed to fulfill student teaching requirements under the supervision of a qualified participating teacher approved by an accredited college of education. The local school district in which the assistant teacher is employed shall compensate such assistant teachers at the required salary level during the period of time such individual is completing student teaching requirements.

Applicants for a standard license shall submit to the department:

(i) An application on a department form;

(ii) An official transcript of completion of a teacher education program approved by the department or a nationally accredited program, subject to the following:

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

(iii) A copy of test scores evidencing satisfactory completion of nationally administered examinations of achievement, such as the Educational Testing Service's teacher testing examinations;
(iv) Any other document required by the State Board of Education; and

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

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

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

(b) Standard License - Nontraditional Teaching Route.

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

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

(ii) No less than 2.75 GPA on content coursework in the requested area of certification or passing Praxis II scores at or above the national recommended score provided that the accepted cohort of candidates of the institution's teacher
education program meets or exceeds a 3.0 GPA on pre-major coursework.

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

(i) The Teach Mississippi Institute (TMI) shall include an intensive eight-week, nine-semester-hour summer program or a curriculum of study in which the student matriculates in the fall or spring semester, which shall include, but not be limited to, instruction in education, effective teaching strategies, classroom management, state curriculum requirements, planning and instruction, instructional methods and pedagogy, using test results to improve instruction, and a one (1) semester three-hour supervised internship to be completed while the teacher is employed as a full-time teacher intern in a local school district. The TMI shall be implemented on a pilot program basis, with courses to be offered at up to four (4) locations in the state,
with one (1) TMI site to be located in each of the three (3) Mississippi Supreme Court districts.

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

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

(iv) During the semester of internship in the school district, the teacher preparation institution shall monitor the performance of the intern teacher. The school district that employs the provisional teacher shall supervise the provisional teacher during the teacher's intern year of employment under a...
nontraditional provisional license, and shall, in consultation with the teacher intern's mentor at the school district of employment, submit to the commission a comprehensive evaluation of the teacher's performance sixty (60) days prior to the expiration of the nontraditional provisional license. If the comprehensive evaluation establishes that the provisional teacher intern's performance fails to meet the standards of the approved nontraditional teacher preparation internship program, the individual shall not be approved for a standard license.

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

(vi) Upon successful completion of the TMI and the internship provisional license period, applicants for a Standard License - Nontraditional Route shall submit to the commission a transcript of successful completion of the twelve (12) semester hours required in the internship program, and the employing school district shall submit to the commission a recommendation for standard licensure of the intern. If the school district recommends licensure, the applicant shall be issued a Standard License - Nontraditional Route which shall be valid for a five-year period and be renewable.
(vii) At the discretion of the teacher preparation institution, the individual shall be allowed to credit the twelve (12) semester hours earned in the nontraditional teacher internship program toward the graduate hours required for a Master of Arts in Teacher (MAT) Degree.

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

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

A Standard License - Approved Program Route shall be issued for a five-year period, and may be renewed. Recognizing teaching as a profession, a hiring preference shall be granted to persons holding a Standard License - Approved Program Route or Standard
License - Nontraditional Teaching Route over persons holding any other license.

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

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

(e) **Nonlicensed Teaching Personnel.** A nonlicensed person may teach for a maximum of three (3) periods per teaching day in a public school district or a nonpublic school accredited/approved by the state. Such person shall submit to the
department a transcript or record of his education and experience which substantiates his preparation for the subject to be taught and shall meet other qualifications specified by the commission and approved by the State Board of Education. In no case shall any local school board hire nonlicensed personnel as authorized under this paragraph in excess of five percent (5%) of the total number of licensed personnel in any single school.

(f) Special License - Transitional Bilingual Education.

Beginning July 1, 2003, the commission shall grant special licenses to teachers of transitional bilingual education who possess such qualifications as are prescribed in this section. Teachers of transitional bilingual education shall be compensated by local school boards at not less than one (1) step on the regular salary schedule applicable to permanent teachers licensed under this section. The commission shall grant special licenses to teachers of transitional bilingual education who present the commission with satisfactory evidence that they (i) possess a speaking and reading ability in a language, other than English, in which bilingual education is offered and communicative skills in English; (ii) are in good health and sound moral character; (iii) possess a bachelor's degree or an associate's degree in teacher education from an accredited institution of higher education; (iv) meet such requirements as to courses of study, semester hours therein, experience and training as may be required by the commission; and (v) are legally present in the United States and
possess legal authorization for employment. A teacher of
transitional bilingual education serving under a special license
shall be under an exemption from standard licensure if he achieves
the requisite qualifications therefor. Two (2) years of service
by a teacher of transitional bilingual education under such an
exemption shall be credited to the teacher in acquiring a Standard
Educator License. Nothing in this paragraph shall be deemed to
prohibit a local school board from employing a teacher licensed in
an appropriate field as approved by the State Department of
Education to teach in a program in transitional bilingual
education.

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

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

(i) **Critical Teacher Shortage Area License.** Beginning
July 1, 2018, the commission shall grant critical teacher shortage
area licenses to educators who successfully meet either of the following:

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

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

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

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

This critical teacher shortage area license may only be used by school districts in critical teacher shortage areas, as designated by the State Board of Education, which make a formal written request to the State Department of Education for such allowances at the conclusion of each academic term. As a condition of being approved to employ educators with a critical teacher shortage area license, the affected school district must
provide a minimum of fifty (50) additional hours of professional
development to holders of a critical teacher shortage area license
above that which is required for educators who hold a standard
license during the first three (3) years of employment with the
affected school district. The school district shall assign a
veteran on-site mentor teacher to the critical teacher shortage
area licensee, who shall be compensated for mentoring services in
the same manner provided under Section 37-9-211.

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

(a) Administrator License - Nonpracticing. Those
educators holding administrative endorsement but having no
administrative experience or not serving in an administrative

(b) Administrator License - Entry Level. Those
educators holding administrative endorsement and having met the
department's qualifications to be eligible for employment in a
Mississippi school district. Administrator License - Entry Level
shall be issued for a five-year period and shall be nonrenewable.
(c) **Standard Administrator License - Career Level.** An administrator who has met all the requirements of the department for standard administrator licensure.

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

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

(8) **Reciprocity.** (a) The department shall grant a standard license to any individual who possesses a valid standard license from another state and meets minimum Mississippi license
requirements or equivalent requirements as determined by the State Board of Education. The issuance of a license by reciprocity to a military-trained applicant or military spouse shall be subject to the provisions of Section 73-50-1.

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

(9) **Renewal and Reinstatement of Licenses.** The State Board of Education is authorized to establish rules and regulations for the renewal and reinstatement of educator and administrator licenses. Effective May 15, 1997, the valid standard license held by an educator shall be extended five (5) years beyond the expiration date of the license in order to afford the educator adequate time to fulfill new renewal requirements established pursuant to this subsection. An educator completing a master of education, educational specialist or doctor of education degree in May 1997 for the purpose of upgrading the educator's license to a higher class shall be given this extension of five (5) years plus five (5) additional years for completion of a higher degree.
(10) All controversies involving the issuance, revocation, suspension or any change whatsoever in the licensure of an educator required to hold a license shall be initially heard in a hearing de novo, by the commission or by a subcommittee established by the commission and composed of commission members for the purpose of holding hearings. Any complaint seeking the denial of issuance, revocation or suspension of a license shall be by sworn affidavit filed with the Commission on Teacher and Administrator Education, Certification and Licensure and Development. The decision thereon by the commission or its subcommittee shall be final, unless the aggrieved party shall appeal to the State Board of Education, within ten (10) days, of the decision of the committee or its subcommittee. An appeal to the State Board of Education shall be on the record previously made before the commission or its subcommittee unless otherwise provided by rules and regulations adopted by the board. The State Board of Education in its authority may reverse, or remand with instructions, the decision of the committee or its subcommittee. The decision of the State Board of Education shall be final.

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

(a) Lack of qualifications which are prescribed by law or regulations adopted by the State Board of Education;
(b) The applicant has a physical, emotional or mental disability that renders the applicant unfit to perform the duties authorized by the license, as certified by a licensed psychologist or psychiatrist;

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

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

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

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

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

(h) The applicant has been convicted, has pled guilty or entered a plea of nolo contendere to a sex offense as defined by federal or state law. For purposes of this paragraph (h) and paragraph (g) of this subsection, a "guilty plea" includes a plea
of guilty, entry of a plea of nolo contendere, or entry of an order granting pretrial or judicial diversion; or

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

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

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

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

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

(d) The license holder has been convicted, has pled guilty or entered a plea of nolo contendere to a felony, as
defined by federal or state law. For purposes of this paragraph, a "guilty plea" includes a plea of guilty, entry of a plea of nolo contendere, or entry of an order granting pretrial or judicial diversion;

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

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

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

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

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

(j) The license holder has failed to report sexual involvement of a school employee with a student as required by Section 97-5-24;
The license holder served as superintendent or principal in a school district during the time preceding and/or that resulted in the Governor declaring a state of emergency and the State Board of Education appointing a conservator;

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

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

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

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

(c) A person may voluntarily surrender a license. The surrender of such license may result in the commission recommending any of the above penalties without the necessity of a hearing. However, any such license which has voluntarily been surrendered by a licensed employee may only be reinstated by a
majority vote of all members of the commission present at the
meeting called for such purpose.

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

(b) A person whose license expires while under
investigation by the Office of Educator Misconduct for an alleged
violation may not be reinstated without a hearing before the commission if required based on the results of the investigation.

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

(16) An appeal from the action of the State Board of Education in denying an application, revoking or suspending a license or otherwise disciplining any person under the provisions of this section shall be filed in the Chancery Court of the First Judicial District of Hinds County, Mississippi, on the record made, including a verbatim transcript of the testimony at the hearing. The appeal shall be filed within thirty (30) days after notification of the action of the board is mailed or served and the proceedings in chancery court shall be conducted as other
matters coming before the court. The appeal shall be perfected upon filing notice of the appeal and by the prepayment of all costs, including the cost of preparation of the record of the proceedings by the State Board of Education, and the filing of a bond in the sum of Two Hundred Dollars ($200.00) conditioned that if the action of the board be affirmed by the chancery court, the applicant or license holder shall pay the costs of the appeal and the action of the chancery court.

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

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

(19) In addition to the reasons specified in subsections (12) and (13) of this section, the board shall be authorized to suspend the license of any licensee for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a license for being out of compliance
with an order for support, and the procedure for the reissuance or reinstatement of a license suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a license suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. Actions taken by the board in suspending a license when required by Section 93-11-157 or 93-11-163 are not actions from which an appeal may be taken under this section. Any appeal of a license suspension that is required by Section 93-11-157 or 93-11-163 shall be taken in accordance with the appeal procedure specified in Section 93-11-157 or 93-11-163, as the case may be, rather than the procedure specified in this section. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

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

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

This section shall stand repealed on July 1, 2020.

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

37-159-5. The State Board of Education shall prescribe rules and regulations which, subject to available appropriations, allow
for reimbursement to the state licensed teachers, from both in state and out of state, who enter into a contract for employment in a school district situated within a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education, for the expense of moving when the employment necessitates the relocation of the teacher to a different geographical area than that in which the teacher resides before entering into such contract. In order to be eligible for the reimbursement, the teacher must apply to the local district and the district must obtain the prior approval from the department for reimbursement before the relocation occurs. If the reimbursement is approved, the department shall provide funds to the school district to reimburse the teacher an amount not to exceed One Thousand Dollars ($1,000.00) for the documented actual expenses incurred in the course of relocating, including the expense of any professional moving company or persons employed to assist with the move, rented moving vehicles or equipment, mileage in the amount authorized for state employees under Section 25-3-41 if the teacher used his personal vehicle or vehicles for the move, meals and such other expenses associated with the relocation in accordance with the department's established rules and regulations. No teacher may be reimbursed for moving expenses under this section on more than one (1) occasion.
Nothing in this section shall be construed to require the actual residence to which the teacher relocates to be within the boundaries of the school district which has executed a contract for employment with the teacher or within the boundaries of the area designated by the State Board of Education as the critical teacher shortage area in order for the teacher to be eligible for reimbursement for his moving expenses. However, teachers must relocate within the boundaries of the State of Mississippi.

This section shall stand repealed July 1, 2020.

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

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

This section shall stand repealed July 1, 2020.

This section shall stand repealed on July 1, 2020.

SECTION 6. Section 37-159-11, Mississippi Code of 1972, is brought forward as follows:
37-159-11. (1) There is established the Mississippi Employer-Assisted Housing Teacher Program, which shall be a special home loan program for eligible licensed teachers who render service to the state in a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education. The home loan program shall be administered by the State Department of Education in conjunction with the Federal National Mortgage Association (Fannie Mae). The department may contract with one or more public or private entities to provide assistance in implementing and administering the program. The State Board of Education shall adopt rules and regulations regarding the implementation and administration of the program.

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

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

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

This section shall stand repealed July 1, 2020.

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

37-159-13. (1) There is established a pilot program to provide for the construction of rental housing units for teachers in the West Tallahatchie School District, which pilot program shall be administered by the State Department of Education. The department may contract with one or more public or private
entities to provide assistance in implementing and administering the program. The State Board of Education shall adopt rules and regulations regarding the implementation and administration of the program.

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

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

(4) The developer shall operate the rental housing units. For a period of ten (10) years or until such time as the loan to
the developer is repaid, whichever is longer, the priority for
residence in the units shall be given first to teachers employed
by the school district, then to other licensed school district
employees, and then to any other school district employees.

This section shall stand repealed July 1, 2020.

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

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

This section shall stand repealed on July 1, 2020.

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

25-11-126. (1) Any person who has at least twenty-five (25)
years of creditable service, who was employed as a public
schoolteacher at the time of his or her retirement, and who has
been retired and receiving a retirement allowance for at least one
(1) year, may be employed as a teacher in a public school district
located in a geographic area of the state designated as a critical
teacher shortage area by the State Board of Education after
retirement, and choose to continue receiving the retirement
allowance under this article during his or her employment as a
teacher after retirement in addition to receiving the salary
authorized under Section 37-19-7 for teachers with zero to three
(3) years of teaching experience with a Class A certification for
the duration of his or her post-retirement reemployment.

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

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

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

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

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

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

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

(4) The State Superintendent of Public Education shall report the persons who are employed under this section to the Executive Director of the Public Employees' Retirement System.
SECTION 10. Section 25-11-105, Mississippi Code of 1972, is brought forward as follows:

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

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

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

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

(b) All persons who become employees in the state service after January 31, 1953, except those specifically excluded or as to whom election is provided in Articles 1 and 3, unless they file with the board before the lapse of sixty (60) days of...
employment or sixty (60) days after the effective date of the
cited articles, whichever is later, on a form prescribed by the
board, a notice of election not to be covered by the membership of
the retirement system and a duly executed waiver of all present
and prospective benefits that would otherwise inure to them on
account of their participation in the system, shall become members
of the retirement system; however, no credit for prior service
will be granted to members who became members of the system before
July 1, 2007, until they have contributed to Article 3 of the
retirement system for a minimum period of at least four (4) years,
or to members who became members of the system on or after July 1,
2007, until they have contributed to Article 3 of the retirement
system for a minimum period of at least eight (8) years. Those
members shall receive credit for services performed before January
1, 1953, in employment now covered by Article 3, but no credit
shall be granted for retroactive services between January 1, 1953,
and the date of their entry into the retirement system, unless the
employee pays into the retirement system both the employer's and
the employee's contributions on wages paid him during the period
from January 31, 1953, to the date of his becoming a contributing
member, together with interest at the rate determined by the board
of trustees. Members reentering after withdrawal from service
shall qualify for prior service under the provisions of Section
25-11-117. From and after July 1, 1998, upon eligibility as noted
above, the member may receive credit for such retroactive service provided:

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

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

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

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

(d) All persons who are employees in the state service on January 31, 1953, and who are members of any nonfunded retirement system operated by the State of Mississippi, or any of
its departments or agencies, shall become members of this system
with prior service credit unless, before February 1, 1953, they
file a written notice with the board of trustees that they do not
elect to become members.

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

(f) Each political subdivision of the state and each
instrumentality of the state or a political subdivision, or both,
is authorized to submit, for approval by the board of trustees, a
plan for extending the benefits of this article to employees of
any such political subdivision or instrumentality. Each such plan
or any amendment to the plan for extending benefits thereof shall
be approved by the board of trustees if it finds that the plan, or
the plan as amended, is in conformity with such requirements as
are provided in Articles 1 and 3; however, upon approval of the
plan or any such plan previously approved by the board of
trustees, the approved plan shall not be subject to cancellation
or termination by the political subdivision or instrumentality. No such plan shall be approved unless:

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

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

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

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

(v) It authorizes the board of trustees to terminate the plan in its entirety in the discretion of the board if it finds that there has been a failure to comply substantially
with any provision contained in the plan, the termination to take
effect at the expiration of such notice and on such conditions as
may be provided by regulations of the board and as may be
consistent with applicable federal law.

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

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

3. Every political subdivision or
instrumentality required to make payments under paragraph (f)(v)2
of this section is authorized, in consideration of the employees'
retention in or entry upon employment after enactment of Articles 1 and 3, to impose upon its employees, as to services that are covered by an approved plan, a contribution with respect to wages (as defined in Section 25-11-5) not exceeding the amount provided in Section 25-11-123(d) if those services constituted employment within the meaning of Articles 1 and 3, and to deduct the amount of the contribution from the wages as and when paid. Contributions so collected shall be paid into the contribution fund as partial discharge of the liability of the political subdivisions or instrumentalities under paragraph (f)(v)2 of this section. Failure to deduct the contribution shall not relieve the employee or employer of liability for the contribution.

4. Any state agency, school, political subdivision, instrumentality or any employer that is required to submit contribution payments or wage reports under any section of this chapter shall be assessed interest on delinquent payments or wage reports as determined by the board of trustees in accordance with rules and regulations adopted by the board and delinquent payments, assessed interest and any other amount certified by the board as owed by an employer, may be recovered by action in a court of competent jurisdiction against the reporting agency liable therefor or may, upon due certification of delinquency and at the request of the board of trustees, be deducted from any other monies payable to the reporting agency by any department or agency of the state.
5. Each political subdivision of the state and each instrumentality of the state or a political subdivision or subdivisions that submit a plan for approval of the board, as provided in this section, shall reimburse the board for coverage into the expense account, its pro rata share of the total expense of administering Articles 1 and 3 as provided by regulations of the board.

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

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

(i) If any member of this system changes his employment to any agency of the state having an actuarially funded retirement system, the board of trustees may authorize the transfer of the member's creditable service and of the present value of the member's employer's accumulation account and of the present value of the member's accumulated membership contributions to that other
system, provided that the employee agrees to the transfer of his accumulated membership contributions and provided that the other system is authorized to receive and agrees to make the transfer.

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

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

(k) Employees of a political subdivision or instrumentality who were employed by the political subdivision or instrumentality before an agreement between the entity and the Public Employees' Retirement System to extend the benefits of this article to its employees, and which agreement provides for the establishment of retroactive service credit, and who became members of the retirement system before July 1, 2007, and have remained contributors to the retirement system for four (4) years, or who became members of the retirement system on or after July 1,
2007, and have remained contributors to the retirement system for eight (8) years, may receive credit for that retroactive service with the political subdivision or instrumentality, provided that the employee and/or employer, as provided under the terms of the modification of the joinder agreement in allowing that coverage, pay into the retirement system the employer's and employee's contributions on wages paid the member during the previous employment, together with interest or actuarial cost as determined by the board covering the period from the date the service was rendered until the payment for the credit for the service was made. Those wages shall be verified by the Social Security Administration or employer payroll records. Effective July 1, 1998, upon eligibility as noted above, a member may receive credit for that retroactive service with the political subdivision or instrumentality provided:

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

and

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

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

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

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

II. THOSE WHO ARE NOT ELIGIBLE FOR MEMBERSHIP
The following classes of employees and officers shall not become members of this retirement system, any other provisions of Articles 1 and 3 to the contrary notwithstanding:

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

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

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

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

III. TERMINATION OF MEMBERSHIP

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

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

25-11-123. All of the assets of the system shall be credited according to the purpose for which they are held to one (1) of four (4) reserves; namely, the annuity savings account, the
annuity reserve, the employer's accumulation account, and the expense account.

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

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

(2) The deductions provided in paragraph (1) of this subsection shall be made notwithstanding that the minimum compensation provided by law for any member is reduced by the deduction. Every member shall be deemed to consent and agree to the deductions made and provided for in paragraph (1) of this subsection and shall receipt for his full salary or compensation,
and payment of salary or compensation less the deduction shall be a full and complete discharge and acquittance of all claims and demands whatsoever for the services rendered by the person during the period covered by the payment, except as to the benefits provided under Articles 1 and 3. The board shall provide by rules for the methods of collection of contributions from members and the employer. The board shall have full authority to require the production of evidence necessary to verify the correctness of amounts contributed.

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

(c) Employer's accumulation account. The employer's accumulation account shall represent the accumulation of all reserves for the payment of all retirement allowances and other benefits payable from contributions made by the employer, and against this account shall be charged all retirement allowances.
and other benefits on account of members. Credits to and charges
against the employer's accumulation account shall be made as
follows:

(1) On account of each member there shall be paid
monthly into the employer's accumulation account by the employers
for the preceding fiscal year an amount equal to a certain
percentage of the total earned compensation, as defined in Section
25-11-103, of each member. The percentage rate of those
contributions shall be fixed biennially by the board on the basis
of the liabilities of the retirement system for the various
allowances and benefits as shown by actuarial valuation.
Beginning January 1, 1990, the rate shall be fixed at nine and
three-fourths percent (9-3/4%). The board shall reduce the
employer's contribution rate by one percent (1%) from and after
July 1 of the year following the year in which the board
determines and the board's actuary certifies that the employer's
contribution rate can be reduced by that amount without causing
the unfunded accrued actuarial liability amortization period for
the retirement system to exceed twenty (20) years. Political
subdivisions joining Article 3 of the Public Employees' Retirement
System after July 1, 1968, may adjust the employer's contributions
by agreement with the Board of Trustees of the Public Employees'
Retirement System to provide service credits for any period before
execution of the agreement based upon an actuarial determination
of employer's contribution rates.
(2) On the basis of regular interest and of such mortality and other tables as are adopted by the board of trustees, the actuary engaged by the board to make each valuation required by this article during the period over which the accrued liability contribution is payable, immediately after making that valuation, shall determine the uniform and constant percentage of the earnable compensation of each member which, if contributed by the employer on the basis of compensation of the member throughout his entire period of membership service, would be sufficient to provide for the payment of any retirement allowance payable on his account for that service. The percentage rate so determined shall be known as the "normal contribution rate." After the accrued liability contribution has ceased to be payable, the normal contribution rate shall be the percentage rate of the salary of all members obtained by deducting from the total liabilities on account of membership service the amount in the employer's accumulation account, and dividing the remainder by one percent (1%) of the present value of the prospective future salaries of all members as computed on the basis of the mortality and service tables adopted by the board of trustees and regular interest. The normal rate of contributions shall be determined by the actuary after each valuation.

(3) The total amount payable in each year to the employer's accumulation account shall not be less than the sum of the percentage rate known as the "normal contribution rate" and
the "accrued liability contribution rate" of the total compensation earnable by all members during the preceding year, provided that the payment by the employer shall be sufficient, when combined with the amounts in the account, to provide the allowances and other benefits chargeable to this account during the year then current.

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

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

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

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

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

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

The employer shall make deductions from salaries of employees as provided in Articles 1 and 3 and shall transmit monthly, or at
such time as the board of trustees designates, the amount
specified to be deducted to the Executive Director of the Public
Employees' Retirement System. The executive director, after
making a record of all those receipts, shall deposit such amounts
as provided by law.

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

(2) The amount payable by the employer on account of
normal and accrued liability contributions shall be determined by
applying the employer's contribution rate to the amount of
compensation earned by employees who are members of the system.

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

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

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

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

(4) Except as otherwise provided in Section
25-11-106.1, chancery and circuit clerks shall be responsible for
both the employer and employee share of contributions on the
proportionate share of net income attributable to fees, as well as
the employee share of net income attributable to direct treasury
or county payroll income, and the employing county shall be
responsible for the employer contributions on the net income
attributable to direct treasury or county payroll income.
(5) Once each year, under procedures established by the system, each employer shall submit to the Public Employees' Retirement System a copy of their report to Social Security of all employees' earnings.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**2014-2015 MINIMUM SALARY SCHEDULE**

<table>
<thead>
<tr>
<th>Years</th>
<th>Exp.</th>
<th>AAAA</th>
<th>AAA</th>
<th>AA</th>
<th>A</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>0</td>
<td>38,108.00</td>
<td>36,944.00</td>
<td>35,780.00</td>
<td>33,390.00</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>38,108.00</td>
<td>36,944.00</td>
<td>35,780.00</td>
<td>33,390.00</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>38,108.00</td>
<td>36,944.00</td>
<td>35,780.00</td>
<td>33,390.00</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>38,902.00</td>
<td>37,671.00</td>
<td>36,440.00</td>
<td>33,885.00</td>
</tr>
<tr>
<td></td>
<td>4</td>
<td>39,696.00</td>
<td>38,398.00</td>
<td>37,100.00</td>
<td>34,380.00</td>
</tr>
<tr>
<td></td>
<td>5</td>
<td>40,490.00</td>
<td>39,125.00</td>
<td>37,760.00</td>
<td>34,875.00</td>
</tr>
<tr>
<td></td>
<td>6</td>
<td>41,284.00</td>
<td>39,852.00</td>
<td>38,420.00</td>
<td>35,370.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>-------</td>
<td>-------</td>
<td>-------</td>
<td>-------</td>
</tr>
<tr>
<td>1673</td>
<td>7</td>
<td>42,078.00</td>
<td>40,579.00</td>
<td>39,080.00</td>
<td>35,865.00</td>
</tr>
<tr>
<td>1674</td>
<td>8</td>
<td>42,872.00</td>
<td>41,306.00</td>
<td>39,740.00</td>
<td>36,360.00</td>
</tr>
<tr>
<td>1675</td>
<td>9</td>
<td>43,666.00</td>
<td>42,033.00</td>
<td>40,400.00</td>
<td>36,855.00</td>
</tr>
<tr>
<td>1676</td>
<td>10</td>
<td>44,460.00</td>
<td>42,760.00</td>
<td>41,060.00</td>
<td>37,350.00</td>
</tr>
<tr>
<td>1677</td>
<td>11</td>
<td>45,254.00</td>
<td>43,487.00</td>
<td>41,720.00</td>
<td>37,845.00</td>
</tr>
<tr>
<td>1678</td>
<td>12</td>
<td>46,048.00</td>
<td>44,214.00</td>
<td>42,380.00</td>
<td>38,340.00</td>
</tr>
<tr>
<td>1679</td>
<td>13</td>
<td>46,842.00</td>
<td>44,941.00</td>
<td>43,040.00</td>
<td>38,835.00</td>
</tr>
<tr>
<td>1680</td>
<td>14</td>
<td>47,636.00</td>
<td>45,668.00</td>
<td>43,700.00</td>
<td>39,330.00</td>
</tr>
<tr>
<td>1681</td>
<td>15</td>
<td>48,430.00</td>
<td>46,395.00</td>
<td>44,360.00</td>
<td>39,825.00</td>
</tr>
<tr>
<td>1682</td>
<td>16</td>
<td>49,224.00</td>
<td>47,122.00</td>
<td>45,020.00</td>
<td>40,320.00</td>
</tr>
<tr>
<td>1683</td>
<td>17</td>
<td>50,018.00</td>
<td>47,849.00</td>
<td>45,680.00</td>
<td>40,815.00</td>
</tr>
<tr>
<td>1684</td>
<td>18</td>
<td>50,812.00</td>
<td>48,576.00</td>
<td>46,340.00</td>
<td>41,310.00</td>
</tr>
<tr>
<td>1685</td>
<td>19</td>
<td>51,606.00</td>
<td>49,303.00</td>
<td>47,000.00</td>
<td>41,805.00</td>
</tr>
<tr>
<td>1686</td>
<td>20</td>
<td>52,400.00</td>
<td>50,030.00</td>
<td>47,660.00</td>
<td>42,300.00</td>
</tr>
<tr>
<td>1687</td>
<td>21</td>
<td>53,194.00</td>
<td>50,757.00</td>
<td>48,320.00</td>
<td>42,795.00</td>
</tr>
<tr>
<td>1688</td>
<td>22</td>
<td>53,988.00</td>
<td>51,484.00</td>
<td>48,980.00</td>
<td>43,290.00</td>
</tr>
<tr>
<td>1689</td>
<td>23</td>
<td>54,782.00</td>
<td>52,211.00</td>
<td>49,640.00</td>
<td>43,785.00</td>
</tr>
<tr>
<td>1690</td>
<td>24</td>
<td>55,576.00</td>
<td>52,938.00</td>
<td>50,300.00</td>
<td>44,280.00</td>
</tr>
<tr>
<td>1691</td>
<td>25</td>
<td>56,370.00</td>
<td>55,725.00</td>
<td>53,020.00</td>
<td>46,835.00</td>
</tr>
<tr>
<td>1692</td>
<td>26</td>
<td>57,164.00</td>
<td>56,452.00</td>
<td>53,680.00</td>
<td>47,330.00</td>
</tr>
<tr>
<td>1693</td>
<td>27</td>
<td>58,058.00</td>
<td>57,179.00</td>
<td>54,340.00</td>
<td>47,825.00</td>
</tr>
<tr>
<td>1694</td>
<td>28</td>
<td>58,852.00</td>
<td>57,906.00</td>
<td>55,000.00</td>
<td>48,320.00</td>
</tr>
<tr>
<td>1695</td>
<td>29</td>
<td>59,646.00</td>
<td>58,633.00</td>
<td>55,660.00</td>
<td>48,815.00</td>
</tr>
<tr>
<td>1696</td>
<td>30</td>
<td>60,440.00</td>
<td>59,360.00</td>
<td>56,320.00</td>
<td>49,310.00</td>
</tr>
<tr>
<td>1697</td>
<td>31</td>
<td>61,234.00</td>
<td>60,087.00</td>
<td>56,980.00</td>
<td>49,805.00</td>
</tr>
</tbody>
</table>
### 2015-2016 Minimum Salary Schedule

<table>
<thead>
<tr>
<th>Years</th>
<th>Exp.</th>
<th>AAAA</th>
<th>AAA</th>
<th>AA</th>
<th>A</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>32</td>
<td>63,988.00</td>
<td>60,814.00</td>
<td>57,640.00</td>
<td>50,300.00</td>
</tr>
<tr>
<td>33</td>
<td>64,782.00</td>
<td>61,541.00</td>
<td>58,300.00</td>
<td>50,795.00</td>
<td></td>
</tr>
<tr>
<td>34</td>
<td>65,576.00</td>
<td>62,268.00</td>
<td>58,960.00</td>
<td>51,290.00</td>
<td></td>
</tr>
<tr>
<td>35</td>
<td>&amp; above</td>
<td>66,370.00</td>
<td>62,995.00</td>
<td>59,620.00</td>
<td>51,785.00</td>
</tr>
</tbody>
</table>

---

S. B. No. 2523
18/SS26/R1068
PAGE 69 (tb\rc)
It is the intent of the Legislature that any state funds made available for salaries of licensed personnel in excess of the funds paid for such salaries for the 1986-1987 school year shall be paid to licensed personnel pursuant to a personnel appraisal and compensation system implemented by the State Board of
Education. The State Board of Education shall have the authority to adopt and amend rules and regulations as are necessary to establish, administer and maintain the system.

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

The level of professional training of each teacher to be used in establishing the salary allotment for the teachers for each year shall be determined by the type of valid teacher's license issued to those teachers on or before October 1 of the current school year. Provided, however, that school districts are authorized, in their discretion, to negotiate the salary levels applicable to certificated employees who are receiving retirement benefits from the retirement system of another state, and the annual experience increment provided above in Section 37-19-7 shall not be applicable to any such retired certificated employee.
(2) (a) The following employees shall receive an annual salary supplement in the amount of Six Thousand Dollars ($6,000.00), plus fringe benefits, in addition to any other compensation to which the employee may be entitled:

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

(ii) A licensed nurse who has met the requirements and acquired a certificate from the National Board for Certification of School Nurses, Inc., and who is employed by a local school board or the State Board of Education as a school nurse and not as an administrator. The licensed school nurse shall submit documentation to the State Department of Education that the certificate was received before October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed school nurse shall submit the documentation
to the State Department of Education before February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year. Provided, however, that the total number of licensed school nurses eligible for a salary supplement under this subparagraph (ii) shall not exceed thirty-five (35).

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

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

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

(c) All salary supplements, fringe benefits and process reimbursement authorized under this subsection shall be paid directly by the State Department of Education to the local school district and shall be in addition to its minimum education program allotments and not a part thereof in accordance with regulations promulgated by the State Board of Education. Local school districts shall not reduce the local supplement paid to any employee receiving such salary supplement, and the employee shall receive any local supplement to which employees with similar
training and experience otherwise are entitled. However, an
educational employee shall receive the salary supplement in the
amount of Six Thousand Dollars ($6,000.00) for only one (1) of the
qualifying certifications authorized under paragraph (a) of this
subsection. No school district shall provide more than one (1)
annual salary supplement under the provisions of this subsection
to any one individual employee holding multiple qualifying
national certifications.

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

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

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

The salary supplement awarded under the provisions of this subsection (3) shall be in addition to the salary supplement awarded under the provisions of subsection (2) of this section.

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

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

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

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

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

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

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

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

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