



**MISSISSIPPI DEPARTMENT OF EDUCATION**

Lance Evans, Ed.D.  
State Superintendent

Dear Members of the Mississippi Legislature:

The Mississippi Department of Education (MDE) respectfully requests legislative clarification regarding the implementation and intended application of provisions contained in Senate Bill 2103 (2026 Regular Session) relating to assistant teacher compensation and teacher salary increases under Mississippi law.

Specifically, clarification is requested regarding the legislative intent underlying the assistant teacher salary increase provisions and the applicability of teacher pay raise funding requirements to charter schools.

**1. Clarification Regarding Assistant Teacher Salary Increases**

The first issue concerns whether school districts that currently compensate assistant teachers at the statutory minimum salary of \$19,000 are required to provide an additional \$2,000 increase pursuant to the revised minimum salary schedule.

**Mississippi Code Ann. §37-19-7 provides that:**

*“No school district shall pay any assistant teacher less than the state minimum salary. No district shall reduce the local supplement or amount paid to an individual assistant teacher by the district below the state minimum salary contained in this section from the previous year in a year in which the state minimum salary is increased...”*

**SB 2103 amended Miss. Code Ann. To provide:**

*“For assistant teachers, the minimum annual salary shall be as follows:*

<i>2022-2023 and Subsequent Years Minimum Salary.....</i>	<i>\$17,000.00</i>
<i>2026-2027 and Subsequent Years.....</i>	<i>\$19,000.00”</i>

If a district already pays assistant teachers \$19,000 prior to the effective date of the legislation, is a district legally required to increase those salaries by an additional \$2,000 or is the district already compliant with the new statutory minimum salary requirement.

Some districts interpret the legislation as establishing only a new minimum salary floor of \$19,000. Under that interpretation, districts already paying \$19,000 would not be required to provide an additional increase.

Other districts interpret the legislation as an intent to provide a statewide \$2,000 increase for all assistant teachers, regardless of whether the district was already paying at or above the new minimum salary threshold.

Statutory language does not expressly address this circumstance, creating inconsistent interpretations and potential inequities among districts statewide. Clarification from the Legislature will assist districts in ensuring uniform implementation and compliance with legislative intent.

## **2. Clarification Regarding Charter School Eligibility for Teacher Salary Increase Funding**

The second issue concerns whether charter schools are required to provide the teacher salary increases associated with SB 2103 in the same manner as traditional local education agencies and whether charter schools must employ properly licensed instructional staff comparable to traditional public-school districts in order to receive Mississippi Student Funding Formula (MSFF) allocations attributable to teacher pay raises.

### **This issue raises several important questions:**

- Did the Legislature intend for charter schools to provide the teacher salary increase authorized this session, even though their employees are not subject to the state salary requirements as traditional public-school districts?
- If charter schools are permitted to employ instructional personnel who are not licensed in the same manner required of traditional LEAs, should charter schools receive the full MSFF allocation associated with state-funded teacher salary increases?

Traditional public-school districts are required to employ properly licensed educators in accordance with Mississippi accreditation standards and educator licensure requirements; however, the requirements for charter schools differ. Mississippi Code Ann. § 37-28-4 provides:

(1)(a) No more than twenty-five percent (25%) of teachers in a charter school may be exempt from state teacher licensure requirements. Administrators of charter schools are exempt from state administrator licensure requirements.... Within three (3) years of a teacher's employment by a charter school, the teacher must have, at a minimum, alternative licensure approved by the Commission on Teacher and Administrator Education, Certification and Licensure and Development.

(2) Employees in charter schools must have the same general rights and privileges as other public school employees, except such employees *are not*:

- (a) Covered under the Education Employment Procedures Law (Section 37-9-103); and
- (b) Subject to the state salary requirements prescribed in Section 37-19-7.

Because a portion of MSFF funding is directly attributable to legislatively authorized teacher compensation increases, additional clarification would help ensure equitable and consistent application of state appropriations and funding policy.

### **Request for Legislative Guidance**


Given the statewide fiscal and operational impact of these issues, we respectfully request that the Legislature consider providing formal guidance as to its intent in the following matters:

1. Whether assistant teachers already earning \$19,000 prior to SB 2103 are entitled to receive an additional \$2,000 increase; and
2. Whether charter schools must comply with the same teacher compensation applicable to traditional public-school districts in order to receive MSFF funding attributable to teacher salary increases.

Clear legislative direction on these matters would greatly assist school districts, charter schools, state agencies, and auditors in ensuring consistent statewide implementation and compliance with legislative intent.

Thank you for your continued leadership and commitment to Mississippi's educators, assistant teachers, and students.

Sincerely,

A handwritten signature in blue ink that reads "Lance Evans". The signature is written in a cursive style with a long, sweeping underline.

Lance Evans, Ed.D.  
State Superintendent of Education