By: Representatives McCoy, Scott (17th), Barnett (92nd), Frierson, Livingston, McInnis, Peranich, Read, Vince To: Appropriations

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1636

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING 1 2 THE EXPENSES OF THE GENERAL EDUCATION PROGRAMS, THE VOCATIONAL AND 3 TECHNICAL EDUCATION DIVISION OF THE STATE DEPARTMENT OF EDUCATION 4 AND THE MISSISSIPPI SCHOOL DISTRICT UNIFORM MILLAGE ASSISTANCE 5 GRANT PROGRAM FOR THE FISCAL YEAR 2000. б BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI: 7 SECTION 1. The following sum, or so much thereof as may be 8 necessary, is hereby appropriated out of any money in the State 9 General Fund not otherwise appropriated, for the purpose of 10 defraying the expenses of the State Department of Education, and excluding the expenses of the Vocational and Technical Education 11 Division, for the fiscal year beginning July 1, 1999, and ending 12 13 June 30, 2000.....\$ 82,978,644.00. 14 SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in any special 15 fund in the State Treasury to the credit of the State Department 16 of Education which is comprised of special source funds collected 17 by or otherwise available to the department, for the purpose of 18 defraying the expenses of the department for the fiscal year 19 beginning July 1, 1999, and ending June 30, 2000..... 20 21 .....\$ 588,616,223.00. SECTION 3. Of the funds appropriated under the provisions of 2.2 23 Section 1 and Section 2, the following positions are authorized: AUTHORIZED POSITIONS: 24 25 Full Time. . . . . . . . . Permanent: 503 26 Part Time. . . . . . . . . . 3 Time-Limited: Full Time. . . . . . . . 27 65

Part Time. . . . . . . . .

1

From the funds provided herein, funds may be expended for the following purposes, in compliance with the policies established by the State Personnel Board and any conditions placed on such expenditures:

33 (a) The components of the Variable Compensation Plan
34 shall be maintained within the constraints of the funds
35 appropriated herein.

(b) Funds are provided to adjust the Variable
Compensation Plan, including realignment, to ensure that all
full-time employees with at least six (6) months of continuous
current service, as of June 30, 1999, receive an increase of One
Thousand Five Hundred Dollars (\$1,500.00). Funds are provided to
adjust critical job classes up to an additional One Thousand
Dollars (\$1,000.00).

43 (c) If an employee is currently at or above the end 44 salary for his or her job classification, then the increase shall be built into the employee's base salary. To be eligible for any 45 46 increase authorized in this section, employees may not have a current performance rating below "meets expectations" as of the 47 48 effective date of the increase. Employees who subsequently receive a performance rating of "meets expectations" or above 49 50 during Fiscal Year 2000 shall receive the salary increase 51 effective the date of the rating.

It is the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2001 do not exceed Fiscal Year 2000 funds appropriated for that purpose unless programs or positions are added to the agency's budget by the Mississippi Legislature.

57 Any transfers or escalations shall be made in accordance with 58 the terms, conditions and procedures established by law.

59 No general funds authorized to be expended herein shall be 60 used to replace federal funds and/or other special funds which are

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being used for salaries authorized under the provisions of thisact and which are withdrawn and no longer available.

The State Department of Education shall prepare and present to the Joint Legislative Budget Committee and the Department of Finance and Administration and make available to the Legislature an accounting of program expenditures for all programs once at the beginning of the legislative session and once at the end of the fiscal year. The department at the same time shall present a summary report for each program.

70 SECTION 4. Of the funds appropriated in Section 2, Forty-eight Million One Hundred Eighty-six Thousand Four Hundred 71 Sixty-seven Dollars (\$48,186,467.00) shall be derived from the 72 School Ad Valorem Reduction Fund and Fifty-nine Million Nine 73 74 Hundred Twenty-five Thousand Eight Hundred Thirty-two Dollars (\$59,925,832.00) shall be derived from the Education Enhancement 75 76 Fund deposited pursuant to Sections 27-65-75 and 27-67-31, 77 Mississippi Code of 1972, for the following purposes: School Ad Valorem Reduction .....\$ 78 48,186,467.00 79 Grants to school districts for capital facilities and buses .....\$ 16,000,000.00 80 Instructional Materials .....\$ 81 17,812,648.00 Purchasing textbooks and other 82 educational materials, but not to 83 84 include more than Two Million Dollars (\$2,000,000.00) for technology 85 86 enhancement projects for elementary 87 and secondary education programs .....\$ 15,477,171.00 88 Implementing Performance Based Data Collection and Accreditation Model .....\$ 292,232.00 89 90 Industrial Training .....\$ 500,000.00 91 Administrator Training.....\$ 128,266.00 9,378,126.00 92 Adequate Education Program.....\$ World Class Teacher Program.....\$ 93 125,000.00

94

Mississippi School Boards Association

95	Continuing Training\$	50,000.00
96	School Board Training\$	62,389.00
97	Education Technology Council\$	100,000.00
98	TOTAL\$	108,112,299.00

No school district shall expend any funds, received under the 99 School Ad Valorem Reduction Grant, unless such school district has 100 101 specifically identified the amount of said grant within the published budget as required by Section 37-61-9, Mississippi Code 102 103 of 1972. The published budget shall include the following 104 statement: "Ad Valorem taxes will be \$\_\_\_\_\_ less as a result 105 of the Ad Valorem Reduction Grants enacted by the Mississippi 106 Legislature in 1992."

SECTION 5. Of the funds appropriated in Section 2, Thirty-eight Million Three Hundred Fifty-seven Thousand Nine Hundred Forty-two Dollars (\$38,357,942.00) shall be derived from Education Enhancement Funds deposited pursuant to Section 27-103-203 (1), Mississippi Code of 1972, for the following purposes:

113	Reading Initiative\$	1,312,413.00
114	Master Teacher Assessment\$	3,324,733.00
115	Wildlife Museum\$	450,000.00
116	Regional HUB Connection\$	150,000.00
117	Industrial Training\$	1,185,000.00
118	Adequate Education Program\$	16,386,456.00
119	Teacher Shortage Initiative\$	2,409,360.00
120	National Guard Youth Challenge\$	2,086,683.00
121	Network Backbone\$	650,000.00
122	Dyslexia Program\$	300,000.00
123	Regional Technical Support\$	250,000.00
124	Technology in Classroom\$	380,000.00
125	World Class Teacher Program\$	300,000.00
126	Tech Prep Bond Debt\$	3,214,425.00

127	Teacher Leader Model\$	100,000.00
128	Assistant Teacher Training Program\$	150,000.00
129	Idea Program\$	376,952.00
130	Tech Prep Equipment Upgrade\$	2,500,000.00
131	Family Resource Centers\$	1,400,000.00
132	Travel and Tourism\$	125,000.00
133	Mississippi School for Fine Arts\$	156,920.00
134	Jobs for Mississippi Graduates\$	250,000.00
135	Statewide Testing Contract\$	900,000.00
136	TOTAL\$	38,357,942.00

SECTION 6. Of the funds appropriated in Section 2, Three
Million Four Hundred Thousand Dollars (\$3,400,000.00) shall be
derived from the Technology in Classroom Fund 3203.

SECTION 7. Of the funds appropriated under the provisions of 140 Section 2, funds in the amount of One Million Five Hundred One 141 142 Thousand Seven Hundred Twenty-six Dollars (\$1,501,726.00) shall 143 come from income derived from the principal of the Education Improvement Trust Fund created by Section 206A, Mississippi 144 145 Constitution of 1890, and One Million Five Hundred One Thousand Seven Hundred Twenty-six Dollars (\$1,501,726.00) shall be used for 146 147 the School for Math and Science.

SECTION 8. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided in Sections 1 and 2 shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

FYOO

Target

- 156 <u>Performance Measures</u>
- 157 General Education Programs/HB4
- 158 Administration

155

159 Special Education

160	Approved teacher unit funding (units)	4,100
161	Approved education child placements (childre	en) 905
162	Child Nutrition	
163	Number of meals required (millions)	127
164	Cost per meal (dollars)	2.07
165	Special Projects	
166	Building projects approved (projects)	90
167	Project approval rate (percent)	95
168	Industrial Training	
169	Industries served (entities)	250
170	Workers trained (persons)	39,000
171	Cost per trainee (dollars)	171
172	School for Math and Science	
173	Students enrolled (persons)	270
174	Cost per student (dollars) 14	,166.00
175	Educational Accountability	
176	Performance accreditation visits (visits)	70
177	Tests administered (persons) 435,0	000
178	Compliance reviews (actions)	70
179	Educational Training and Development	
180	Administrators trained (persons)	1,440
181	Percentage of administrators trained (percer	nt) 68
182	Technical assistance to school districts	
183	(percent)	100%
184	Compensatory Education	
185	Title I projects awarded (programs)	152
186	Review delinquent programs (programs)	2
187	Average expenditure per child (dollars) 542.	00
188	Community and Outreach Services	
189	Requested available federal funding	
190	(percent)	100%
191	Educational Technology	
192	Tech Prep Sites Implemented (sites)	116

193

Tech Prep funds allocated (millions)

194

Mississippi Teacher Center

195Teachers recruited in shortage areas (number)450196A reporting of the degree to which the performance targets197set above have been or are being achieved shall be provided in the198agency's budget request submitted to the Joint Legislative Budget199Committee for Fiscal Year 2001.

200 SECTION 9. In addition to any other funds herein appropriated, the following sum, or so much thereof as may be 201 202 necessary, is hereby appropriated out of any money in the State 203 General Fund not otherwise appropriated, for the purpose of 204 defraying the expenses of the Vocational and Technical Education Division of the State Department of Education for the fiscal year 205 beginning July 1, 1999, and ending June 30, 2000..... 206 207 .....\$ 65,061,366.00.

208 SECTION 10. In addition to any other funds herein 209 appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in any special 210 211 fund in the State Treasury to the credit of the Vocational and Technical Education Division of the State Department of Education 212 213 which is comprised of special source funds collected by or 214 otherwise available to the division, for the purpose of defraying 215 the expenses of the division for the fiscal year beginning July 1, 216 1999, and ending June 30, 2000.....\$ 25,567,558.00. SECTION 11. Of the funds appropriated under the provisions 217 218 of Sections 9 and 10, the following positions are authorized:

219 AUTHORIZED POSITIONS:

220	Permanent:	Full Time	71
221		Part Time	0
222	Time-Limited:	Full Time	0
223		Part Time	0

From the funds provided herein, funds may be expended for the following purposes, in compliance with the policies established by

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226 the State Personnel Board and any conditions placed on such 227 expenditures:

(a) The components of the Variable Compensation Plan
shall be maintained within the constraints of the funds
appropriated herein.

(b) Funds are provided to adjust the Variable
Compensation Plan, including realignment, to ensure that all
full-time employees with at least six (6) months of continuous
current service, as of June 30, 1999, receive an increase of One
Thousand Five Hundred Dollars (\$1,500.00). Funds are provided to
adjust critical job classes up to an additional One Thousand
Dollars (\$1,000.00).

(c) If an employee is currently at or above the end 238 salary for his or her job classification, then the increase shall 239 240 be built into the employee's base salary. To be eligible for any 241 increase authorized in this section, employees may not have a 242 current performance rating below "meets expectations" as of the effective date of the increase. Employees who subsequently 243 244 receive a performance rating of "meets expectations" or above during Fiscal Year 2000 shall receive the salary increase 245 effective the date of the rating. 246

It is the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2001 do not exceed Fiscal Year 2000 funds appropriated for that purpose unless programs or positions are added to the agency's budget by the Mississippi Legislature.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

258 SECTION 12. Of the funds appropriated under the provisions

of Sections 9 and 10, an amount not to exceed Two Hundred Nine Thousand Six Hundred Eighty-four Dollars (\$209,684.00) is authorized for the support of Vocational and Technical Education Programs as authorized in Section 37-31-13, Mississippi Code of 1972, for a period in excess of ten (10) months in a calendar year.

SECTION 13. Of the funds appropriated under the provisions of Section 10, Eight Million One Hundred Seventy-eight Thousand Seven Hundred Forty-six Dollars (\$8,178,746.00) shall be derived from the Education Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 14. Of the funds appropriated under the provisions of Section 10, One Million Eight Hundred Nine Thousand Two Hundred Seventy-five Dollars (\$1,809,275.00) shall be derived from Education Enhancement Funds deposited pursuant to Section 274 27-103-203 (1), Mississippi Code of 1972, for the following purposes:

 276
 Post Secondary Vocation Salary.....\$ 759,230.00

 277
 Vocational Agricultural Support.....\$ 1,050,045.00

 278
 TOTAL.....\$ 1,809,275.00

279 SECTION 15. It is the intention of the Legislature that the 280 Vocational and Technical Education Division of the State 281 Department of Education shall, with the funds appropriated in 282 Section 9, transfer no more than One Hundred Thousand Dollars 283 (\$100,000.00) to the Mississippi Soil and Water Conservation 284 Commission for the purpose of providing matching funds to purchase 285 soil conservation equipment.

SECTION 16. Of the funds appropriated in Sections 9 and 10, no more than One Hundred Thousand Dollars (\$100,000.00) is provided for the purpose of supporting the Future Farmers of America Center.

290 SECTION 17. In compliance with the "Mississippi Performance 291 Budget and Strategic Planning Act of 1994," it is the intent of

292 the Legislature that the funds provided herein shall be utilized 293 in the most efficient and effective manner possible to achieve the 294 intended mission of this agency. Based on the funding authorized, 295 this agency shall make every effort to attain the targeted 296 performance measures provided below:

297		FY00
298	Performance Measures	<u>Target</u>
299	Vocational and Technical Education	
300	Vocational - Secondary Programs	
301	Increase in students served (%)	10
302	LEAs served (sites)	152
303	Tech Prep sites established (sites)	20
304	Vocational - Post Secondary Programs	
305	Short-term students served (persons)	12,500
306	Short-term adult program classes (classes)	790
307	Short-term cost per student (dollars)	113

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2001.

312 SECTION 18. In addition to any other funds herein appropriated, the following sum, or so much thereof as may be 313 314 necessary, is hereby appropriated out of any money in the State 315 General Fund not otherwise appropriated, to the State Department of Education, for the purpose of providing funding for the 316 317 Mississippi School District Uniform Millage Assistance Grant Program, the Second Level Funding Program and the Emergency Fund 318 Loss Assistance Program for the fiscal year beginning July 1, 1999 319 320 and ending June 30, 2000.....\$ 21,400,000.00. SECTION 19. In addition to all other sums herein 321 322 appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the 323

Education Enhancement Fund pursuant to Sections 27-65-75 and

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325 27-67-31, Mississippi Code of 1972, not otherwise appropriated, to 326 the State Department of Education, for the purpose of providing 327 funding for the Uniform Millage Assistance Grant Program, the 328 Second Level Funding Program and the Emergency Loss Assistance 329 Program for the fiscal year beginning July 1, 1999, and ending 330 June 30, 2000.....\$ 15,310,351.00.

SECTION 20. With respect to agency programs whose operation 331 is dependent on the receipt of federal funds, it is the intent of 332 333 the Legislature, except as hereinafter provided, that no funds 334 from the State General Fund be expended to administer, support or in any way continue such programs should federal funds for their 335 336 operation be reduced or become unavailable and that no funds from 337 the State General Fund available for expenditure under this act 338 shall be used to replace federal funds in any major object of 339 expenditure.

340 SECTION 21. It is the intention of the Legislature that the 341 State Department of Education and Vocational and Technical Education Division shall maintain complete accounting and 342 343 personnel records related to the expenditure of all funds 344 appropriated under this act and that such records shall be in the 345 same format and level of detail as maintained for Fiscal Year 1999. The Department of Finance and Administration shall insure 346 347 that financial controls comparable to those utilized for Fiscal 348 Year 1999 are maintained throughout Fiscal Year 2000 for this agency. The State Personnel Board shall insure that personnel 349 350 controls and records comparable to those utilized for Fiscal Year 1999 are maintained throughout Fiscal Year 2000 for this agency. 351 It is further the intention of the Legislature that the agency's 352 budget request for Fiscal Year 2001 shall be submitted to the 353 354 Joint Legislative Budget Committee in a format and level of detail 355 comparable to the format and level of detail provided during the Fiscal Year 2000 budget request process. 356

357 SECTION 22. Any school district receiving conservatorship

358 assistance from the State Department of Education shall pay for 359 any additional assistance as determined by the State Department of 360 Education from any source funds available.

SECTION 23. Of the funds appropriated in Sections 1 and 2, 361 362 funds in the amount of Eight Million Nine Hundred Eighty-five Thousand Dollars (\$8,985,000.00) are provided for the Industrial 363 Training Program. No funding obligation or commitment shall be 364 365 made on behalf of the state for the Industrial Training Funds 366 beyond the level of funding made available in this section. All 367 Industrial Training commitments made in Fiscal Year 2000 and future fiscal years shall be based only upon funds available in 368 369 this section and any proposed commitments shall be approved by the State Superintendent of Education, or the Superintendent's 370 371 designee prior to such commitment being finalized. Industrial Training Program commitments shall be made and based only upon 372 373 training services provided and not for a specific funding amount. 374 Any expenditures of funds authorized in these sections are limited to obligations made July 1, 1999, or after, and shall not 375 376 be expended for obligations made prior to this date.

377 SECTION 24. Should revenues generated and deposited to the 378 Education Enhancement Fund pursuant to Section 27-103-203 (1), Mississippi Code of 1972, and apportioned pursuant to Section 379 37-61-33 (6), Mississippi Code of 1972, fall below funds 380 381 appropriated herein from said source, the State Department of Education shall notify the Department of Finance and 382 383 Administration as to which allotments shall be reduced to insure expenditures do not exceed actual revenues. 384

385 SECTION 25. Of the funds provided in Section 1 for the 386 purpose of providing financial assistance for the education of 387 exceptional children as determined under Section 37-23-63, 388 Mississippi Code of 1972, children who are certified by the 389 designated authority as requiring inpatient care in a private 390 intermediate care facility for the mentally retarded or

391 psychiatric residential treatment facility, with Medicaid reimbursement, shall be eligible and entitled to receive state 392 393 financial assistance under the provisions of Section 37-23-69, in an amount not to exceed Five Thousand Dollars (\$5,000.00) from 394 395 state funds, per child per school year, if an approved private 396 school is operated as an integral part of the facility which 397 provides twenty-four (24) hours a day monitoring, treatment and education, except that the State Department of Education is 398 399 authorized to pilot a fee-for-service based cost system for 400 children served through Millcreek Schools, Inc.

401 SECTION 26. Of the funds appropriated in Section 2 in 402 accordance with Sections 37-31-103 through 37-31-111, Mississippi 403 Code of 1972, training will be conducted in the areas outlined in 404 Section 37-31-103 (2) for TANF recipients and subject to agreement 405 between the Mississippi State Department of Education and the 406 Mississippi Department of Human Services.

407 SECTION 27. Of the funds appropriated under the provisions 408 of Sections 1 and 2, the amount of Eighty-eight Million Three 409 Hundred Two Thousand Seven Hundred Six Dollars (\$88,302,706.00) 410 shall be derived from the Interim School District Capital 411 Expenditure Fund for the benefit of the school districts as 412 authorized in Senate Bill No. 2649, 1997 Regular Session.

413 SECTION 28. Of the funds provided in Section 1, Six Hundred 414 Thousand Dollars (\$600,000.00) shall be used to provide for a Director of School Nurses in the State Department of Education and 415 416 the implementation of three (3) pilot projects for a variety of 417 school health programs in an elementary school setting. 418 Evaluations shall be developed to determine the program's effect to drop-out rates, suspensions, expulsions, attendance and test 419 420 scores.

421 SECTION 29. It is the intention of the Legislature that the 422 State Department of Education shall have the authority to accept, 423 budget and expend any source funds not to exceed Thirty Million

Dollars (\$30,000,000.00), that become available to the department to carry out the provisions of those funds in a manner consistent with the rules and regulations of the Department of Finance and Administration.

428 SECTION 30. Funds are provided in this act for the 429 reallocation of twenty-three (23) positions for an amount not to 430 exceed Eighty Thousand Three Hundred Thirty-four Dollars 431 (\$80,334.00).

432 SECTION 31. The State Department of Education shall transfer 433 the designated amounts to the appropriate entities, which shall 434 assume full responsibility for the expenditure of these funds in 435 accordance with state laws and accept all responsibility for any 436 improper expenditure. For the following: National Guard Youth Challenge Program, MSU Capital Improvements Project, World Class 437 Teacher Programs, Writing and Thinking Institute, USM Special 438 439 Education Program, Soil and Water Conservation Commission, 440 Mississippi School Boards Association and Department of Wildlife, Fisheries and Parks, City of New Albany and Mississippi Eye 441 442 Screening Program.

SECTION 32. With the funds provided herein, it is the intention of the Legislature that an amount not to exceed Three Million Dollars (\$3,000,000.00) may be transferred to the Minimum Program budget.

447 SECTION 33. With the funds provided herein, it is the 448 intention of the Legislature that an amount not to exceed One 449 Million Eight Hundred Thousand Dollars (\$1,800,000.00) may be 450 transferred to the Institutions of Higher Learning for the purpose 451 of providing certain scholarships for the Mississippi Critical 452 Teacher Shortage Fund as authorized in House Bill No. 609, 1998 453 Regular Session.

454 SECTION 34. Of the funds appropriated herein, Fifty Thousand 455 Dollars (\$50,000.00) shall be transferred to the Mississippi Eye 456 Screening Program for providing vision screening services.

457 SECTION 35. With the funds provided herein, the State 458 Department of Education shall conduct a study of the Hispanic 459 school-age population in the state to include number, age, 460 location, an assessment of needs relative to limited English 461 speaking abilities and other related information. The study shall 462 be provided to the Legislature on or before January 1, 2000.

463 SECTION 36. The money herein appropriated shall be paid by 464 the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon 465 466 warrants issued by the State Fiscal Officer; and the State Fiscal 467 Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law. 468 SECTION 37. This act shall take effect and be in force from 469 470 and after July 1, 1999.