

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

To: Appropriations

HOUSE BILL NO. 1636

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
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.

6 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
11 excluding the expenses of the Vocational and Technical Education
12 Division, for the fiscal year beginning July 1, 1999, and ending
13 June 30, 2000..... \$ 82,978,644.00.

14 SECTION 2. The following sum, or so much thereof as may be
15 necessary, is hereby appropriated out of any money in any special
16 fund in the State Treasury to the credit of the State Department
17 of Education which is comprised of special source funds collected
18 by or otherwise available to the department, for the purpose of
19 defraying the expenses of the department for the fiscal year
20 beginning July 1, 1999, and ending June 30, 2000.....
21 \$ 588,616,223.00.

22 SECTION 3. Of the funds appropriated under the provisions of

23 Section 1 and Section 2, the following positions are authorized:

24 AUTHORIZED POSITIONS:

25	Permanent:	Full Time.	503
26		Part Time.	3
27	Time-Limited:	Full Time.	65
28		Part Time.	1

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

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

36 (b) Funds are provided to adjust the Variable
37 Compensation Plan, including realignment, to ensure that all
38 full-time employees with at least six (6) months of continuous
39 current service, as of June 30, 1999, receive an increase of One
40 Thousand Five Hundred Dollars (\$1,500.00). Funds are provided to
41 adjust critical job classes up to an additional One Thousand
42 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
45 be built into the employee's base salary. To be eligible for any
46 increase authorized in this section, employees may not have a
47 current performance rating below "meets expectations" as of the
48 effective date of the increase. Employees who subsequently
49 receive a performance rating of "meets expectations" or above
50 during Fiscal Year 2000 shall receive the salary increase
51 effective the date of the rating.

52 It is the agency's responsibility to make certain that funds
53 required to be appropriated for "Personal Services" for Fiscal

54 Year 2001 do not exceed Fiscal Year 2000 funds appropriated for
55 that purpose unless programs or positions are added to the
56 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
61 being used for salaries authorized under the provisions of this
62 act and which are withdrawn and no longer available.

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

70 SECTION 4. Of the funds appropriated in Section 2,
71 Forty-eight Million One Hundred Eighty-six Thousand Four Hundred
72 Sixty-seven Dollars (\$48,186,467.00) shall be derived from the
73 School Ad Valorem Reduction Fund and Fifty-nine Million Nine
74 Hundred Twenty-five Thousand Eight Hundred Thirty-two Dollars
75 (\$59,925,832.00) shall be derived from the Education Enhancement
76 Fund deposited pursuant to Sections 27-65-75 and 27-67-31,
77 Mississippi Code of 1972, for the following purposes:

78	School Ad Valorem Reduction	\$	48,186,467.00
79	Grants to school districts for capital		
80	facilities and buses	\$	16,000,000.00
81	Instructional Materials	\$	17,812,648.00

82	Purchasing textbooks and other	
83	educational materials, but not to	
84	include more than Two Million	
85	Dollars (\$2,000,000.00) for technology	
86	enhancement projects for elementary	
87	and secondary education programs	\$ 15,477,171.00
88	Implementing Performance Based Data	
89	Collection and Accreditation Model	\$ 292,232.00
90	Industrial Training	\$ 500,000.00
91	Administrator Training.....	\$ 128,266.00
92	Adequate Education Program.....	\$ 9,378,126.00
93	World Class Teacher Program.....	\$ 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	\$ <u>100,000.00</u>
98	TOTAL	\$ 108,112,299.00

99 No school district shall expend any funds, received under the
100 School Ad Valorem Reduction Grant, unless such school district has
101 specifically identified the amount of said grant within the
102 published budget as required by Section 37-61-9, Mississippi Code
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."

107 SECTION 5. Of the funds appropriated in Section 2,
108 Thirty-eight Million One Hundred Seven Thousand Nine Hundred
109 Forty-two Dollars (\$38,107,942.00) shall be derived from Education

110	Enhancement Funds deposited pursuant to Section 27-103-203 (1),	
111	Mississippi Code of 1972, for the following purposes:	
112	Reading Initiative.....	\$ 1,312,413.00
113	Master Teacher Assessment.....	\$ 3,324,733.00
114	Wildlife Museum.....	\$ 450,000.00
115	Regional HUB Connection.....	\$ 150,000.00
116	Industrial Training.....	\$ 1,185,000.00
117	Adequate Education Program.....	\$ 16,136,456.00
118	Teacher Shortage Initiative.....	\$ 2,409,360.00
119	National Guard Youth Challenge	\$ 2,086,683.00
120	Network Backbone.....	\$ 650,000.00
121	Dyslexia Program.....	\$ 300,000.00
122	Regional Technical Support.....	\$ 250,000.00
123	Technology in Classroom.....	\$ 380,000.00
124	World Class Teacher Program.....	\$ 300,000.00
125	Tech Prep Bond Debt.....	\$ 3,214,425.00
126	Teacher Leader Model.....	\$ 100,000.00
127	Assistant Teacher Training Program.....	\$ 150,000.00
128	Idea Program.....	\$ 376,952.00
129	Tech Prep Equipment Upgrade.....	\$ 2,500,000.00
130	Family Resource Centers.....	\$ 1,400,000.00
131	Travel and Tourism.....	\$ 125,000.00
132	Mississippi School for Fine Arts.....	\$ 156,920.00
133	Jobs for Mississippi Graduates.....	\$ 250,000.00
134	Statewide Testing Contract.....	\$ <u>900,000.00</u>
135	TOTAL	\$ 38,107,942.00

136 SECTION 6. Of the funds appropriated in Section 2, Three
137 Million Four Hundred Thousand Dollars (\$3,400,000.00) shall be

138 derived from the Technology in Classroom Fund 3203.

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

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

154		FY00
155	<u>Performance Measures</u>	<u>Target</u>
156	General Education Programs/HB4	
157	Administration	
158	Special Education	
159	Approved teacher unit funding (units)	4,100
160	Approved education child placements (children)	905
161	Child Nutrition	
162	Number of meals required (millions)	127
163	Cost per meal (dollars)	2.07
164	Special Projects	
165	Building projects approved (projects)	90

166	Project approval rate (percent)	95
167	Industrial Training	
168	Industries served (entities)	250
169	Workers trained (persons)	39,000
170	Cost per trainee (dollars)	171
171	School for Math and Science	
172	Students enrolled (persons)	270
173	Cost per student (dollars)	14,166.00
174	Educational Accountability	
175	Performance accreditation visits (visits)	70
176	Tests administered (persons)	435,000
177	Compliance reviews (actions)	70
178	Educational Training and Development	
179	Administrators trained (persons)	1,440
180	Percentage of administrators trained (percent)	68
181	Technical assistance to school districts	
182	(percent)	100%
183	Compensatory Education	
184	Title I projects awarded (programs)	152
185	Review delinquent programs (programs)	2
186	Average expenditure per child (dollars)	542.00
187	Community and Outreach Services	
188	Requested available federal funding	
189	(percent)	100%
190	Educational Technology	
191	Tech Prep Sites Implemented (sites)	116
192	Tech Prep funds allocated (millions)	0
193	Mississippi Teacher Center	

194 Teachers recruited in shortage areas (number) 450

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

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

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

216 SECTION 11. Of the funds appropriated under the provisions
217 of Sections 9 and 10, the following positions are authorized:

218 AUTHORIZED POSITIONS:

219	Permanent:	Full Time.	71
220		Part Time.	0
221	Time-Limited:	Full Time.	0

222 Part Time. 0

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

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

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

237 (c) If an employee is currently at or above the end
238 salary for his or her job classification, then the increase shall
239 be built into the employee's base salary. To be eligible for any
240 increase authorized in this section, employees may not have a
241 current performance rating below "meets expectations" as of the
242 effective date of the increase. Employees who subsequently
243 receive a performance rating of "meets expectations" or above
244 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
247 required to be appropriated for "Personal Services" for Fiscal
248 Year 2001 do not exceed Fiscal Year 2000 funds appropriated for
249 that purpose unless programs or positions are added to the

250 agency's budget by the Mississippi Legislature.

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

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

257 SECTION 12. Of the funds appropriated under the provisions
258 of Sections 9 and 10, an amount not to exceed Two Hundred Nine
259 Thousand Six Hundred Eighty-four Dollars (\$209,684.00) is
260 authorized for the support of Vocational and Technical Education
261 Programs as authorized in Section 37-31-13, Mississippi Code of
262 1972, for a period in excess of ten (10) months in a calendar
263 year.

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

269 SECTION 14. It is the intention of the Legislature that the
270 Vocational and Technical Education Division of the State
271 Department of Education shall, with the funds appropriated in
272 Section 9, transfer no more than One Hundred Thousand Dollars
273 (\$100,000.00) to the Mississippi Soil and Water Conservation
274 Commission for the purpose of providing matching funds to purchase
275 soil conservation equipment.

276 SECTION 15. Of the funds appropriated in Sections 9 and 10,
277 no more than One Hundred Thousand Dollars (\$100,000.00) is

278 provided for the purpose of supporting the Future Farmers of
279 America Center.

280 SECTION 16. In compliance with the "Mississippi Performance
281 Budget and Strategic Planning Act of 1994," it is the intent of
282 the Legislature that the funds provided herein shall be utilized
283 in the most efficient and effective manner possible to achieve the
284 intended mission of this agency. Based on the funding authorized,
285 this agency shall make every effort to attain the targeted
286 performance measures provided below:

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

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

302 SECTION 17. In addition to any other funds herein
303 appropriated, the following sum, or so much thereof as may be
304 necessary, is hereby appropriated out of any money in the State
305 General Fund not otherwise appropriated, to the State Department

306 of Education, for the purpose of providing funding for the
307 Mississippi School District Uniform Millage Assistance Grant
308 Program, the Second Level Funding Program and the Emergency Fund
309 Loss Assistance Program for the fiscal year beginning July 1, 1999
310 and ending June 30, 2000..... \$ 21,400,000.00.

311 SECTION 18. In addition to all other sums herein
312 appropriated, the following sum, or so much thereof as may be
313 necessary, is hereby appropriated out of any money in the
314 Education Enhancement Fund pursuant to Sections 27-65-75 and
315 27-67-31, Mississippi Code of 1972, not otherwise appropriated, to
316 the State Department of Education, for the purpose of providing
317 funding for the Uniform Millage Assistance Grant Program, the
318 Second Level Funding Program and the Emergency Loss Assistance
319 Program for the fiscal year beginning July 1, 1999, and ending
320 June 30, 2000..... \$ 15,310,351.00.

321 SECTION 19. With respect to agency programs whose operation
322 is dependent on the receipt of federal funds, it is the intent of
323 the Legislature, except as hereinafter provided, that no funds
324 from the State General Fund be expended to administer, support or
325 in any way continue such programs should federal funds for their
326 operation be reduced or become unavailable and that no funds from
327 the State General Fund available for expenditure under this act
328 shall be used to replace federal funds in any major object of
329 expenditure.

330 SECTION 20. It is the intention of the Legislature that the
331 State Department of Education and Vocational and Technical
332 Education Division shall maintain complete accounting and
333 personnel records related to the expenditure of all funds

334 appropriated under this act and that such records shall be in the
335 same format and level of detail as maintained for Fiscal Year
336 1999. The Department of Finance and Administration shall insure
337 that financial controls comparable to those utilized for Fiscal
338 Year 1999 are maintained throughout Fiscal Year 2000 for this
339 agency. The State Personnel Board shall insure that personnel
340 controls and records comparable to those utilized for Fiscal Year
341 1999 are maintained throughout Fiscal Year 2000 for this agency.
342 It is further the intention of the Legislature that the agency's
343 budget request for Fiscal Year 2001 shall be submitted to the
344 Joint Legislative Budget Committee in a format and level of detail
345 comparable to the format and level of detail provided during the
346 Fiscal Year 2000 budget request process.

347 SECTION 21. Any school district receiving conservatorship
348 assistance from the State Department of Education shall pay for
349 any additional assistance as determined by the State Department of
350 Education from any source funds available.

351 SECTION 22. Of the funds appropriated in Sections 1 and 2,
352 funds in the amount of Eight Million Nine Hundred Eighty-five
353 Thousand Dollars (\$8,985,000.00) are provided for the Industrial
354 Training Program. No funding obligation or commitment shall be
355 made on behalf of the state for the Industrial Training Funds
356 beyond the level of funding made available in this section. All
357 Industrial Training commitments made in Fiscal Year 2000 and
358 future fiscal years shall be based only upon funds available in
359 this section and any proposed commitments shall be approved by the
360 State Superintendent of Education, or the Superintendent's
361 designee prior to such commitment being finalized. Industrial

362 Training Program commitments shall be made and based only upon
363 training services provided and not for a specific funding amount.

364 Any expenditures of funds authorized in these sections are
365 limited to obligations made July 1, 1999, or after, and shall not
366 be expended for obligations made prior to this date.

367 SECTION 23. Should revenues generated and deposited to the
368 Education Enhancement Fund pursuant to Section 27-103-203 (1),
369 Mississippi Code of 1972, and apportioned pursuant to Section
370 37-61-33 (6), Mississippi Code of 1972, fall below funds
371 appropriated herein from said source, the State Department of
372 Education shall notify the Department of Finance and
373 Administration as to which allotments shall be reduced to insure
374 expenditures do not exceed actual revenues.

375 SECTION 24. Of the funds provided in Section 1 for the
376 purpose of providing financial assistance for the education of
377 exceptional children as determined under Section 37-23-63,
378 Mississippi Code of 1972, children who are certified by the
379 designated authority as requiring inpatient care in a private
380 intermediate care facility for the mentally retarded or
381 psychiatric residential treatment facility, with Medicaid
382 reimbursement, shall be eligible and entitled to receive state
383 financial assistance under the provisions of Section 37-23-69, in
384 an amount not to exceed Five Thousand Dollars (\$5,000.00) from
385 state funds, per child per school year, if an approved private
386 school is operated as an integral part of the facility which
387 provides twenty-four (24) hours a day monitoring, treatment and
388 education, except that the State Department of Education is
389 authorized to pilot a fee-for-service based cost system for

390 children served through Millcreek Schools, Inc.

391 SECTION 25. Of the funds appropriated in Section 2 in
392 accordance with Sections 37-31-103 through 37-31-111, Mississippi
393 Code of 1972, training will be conducted in the areas outlined in
394 Section 37-31-103 (2) for TANF recipients and subject to agreement
395 between the Mississippi State Department of Education and the
396 Mississippi Department of Human Services.

397 SECTION 26. Of the funds appropriated under the provisions
398 of Sections 1 and 2, the amount of Eighty-eight Million Three
399 Hundred Two Thousand Seven Hundred Six Dollars (\$88,302,706.00)
400 shall be derived from the Interim School District Capital
401 Expenditure Fund for the benefit of the school districts as
402 authorized in Senate Bill No. 2649, 1997 Regular Session.

403 SECTION 27. Of the funds provided in Section 1, Six Hundred
404 Thousand Dollars (\$600,000.00) shall be used to provide for a
405 Director of School Nurses in the State Department of Education and
406 the implementation of three (3) pilot projects for a variety of
407 school health programs in an elementary school setting.
408 Evaluations shall be developed to determine the program's effect
409 to drop-out rates, suspensions, expulsions, attendance and test
410 scores.

411 SECTION 28. It is the intention of the Legislature that the
412 State Department of Education shall have the authority to accept,
413 budget and expend any source funds not to exceed Thirty Million
414 Dollars (\$30,000,000.00), that become available to the department
415 to carry out the provisions of those funds in a manner consistent
416 with the rules and regulations of the Department of Finance and
417 Administration.

418 SECTION 29. Funds are provided in this act for the
419 reallocation of twenty-three (23) positions for an amount not to
420 exceed Eighty Thousand Three Hundred Thirty-four Dollars
421 (\$80,334.00).

422 SECTION 30. The State Department of Education shall transfer
423 the designated amounts to the appropriate entities, which shall
424 assume full responsibility for the expenditure of these funds in
425 accordance with state laws and accept all responsibility for any
426 improper expenditure. For the following: National Guard Youth
427 Challenge Program, MSU Capital Improvements Project, World Class
428 Teacher Programs, Writing and Thinking Institute, USM Special
429 Education Program, Soil and Water Conservation Commission,
430 Mississippi School Boards Association and Department of Wildlife,
431 Fisheries and Parks, City of New Albany and Mississippi Eye
432 Screening Program.

433 SECTION 31. With the funds provided herein, it is the
434 intention of the Legislature that an amount not to exceed Three
435 Million Dollars (\$3,000,000.00) may be transferred to the Minimum
436 Program budget.

437 SECTION 32. With the funds provided herein, it is the
438 intention of the Legislature that an amount not to exceed One
439 Million Eight Hundred Thousand Dollars (\$1,800,000.00) may be
440 transferred to the Institutions of Higher Learning for the purpose
441 of providing certain scholarships for the Mississippi Critical
442 Teacher Shortage Fund as authorized in House Bill No. 609, 1998
443 Regular Session.

444 SECTION 33. Of the funds appropriated herein, Fifty Thousand
445 Dollars (\$50,000.00) shall be transferred to the Mississippi Eye

446 Screening Program for providing vision screening services.

447 SECTION 34. With the funds provided herein, the State
448 Department of Education shall conduct a study of the Hispanic
449 school-age population in the state to include number, age,
450 location, an assessment of needs relative to limited English
451 speaking abilities and other related information. The study shall
452 be provided to the Legislature on or before January 1, 2000.

453 SECTION 35. The money herein appropriated shall be paid by
454 the State Treasurer out of any money in the State Treasury to the
455 credit of the proper fund or funds as set forth in this act, upon
456 warrants issued by the State Fiscal Officer; and the State Fiscal
457 Officer shall issue his warrants upon requisitions signed by the
458 proper person, officer or officers, in the manner provided by law.

459 SECTION 36. This act shall take effect and be in force from
460 and after July 1, 1999.