

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

To: Appropriations

HOUSE BILL NO. 1636
(As Passed the House)

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 Three Hundred Fifty-seven Thousand Nine
109 Hundred Forty-two Dollars (\$38,357,942.00) shall be derived from
110 Education Enhancement Funds deposited pursuant to Section
111 27-103-203 (1), Mississippi Code of 1972, for the following
112 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.....\$	<u>900,000.00</u>
136	TOTAL	38,357,942.00

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

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

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

155		FY00
156	<u>Performance Measures</u>	<u>Target</u>
157	General Education Programs/HB4	
158	Administration	
159	Special Education	

160	Approved teacher unit funding (units)	4,100
161	Approved education child placements (children)	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)	435,000
178	Compliance reviews (actions)	70
179	Educational Training and Development	
180	Administrators trained (persons)	1,440
181	Percentage of administrators trained (percent)	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) 0

194 Mississippi Teacher Center

195 Teachers recruited in shortage areas (number) 450

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

200 SECTION 9. In addition to any other funds herein
201 appropriated, the following sum, or so much thereof as may be
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
205 Division of the State Department of Education for the fiscal year
206 beginning July 1, 1999, and ending June 30, 2000.....
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
210 necessary, is hereby appropriated out of any money in any special
211 fund in the State Treasury to the credit of the Vocational and
212 Technical Education Division of the State Department of Education
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.

217 SECTION 11. Of the funds appropriated under the provisions
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

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

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

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

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

238 (c) If an employee is currently at or above the end
239 salary for his or her job classification, then the increase shall
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
243 effective date of the increase. Employees who subsequently
244 receive a performance rating of "meets expectations" or above
245 during Fiscal Year 2000 shall receive the salary increase
246 effective the date of the rating.

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

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

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

258 SECTION 12. Of the funds appropriated under the provisions

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

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

270 SECTION 14. Of the funds appropriated under the provisions
271 of Section 10, One Million Eight Hundred Nine Thousand Two Hundred
272 Seventy-five Dollars (\$1,809,275.00) shall be derived from
273 Education Enhancement Funds deposited pursuant to Section
274 27-103-203 (1), Mississippi Code of 1972, for the following
275 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.

286 SECTION 16. Of the funds appropriated in Sections 9 and 10,
287 no more than One Hundred Thousand Dollars (\$100,000.00) is
288 provided for the purpose of supporting the Future Farmers of
289 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:

	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

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

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

321 SECTION 19. In addition to all other sums herein
 322 appropriated, the following sum, or so much thereof as may be
 323 necessary, is hereby appropriated out of any money in the
 324 Education Enhancement Fund pursuant to Sections 27-65-75 and

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.

331 SECTION 20. With respect to agency programs whose operation
332 is dependent on the receipt of federal funds, it is the intent of
333 the Legislature, except as hereinafter provided, that no funds
334 from the State General Fund be expended to administer, support or
335 in any way continue such programs should federal funds for their
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
342 Education Division shall maintain complete accounting and
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
346 1999. The Department of Finance and Administration shall insure
347 that financial controls comparable to those utilized for Fiscal
348 Year 1999 are maintained throughout Fiscal Year 2000 for this
349 agency. The State Personnel Board shall insure that personnel
350 controls and records comparable to those utilized for Fiscal Year
351 1999 are maintained throughout Fiscal Year 2000 for this agency.
352 It is further the intention of the Legislature that the agency's
353 budget request for Fiscal Year 2001 shall be submitted to the
354 Joint Legislative Budget Committee in a format and level of detail
355 comparable to the format and level of detail provided during the
356 Fiscal Year 2000 budget request process.

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.

361 SECTION 23. Of the funds appropriated in Sections 1 and 2,
362 funds in the amount of Eight Million Nine Hundred Eighty-five
363 Thousand Dollars (\$8,985,000.00) are provided for the Industrial
364 Training Program. No funding obligation or commitment shall be
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
368 future fiscal years shall be based only upon funds available in
369 this section and any proposed commitments shall be approved by the
370 State Superintendent of Education, or the Superintendent's
371 designee prior to such commitment being finalized. Industrial
372 Training Program commitments shall be made and based only upon
373 training services provided and not for a specific funding amount.
374 Any expenditures of funds authorized in these sections are
375 limited to obligations made July 1, 1999, or after, and shall not
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),
379 Mississippi Code of 1972, and apportioned pursuant to Section
380 37-61-33 (6), Mississippi Code of 1972, fall below funds
381 appropriated herein from said source, the State Department of
382 Education shall notify the Department of Finance and
383 Administration as to which allotments shall be reduced to insure
384 expenditures do not exceed actual revenues.

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
392 reimbursement, shall be eligible and entitled to receive state
393 financial assistance under the provisions of Section 37-23-69, in
394 an amount not to exceed Five Thousand Dollars (\$5,000.00) from
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
398 education, except that the State Department of Education is
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
415 Director of School Nurses in the State Department of Education and
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
419 to drop-out rates, suspensions, expulsions, attendance and test
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

424 Dollars (\$30,000,000.00), that become available to the department
425 to carry out the provisions of those funds in a manner consistent
426 with the rules and regulations of the Department of Finance and
427 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
437 Challenge Program, MSU Capital Improvements Project, World Class
438 Teacher Programs, Writing and Thinking Institute, USM Special
439 Education Program, Soil and Water Conservation Commission,
440 Mississippi School Boards Association and Department of Wildlife,
441 Fisheries and Parks, City of New Albany and Mississippi Eye
442 Screening Program.

443 SECTION 32. With the funds provided herein, it is the
444 intention of the Legislature that an amount not to exceed Three
445 Million Dollars (\$3,000,000.00) may be transferred to the Minimum
446 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
465 credit of the proper fund or funds as set forth in this act, upon
466 warrants issued by the State Fiscal Officer; and the State Fiscal
467 Officer shall issue his warrants upon requisitions signed by the
468 proper person, officer or officers, in the manner provided by law.

469 SECTION 37. This act shall take effect and be in force from
470 and after July 1, 1999.