

By: Warren, Scott (17th), Brown, Frierson,  
Livingston, Peranich, Weathersby

To: Appropriations

HOUSE BILL NO. 1618

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 2001.

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, 2000, and ending  
13 June 30, 2001.....\$ 147,488,516.00.

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, 2000, and ending June 30, 2001.....  
21 .....\$ 586,603,045.00.

22 SECTION 3. The following sum, or so much thereof as may be  
23 necessary, is hereby appropriated out of any money in the State  
24 Treasury to the credit of the Health Care Expendable Fund, for the  
25 purpose of defraying the expenses of the State Department of  
26 Education for the Mississippi Eye Screening Program for providing  
27 vision safety services for the fiscal year beginning July 1, 2000,

28 and ending June 30, 2001.....\$ 250,000.00.

29 SECTION 4. Of the funds appropriated under the provisions of  
30 Sections 1, 2 and 3, the following positions are authorized:

31 AUTHORIZED POSITIONS:

32	Permanent:	Full Time.....	479
33		Part Time.....	3
34	Time-Limited:	Full Time.....	63
35		Part Time.....	1

36 With the funds herein appropriated, it is the intention of  
37 the Legislature that it shall be the agency's responsibility to  
38 make certain that funds required to be appropriated for "Personal  
39 Services" for Fiscal Year 2002 do not exceed Fiscal Year 2001  
40 funds appropriated for that purpose, unless programs or positions  
41 are added to the agency's Fiscal Year 2002 budget by the  
42 Mississippi Legislature. Based on data provided by the  
43 Legislative Budget Office, the State Personnel Board shall  
44 determine and publish the projected annual cost to fully fund all  
45 appropriated positions in compliance with the provisions of this  
46 act. It shall be the responsibility of the agency head to insure  
47 that no single personnel action increases this projected annual  
48 cost and/or the Fiscal Year 2001 appropriation for "Personal  
49 Services" when annualized. If, at the end of any calendar month,  
50 the State Personnel Board determines that the agency has taken  
51 action(s) which would cause the agency to exceed this projected  
52 annual cost or the Fiscal Year 2001 "Personal Services"  
53 appropriated level, when annualized, then only those actions which  
54 reduce the projected annual cost and/or the appropriation  
55 requirement will be processed by the State Personnel Board until  
56 such time as the requirements of this provision are met.

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 5. Of the funds appropriated in Section 2,  
 71 Forty-eight Million Six Hundred Thirty-six Thousand Four Hundred  
 72 Sixty-seven Dollars (\$48,636,467.00) shall be derived from the  
 73 School Ad Valorem Reduction Fund and Sixty-two Million Eight  
 74 Hundred Thirty-eight Thousand Dollars (\$62,838,000.00) shall be  
 75 derived from the Education Enhancement Fund deposited pursuant to  
 76 Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for the  
 77 following purposes:

78	School Ad Valorem Reduction .....	\$	48,636,467.00
79	Grants to school districts for capital		
80	facilities and buses .....	\$	16,000,000.00
81	Instructional Materials .....	\$	19,655,299.00
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 .....	\$	17,078,225.00
88	Implementing Performance Based Data		
89	Collection and Accreditation Model .....	\$	274,937.00
90	Administrator Training.....	\$	120,675.00
91	Adequate Education Program.....	\$	9,378,126.00
92	World Class Teacher Program.....	\$	125,000.00
93	Mississippi School Boards Association		
94	Continuing Training .....	\$	47,041.00
95	School Board Training .....	\$	58,697.00
96	Education Technology Council .....	\$	<u>100,000.00</u>
97	TOTAL .....	\$	111,474,467.00

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

106 SECTION 6. Of the funds appropriated in Section 2, Five  
107 Million One Hundred Seventy-seven Thousand Six Hundred Sixteen  
108 Dollars (\$5,177,616.00) shall be derived from Education  
109 Enhancement Funds deposited pursuant to Section 27-103-203 (1),  
110 Mississippi Code of 1972, for the following purposes:

111 National Guard Youth Challenge .....	\$ 1,963,191.00
112 Tech Prep Bond Debt.....	\$ 3,214,425.00
113 TOTAL .....	\$ 5,177,616.00

114 SECTION 7. Of the funds appropriated in Section 2, One  
115 Million Four Hundred Thousand Dollars (\$1,400,000.00) shall be  
116 derived from the Technology in Classroom Fund 3203.

117 SECTION 8. Of the funds appropriated under the provisions of  
118 Section 2, funds in the amount of One Million Five Hundred One  
119 Thousand Seven Hundred Twenty-six Dollars (\$1,501,726.00) shall  
120 come from income derived from the principal of the Education  
121 Improvement Trust Fund created by Section 206A, Mississippi  
122 Constitution of 1890, and One Million Five Hundred One Thousand  
123 Seven Hundred Twenty-six Dollars (\$1,501,726.00) shall be used for  
124 the School for Math and Science.

125 SECTION 9. In compliance with the "Mississippi Performance  
126 Budget and Strategic Planning Act of 1994," it is the intent of  
127 the Legislature that the funds provided in Sections 1 and 2 shall  
128 be utilized in the most efficient and effective manner possible to  
129 achieve the intended mission of this agency. Based on the funding  
130 authorized, this agency shall make every effort to attain the

131 targeted performance measures provided below:

132		FY01
133	<u>Performance Measures</u>	<u>Target</u>
134	Special Education	
135	Approved Funding for Children (Persons)	907
136	Teacher Units Approved for Funding (Units)	4,190
137	Child Nutrition	
138	Number of Meals Required (Millions)	129
139	Cost per Meal (Dollars)	2.10
140	Special Projects	
141	Building Projects Approved (Projects)	90
142	Project Approval Rate (Percent)	95
143	Industrial Training	
144	No Performance Measures Provided	
145	Supportive Services	
146	No Performance Measures Provided	
147	MS School For Math & Science	
148	Students Enrolled (Persons)	270
149	Cost per Student (Dollars)	17,625
150	Educational Accountability	
151	Performance Accreditation Visits (Visits)	70
152	Tests Administered (Persons)	453,341
153	Compliance/Performance Reviews (Actions)	70
154	Education Training & Development	
155	Administrators Trained (Persons)	1,400
156	Percent of Administrators Trained (Percent)	40
157	Technical Assistance to School Districts (Percent)	90
158	Compensatory Education	
159	Title I Projects Awarded (Programs)	152
160	Review/Aprv Delinquent Prog (Programs)	4
161	Average Expenditure per Child (Dollars)	612
162	Community & Outreach Services	
163	Requested Available Federal Funding (Percent)	100



197           Time-Limited: Full Time.....           0  
198                            Part Time.....           0

199           With the funds herein appropriated, it is the intention of  
200 the Legislature that it shall be the agency's responsibility to  
201 make certain that funds required to be appropriated for "Personal  
202 Services" for Fiscal Year 2002 do not exceed Fiscal Year 2001  
203 funds appropriated for that purpose, unless programs or positions  
204 are added to the agency's Fiscal Year 2002 budget by the  
205 Mississippi Legislature. Based on data provided by the  
206 Legislative Budget Office, the State Personnel Board shall  
207 determine and publish the projected annual cost to fully fund all  
208 appropriated positions in compliance with the provisions of this  
209 act. It shall be the responsibility of the agency head to insure  
210 that no single personnel action increases this projected annual  
211 cost and/or the Fiscal Year 2001 appropriation for "Personal  
212 Services" when annualized. If, at the end of any calendar month,  
213 the State Personnel Board determines that the agency has taken  
214 action(s) which would cause the agency to exceed this projected  
215 annual cost or the Fiscal Year 2001 "Personal Services"  
216 appropriated level, when annualized, then only those actions which  
217 reduce the projected annual cost and/or the appropriation  
218 requirement will be processed by the State Personnel Board until  
219 such time as the requirements of this provision are met.

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

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

226           SECTION 13. Of the funds appropriated under the provisions  
227 of Sections 10 and 11, an amount not to exceed Five Hundred Nine  
228 Thousand Six Hundred Eighty-four Dollars (\$509,684.00) is  
229 authorized for the support of Vocational and Technical Education

230 Programs as authorized in Section 37-31-13, Mississippi Code of  
231 1972, for a period in excess of ten (10) months in a calendar  
232 year.

233 SECTION 14. Of the funds appropriated under the provisions  
234 of Section 11, Seven Million Eight Hundred Sixty-Three Thousand  
235 Seven Hundred Forty-six Dollars (\$7,863,746.00) shall be derived  
236 from the Education Enhancement Fund pursuant to Sections 27-65-75  
237 and 27-67-31, Mississippi Code of 1972.

238 SECTION 15. It is the intention of the Legislature that the  
239 Vocational and Technical Education Division of the State  
240 Department of Education shall, with the funds appropriated in  
241 Section 10, transfer no more than One Hundred Thousand Dollars  
242 (\$100,000.00) to the Mississippi Soil and Water Conservation  
243 Commission for the purpose of providing matching funds to purchase  
244 soil conservation equipment.

245 SECTION 16. Of the funds appropriated in Sections 10 and 11,  
246 no more than One Hundred Thousand Dollars (\$100,000.00) is  
247 provided for the purpose of supporting the Future Farmers of  
248 America Center.

249 SECTION 17. In compliance with the "Mississippi Performance  
250 Budget and Strategic Planning Act of 1994," it is the intent of  
251 the Legislature that the funds provided herein shall be utilized  
252 in the most efficient and effective manner possible to achieve the  
253 intended mission of this agency. Based on the funding authorized,  
254 this agency shall make every effort to attain the targeted  
255 performance measures provided below:

	FY01
<u>Performance Measures</u>	<u>Target</u>
Vocational - Secondary Programs	
Increase in students served (Percent)	10

262



263	LEAs served (Sites)	152
264		
265	Vocational - Post Secondary Programs	
266	Short-term students served (Persons)	4,317
267	Short-term Adult Prog Classes (Classes)	480
268	Short-term cost per student (Dollars)	52
269		

270 A reporting of the degree to which the performance targets  
271 set above have been or are being achieved shall be provided in the  
272 agency's budget request submitted to the Joint Legislative Budget  
273 Committee for Fiscal Year 2002.

274 SECTION 18. In addition to any other funds herein  
275 appropriated, the following sum, or so much thereof as may be  
276 necessary, is hereby appropriated out of any money in the State  
277 General Fund not otherwise appropriated, to the State Department  
278 of Education, for the purpose of providing funding for the  
279 Mississippi School District Uniform Millage Assistance Grant  
280 Program, the Second Level Funding Program and the Emergency Fund  
281 Loss Assistance Program for the fiscal year beginning  
282 July 1, 2000, and ending June 30, 2001.....\$ 21,400,000.00.

283 SECTION 19. In addition to all other sums herein  
284 appropriated, the following sum, or so much thereof as may be  
285 necessary, is hereby appropriated out of any money in the  
286 Education Enhancement Fund pursuant to Sections 27-65-75 and  
287 27-67-31, Mississippi Code of 1972, not otherwise appropriated, to  
288 the State Department of Education, for the purpose of providing  
289 funding for the Uniform Millage Assistance Grant Program, the  
290 Second Level Funding Program and the Emergency Loss Assistance  
291 Program for the fiscal year beginning July 1, 2000, and ending  
292 June 30, 2001.....\$ 16,894,148.00.

293 SECTION 20. With respect to agency programs whose operation  
294 is dependent on the receipt of federal funds, it is the intent of  
295 the Legislature, except as hereinafter provided, that no funds

296 from the State General Fund be expended to administer, support or  
297 in any way continue such programs should federal funds for their  
298 operation be reduced or become unavailable and that no funds from  
299 the State General Fund available for expenditure under this act  
300 shall be used to replace federal funds in any major object of  
301 expenditure.

302 SECTION 21. It is the intention of the Legislature that the  
303 State Department of Education and Vocational and Technical  
304 Education Division shall maintain complete accounting and  
305 personnel records related to the expenditure of all funds  
306 appropriated under this act and that such records shall be in the  
307 same format and level of detail as maintained for Fiscal Year  
308 2000. The Department of Finance and Administration shall insure  
309 that financial controls comparable to those utilized for Fiscal  
310 Year 2000 are maintained throughout Fiscal Year 2001 for this  
311 agency. The State Personnel Board shall insure that personnel  
312 controls and records comparable to those utilized for Fiscal Year  
313 2000 are maintained throughout Fiscal Year 2001 for this agency.  
314 It is further the intention of the Legislature that the agency's  
315 budget request for Fiscal Year 2002 shall be submitted to the  
316 Joint Legislative Budget Committee in a format and level of detail  
317 comparable to the format and level of detail provided during the  
318 Fiscal Year 2001 budget request process.

319 SECTION 22. Any school district receiving conservatorship  
320 assistance from the State Department of Education shall pay for  
321 any additional assistance as determined by the State Department of  
322 Education from any source funds available.

323 SECTION 23. Should revenues generated and deposited to the  
324 Education Enhancement Fund pursuant to Section 27-103-203 (1),  
325 Mississippi Code of 1972, and apportioned pursuant to Section  
326 37-61-33 (6), Mississippi Code of 1972, fall below funds  
327 appropriated herein from said source, the State Department of  
328 Education shall notify the Department of Finance and

329 Administration as to which allotments shall be reduced to insure  
330 expenditures do not exceed actual revenues.

331 SECTION 24. Of the funds provided in Section 1 for the  
332 purpose of providing financial assistance for the education of  
333 exceptional children as determined under Section 37-23-63,  
334 Mississippi Code of 1972, children who are certified by the  
335 designated authority as requiring inpatient care in a private  
336 intermediate care facility for the mentally retarded or  
337 psychiatric residential treatment facility, with Medicaid  
338 reimbursement, shall be eligible and entitled to receive state  
339 financial assistance under the provisions of Section 37-23-69, in  
340 an amount not to exceed Five Thousand Dollars (\$5,000.00) from  
341 state funds, per child per school year, if an approved private  
342 school is operated as an integral part of the facility which  
343 provides twenty-four (24) hours a day monitoring, treatment and  
344 education, except that the State Department of Education is  
345 authorized to pilot a fee-for-service based cost system for  
346 children served through Millcreek Schools, Inc.

347 SECTION 25. Of the funds appropriated under the provisions  
348 of Sections 1 and 2, the amount of One Hundred Sixteen Million  
349 Seventeen Thousand Three Hundred Twenty-one Dollars  
350 (\$116,017,321.00) shall be derived from the Interim School  
351 District Capital Expenditure Fund for the benefit of the school  
352 districts as authorized in Senate Bill No. 2649, 1997 Regular  
353 Session.

354 SECTION 26. Of the funds provided in Section 1, Five Hundred  
355 Sixty-four Thousand Four Hundred Ninety-two Dollars (\$564,492.00)  
356 shall be used to provide for a Director of School Nurses in the  
357 State Department of Education and the implementation of three (3)  
358 pilot projects for a variety of school health programs in an  
359 elementary school setting. Evaluations shall be developed to  
360 determine the program's effect to drop-out rates, suspensions,  
361 expulsions, attendance and test scores.

362           Income generated by the school-based clinics shall remain  
363 available for expenditure by the programs utilizing any special  
364 fund authority provided in Section 2 for use by the State  
365 Department of Education and the pilots shall remain the same as in  
366 Fiscal Year 2000.

367           SECTION 27. It is the intention of the Legislature that the  
368 State Department of Education shall have the authority to accept,  
369 budget and expend any source funds not to exceed Thirty Million  
370 Dollars (\$30,000,000.00), that become available to the department  
371 to carry out the provisions of those funds in a manner consistent  
372 with the rules and regulations of the Department of Finance and  
373 Administration.

374           SECTION 28. The State Department of Education shall transfer  
375 the designated amounts to the appropriate entities, which shall  
376 assume full responsibility for the expenditure of these funds in  
377 accordance with state laws and accept all responsibility for any  
378 improper expenditure. For the following: National Guard Youth  
379 Challenge Program, World Class Teacher Programs, USM Special  
380 Education Program, Soil and Water Conservation Commission,  
381 Mississippi School Boards Association, Mississippi Eye Screening  
382 Program and Very Special Arts.

383           SECTION 29. Of the funds appropriated in Sections 10 and 11,  
384 the Vocational and Technical Education Division of the State  
385 Department of Education shall use Five Hundred Thousand Dollars  
386 (\$500,000.00) to expand the Partners-in-Education Construction  
387 Initiative Program to all vocational education centers in the  
388 state, using the same curriculum and program as developed and  
389 piloted by the Department of Education and the Mississippi  
390 Construction Education Foundation.

391           SECTION 30. The money herein appropriated shall be paid by  
392 the State Treasurer out of any money in the State Treasury to the  
393 credit of the proper fund or funds as set forth in this act, upon  
394 warrants issued by the State Fiscal Officer; and the State Fiscal

395 Officer shall issue his warrants upon requisitions signed by the  
396 proper person, officer or officers, in the manner provided by law.

397 SECTION 31. This act shall take effect and be in force from  
398 and after July 1, 2000.