

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

HOUSE BILL NO. 1618
(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 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:

256		FY01
257		
258	<u>Performance Measures</u>	<u>Target</u>
259		

260	Vocational - Secondary Programs	
261	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

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

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

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

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

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

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

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

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

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

SECTION 27. It is the intention of the Legislature that the State Department of Education shall have the authority to accept, 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.

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

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

SECTION 30. The money herein appropriated shall be paid by 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 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.