

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

HOUSE BILL NO. 1618
(As Sent to Governor)

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.....\$ 149,481,241.00.

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\$ 584,337,395.00.

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.....	494
33		Part Time.....	3
34	Time-Limited:	Full Time.....	55
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, Forty-six
 71 Million Thirty-two Thousand Three Hundred Twenty-four Dollars
 72 (\$46,032,324.00) shall be derived from the School Ad Valorem
 73 Reduction Fund and Sixty-two Million Eight Hundred Thirty-two
 74 Thousand Eighty-two Dollars (\$62,832,082.00) shall be derived from
 75 the Education Enhancement Fund deposited pursuant to Sections
 76 27-65-75 and 27-67-31, Mississippi Code of 1972, for the following
 77 purposes:

78	School Ad Valorem Reduction	\$	46,032,324.00
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>94,082.00</u>
97	TOTAL	\$	108,864,406.00

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 Four Hundred Three Thousand Nine Hundred Forty-one Dollars
108 (\$5,403,941.00) shall be derived from Education Enhancement Funds
109 deposited pursuant to Section 27-103-203 (1), Mississippi Code of
110 1972, for the following purposes:

111 National Guard Youth Challenge	\$	2,064,516.00
112 Wildlife Museum.....	\$	125,000.00
113 Tech Prep Bond Debt.....	\$	3,214,425.00
114 TOTAL	\$	5,403,941.00

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

118 SECTION 8. Of the funds appropriated under the provisions of
119 Section 2, funds in the amount of One Million Five Hundred
120 Eighty-five Thousand Six Hundred Fifty-three Dollars
121 (\$1,585,653.00) shall come from income derived from the principal
122 of the Education Improvement Trust Fund created by Section 206A,
123 Mississippi Constitution of 1890, and One Million Five Hundred
124 Eighty-five Thousand Six Hundred Fifty-three Dollars
125 (\$1,585,653.00) shall be used for the School for Math and Science.

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

131 authorized, this agency shall make every effort to attain the
132 targeted performance measures provided below:

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

164	Requested Available Federal Funding (Percent)	100
165	MAEP Interim Capital Expense	
166	Number of Building Projects Begun (Number)	82
167	MS School Attendance Officers	
168	Resolutions to Referrals (Percent)	0.85
169	Number of School Visits (Number)	50,000
170	MS Teacher Center	
171	Teachers Recruited in Shortage Areas (Number)	450

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

176 SECTION 10. In addition to any other funds herein
177 appropriated, the following sum, or so much thereof as may be
178 necessary, is hereby appropriated out of any money in the State
179 General Fund not otherwise appropriated, for the purpose of
180 defraying the expenses of the Vocational and Technical Education
181 Division of the State Department of Education for the fiscal year
182 beginning July 1, 2000, and ending June 30, 2001.....
183\$ 68,098,714.00.

184 SECTION 11. In addition to any other funds herein
185 appropriated, the following sum, or so much thereof as may be
186 necessary, is hereby appropriated out of any money in any special
187 fund in the State Treasury to the credit of the Vocational and
188 Technical Education Division of the State Department of Education
189 which is comprised of special source funds collected by or
190 otherwise available to the division, for the purpose of defraying
191 the expenses of the division for the fiscal year beginning
192 July 1, 2000, and ending June 30, 2001.....\$ 23,535,576.00.

193 SECTION 12. Of the funds appropriated under the provisions
194 of Sections 10 and 11, the following positions are authorized:

195 AUTHORIZED POSITIONS:
196 Permanent: Full Time..... 72

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

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

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

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

227 SECTION 13. Of the funds appropriated under the provisions
228 of Sections 10 and 11, an amount not to exceed Two Hundred
229 Twenty-nine Thousand Six Hundred Eighty-four Dollars (\$229,684.00)

230 is authorized for the support of Vocational and Technical
231 Education Programs as authorized in Section 37-31-13, Mississippi
232 Code of 1972, for a period in excess of ten (10) months in a
233 calendar year.

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

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

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

250 SECTION 17. Of the funds appropriated in Sections 10 and 11,
251 an amount not to exceed One Million Eight Hundred Thousand Dollars
252 (\$1,800,000.00) shall be used for technological methods for
253 agricultural programs.

254 SECTION 18. In compliance with the "Mississippi Performance
255 Budget and Strategic Planning Act of 1994," it is the intent of
256 the Legislature that the funds provided herein shall be utilized
257 in the most efficient and effective manner possible to achieve the
258 intended mission of this agency. Based on the funding authorized,
259 this agency shall make every effort to attain the targeted
260 performance measures provided below:

261
262

FY01

<u>Performance Measures</u>	<u>Target</u>
Vocational - Secondary Programs	
Increase in students served (Percent)	10
LEAs served (Sites)	
	152
Vocational - Post Secondary Programs	
Short-term students served (Persons)	4,317
Short-term Adult Prog Classes (Classes)	480
Short-term cost per student (Dollars)	52

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

SECTION 19. In addition to any other funds herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the State Department of Education, for the purpose of providing funding for the Mississippi School District Uniform Millage Assistance Grant Program, the Second Level Funding Program and the Emergency Fund Loss Assistance Program for the fiscal year beginning July 1, 2000, and ending June 30, 2001.....\$ 21,400,000.00.

SECTION 20. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Education Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, not otherwise appropriated, to the State Department of Education, for the purpose of providing funding for the Uniform Millage Assistance Grant Program, the Second Level Funding Program and the Emergency Loss Assistance

296 Program for the fiscal year beginning July 1, 2000, and ending
297 June 30, 2001.....\$ 16,894,148.00.

298 SECTION 21. With respect to agency programs whose operation
299 is dependent on the receipt of federal funds, it is the intent of
300 the Legislature, except as hereinafter provided, that no funds
301 from the State General Fund be expended to administer, support or
302 in any way continue such programs should federal funds for their
303 operation be reduced or become unavailable and that no funds from
304 the State General Fund available for expenditure under this act
305 shall be used to replace federal funds in any major object of
306 expenditure.

307 SECTION 22. It is the intention of the Legislature that the
308 State Department of Education and Vocational and Technical
309 Education Division shall maintain complete accounting and
310 personnel records related to the expenditure of all funds
311 appropriated under this act and that such records shall be in the
312 same format and level of detail as maintained for Fiscal Year
313 2000. The Department of Finance and Administration shall insure
314 that financial controls comparable to those utilized for Fiscal
315 Year 2000 are maintained throughout Fiscal Year 2001 for this
316 agency. The State Personnel Board shall insure that personnel
317 controls and records comparable to those utilized for Fiscal Year
318 2000 are maintained throughout Fiscal Year 2001 for this agency.
319 It is further the intention of the Legislature that the agency's
320 budget request for Fiscal Year 2002 shall be submitted to the
321 Joint Legislative Budget Committee in a format and level of detail
322 comparable to the format and level of detail provided during the
323 Fiscal Year 2001 budget request process.

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

329 Education shall notify the Department of Finance and
330 Administration as to which allotments shall be reduced to insure
331 expenditures do not exceed actual revenues.

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

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

355 SECTION 26. Of the funds provided in Section 1, Five Hundred
356 Seventy-nine Thousand Four Hundred Sixty-four Dollars
357 (\$579,464.00) shall be used to provide for a Director of School
358 Nurses in the State Department of Education and the implementation
359 of three (3) pilot projects for a variety of school health
360 programs in an elementary school setting. Evaluations shall be
361 developed to determine the program's effect to drop-out rates,

362 suspensions, expulsions, attendance and test scores.

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

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

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

386 SECTION 29. The money herein appropriated shall be paid by
387 the State Treasurer out of any money in the State Treasury to the
388 credit of the proper fund or funds as set forth in this act, upon
389 warrants issued by the State Fiscal Officer; and the State Fiscal
390 Officer shall issue his warrants upon requisitions signed by the
391 proper person, officer or officers, in the manner provided by law.

392 SECTION 30. This act shall take effect and be in force from
393 and after July 1, 2000.