

*****Adopted***
AMENDMENT No. 1 PROPOSED TO**

House Bill NO. 1618

By Senator(s) Committee

7 **Amend by striking all after the enacting clause and inserting**
8 **in lieu thereof the following:**

9

10 SECTION 1. The following sum, or so much thereof as may be
11 necessary, is hereby appropriated out of any money in the State
12 General Fund not otherwise appropriated, for the purpose of
13 defraying the expenses of the State Department of Education, and
14 excluding the expenses of the Vocational and Technical Education
15 Division, for the fiscal year beginning July 1, 2000, and ending
16 June 30, 2001.....\$ 149,197,209.00.

17 SECTION 2. The following sum, or so much thereof as may be
18 necessary, is hereby appropriated out of any money in any special
19 fund in the State Treasury to the credit of the State Department
20 of Education which is comprised of special source funds collected
21 by or otherwise available to the department, for the purpose of
22 defraying the expenses of the department for the fiscal year
23 beginning July 1, 2000, and ending June 30, 2001.....
24\$ 581,287,002.00.

25 SECTION 3. The following sum, or so much thereof as may be
26 necessary, is hereby appropriated out of any money in the State
27 Treasury to the credit of the Health Care Expendable Fund, for the
28 purpose of defraying the expenses of the State Department of
29 Education for the Mississippi Eye Screening Program for providing

30 vision safety services for the fiscal year beginning July 1, 2000,
31 and ending June 30, 2001.....\$ 250,000.00.

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

34 AUTHORIZED POSITIONS:

35	Permanent:	Full Time.....	456
36		Part Time.....	3
37	Time-Limited:	Full Time.....	63
38		Part Time.....	1

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

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

62 No general funds authorized to be expended herein shall be
63 used to replace federal funds and/or other special funds which are
64 being used for salaries authorized under the provisions of this

65act and which are withdrawn and no longer available.

66 The State Department of Education shall prepare and present
67to the Joint Legislative Budget Committee and the Department of
68Finance and Administration and make available to the Legislature
69an accounting of program expenditures for all programs once at the
70beginning of the legislative session and once at the end of the
71fiscal year. The department at the same time shall present a
72summary report for each program.

73 SECTION 5. Of the funds appropriated in Section 2,
74Forty-three Million Four Hundred Twenty-eight Thousand One Hundred
75Seventy-four Dollars (\$43,428,174.00) shall be derived from the
76School Ad Valorem Reduction Fund and Sixty-two Million Six Hundred
77Seventy-nine Thousand Nine Hundred Five Dollars (\$62,679,905.00)
78shall be derived from the Education Enhancement Fund deposited
79pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of
801972, for the following purposes:

81	School Ad Valorem Reduction	\$ 43,428,174.00
82	Grants to school districts for capital	
83	facilities and buses	\$ 16,000,000.00
84	Instructional Materials	\$ 19,655,299.00
85	Purchasing textbooks and other	
86	educational materials, but not to	
87	include more than Two Million	
88	Dollars (\$2,000,000.00) for technology	
89	enhancement projects for elementary	
90	and secondary education programs	\$ 17,078,225.00
91	Implementing Performance Based Data	
92	Collection and Accreditation Model	\$ 284,926.00
93	Adequate Education Program.....	\$ 9,378,126.00
94	World Class Teacher Program.....	\$ 125,000.00
95	Mississippi School Boards Association	
96	School Board Training	\$ 60,829.00
97	Education Technology Council	\$ <u>97,500.00</u>
98	TOTAL	\$ 106,108,079.00

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 6. Of the funds appropriated in Section 2, Five
 108 Million Two Hundred Forty-eight Thousand Nine Hundred Forty-one
 109 Dollars (\$5,248,941.00) 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	National Guard Youth Challenge	\$	2,034,516.00
113	Tech Prep Bond Debt.....	\$	<u>3,214,425.00</u>
114	TOTAL	\$	5,248,941.00

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 One
 120 Thousand Seven Hundred Twenty-six Dollars (\$1,501,726.00) shall
 121 come from income derived from the principal of the Education
 122 Improvement Trust Fund created by Section 206A, Mississippi
 123 Constitution of 1890, and One Million Five Hundred One Thousand
 124 Seven Hundred Twenty-six Dollars (\$1,501,726.00) shall be used for
 125 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		FY2001
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

170MS Teacher Center

171 Teachers Recruited in Shortage Areas (Number) 450

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

176 SECTION 10. In addition to any other funds herein
177appropriated, the following sum, or so much thereof as may be
178necessary, is hereby appropriated out of any money in the State
179General Fund not otherwise appropriated, for the purpose of
180defraying the expenses of the Vocational and Technical Education
181Division of the State Department of Education for the fiscal year
182beginning July 1, 2000, and ending June 30, 2001.....
183.....\$ 67,489,567.00.

184 SECTION 11. In addition to any other funds herein
185appropriated, the following sum, or so much thereof as may be
186necessary, is hereby appropriated out of any money in any special
187fund in the State Treasury to the credit of the Vocational and
188Technical Education Division of the State Department of Education
189which is comprised of special source funds collected by or
190otherwise available to the division, for the purpose of defraying
191the expenses of the division for the fiscal year beginning July 1,
1922000, and ending June 30, 2001.....\$ 23,531,319.00.

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

195 AUTHORIZED POSITIONS:

196	Permanent:	Full Time.....	66
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
201the Legislature that it shall be the agency's responsibility to
202make certain that funds required to be appropriated for "Personal
203Services" for Fiscal Year 2002 do not exceed Fiscal Year 2001
204funds appropriated for that purpose, unless programs or positions

205are added to the agency's Fiscal Year 2002 budget by the
206Mississippi Legislature. Based on data provided by the
207Legislative Budget Office, the State Personnel Board shall
208determine and publish the projected annual cost to fully fund all
209appropriated positions in compliance with the provisions of this
210act. It shall be the responsibility of the agency head to insure
211that no single personnel action increases this projected annual
212cost and/or the Fiscal Year 2001 appropriation for "Personal
213Services" when annualized. If, at the end of any calendar month,
214the State Personnel Board determines that the agency has taken
215action(s) which would cause the agency to exceed this projected
216annual cost or the Fiscal Year 2001 "Personal Services"
217appropriated level, when annualized, then only those actions which
218reduce the projected annual cost and/or the appropriation
219requirement will be processed by the State Personnel Board until
220such time as the requirements of this provision are met.

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

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

227 SECTION 13. Of the funds appropriated under the provisions
228of Sections 10 and 11, an amount not to exceed Five Hundred Nine
229Thousand Six Hundred Eighty-four Dollars (\$509,684.00) is
230authorized for the support of Vocational and Technical Education
231Programs as authorized in Section 37-31-13, Mississippi Code of
2321972, for a period in excess of ten (10) months in a calendar
233year.

234 SECTION 14. Of the funds appropriated under the provisions
235of Section 11, Seven Million Eight Hundred Sixty-Three Thousand
236Seven Hundred Forty-six Dollars (\$7,863,746.00) shall be derived
237from the Education Enhancement Fund pursuant to Sections 27-65-75
238and 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. In compliance with the "Mississippi Performance
251 Budget and Strategic Planning Act of 1994," it is the intent of
252 the Legislature that the funds provided herein shall be utilized
253 in the most efficient and effective manner possible to achieve the
254 intended mission of this agency. Based on the funding authorized,
255 this agency shall make every effort to attain the targeted
256 performance measures provided below:

257 FY2001

258

259 Performance Measures Target

260

261 Vocational - Secondary Programs

262 Increase in students served (Percent) 10

263

264 LEAs served (Sites) 152

265

266 Vocational - Post Secondary Programs

267 Short-term students served (Persons) 4,317

268 Short-term Adult Prog Classes (Classes) 480

269 Short-term cost per student (Dollars) 52

270

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

275 SECTION 18. In addition to any other funds herein
276 appropriated, the following sum, or so much thereof as may be
277 necessary, is hereby appropriated out of any money in the State
278 General Fund not otherwise appropriated, to the State Department
279 of Education, for the purpose of providing funding for the
280 Mississippi School District Uniform Millage Assistance Grant
281 Program, the Second Level Funding Program and the Emergency Fund
282 Loss Assistance Program for the fiscal year beginning July 1,
283 2000, and ending June 30, 2001.....\$ 21,400,000.00.

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

294 SECTION 20. With respect to agency programs whose operation
295 is dependent on the receipt of federal funds, it is the intent of
296 the Legislature, except as hereinafter provided, that no funds
297 from the State General Fund be expended to administer, support or
298 in any way continue such programs should federal funds for their
299 operation be reduced or become unavailable and that no funds from
300 the State General Fund available for expenditure under this act
301 shall be used to replace federal funds in any major object of
302 expenditure.

303 SECTION 21. It is the intention of the Legislature that the
304 State Department of Education and Vocational and Technical
305 Education Division shall maintain complete accounting and
306 personnel records related to the expenditure of all funds
307 appropriated under this act and that such records shall be in the
308 same format and level of detail as maintained for Fiscal Year
309 2000. The Department of Finance and Administration shall insure

310that financial controls comparable to those utilized for Fiscal
311Year 2000 are maintained throughout Fiscal Year 2001 for this
312agency. The State Personnel Board shall insure that personnel
313controls and records comparable to those utilized for Fiscal Year
3142000 are maintained throughout Fiscal Year 2001 for this agency.
315It is further the intention of the Legislature that the agency's
316budget request for Fiscal Year 2002 shall be submitted to the
317Joint Legislative Budget Committee in a format and level of detail
318comparable to the format and level of detail provided during the
319Fiscal Year 2001 budget request process.

320 SECTION 22. Any school district receiving conservatorship
321assistance from the State Department of Education shall pay for
322any additional assistance as determined by the State Department of
323Education from any source funds available.

324 SECTION 23. Should revenues generated and deposited to the
325Education Enhancement Fund pursuant to Section 27-103-203 (1),
326Mississippi Code of 1972, and apportioned pursuant to Section
32737-61-33 (6), Mississippi Code of 1972, fall below funds
328appropriated herein from said source, the State Department of
329Education shall notify the Department of Finance and
330Administration as to which allotments shall be reduced to insure
331expenditures do not exceed actual revenues.

332 SECTION 24. Of the funds provided in Section 1 for the
333purpose of providing financial assistance for the education of
334exceptional children as determined under Section 37-23-63,
335Mississippi Code of 1972, children who are certified by the
336designated authority as requiring inpatient care in a private
337intermediate care facility for the mentally retarded or
338psychiatric residential treatment facility, with Medicaid
339reimbursement, shall be eligible and entitled to receive state
340financial assistance under the provisions of Section 37-23-69, in
341an amount not to exceed Five Thousand Dollars (\$5,000.00) from
342state funds, per child per school year, if an approved private
343school is operated as an integral part of the facility which
344provides 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 Sixty-four Thousand Four Hundred Ninety-two Dollars (\$564,492.00)
357 shall be used to provide for a Director of School Nurses in the
358 State Department of Education and the implementation of three (3)
359 pilot projects for a variety of school health programs in an
360 elementary school setting. Evaluations shall be developed to
361 determine the program's effect to drop-out rates, suspensions,
362 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

380Challenge Program, World Class Teacher Programs, USM Special
381Education Program, Soil and Water Conservation Commission,
382Mississippi School Boards Association, Mississippi Eye Screening
383Program and Very Special Arts.

384 SECTION 29. Of the funds appropriated in Sections 10 and 11,
385the Vocational and Technical Education Division of the State
386Department of Education shall use Five Hundred Thousand Dollars
387(\$500,000.00) to expand the Partners-in-Education Construction
388Initiative Program to all vocational education centers in the
389state, using the same curriculum and program as developed and
390piloted by the Department of Education and the Mississippi
391Construction Education Foundation.

392 SECTION 30. The money herein appropriated shall be paid by
393the State Treasurer out of any money in the State Treasury to the
394credit of the proper fund or funds as set forth in this act, upon
395warrants issued by the State Fiscal Officer; and the State Fiscal
396Officer shall issue his warrants upon requisitions signed by the
397proper person, officer or officers, in the manner provided by law.

398 SECTION 31. This act shall take effect and be in force from
399and after July 1, 2000.