

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

House Bill NO. 1609

By Senator(s) Committee

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

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, 2001, and ending
13 June 30, 2002..... \$ 139,436,140.00.

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, 2001, and ending June 30, 2002.....
21 \$ 704,449,472.00.

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, 2001,
 28 and ending June 30, 2002..... \$ 250,000.00.

29 SECTION 4. Of the funds appropriated under the provisions of
 30 Sections 1, 2 and 3, not more than the amounts set forth below
 31 shall be expended for the respective major objects or purposes of
 32 expenditure:

33 MAJOR OBJECTS OF EXPENDITURE:

34 Personal Services:

35	Salaries, Wages and Fringe Benefits..	\$ 22,113,987.00
36	Travel and Subsistence.....	650,000.00
37	Contractual Services.....	23,658,558.00
38	Commodities.....	2,154,545.00
39	Capital Outlay:	
40	Other Than Equipment.....	600,000.00
41	Equipment.....	150,000.00
42	Subsidies, Loans and Grants.....	<u>794,808,522.00</u>
43	Total.....	\$ 844,135,612.00

44 FUNDING:

45	General Funds.....	\$ 139,436,140.00
46	Special Funds.....	<u>704,699,472.00</u>
47	Total.....	\$ 844,135,612.00

48 AUTHORIZED POSITIONS:

49	Permanent:	Full Time.....	459
50		Part Time.....	3
51	Time-Limited:	Full Time.....	55
52		Part Time.....	1

53 With the funds herein appropriated, it is the intention of

54 the Legislature that it shall be the agency's responsibility to
55 make certain that funds required to be appropriated for "Personal
56 Services" for Fiscal Year 2003 do not exceed Fiscal Year 2002
57 funds appropriated for that purpose, unless programs or positions
58 are added to the agency's Fiscal Year 2003 budget by the
59 Mississippi Legislature. Based on data provided by the
60 Legislative Budget Office, the State Personnel Board shall
61 determine and publish the projected annual cost to fully fund all
62 appropriated positions in compliance with the provisions of this
63 act. It shall be the responsibility of the agency head to insure
64 that no single personnel action increases this projected annual
65 cost and/or the Fiscal Year 2002 appropriation for "Personal
66 Services" when annualized. If, at the end of any calendar month,
67 the State Personnel Board determines that the agency has taken
68 action(s) which would cause the agency to exceed this projected
69 annual cost or the Fiscal Year 2002 "Personal Services"
70 appropriated level, when annualized, then only those actions which
71 reduce the projected annual cost and/or the appropriation
72 requirement will be processed by the State Personnel Board until
73 such time as the requirements of this provision are met.

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

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

80 The State Department of Education shall prepare and present
81 to the Joint Legislative Budget Committee and the Department of
82 Finance and Administration and make available to the Legislature
83 an accounting of program expenditures for all programs once at the

84 beginning of the legislative session and once at the end of the
 85 fiscal year. The department at the same time shall present a
 86 summary report for each program.

87 SECTION 5. Of the funds appropriated in Section 2, Forty-six
 88 Million Dollars (\$46,000,000.00) shall be derived from the School
 89 Ad Valorem Reduction Fund and Sixty-four Million Three Hundred
 90 Ninety-two Thousand One Hundred Ninety-five Dollars
 91 (\$64,392,195.00) shall be derived from the Education Enhancement
 92 Fund deposited pursuant to Sections 27-65-75 and 27-67-31,
 93 Mississippi Code of 1972, for the following purposes:

94	School Ad Valorem Reduction	\$	46,000,000.00
95	Grants to school districts for capital		
96	facilities and buses	\$	16,000,000.00
97	Instructional Materials	\$	18,768,909.00
98	Purchasing textbooks and other		
99	educational materials, but not to		
100	include more than Two Million		
101	Dollars (\$2,000,000.00) for technology		
102	enhancement projects for elementary		
103	and secondary education programs	\$	16,308,053.00
104	Tech Prep Bond Service.....	\$	3,216,675.00
105	Implementing Performance Based Data		
106	Collection and Accreditation Model	\$	274,937.00
107	Administrator Training.....	\$	120,675.00
108	Adequate Education Program.....	\$	9,378,126.00
109	World Class Teacher Program.....	\$	125,000.00
110	Mississippi School Boards		
111	Continuing Training	\$	47,041.00
112	School Board Training	\$	58,697.00
113	Education Technology Council	\$	<u>94,082.00</u>

114 TOTAL\$ 110,392,195.00

115 No school district shall expend any funds, received under the
116 School Ad Valorem Reduction Grant, unless such school district has
117 specifically identified the amount of said grant within the
118 published budget as required by Section 37-61-9, Mississippi Code
119 of 1972. The published budget shall include the following
120 statement: "Ad Valorem taxes will be \$_____ less as a result
121 of the Ad Valorem Reduction Grants enacted by the Mississippi
122 Legislature in 1992."

123 SECTION 6. Of the funds appropriated in Section 2, One
124 Million Four Hundred Thousand Dollars (\$1,400,000.00) shall be
125 derived from the Technology in Classroom Fund 3203.

126 SECTION 7. Of the funds appropriated under the provisions of
127 Section 2, funds in the amount of One Million Five Hundred
128 Eighty-five Thousand Six Hundred Fifty-three Dollars
129 (\$1,585,653.00) shall come from income derived from the principal
130 of the Education Improvement Trust Fund created by Section 206A,
131 Mississippi Constitution of 1890, and One Million Five Hundred
132 Eighty-five Thousand Six Hundred Fifty-three Dollars
133 (\$1,585,653.00) shall be used for the School for Math and Science.

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

141		FY02
142	<u>Performance Measures</u>	<u>Target</u>
143	Special Education	

144	Approved Funding for Children (Persons)	907
145	Teacher Units Approved for Funding (Units)	4,190
146	Child Nutrition	
147	Number of Meals Required (Millions)	129
148	Cost per Meal (Dollars)	2.19
149	Special Projects	
150	Building Projects Approved (Projects)	100
151	Project Approval Rate (Percent)	90
152	MS School For Math & Science	
153	Students Enrolled (Persons)	270
154	Cost per Student (Dollars)	14,590
155	Educational Accountability	
156	Performance Accreditation Visits (Visits)	30
157	Tests Administered (Persons)	453,341
158	Compliance & Performance Reviews (Actions)	70
159	Educ Training & Development	
160	Administrators Trained (Persons)	1,200
161	Administrators Trained (Percent)	35
162	Technical Assistance to School Districts (Percent)	90
163	Compensatory Education	
164	Title I Projects Awarded (Programs)	152
165	Review and Approve Delinquent Programs (Programs)	4
166	Average Expenditure per Child (Dollars)	612
167	Community & Outreach Services	
168	Requested Available Federal Funding (%)	100
169	MAEP Interim Capital Expenditure Fund	
170	Building Projects Begun (Number)	73
171	MS School Attendance Officers	
172	Resolutions to Referrals (Percent)	0.85
173	School Visits (Number)	50,000

174 MS Teacher Center

175 Teachers Recruited in Shortage Areas (Number) 450

176 A reporting of the degree to which the performance targets
177 set above have been or are being achieved shall be provided in the
178 agency's budget request submitted to the Joint Legislative Budget
179 Committee for Fiscal Year 2003.

180 SECTION 9. In addition to any other funds herein
181 appropriated, the following sum, or so much thereof as may be
182 necessary, is hereby appropriated out of any money in the State
183 General Fund not otherwise appropriated, for the purpose of
184 defraying the expenses of the Vocational and Technical Education
185 Division of the State Department of Education for the fiscal year
186 beginning July 1, 2001, and ending June 30, 2002.....
187 \$ 68,103,090.00.

188 SECTION 10. In addition to any other funds herein
189 appropriated, the following sum, or so much thereof as may be
190 necessary, is hereby appropriated out of any money in any special
191 fund in the State Treasury to the credit of the Vocational and
192 Technical Education Division of the State Department of Education
193 which is comprised of special source funds collected by or
194 otherwise available to the division, for the purpose of defraying
195 the expenses of the division for the fiscal year beginning
196 July 1, 2001 and ending June 30, 2002..... \$ 23,648,692.00.

197 SECTION 11. Of the funds appropriated under the provisions
198 of Sections 9 and 10, not more than the amounts set forth below
199 shall be expended for the respective major objects or purposes of
200 expenditure:

201 MAJOR OBJECTS OF EXPENDITURE:

202 Personal Services:

203 Salaries, Wages and Fringe Benefits.. \$ 2,699,625.00

204	Travel and Subsistence.....	72,000.00
205	Contractual Services.....	2,021,990.00
206	Commodities.....	165,487.00
207	Capital Outlay:	
208	Other Than Equipment.....	0.00
209	Equipment.....	1,500.00
210	Subsidies, Loans and Grants.....	<u>86,791,180.00</u>
211	Total.....	\$ 91,751,782.00

212 FUNDING:

213	General Funds.....	\$ 68,103,090.00
214	Special Funds.....	<u>23,648,692.00</u>
215	Total.....	\$ 91,751,782.00

216 AUTHORIZED POSITIONS:

217	Permanent: Full Time.....	64
218	Part Time.....	0
219	Time-Limited: Full Time.....	0
220	Part Time.....	0

221 With the funds herein appropriated, it is the intention of
222 the Legislature that it shall be the agency's responsibility to
223 make certain that funds required to be appropriated for "Personal
224 Services" for Fiscal Year 2003 do not exceed Fiscal Year 2002
225 funds appropriated for that purpose, unless programs or positions
226 are added to the agency's Fiscal Year 2003 budget by the
227 Mississippi Legislature. Based on data provided by the
228 Legislative Budget Office, the State Personnel Board shall
229 determine and publish the projected annual cost to fully fund all
230 appropriated positions in compliance with the provisions of this
231 act. It shall be the responsibility of the agency head to insure
232 that no single personnel action increases this projected annual
233 cost and/or the Fiscal Year 2002 appropriation for "Personal

234 Services" when annualized. If, at the end of any calendar month,
235 the State Personnel Board determines that the agency has taken
236 action(s) which would cause the agency to exceed this projected
237 annual cost or the Fiscal Year 2002 "Personal Services"
238 appropriated level, when annualized, then only those actions which
239 reduce the projected annual cost and/or the appropriation
240 requirement will be processed by the State Personnel Board until
241 such time as the requirements of this provision are met.

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

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

248 SECTION 12. Of the funds appropriated under the provisions
249 of Sections 9 and 10, an amount not to exceed Two Hundred
250 Twenty-nine Thousand Six Hundred Eighty-four Dollars (\$229,684.00)
251 is authorized for the support of Vocational and Technical
252 Education Programs as authorized in Section 37-31-13, Mississippi
253 Code of 1972, for a period in excess of ten (10) months in a
254 calendar year.

255 SECTION 13. Of the funds appropriated under the provisions
256 of Section 11, Seven Million Eight Hundred Sixty-three Thousand
257 Seven Hundred Forty-six Dollars (\$7,863,746.00) shall be derived
258 from the Education Enhancement Fund pursuant to Sections 27-65-75
259 and 27-67-31, Mississippi Code of 1972.

260 SECTION 14. It is the intention of the Legislature that the
261 Vocational and Technical Education Division of the State
262 Department of Education shall, with the funds appropriated in
263 Section 9, transfer no more than One Hundred Thousand Dollars

264 (\$100,000.00) to the Mississippi Soil and Water Conservation
265 Commission for the purpose of providing matching funds to purchase
266 soil conservation equipment.

267 SECTION 15. Of the funds appropriated in Sections 9 and 10,
268 no more than One Hundred Thousand Dollars (\$100,000.00) is
269 provided for the purpose of supporting the Future Farmers of
270 America Center.

271 SECTION 16. In compliance with the "Mississippi Performance
272 Budget and Strategic Planning Act of 1994," it is the intent of
273 the Legislature that the funds provided herein shall be utilized
274 in the most efficient and effective manner possible to achieve the
275 intended mission of this agency. Based on the funding authorized,
276 this agency shall make every effort to attain the targeted
277 performance measures provided below:

	FY02
<u>Performance Measures</u>	<u>Target</u>
Vocational - Secondary Programs	
Increase in students served (Percent)	0
LEAs served (Sites)	
	152
Vocational - Post Secondary Programs	
Short-term students served (Persons)	4,000
Short-term Adult Prog Classes (Classes)	450
Short-term cost per student (Dollars)	70

289
290 A reporting of the degree to which the performance targets
291 set above have been or are being achieved shall be provided in the
292 agency's budget request submitted to the Joint Legislative Budget
293 Committee for Fiscal Year 2003.

294 SECTION 17. In addition to any other funds herein
295 appropriated, the following sum, or so much thereof as may be
296 necessary, is hereby appropriated out of any money in the State
297 General Fund not otherwise appropriated, to the State Department
298 of Education, for the purpose of providing funding for the
299 Mississippi School District Uniform Millage Assistance Grant
300 Program, the Second Level Funding Program and the Emergency Fund
301 Loss Assistance Program for the fiscal year beginning
302 July 1, 2001, and ending June 30, 2002..... \$ 21,400,000.00.

303 SECTION 18. In addition to all other sums herein
304 appropriated, the following sum, or so much thereof as may be
305 necessary, is hereby appropriated out of any money in the
306 Education Enhancement Fund pursuant to Sections 27-65-75 and
307 27-67-31, Mississippi Code of 1972, not otherwise appropriated, to
308 the State Department of Education, for the purpose of providing
309 funding for the Uniform Millage Assistance Grant Program, the
310 Second Level Funding Program and the Emergency Loss Assistance
311 Program for the fiscal year beginning July 1, 2001, and ending
312 June 30, 2002..... \$ 16,132,278.00.

313 SECTION 19. With respect to agency programs whose operation
314 is dependent on the receipt of federal funds, it is the intent of
315 the Legislature, except as hereinafter provided, that no funds
316 from the State General Fund be expended to administer, support or
317 in any way continue such programs should federal funds for their
318 operation be reduced or become unavailable and that no funds from
319 the State General Fund available for expenditure under this act
320 shall be used to replace federal funds in any major object of
321 expenditure.

322 SECTION 20. It is the intention of the Legislature that the
323 State Department of Education and Vocational and Technical

324 Education Division shall maintain complete accounting and
325 personnel records related to the expenditure of all funds
326 appropriated under this act and that such records shall be in the
327 same format and level of detail as maintained for Fiscal Year
328 2001. The Department of Finance and Administration shall insure
329 that financial controls comparable to those utilized for Fiscal
330 Year 2001 are maintained throughout Fiscal Year 2002 for this
331 agency. The State Personnel Board shall insure that personnel
332 controls and records comparable to those utilized for Fiscal Year
333 2001 are maintained throughout Fiscal Year 2002 for this agency.
334 It is further the intention of the Legislature that the agency's
335 budget request for Fiscal Year 2003 shall be submitted to the
336 Joint Legislative Budget Committee in a format and level of detail
337 comparable to the format and level of detail provided during the
338 Fiscal Year 2002 budget request process.

339 SECTION 21. Of the funds provided in Section 1 for the
340 purpose of providing financial assistance for the education of
341 exceptional children as determined under Section 37-23-63,
342 Mississippi Code of 1972, children who are certified by the
343 designated authority as requiring inpatient care in a private
344 intermediate care facility for the mentally retarded or
345 psychiatric residential treatment facility, with Medicaid
346 reimbursement, shall be eligible and entitled to receive state
347 financial assistance under the provisions of Section 37-23-69, in
348 an amount not to exceed Five Thousand Dollars (\$5,000.00) from
349 state funds, per child per school year, if an approved private
350 school is operated as an integral part of the facility which
351 provides twenty-four (24) hours a day monitoring, treatment and
352 education, except that the State Department of Education is
353 authorized to pilot a fee-for-service based cost system for

354 children served through Millcreek Schools, Inc.

355 SECTION 22. Of the funds appropriated under the provisions
356 of Sections 1 and 2, the amount of One Hundred Sixteen Million
357 Seventeen Thousand Three Hundred Twenty-one Dollars
358 (\$116,017,321.00) shall be derived from the Interim School
359 District Capital Expenditure Fund for the benefit of the school
360 districts as authorized in Senate Bill No. 2649, 1997 Regular
361 Session.

362 SECTION 23. Of the funds provided in Section 1, Five Hundred
363 Seventy-nine Thousand Four Hundred Sixty-four Dollars
364 (\$579,464.00) shall be used to provide for a Director of School
365 Nurses in the State Department of Education and the implementation
366 of three (3) pilot projects for a variety of school health
367 programs in an elementary school setting. Evaluations shall be
368 developed to determine the program's effect to drop-out rates,
369 suspensions, expulsions, attendance and test scores.

370 Income generated by the school-based clinics shall remain
371 available for expenditure by the programs utilizing any special
372 fund authority provided in Section 2 for use by the State
373 Department of Education and the pilots shall remain the same as in
374 Fiscal Year 2001.

375 SECTION 24. It is the intention of the Legislature that the
376 State Department of Education shall have the authority to accept,
377 budget and expend any source funds not to exceed Thirty Million
378 Dollars (\$30,000,000.00), that become available to the department
379 to carry out the provisions of those funds in a manner consistent
380 with the rules and regulations of the Department of Finance and
381 Administration.

382 SECTION 25. The State Department of Education shall transfer
383 the designated amounts to the appropriate entities, which shall

384 assume full responsibility for the expenditure of these funds in
385 accordance with state laws and accept all responsibility for any
386 improper expenditure. For the following: National Guard Youth
387 Challenge Program, World Class Teacher Programs, USM Special
388 Education Program, Soil and Water Conservation Commission,
389 Mississippi School Boards Association, Mississippi Eye Screening
390 Program, Very Special Arts, Arts Institute, Jackson State
391 University Media Center, Jobs for Mississippi Graduates, and
392 Mississippi Symphony.

393 SECTION 26. Of the funds appropriated in Section 2, it is
394 the intention of the Legislature that Eighteen Million Dollars
395 (\$18,000,000.00) from the Public School Building Fund shall be
396 used for the Mississippi Adequate Education Program.

397 SECTION 27. The money herein appropriated shall be paid by
398 the State Treasurer out of any money in the State Treasury to the
399 credit of the proper fund or funds as set forth in this act, upon
400 warrants issued by the State Fiscal Officer; and the State Fiscal
401 Officer shall issue his warrants upon requisitions signed by the
402 proper person, officer or officers, in the manner provided by law.

403 SECTION 28. This act shall take effect and be in force from
404 and after July 1, 2001.