

Senate Amendments to House Bill No. 1643

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

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

6 **SECTION 1.** The following sums, or so much of those sums as
7 may be necessary, are appropriated out of any money in the State
8 General Fund not otherwise appropriated, for the purpose of
9 funding K-12 and other related educational activities, including
10 certain agencies and programs, in the State of Mississippi, for
11 the fiscal year beginning July 1, 2019, and ending June 30, 2020,
12 as follows:

13 (a) To the State Board of Education for the purpose of
14 defraying the expenses of the State Department of Education, and
15 excluding the expenses of the Vocational and Technical Education
16 Division.....\$ 122,049,107.00.

17 (b) To the State Board of Education for the purpose of
18 defraying the expenses of the Vocational and Technical Education
19 Division of the State Department of Education.....
20\$ 76,225,705.00.

21 (c) To the State Board of Education for the purpose of
22 paying annual compensation to the Chickasaw Cession counties for

23 sixteenth section lands which they lost through sale by the state,
24 as provided in Section 29-3-137 through 29-3-141, Mississippi Code
25 of 1972.....\$ 18,866,383.00.

26 (d) To the State Board of Education for defraying the
27 expenses of the Mississippi Adequate Education Program.....
28\$ 2,028,107,648.00.

29 (e) To the State Board of Education for the purpose of
30 defraying the expenses of the Mississippi School for the Blind and
31 the Mississippi School for the Deaf.....\$ 9,727,397.00.

32 TOTAL AMOUNT OF STATE GENERAL FUNDS APPROPRIATED
33 BY THIS SECTION BEING.....\$ 2,254,976,240.00.

34 **SECTION 2.** The following sums, or so much of those sums as
35 may be necessary, are appropriated out of any money in any special
36 fund in the State Treasury to the credit of the proper fund or
37 funds of the agencies or programs specified in the following
38 paragraphs for the fiscal year beginning July 1, 2019, and ending
39 June 30, 2020, as follows:

40 (a) To the State Board of Education for the purpose of
41 defraying the expenses of the State Department of Education,
42 excluding the expenses of the Vocational and Technical Education
43 Division.....\$ 905,865,795.00.

44 (b) To the State Board of Education for the purpose of
45 defraying the expenses of the Vocational and Technical Education
46 Division of the State Department of Education.....
47\$ 20,964,406.00.

48 (c) To the State Board of Education for the purpose of
49 defraying the expenses of the Mississippi Adequate Education
50 Program.....\$ 251,431,187.00.

51 (d) To the State Board of Education for the purpose of
52 defraying the expenses of the Mississippi School for the Blind and
53 the Mississippi School for the Deaf.....\$ 1,933,051.00.

54 TOTAL AMOUNT OF SPECIAL FUNDS APPROPRIATED
55 BY THIS SECTION BEING.....\$ 1,180,194,439.00.

56 **SECTION 3.** Of the funds appropriated in Section 2, One
57 Hundred Twenty-six Thousand Four Hundred Seventy-two Dollars
58 (\$126,472.00), or so much of that sum as may be necessary, is
59 appropriated out of any money in the State Treasury to the credit
60 of the Health Care Expendable Fund to the State Department of
61 Education for the purpose of defraying the expenses of the
62 department for the Mississippi Eye Screening Program for providing
63 vision safety services.

64 **SECTION 4.** Of the funds appropriated in Section 2, the
65 following sums, or so much of those sums as may be necessary, are
66 derived out of any money in the State Treasury to the credit of
67 the Education Enhancement Fund pursuant to Sections 27-65-75 and
68 27-67-31, Mississippi Code of 1972, as follows:

69 (a) To the State Department of Education, excluding the
70 expenses of the Vocational and Technical Education Division, for
71 the following purposes:

72 Literacy Initiative and Assessment.....\$ 6,333,806.00.
73 Educable Child.....\$ 7,000,000.00.

74	Grants to school districts for capital	
75	facilities and buses.....	\$ 16,000,000.00.
76	Instructional materials.....	\$ 12,000,000.00.
77	Students with Special Needs.....	\$ 1,800,000.00.
78	Implementing Performance Based Data	
79	Collection and Accreditation	
80	Model.....	\$ 274,937.00.
81	Testing.....	\$ 6,125,670.00.
82	Mississippi School for Math	
83	and Science.....	\$ 125,000.00.
84	Mississippi School for Fine Arts.....	\$ 125,000.00.
85	TOTAL.....	\$ 49,784,413.00.

86 (b) To the State Department of Education to defray the
87 expenses of the Vocational and Technical Education Division.....
88\$ 4,937,258.00.

89 (c) To the State Department of Education to provide
90 funding for the Mississippi Adequate Education Program.....
91\$ 231,431,187.00.

92 (d) To the State Board of Education for the purpose of
93 defraying the expenses of the Mississippi School for the Blind and
94 the Mississippi School for the Deaf.....\$ 1,207,037.00.

95 **SECTION 5.** Of the funds appropriated in this act, the
96 following positions are authorized for the State Department of
97 Education, excluding the expenses of the Vocational and Technical
98 Education Division:

99 AUTHORIZED POSITIONS:

100	Permanent:	Full Time.....	392
101		Part Time.....	3
102	Time-Limited:	Full Time.....	158
103		Part Time.....	0

104 With the funds herein appropriated, it shall be the agency's
105 responsibility to make certain that funds required to be
106 appropriated for "Personal Services" for Fiscal Year 2021 do not
107 exceed Fiscal Year 2020 funds appropriated for that purpose,
108 unless programs or positions are added to the agency's Fiscal Year
109 2020 budget by the Mississippi Legislature. Based on data
110 provided by the Legislative Budget Office, the State Personnel
111 Board shall determine and publish the projected annual cost to
112 fully fund all appropriated positions in compliance with the
113 provisions of this act. It shall be the responsibility of the
114 agency head to ensure that no single personnel action increases
115 this projected annual cost and/or the Fiscal Year 2020
116 appropriations for "Personal Services" when annualized, with the
117 exception of escalated funds and the award of benchmarks. If, at
118 the time the agency takes any action to change "Personal
119 Services," the State Personnel Board determines that the agency
120 has taken an action which would cause the agency to exceed this
121 projected annual cost or the Fiscal Year 2020 "Personal Services"
122 appropriated level, when annualized, then only those actions which
123 reduce the projected annual cost and/or the appropriation
124 requirement will be processed by the State Personnel Board until
125 such time as the requirements of this provision are met.

126 Any transfers or escalations shall be made in accordance with
127 the terms, conditions and procedures established by law or
128 allowable under the terms set forth within this act. The State
129 Personnel Board shall not escalate positions without written
130 approval from the Department of Finance and Administration. The
131 Department of Finance and Administration shall not provide written
132 approval to escalate any funds for salaries and/or positions
133 without proof of availability of new or additional funds above the
134 appropriated level.

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

139 None of the funds herein appropriated shall be used in
140 violation of Internal Revenue Service's Publication 15-A relating
141 to the reporting of income paid to contract employees, as
142 interpreted by the Office of the State Auditor.

143 **SECTION 6.** In compliance with the "Mississippi Performance
144 Budget and Strategic Planning Act of 1994," it is the intent of
145 the Legislature that the funds provided in this act shall be
146 utilized in the most efficient and effective manner possible to
147 achieve the intended mission of the State Department of Education,
148 excluding the expenses of the Vocational and Technical Education
149 Division. Based on the funding authorized, this agency shall make
150 every effort to attain the targeted performance measures provided
151 below:

152		FY2020
153	<u>Performance Measures</u>	<u>Target</u>
154	Special Education	
155	Special Education teachers (FTE) (Number	
156	of).	5,932.00
157	IEP students not participating in Math	
158	Assessments (Number of).	1,184.00
159	IEP students not participating in	
160	statewide Math Assessments (%).	5.00
161	IEP students not participating in	
162	statewide Reading Assessments (Number	
163	of).	1,163.00
164	IEP students not participating in	
165	statewide Reading Assessments (%).	5.00
166	Students with an IEP graduating with a	
167	standard diploma (Number of).	1,269.00
168	Child Nutrition	
169	Sites compliant with Fresh Fruit and	
170	Vegetable Program standards (%).	97.00
171	Sites compliant with the National School	
172	Lunch Program (%)	97.00
173	Sites compliant with the School	
174	Breakfast Program (Number of).	861.00
175	Compulsory School Attendance	
176	Statewide Cohort 4-Year Dropout Rate (%)	10.80
177	General Administration	

178	Total Dollars Spent on General	
179	Administration (\$).	26,532,257.00
180	Total Budget Spent on General	
181	Administration (%).	18.58
182	Turnover rate at Central Office (%).	5.36
183	Graduation & Career Readiness	
184	Public high school 4-year graduation	
185	cohort (Number of).	28,500.00
186	Public high school 4-year cohort	
187	graduation rate (%).	84.00
188	Special Schools	
189	Students enrolled annually at MSMS	
190	(Number of).	248
191	Amount of scholarship offerings for MSMS	
192	students attending college (\$).	25,000,000.00
193	MSMS graduating seniors who earn	
194	National Merit or National Achievement	
195	Semifinalist status (%).	10.00
196	Average ACT Composite score for	
197	graduating seniors at MSMS (Number of).	30.00
198	Average cost per student to attend MSMS (\$).	21,000.00
199	Average ACT composite score for	
200	graduating seniors at MS School for the	
201	Arts (Number of).	23.10
202	Percentage of MS School for the Arts	
203	graduating seniors receiving scholarship	

204	offers (%) .	79
205	Early Childhood Education	
206	Early Learning Collaborative Mean Scaled	
207	Score on the Kindergarten Readiness	
208	Assessment for Fall (Number of) .	435.00
209	Early Learning Collaborative Mean Scaled	
210	Score on the Kindergarten Readiness	
211	Assessment for Spring (Number of) .	575.00
212	Teacher Tng & Professional Dev	
213	Statewide percentage of teachers with	
214	alternate route licenses (%) .	8.50
215	Statewide percent of teachers with five	
216	or more years of experience (%) .	74.00
217	Statewide percent of teachers with ten	
218	or more years of experience (%) .	52.10
219	Statewide average years of experience	
220	for full-time teacher (Number of) .	11.10
221	Statewide percentage of teachers with	
222	less than three years of experience (%) .	20.00
223	Teachers retained statewide from	
224	previous year (Number of) .	30,500.00
225	Teachers retained statewide from	
226	previous year (%) .	77.50
227	Elementary Education	
228	Students Taking the Third Grade Reading	
229	Summative Assessment in May (Number of) .	36,384.00

230	3rd graders enrolled in May that took	
231	the Third Grade Reading Summative	
232	Assessment (%).	99.80
233	Statewide Mean Scaled Score on the Third	
234	Grade Reading Summative Assessment	
235	Mississippi Academic Assessment Program	
236	(MAAP) English Language Arts (ELA)	
237	(Number of).	362.00
238	Minimum Passing Score on the Third Grade	
239	Reading Summative Assessment	
240	Mississippi Academic Assessment Program	
241	(MAAP) English Language Arts (ELA)	
242	(Number of).	350.00
243	Students scoring at or above passing	
244	score on the Third Grade Reading	
245	Summative Assessment (Number of).	27,215.00
246	Students scoring at or above passing	
247	score on the Third Grade Reading	
248	Summative Assessment (%).	74.80
249	Secondary Education	
250	Statewide Mean ACT Composite Score for	
251	Juniors Testing in March (Number of).	18.50
252	11th graders taking the ACT in May	
253	(Number of).	35,000.00
254	11th graders enrolled that took the ACT (%).	96.50
255	Students enrolled in one or more AP	

256	courses Grades 9 - 12 (Number of).	16,318.00
257	Students enrolled in one or more AP	
258	courses Grades 9 - 12 (%).	12.20
259	School Performance	
260	Month 1 Net Membership in schools with	
261	accountability rating of A (%).	19.00
262	Month 1 Net Membership in schools with a	
263	accountability rating of B (%).	33.00
264	Month 1 Net Membership in schools with a	
265	accountability rating of C (%).	25.00
266	Month 1 Net Membership in schools with a	
267	accountability rating of D (%).	15.00
268	Month 1 Net Membership in schools with a	
269	accountability rating of F (%).	7.00
270	Month 1 Net Membership in schools	
271	without an accountability rating (%).	1.00

272 A reporting of the degree to which the performance targets
273 set above have been or are being achieved shall be provided in the
274 agency's budget request submitted to the Joint Legislative Budget
275 Committee for Fiscal Year 2021.

276 **SECTION 7.** In compliance with the "Mississippi Performance
277 Budget and Strategic Planning Act of 1994," it is the intent of
278 the Legislature that the funds provided in this act shall be
279 utilized in the most efficient and effective manner possible to
280 achieve the intended mission of the Mississippi Adequate Education
281 Program. Based on the funding authorized, this agency shall make

282 every effort to attain the targeted performance measures provided
283 below:

284 FY2020
285 Performance Measures Target

286 Basic Program

287 Number of schools receiving a
288 performance classification of C or
289 higher (Number of). 350.00

290 Number of districts receiving a
291 performance classification of C or
292 higher (Number of). 95.00

293 Statewide mean ACT composite core for
294 Juniors taking the test in March
295 (Score). 18.70

296 Increase 4-year graduation rate (%) 84.80

297 A reporting of the degree to which the performance targets
298 set above have been or are being achieved shall be provided in the
299 agency's budget request submitted to the Joint Legislative Budget
300 Committee for Fiscal Year 2021.

301 **SECTION 8.** In compliance with the "Mississippi Performance
302 Budget and Strategic Planning Act of 1994," it is the intent of
303 the Legislature that the funds provided in this act shall be
304 utilized in the most efficient and effective manner possible to
305 achieve the intended mission of the School for the Blind and Deaf
306 of the State Department of Education. Based on the funding

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

309		FY2020
310	<u>Performance Measures</u>	<u>Target</u>
311	Instruction	
312	Graduation rate for visually impaired	
313	students (%).	75.00
314	Students receiving standard &	
315	occupational diploma (%).	75.00
316	Student Services	
317	Eligible high school students working	
318	part-time (%).	20.00
319	Operation & Maintenance	
320	Persons served through community sign	
321	language classes (Number of).	190.00
322	Parents served through community sign	
323	language classes (Number of).	50.00

324 A reporting of the degree to which the performance targets
325 set above have been or are being achieved shall be provided in the
326 agency's budget request submitted to the Joint Legislative Budget
327 Committee for Fiscal Year 2021.

328 **SECTION 9.** No school district shall expend any funds,
329 received under the School Ad Valorem Reduction Grant, unless such
330 school district has specifically identified the amount of the
331 grant within the published budget as required by Section 37-61-9,
332 Mississippi Code of 1972. The published budget shall include the

333 following statement: "Ad Valorem taxes will be \$_____ less as
334 a result of the Ad Valorem Reduction Grants enacted by the
335 Mississippi Legislature in 1992."

336 **SECTION 10.** Of the funds appropriated in Section 2, Two
337 Million One Hundred Thousand Dollars (\$2,100,000.00) shall be
338 derived from the Technology in Classroom Fund 3203 for the purpose
339 of defraying the expenses of the State Department of Education,
340 excluding the expenses of the Vocational and Technical Education
341 Division.

342 **SECTION 11.** Of the funds appropriated in Section 2, funds in
343 the amount of One Million Dollars (\$1,000,000.00) shall come from
344 income derived from the principal of the Education Improvement
345 Trust Fund created by Section 206A, Mississippi Constitution of
346 1890, and One Million Dollars (\$1,000,000.00) shall be used for
347 the School for Math and Science.

348 **SECTION 12.** Of the funds appropriated under the provisions
349 of this act, the following positions are authorized for the
350 Vocational and Technical Education Division of the State
351 Department of Education:

352 AUTHORIZED POSITIONS:

353	Permanent:	Full Time.....	50
354		Part Time.....	0
355	Time-Limited:	Full Time.....	5
356		Part Time.....	0

357 With the funds herein appropriated, it shall be the agency's
358 responsibility to make certain that funds required to be

359 appropriated for "Personal Services" for Fiscal Year 2021 do not
360 exceed Fiscal Year 2020 funds appropriated for that purpose,
361 unless programs or positions are added to the agency's Fiscal Year
362 2020 budget by the Mississippi Legislature. Based on data
363 provided by the Legislative Budget Office, the State Personnel
364 Board shall determine and publish the projected annual cost to
365 fully fund all appropriated positions in compliance with the
366 provisions of this act. It shall be the responsibility of the
367 agency head to ensure that no single personnel action increases
368 this projected annual cost and/or the Fiscal Year 2020
369 appropriations for "Personal Services" when annualized, with the
370 exception of escalated funds and the award of benchmarks. If, at
371 the time the agency takes any action to change "Personal
372 Services," the State Personnel Board determines that the agency
373 has taken an action which would cause the agency to exceed this
374 projected annual cost or the Fiscal Year 2020 "Personal Services"
375 appropriated level, when annualized, then only those actions which
376 reduce the projected annual cost and/or the appropriation
377 requirement will be processed by the State Personnel Board until
378 such time as the requirements of this provision are met.

379 Any transfers or escalations shall be made in accordance with
380 the terms, conditions and procedures established by law or
381 allowable under the terms set forth within this act. The State
382 Personnel Board shall not escalate positions without written
383 approval from the Department of Finance and Administration. The
384 Department of Finance and Administration shall not provide written

385 approval to escalate any funds for salaries and/or positions
386 without proof of availability of new or additional funds above the
387 appropriated level.

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

392 None of the funds herein appropriated shall be used in
393 violation of Internal Revenue Service's Publication 15-A relating
394 to the reporting of income paid to contract employees, as
395 interpreted by the Office of the State Auditor.

396 **SECTION 13.** In compliance with the "Mississippi Performance
397 Budget and Strategic Planning Act of 1994," it is the intent of
398 the Legislature that the funds provided in this act shall be
399 utilized in the most efficient and effective manner possible to
400 achieve the intended mission of the Vocational and Technical
401 Education Division of the State Department of Education. Based on
402 the funding authorized, this agency shall make every effort to
403 attain the targeted performance measures provided below:

	FY2020
<u>Performance Measures</u>	<u>Target</u>
406 Secondary Programs	
407 Increase in students served in CTE (%).	2.00
408 11th grade students who are college or	
409 career ready as measured by the ACT (%).	12.00
410 Students who graduated (%).	83.00

411	Increase in CTE Student Completers'	
412	Placement Rate (%).	1.00
413	Schools with graduation rate less than	
414	80% (Number of).	65.00
415	Post-secondary Programs	
416	Short term adult program classes (Number	
417	of).	200.00
418	CTE student completers (Number of).	3,700.00

419 A reporting of the degree to which the performance targets
420 set above have been or are being achieved shall be provided in the
421 agency's budget request submitted to the Joint Legislative Budget
422 Committee for Fiscal Year 2021.

423 **SECTION 14.** Of the funds appropriated in this act, an amount
424 not to exceed Two Hundred Twenty-nine Thousand Six Hundred
425 Eighty-four Dollars (\$229,684.00) is authorized for the support of
426 vocational and technical education programs as authorized in
427 Section 37-31-13, Mississippi Code of 1972, for a period in excess
428 of ten (10) months in a calendar year.

429 **SECTION 15.** It is the intention of the Legislature that the
430 Vocational and Technical Education Division of the State
431 Department of Education shall, with the funds appropriated in
432 Section 1, transfer no more than One Hundred Thousand Dollars
433 (\$100,000.00) to the Mississippi Soil and Water Conservation
434 Commission for the purpose of providing matching funds to purchase
435 soil conservation equipment.

436 **SECTION 16.** Of the funds appropriated in this act, no more
437 than One Hundred Seventy-five Thousand Dollars (\$175,000.00) is
438 provided for the purpose of supporting the Future Farmers of
439 America Center.

440 **SECTION 17.** The State Department of Education shall transfer
441 the designated amounts to the appropriate entities, which shall
442 assume full responsibility for the expenditure of these funds in
443 accordance with state laws and accept all responsibility for any
444 improper expenditure, for the following:

445	Detention Centers.....	\$900,000
446	Dubard School.....	\$575,000
447	Dyslexia Program.....	\$225,000
448	Jobs for MS Graduates, Inc.....	\$800,000
449	Stride.....	\$600,000
450	Life Tracks (SLDS).....	\$400,000
451	Amplify Data Coaching.....	\$800,000
452	Magnolia Speech School.....	\$500,000
453	Mississippi Arts Commission - Arts Institute.....	\$40,000
454	Mississippi Autism.....	\$160,000
455	MS Symphony.....	\$50,000
456	New Learning Resource, Inc.....	\$200,000
457	Principal Corp.....	\$400,000
458	Sight Savers.....	\$341,178
459	Teach for America.....	\$1,800,000
460	Teacher Corp.....	\$150,000
461	USM-Autism Program.....	\$40,000

462	Children's Center for Comm & Develop.....	\$574,032
463	Very Special Arts Program.....	\$40,000
464	Vision Screening Research.....	\$178,822
465	Univ of Miss - Willie Price Lab School.....	\$200,000
466	Algebra Nation.....	\$500,000
467	Save the Children.....	\$50,000
468	Mississippi Construction Education Program.....	\$112,500
469	Microsoft IT Academy.....	\$250,000
470	Jumpstart ACT.....	\$100,000
471	Total.....	\$ 9,986,532

472 **SECTION 18.** The State Board of Education shall expend
473 one-half (.50) of any funds appropriated in Section 17 of this Act
474 from July 1, 2019 until January 1, 2020. The remaining amount of
475 appropriation shall not be provided until the Joint Legislative
476 Committee on Performance Evaluation and Expenditure Review (PEER)
477 has received a progress report on the effectiveness of these
478 programs, based on the standards for high-quality research set
479 forth in Sections 27-103-159(1) (a) (b), Mississippi Code of 1972,
480 from the entities receiving funds by December 15, 2019. PEER shall
481 provide written guidance to entities as to the format and contents
482 of the required progress reports. The following shall provide the
483 reports: Jobs for Mississippi Graduates, Stride, Algebra Nation,
484 Jumpstart ACT.

485 **SECTION 19.** Of the funds appropriated in this act, an amount
486 not to exceed One Million Three Hundred Thousand Dollars
487 (\$1,300,000.00) shall be used for technological methods for

488 agricultural programs, computer science, engineering or robotic
489 engineering programs and equipment upgrades and Mississippi
490 Elementary (ME) STEM and STEAM programs from the Career and
491 Technical Education Division of the State Department of Education.
492 All programs must meet Mississippi Science Standards and/or
493 College and Career Standards.

494 **SECTION 20.** Of the funds appropriated in Section 1, the sum
495 of Sixty-two Thousand One Hundred Ninety-one Dollars (\$62,191.00),
496 which is the aggregate sum that the school districts in the
497 Chickasaw Cession receive annually from interest payments from the
498 Chickasaw School Fund under Section 212, Mississippi Constitution
499 of 1890, shall be deducted from the allocations to the school
500 districts as provided in Section 29-3-137, Mississippi Code of
501 1972, and shall be distributed among the school districts in the
502 Chickasaw Cession by the State Department of Education in the
503 manner that those interest payments were distributed during Fiscal
504 Year 1985.

505 **SECTION 21.** Of the funds provided in this act for the
506 purpose of funding the Mississippi Adequate Education Program as
507 determined under Section 37-151-7, Mississippi Code of 1972, the
508 base student cost in Fiscal Year 2019 shall be Five Thousand Six
509 Hundred Eighty-five and Sixty-five Cents (\$5,685.65).

510 **SECTION 22.** Of the funds appropriated under the provisions
511 of this act, the following positions are authorized for the
512 Mississippi School for the Blind and the Mississippi School for
513 the Deaf:

514 AUTHORIZED POSITIONS:

515	Permanent:	Full Time.....	181
516		Part Time.....	18
517	Time-Limited:	Full Time.....	1
518		Part Time.....	0

519 With the funds herein appropriated, it shall be the agency's
520 responsibility to make certain that funds required to be
521 appropriated for "Personal Services" for Fiscal Year 2021 do not
522 exceed Fiscal Year 2020 funds appropriated for that purpose,
523 unless programs or positions are added to the agency's Fiscal Year
524 2020 budget by the Mississippi Legislature. Based on data
525 provided by the Legislative Budget Office, the State Personnel
526 Board shall determine and publish the projected annual cost to
527 fully fund all appropriated positions in compliance with the
528 provisions of this act. It shall be the responsibility of the
529 agency head to ensure that no single personnel action increases
530 this projected annual cost and/or the Fiscal Year 2020
531 appropriations for "Personal Services" when annualized, with the
532 exception of escalated funds and the award of benchmarks. If, at
533 the time the agency takes any action to change "Personal
534 Services," the State Personnel Board determines that the agency
535 has taken an action which would cause the agency to exceed this
536 projected annual cost or the Fiscal Year 2020 "Personal Services"
537 appropriated level, when annualized, then only those actions which
538 reduce the projected annual cost and/or the appropriation

539 requirement will be processed by the State Personnel Board until
540 such time as the requirements of this provision are met.

541 Any transfers or escalations shall be made in accordance with
542 the terms, conditions and procedures established by law or
543 allowable under the terms set forth within this act. The State
544 Personnel Board shall not escalate positions without written
545 approval from the Department of Finance and Administration. The
546 Department of Finance and Administration shall not provide written
547 approval to escalate any funds for salaries and/or positions
548 without proof of availability of new or additional funds above the
549 appropriated level.

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

554 None of the funds herein appropriated shall be used in
555 violation of Internal Revenue Service's Publication 15-A relating
556 to the reporting of income paid to contract employees, as
557 interpreted by the Office of the State Auditor.

558 **SECTION 23.** With the funds provided in this act, it is the
559 intention of the Legislature that School Attendance Officers and
560 academic teachers at the Mississippi School for the Deaf and the
561 Mississippi School for the Blind shall receive their annual
562 increment.

563 **SECTION 24.** It is the intention of the Legislature that the
564 State Board of Education shall maintain complete accounting and

565 personnel records related to the expenditure of all funds
566 appropriated in this act and that those records shall be in the
567 same format and level of details as maintained for Fiscal Year
568 2019. It is further the intention of the Legislature that the
569 budget requests for Fiscal Year 2021 shall be submitted to the
570 Joint Legislative Budget Committee in a format and level of detail
571 comparable to the format and level of detail provided during the
572 Fiscal Year 2020 budget request process for each agency and
573 institution appropriated funds within the provisions of this act.

574 **SECTION 25.** Of the funds appropriated in Section 1(a) to the
575 State Board of Education, not less than Twenty-three Million
576 Eighty Thousand Dollars (\$23,080,000.00) shall be used for
577 National Board Certification. Of this amount, Five Hundred
578 Thousand Dollars (\$500,000.00) shall be used for the World Class
579 Teacher Program providing instruction and assistance to teachers
580 seeking National Board Certification.

581 **SECTION 26.** Of the funds appropriated in Section 1 and
582 Section 4(a) not less than Fifteen Million Fifty-eight Thousand
583 Dollars (\$15,058,000.00) shall be used for the Educable Child
584 Program. It is the intention of the Legislature that the State
585 Board of Education shall allocate funding for the Educable Child
586 Program based upon a recalculated formula in a manner to include
587 only those billable days funded through appropriation of state
588 funds and not District funds. It is the intent of the Legislature
589 that the Educable Child funds shall be exempt from budget cuts

590 made to the Department of Education by the Legislature and/or the
591 Office of the Governor.

592 **SECTION 27.** Of the funds appropriated in Section 1(a) and
593 Section 4(a), not less than Three Million Dollars (\$3,000,000.00)
594 shall be used for the Education Scholarship Account (ESA) Program.
595 It is the intent of the Legislature that the Education Scholarship
596 Account (ESA) funds shall not be reduced by the State Department
597 of Education and/or the Office of the Governor.

598 **SECTION 28.** The public school districts of the state are
599 authorized at their discretion to pay with local funds one hundred
600 percent (100%) of the cost of the health insurance premiums of the
601 State and School Employees Health Insurance Plan for all retired
602 members of the Public Employees' Retirement System who are
603 employed as school bus drivers by the school districts. It is the
604 intention of the Legislature that no state funds shall be used for
605 this purpose.

606 **SECTION 29.** It is the intention of the Legislature that
607 whenever two (2) or more bids are received by this agency for the
608 purchase of commodities or equipment, and whenever all things
609 stated in those received bids are equal with respect to price,
610 quality and service, the Mississippi Industries for the Blind
611 shall be given preference. A similar preference shall be given to
612 the Mississippi Industries for the Blind whenever purchases are
613 made without competitive bids.

614 **SECTION 30.** Of the funds appropriated in Section 1, not less
615 than Six Million Three Hundred Twenty-one Thousand Nine Hundred

616 Twenty-seven Dollars (\$6,321,927.00) shall be used for the
617 Compulsory School Attendance Office and School Attendance
618 Officers.

619 **SECTION 31.** Of the funds appropriated in this act, it is the
620 intention of the Legislature that Three Million Sixty Thousand
621 Dollars (\$3,060,000.00) shall be used for the Mary
622 Kirkpatrick-Mary Sprayberry Public School Nurse Program. The
623 amount of Three Million Sixty Thousand Dollars (\$3,060,000.00) is
624 provided from the Department of Health.

625 **SECTION 32.** The State Department of Education shall contract
626 with a Certified Public Accountant to calculate components of the
627 Mississippi Adequate Education Program to include the base student
628 cost, school district allocations, total program cost, add-on
629 programs, and any other required components of Section 37-151-7,
630 Mississippi Code of 1972. The contractor shall be responsible for
631 calculating the estimates of these components due to the
632 Legislative Budget Office and the Governor by August 1 and the
633 final estimates due to the Legislative Budget Office and the
634 Governor no later than January 2. A report detailing the funding
635 of this contract shall be submitted by the State Department of
636 Education to the Legislature no later than January 30, 2020.

637 **SECTION 33.** Of the funds appropriated in this act, it is the
638 intention of the Legislature that Twenty Million Dollars
639 (\$20,000,000.00) from the Public School Building Fund shall be
640 used for the Mississippi Adequate Education Program.

641 **SECTION 34.** It is the intention of the Legislature that the
642 State Board of Education shall charge a fee for room and board for
643 students who enroll in the Mississippi School for Mathematics and
644 Science and the Mississippi School of Arts. Such fees will be
645 waived for any student enrolled in the State Children's Health
646 Insurance Program. The amount of such fees shall be Five Hundred
647 Dollars (\$500.00) for each semester.

648 **SECTION 35.** It is the intent of the Legislature that each
649 eligible employee who meets the National Board requirements under
650 Section 37-19-7(2), Mississippi Code of 1972, shall be paid the
651 full supplement and that such supplement shall be included on a
652 prorated basis in the employee's monthly paycheck.

653 **SECTION 36.** It is the intention of the Legislature that the
654 Mississippi Department of Education may loan any general or
655 special source fund amount, not to exceed Five Million Dollars
656 (\$5,000,000.00), to any school district for the purpose of
657 providing funds to school districts through the Emergency
658 Assistance Fund as outlined in Section 37-17-6, Mississippi Code
659 of 1972, during the period beginning July 1, 2019, and ending
660 June 30, 2020. The school districts receiving these loans shall
661 repay the Mississippi Department of Education the amount of the
662 loan on or before June 30, 2020.

663 **SECTION 37.** Of the funds appropriated in Section 1(a),
664 Twenty-four Million Nine Hundred Ninety-two Thousand Two Hundred
665 One Dollars (\$24,992,201.00) shall be used for the School

666 Recognition Program authorized by Section 37-19-10, Mississippi
667 Code of 1972.

668 **SECTION 38.** Of the funds appropriated in Section 1(a), Seven
669 Hundred Thousand Dollars (\$700,000.00) shall be transferred to the
670 Board of Health no later than December 31, 2019.

671 **SECTION 39.** Any school district receiving funds through Save
672 the Children and Stride may provide a ten percent (10%) match from
673 local funds for implementation of the program.

674 **SECTION 40.** Of the funds appropriated in Section 1(a), Two
675 Million Dollars (\$2,000,000.00) is provided for the Mississippi
676 Community Oriented Policing Services in Schools (MCOPS) grant
677 program. A portion of these funds not to exceed three percent (3%)
678 may be used for training and administrative costs related to
679 oversight and auditing of the program.

680 **SECTION 41.** Of the funds appropriated in Section 1(a), Four
681 Million Dollars (\$4,000,000.00) is provided for an Early Childhood
682 Education Initiative program. Of the funds provided herein, it is
683 the intention of the Legislature that no new funds may be expended
684 to defray the costs of any pre-kindergarten program that has not
685 been determined by the Joint Legislative Committee on Performance
686 Evaluation and Expenditure Review to be evidence-based or
687 research-based programs as those terms are defined by Section
688 27-103-159(1), Mississippi Code of 1972.

689 **SECTION 42.** Of the funds appropriated in Section 1(a) and
690 Section 4(a), Fifteen Million Ninety-four Thousand Five Hundred
691 Dollars (\$15,094,500.00) shall be used for the Literacy Initiative

692 and Assessment. Of the funds appropriated in Section 1(a),
693 Ninety-four Thousand Five Hundred Dollars (\$94,500.00) shall be
694 used for the Mississippi Center for Excellence in Literacy
695 Instruction.

696 **SECTION 43.** Of the funds appropriated in Section 1(b), One
697 Hundred Sixty Thousand Dollars (\$160,000.00) is provided for the
698 Smart Lab project.

699 **SECTION 44.** Of the funds appropriated herein, funding is
700 provided for the ACT test, which is the college readiness portion
701 of the state accountability model.

702 **SECTION 45.** Of the funds appropriated in Section 1(a), Two
703 Million Five Hundred Forty-five Thousand One Hundred Fifty-eight
704 Dollars (\$2,545,158.00) shall be used for the Mississippi School
705 of the Arts and Three Million Four Hundred Fifty-five Thousand
706 Seven Hundred Ninety Dollars (\$3,455,790.00) shall be used for the
707 Mississippi School for Mathematics and Science. It is the
708 intention of the Legislature that the State Board of Education
709 shall not reduce the appropriated amounts provided in this Act for
710 the Mississippi School of the Arts and the Mississippi School for
711 Mathematics and Science.

712 **SECTION 46.** The money appropriated in this act shall be paid
713 by the State Treasurer out of any money in the proper fund or
714 funds as set forth in this act, upon warrants issued by the State
715 Fiscal Officer; and the State Fiscal Officer shall issue his
716 warrants upon requisitions signed by the proper person, officer or
717 officers in the manner provided by law.

718 **SECTION 47.** It is the intent of the Legislature that each
719 eligible professional school counselor employee who meets the year
720 of teaching experience requirements under Section 37-151-5(m),
721 Mississippi Code of 1972, shall be considered having a year of
722 experience for purposes of the annual experience salary increment.

723 **SECTION 48.** This act shall take effect and be in force from
724 and after July 1, 2019.

SS05\HB1643A.J

Liz Welch
Secretary of the Senate