

By: Representative Scott

To: Education

HOUSE BILL NO. 1425

1 AN ACT TO PROVIDE AN ALLOCATION OF FUNDS UNDER THE ADEQUATE
2 EDUCATION PROGRAM TO SCHOOL DISTRICTS HAVING THE HIGHEST
3 INCIDENCES OF CRIME AND VIOLENCE FOR THE PURPOSE OF EMPLOYING
4 SOCIAL WORKERS; TO DIRECT THE STATE DEPARTMENT OF EDUCATION TO
5 DETERMINE WHICH SCHOOL DISTRICTS SHALL RECEIVE ALLOCATIONS FOR
6 SOCIAL WORKERS; TO REQUIRE SOCIAL WORKERS EMPLOYED WITH THOSE
7 FUNDS TO BE APPROPRIATELY LICENSED; TO AUTHORIZE THE STATE
8 DEPARTMENT OF EDUCATION TO PROMULGATE RULES AND REGULATIONS
9 CONCERNING THE ACTIVITIES OF SOCIAL WORKERS; TO REQUIRE THE STATE
10 DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HUMAN SERVICES TO
11 JOINTLY ESTABLISH A PROGRAM TO MAKE THE SERVICES OF SOCIAL WORKERS
12 ACCESSIBLE IN PUBLIC SCHOOLS THROUGHOUT THE STATE VIA VIDEO
13 CONFERENCING MEANS; TO REQUIRE THE DEPARTMENT OF HUMAN SERVICES TO
14 EMPLOY TEN SOCIAL WORKERS TO STAFF THE VIDEO CONFERENCING PROGRAM;
15 TO AUTHORIZE SCHOOL GUIDANCE COUNSELORS WHO IDENTIFY A NEED FOR
16 THE SERVICES OF A SOCIAL WORKER TO ARRANGE FOR THOSE SERVICES VIA
17 THE VIDEO CONFERENCING PROGRAM; TO AMEND SECTION 37-151-7,
18 MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS
19 ACT; AND FOR RELATED PURPOSES.

20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

21 **SECTION 1.** (1) Beginning with the 2023-2024 school year,
22 the State Department of Education shall allocate sufficient
23 funding under the adequate education program to those school
24 districts designated under subsection (2) of this section for the
25 purpose of employing a social worker.



26 (2) The State Department of Education shall designate school
27 districts to receive an allocation for the purpose of employing a
28 social worker. The districts must be selected according to
29 greatest need, as indicated by records of the State Department of
30 Education and the Division of Youth Services of the Department of
31 Human Services which reflect those school districts having the
32 highest incidences of crime, violence, Supplemental Nutrition
33 Assistance Program (SNAP) participation and unemployment.

34 (3) The State Department of Education may increase the
35 number of social worker positions funded each year beyond the
36 above requirements as additional funding is made available.

37 (4) Any individual employed by a school district with funds
38 allotted under this section must be licensed appropriately as a
39 social worker under Chapter 53, Title 73, Mississippi Code of
40 1972. The State Department of Education shall specify which
41 license a social worker must hold as a qualification for being
42 employed in a position funded under this section.

43 (5) To qualify for adequate education program funding,
44 school social workers must be full-time professional personnel and
45 must spend at least seventy-five percent (75%) of their work time
46 in a direct relationship with students. School social workers may
47 not devote more than twenty-five percent (25%) of the work day to
48 administrative activities related to their social work.

49 (6) The State Board of Education may adopt rules and
50 regulations regarding the activities of the school social workers.



51 School social workers may perform services that are not
52 inconsistent with those rules and regulations.

53 (7) This section does not prohibit a school district from
54 employing social workers with local funds.

55 **SECTION 2.** (1) The State Department of Education and the
56 Department of Human Services, acting jointly, shall establish a
57 program to make certain services by licensed social workers
58 available in the public schools throughout the state. Under the
59 program, the Department of Human Services shall employ ten (10)
60 social workers who meet the licensing qualifications established
61 by the State Department of Education for school social workers.
62 The social workers must be housed in the Department of Human
63 Services, which is responsible for operating the program, and must
64 be accessible to schools throughout the state via video
65 conferencing means.

66 (2) Whenever a school guidance counselor identifies a crisis
67 or other need within the school setting which merits the guidance
68 and counseling of a licensed social worker and the school district
69 involved does not employ a social worker, the counselor may
70 contact the office of the social workers employed under subsection
71 (1) of this section to make arrangements for the necessary
72 guidance and counseling services. The counselor shall provide any
73 information as may be necessary for the social worker to assess
74 the specific situation in the school. If the counselor and social
75 worker determine that the services of the social worker are



76 appropriate, the school guidance counselor, in consultation with
77 the social worker, shall schedule a conference with all interested
78 parties, during which the social worker shall participate in the
79 meeting through video conferencing means.

80 (3) Whenever services are provided by a social worker via
81 video conferencing means under this section, the school guidance
82 counselor shall take any precautions as may be necessary to afford
83 the person or persons receiving guidance and counseling services
84 the same confidentiality and privacy protections to which those
85 persons otherwise would be entitled.

86 **SECTION 3.** Section 37-151-7, Mississippi Code of 1972, is
87 amended as follows:

88 37-151-7. The annual allocation to each school district for
89 the operation of the adequate education program shall be
90 determined as follows:

91 (1) **Computation of the basic amount to be included for**
92 **current operation in the adequate education program.** The
93 following procedure shall be followed in determining the annual
94 allocation to each school district:

95 (a) **Determination of average daily attendance.**

96 Effective with fiscal year 2011, the State Department of Education
97 shall determine the percentage change from the prior year of each
98 year of each school district's average of months two (2) and three
99 (3) average daily attendance (ADA) for the three (3) immediately
100 preceding school years of the year for which funds are being



101 appropriated. For any school district that experiences a positive
102 growth in the average of months two (2) and three (3) ADA each
103 year of the three (3) years, the average percentage growth over
104 the three-year period shall be multiplied times the school
105 district's average of months two (2) and three (3) ADA for the
106 year immediately preceding the year for which MAEP funds are being
107 appropriated. The resulting amount shall be added to the school
108 district's average of months two (2) and three (3) ADA for the
109 year immediately preceding the year for which MAEP funds are being
110 appropriated to arrive at the ADA to be used in determining a
111 school district's MAEP allocation. Otherwise, months two (2) and
112 three (3) ADA for the year immediately preceding the year for
113 which MAEP funds are being appropriated will be used in
114 determining a school district's MAEP allocation. In any fiscal
115 year prior to 2010 in which the MAEP formula is not fully funded,
116 for those districts that do not demonstrate a three-year positive
117 growth in months two (2) and three (3) ADA, months one (1) through
118 nine (9) ADA of the second preceding year for which funds are
119 being appropriated or months two (2) and three (3) ADA of the
120 preceding year for which funds are being appropriated, whichever
121 is greater, shall be used to calculate the district's MAEP
122 allocation. The district's average daily attendance shall be
123 computed and currently maintained in accordance with regulations
124 promulgated by the State Board of Education. The district's
125 average daily attendance shall include any student enrolled in a



126 Dual Enrollment-Dual Credit Program as defined and provided in
127 Section 37-15-38(19). The State Department of Education shall
128 make payments for Dual Enrollment-Dual Credit Programs to the home
129 school in which the student is enrolled, in accordance with
130 regulations promulgated by the State Board of Education. The
131 community college providing services to students in a Dual
132 Enrollment-Dual Credit Program shall require payment from the home
133 school district for services provided to such students at a rate
134 of one hundred percent (100%) of ADA. All MAEP/state funding
135 shall cease upon completion of high school graduation
136 requirements.

137 (b) **Determination of base student cost.** Effective with
138 fiscal year 2011 and every fourth fiscal year thereafter, the
139 State Board of Education, on or before August 1, with adjusted
140 estimate no later than January 2, shall submit to the Legislative
141 Budget Office and the Governor a proposed base student cost
142 adequate to provide the following cost components of educating a
143 pupil in a successful school district: (i) instructional cost;
144 (ii) administrative cost; (iii) operation and maintenance of
145 plant; and (iv) ancillary support cost. For purposes of these
146 calculations, the Department of Education shall utilize financial
147 data from the second preceding year of the year for which funds
148 are being appropriated.

149 For the instructional cost component, the Department of
150 Education shall select districts that have been identified as



151 instructionally successful and have a ratio of a number of
152 teachers per one thousand (1,000) students that is between one (1)
153 standard deviation above the mean and two (2) standard deviations
154 below the mean of the statewide average of teachers per one
155 thousand (1,000) students. The instructional cost component shall
156 be calculated by dividing the latest available months one (1)
157 through nine (9) ADA into the instructional expenditures of these
158 selected districts. For the purpose of this calculation, the
159 Department of Education shall use the following funds, functions
160 and objects:

161 Fund 1120 Functions 1110-1199 Objects 100-999, Functions
162 1210, 1220, 2150-2159 Objects 210 and 215;
163 Fund 1130 All Functions, Object Code 210 and 215;
164 Fund 2001 Functions 1110-1199 Objects 100-999;
165 Fund 2070 Functions 1110-1199 Objects 100-999;
166 Fund 2420 Functions 1110-1199 Objects 100-999;
167 Fund 2711 All Functions, Object Code 210 and 215.

168 Prior to the calculation of the instructional cost component,
169 there shall be subtracted from the above expenditures any revenue
170 received for Chickasaw Cession payments, Master Teacher
171 Certification payments and the district's portion of state revenue
172 received from the MAEP at-risk allocation.

173 For the administrative cost component, the Department of
174 Education shall select districts that have been identified as
175 instructionally successful and have a ratio of an administrative



176 staff to nonadministrative staff between one (1) standard
177 deviation above the mean and two (2) standard deviations below the
178 mean of the statewide average administrative staff to
179 nonadministrative staff. The administrative cost component shall
180 be calculated by dividing the latest available months one (1)
181 through nine (9) ADA of the selected districts into the
182 administrative expenditures of these selected districts. For the
183 purpose of this calculation, the Department of Education shall use
184 the following funds, functions and objects:

185 Fund 1120 Functions 2300-2599, Functions 2800-2899,
186 Objects 100-999;

187 Fund 2711 Functions 2300-2599, Functions 2800-2899,
188 Objects 100-999.

189 For the plant and maintenance cost component, the Department
190 of Education shall select districts that have been identified as
191 instructionally successful and have a ratio of plant and
192 maintenance expenditures per one hundred thousand (100,000) square
193 feet of building space and a ratio of maintenance workers per one
194 hundred thousand (100,000) square feet of building space that are
195 both between one (1) standard deviation above the mean and two (2)
196 standard deviations below the mean of the statewide average. The
197 plant and maintenance cost component shall be calculated by
198 dividing the latest available months one (1) through nine (9) ADA
199 of the selected districts into the plant and maintenance
200 expenditures of these selected districts. For the purpose of this



201 calculation, the Department of Education shall use the following
202 funds, functions and objects:

203 Fund 1120 Functions 2600-2699, Objects 100-699

204 and Objects 800-999;

205 Fund 2711 Functions 2600-2699, Objects 100-699

206 and Objects 800-999;

207 Fund 2430 Functions 2600-2699, Objects 100-699

208 and Objects 800-999.

209 For the ancillary support cost component, the Department of
210 Education shall select districts that have been identified as
211 instructionally successful and have a ratio of a number of
212 librarians, media specialists, guidance counselors and
213 psychologists per one thousand (1,000) students that is between
214 one (1) standard deviation above the mean and two (2) standard
215 deviations below the mean of the statewide average of librarians,
216 media specialists, guidance counselors and psychologists per one
217 thousand (1,000) students. The ancillary cost component shall be
218 calculated by dividing the latest available months one (1) through
219 nine (9) ADA into the ancillary expenditures instructional
220 expenditures of these selected districts. For the purpose of this
221 calculation, the Department of Education shall use the following
222 funds, functions and objects:

223 Fund 1120 Functions 2110-2129, Objects 100-999;

224 Fund 1120 Functions 2140-2149, Objects 100-999;

225 Fund 1120 Functions 2220-2229, Objects 100-999;



226 Fund 2001 Functions 2100-2129, Objects 100-999;
227 Fund 2001 Functions 2140-2149, Objects 100-999;
228 Fund 2001 Functions 2220-2229, Objects 100-999.

229 The total base cost for each year shall be the sum of the
230 instructional cost component, administrative cost component, plant
231 and maintenance cost component and ancillary support cost
232 component, and any estimated adjustments for additional state
233 requirements as determined by the State Board of Education.
234 Provided, however, that the base student cost in fiscal year 1998
235 shall be Two Thousand Six Hundred Sixty-four Dollars (\$2,664.00).

236 For each of the fiscal years between the recalculation of the
237 base student cost under the provisions of this paragraph (b), the
238 base student cost shall be increased by an amount equal to forty
239 percent (40%) of the base student cost for the previous fiscal
240 year, multiplied by the latest annual rate of inflation for the
241 State of Mississippi as determined by the State Economist, plus
242 any adjustments for additional state requirements such as, but not
243 limited to, teacher pay raises and health insurance premium
244 increases.

245 (c) **Determination of the basic adequate education**
246 **program cost.** The basic amount for current operation to be
247 included in the Mississippi Adequate Education Program for each
248 school district shall be computed as follows:



249 Multiply the average daily attendance of the district by the
250 base student cost as established by the Legislature, which yields
251 the total base program cost for each school district.

252 (d) **Adjustment to the base student cost for at-risk**
253 **pupils.** The amount to be included for at-risk pupil programs for
254 each school district shall be computed as follows: Multiply the
255 base student cost for the appropriate fiscal year as determined
256 under paragraph (b) by five percent (5%), and multiply that
257 product by the number of pupils participating in the federal free
258 school lunch program in such school district, which yields the
259 total adjustment for at-risk pupil programs for such school
260 district.

261 (e) **Add-on program cost.** The amount to be allocated to
262 school districts in addition to the adequate education program
263 cost for add-on programs for each school district shall be
264 computed as follows:

265 (i) Transportation cost shall be the amount
266 allocated to such school district for the operational support of
267 the district transportation system from state funds.

268 (ii) Vocational or technical education program
269 cost shall be the amount allocated to such school district from
270 state funds for the operational support of such programs.

271 (iii) Special education program cost shall be the
272 amount allocated to such school district from state funds for the
273 operational support of such programs.



274 (iv) Gifted education program cost shall be the
275 amount allocated to such school district from state funds for the
276 operational support of such programs.

277 (v) Alternative school program cost shall be the
278 amount allocated to such school district from state funds for the
279 operational support of such programs.

280 (vi) Extended school year programs shall be the
281 amount allocated to school districts for those programs authorized
282 by law which extend beyond the normal school year.

283 (vii) University-based programs shall be the
284 amount allocated to school districts for those university-based
285 programs for handicapped children as defined and provided for in
286 Section 37-23-131 et seq., Mississippi Code of 1972.

287 (viii) Bus driver training programs shall be the
288 amount provided for those driver training programs as provided for
289 in Section 37-41-1, Mississippi Code of 1972.

290 The sum of the items listed above (i) transportation, (ii)
291 vocational or technical education, (iii) special education, (iv)
292 gifted education, (v) alternative school, (vi) extended school
293 year, (vii) university-based, and (viii) bus driver training shall
294 yield the add-on cost for each school district.

295 (f) **Total projected adequate education program cost.**

296 The total Mississippi Adequate Education Program cost shall be the
297 sum of the total basic adequate education program cost (paragraph
298 (c)), and the adjustment to the base student cost for at-risk



299 pupils (paragraph (d)) for each school district. In any year in
300 which the MAEP is not fully funded, the Legislature shall direct
301 the Department of Education in the K-12 appropriation bill as to
302 how to allocate MAEP funds to school districts for that year.

303 (g) The State Auditor shall annually verify the State
304 Board of Education's estimated calculations for the Mississippi
305 Adequate Education Program that are submitted each year to the
306 Legislative Budget Office on August 1 and the final calculation
307 that is submitted on January 2.

308 (2) **Computation of the required local revenue in support of**
309 **the adequate education program.** The amount that each district
310 shall provide toward the cost of the adequate education program
311 shall be calculated as follows:

312 (a) The State Department of Education shall certify to
313 each school district that twenty-eight (28) mills, less the
314 estimated amount of the yield of the School Ad Valorem Tax
315 Reduction Fund grants as determined by the State Department of
316 Education, is the millage rate required to provide the district
317 required local effort for that year, or twenty-seven percent (27%)
318 of the basic adequate education program cost for such school
319 district as determined under paragraph (c), whichever is a lesser
320 amount. In the case of an agricultural high school, the millage
321 requirement shall be set at a level which generates an equitable
322 amount per pupil to be determined by the State Board of Education.
323 The local contribution amount for school districts in which there



324 is located one or more charter schools will be calculated using
325 the following methodology: using the adequate education program
326 twenty-eight (28) mill value, or the twenty-seven percent (27%)
327 cap amount (whichever is less) for each school district in which a
328 charter school is located, an average per pupil amount will be
329 calculated. This average per pupil amount will be multiplied
330 times the number of students attending the charter school in that
331 school district. The sum becomes the charter school's local
332 contribution to the adequate education program.

333 (b) The State Department of Education shall determine
334 the following from the annual assessment information submitted to
335 the department by the tax assessors of the various counties: (i)
336 the total assessed valuation of nonexempt property for school
337 purposes in each school district; (ii) assessed value of exempt
338 property owned by homeowners aged sixty-five (65) or older or
339 disabled as defined in Section 27-33-67(2), Mississippi Code of
340 1972; (iii) the school district's tax loss from exemptions
341 provided to applicants under the age of sixty-five (65) and not
342 disabled as defined in Section 27-33-67(1), Mississippi Code of
343 1972; and (iv) the school district's homestead reimbursement
344 revenues.

345 (c) The amount of the total adequate education program
346 funding which shall be contributed by each school district shall
347 be the sum of the ad valorem receipts generated by the millage
348 required under this subsection plus the following local revenue



349 sources for the appropriate fiscal year which are or may be
350 available for current expenditure by the school district:

351 One hundred percent (100%) of Grand Gulf income as prescribed
352 in Section 27-35-309.

353 One hundred percent (100%) of any fees in lieu of taxes as
354 prescribed in Section 27-31-104.

355 (3) **Computation of the required state effort in support of**
356 **the adequate education program.**

357 (a) The required state effort in support of the
358 adequate education program shall be determined by subtracting the
359 sum of the required local tax effort as set forth in subsection
360 (2)(a) of this section and the other local revenue sources as set
361 forth in subsection (2)(c) of this section in an amount not to
362 exceed twenty-seven percent (27%) of the total projected adequate
363 education program cost as set forth in subsection (1)(f) of this
364 section from the total projected adequate education program cost
365 as set forth in subsection (1)(f) of this section.

366 (b) * * * However, * * * in fiscal year 2015, any
367 increase in the said state contribution to any district calculated
368 under this section shall be not less than six percent (6%) in
369 excess of the amount received by said district from state funds
370 for fiscal year 2002; in fiscal year 2016, any increase in the
371 said state contribution to any district calculated under this
372 section shall be not less than four percent (4%) in excess of the
373 amount received by * * * the district from state funds for fiscal



374 year 2002; in fiscal year 2017, any increase in the * * *state
375 contribution to any district calculated under this section shall
376 be not less than two percent (2%) in excess of the amount received
377 by * * * the district from state funds for fiscal year 2002; and
378 in fiscal year 2018 and thereafter, any increase in the * * *
379 state contribution to any district calculated under this section
380 shall be zero percent (0%). For purposes of this paragraph (b),
381 state funds shall include minimum program funds less the add-on
382 programs, State Uniform Millage Assistance Grant Funds, Education
383 Enhancement Funds appropriated for Uniform Millage Assistance
384 Grants and state textbook allocations, and State General Funds
385 allocated for textbooks.

386 (c) If the school board of any school district shall
387 determine that it is not economically feasible or practicable to
388 operate any school within the district for the full one hundred
389 eighty (180) days required for a school term of a scholastic year
390 as required in Section 37-13-63, Mississippi Code of 1972, due to
391 an enemy attack, a man-made, technological or natural disaster in
392 which the Governor has declared a disaster emergency under the
393 laws of this state or the President of the United States has
394 declared an emergency or major disaster to exist in this state,
395 said school board may notify the State Department of Education of
396 such disaster and submit a plan for altering the school term. If
397 the State Board of Education finds such disaster to be the cause
398 of the school not operating for the contemplated school term and



399 that such school was in a school district covered by the
400 Governor's or President's disaster declaration, it may permit said
401 school board to operate the schools in its district for less than
402 one hundred eighty (180) days and, in such case, the State
403 Department of Education shall not reduce the state contributions
404 to the adequate education program allotment for such district,
405 because of the failure to operate said schools for one hundred
406 eighty (180) days.

407 (4) The Interim School District Capital Expenditure Fund is
408 hereby established in the State Treasury which shall be used to
409 distribute any funds specifically appropriated by the Legislature
410 to such fund to school districts entitled to increased allocations
411 of state funds under the adequate education program funding
412 formula prescribed in Sections 37-151-3 through 37-151-7,
413 Mississippi Code of 1972, until such time as the said adequate
414 education program is fully funded by the Legislature. The
415 following percentages of the total state cost of increased
416 allocations of funds under the adequate education program funding
417 formula shall be appropriated by the Legislature into the Interim
418 School District Capital Expenditure Fund to be distributed to all
419 school districts under the formula: Nine and two-tenths percent
420 (9.2%) shall be appropriated in fiscal year 1998, twenty percent
421 (20%) shall be appropriated in fiscal year 1999, forty percent
422 (40%) shall be appropriated in fiscal year 2000, sixty percent
423 (60%) shall be appropriated in fiscal year 2001, eighty percent



424 (80%) shall be appropriated in fiscal year 2002, and one hundred
425 percent (100%) shall be appropriated in fiscal year 2003 into the
426 State Adequate Education Program Fund. Until July 1, 2002, such
427 money shall be used by school districts for the following
428 purposes:

429 (a) Purchasing, erecting, repairing, equipping,
430 remodeling and enlarging school buildings and related facilities,
431 including gymnasiums, auditoriums, lunchrooms, vocational training
432 buildings, libraries, school barns and garages for transportation
433 vehicles, school athletic fields and necessary facilities
434 connected therewith, and purchasing land therefor. Any such
435 capital improvement project by a school district shall be approved
436 by the State Board of Education, and based on an approved
437 long-range plan. The State Board of Education shall promulgate
438 minimum requirements for the approval of school district capital
439 expenditure plans.

440 (b) Providing necessary water, light, heating,
441 air-conditioning, and sewerage facilities for school buildings,
442 and purchasing land therefor.

443 (c) Paying debt service on existing capital improvement
444 debt of the district or refinancing outstanding debt of a district
445 if such refinancing will result in an interest cost savings to the
446 district.

447 (d) From and after October 1, 1997, through June 30,
448 1998, pursuant to a school district capital expenditure plan



449 approved by the State Department of Education, a school district
450 may pledge such funds until July 1, 2002, plus funds provided for
451 in paragraph (e) of this subsection (4) that are not otherwise
452 permanently pledged under such paragraph (e) to pay all or a
453 portion of the debt service on debt issued by the school district
454 under Sections 37-59-1 through 37-59-45, 37-59-101 through
455 37-59-115, 37-7-351 through 37-7-359, 37-41-89 through 37-41-99,
456 37-7-301, 37-7-302 and 37-41-81, * * * or debt issued by boards of
457 supervisors for agricultural high schools pursuant to Section
458 37-27-65, * * * or lease-purchase contracts entered into pursuant
459 to Section 31-7-13, * * * or to retire or refinance outstanding
460 debt of a district, if such pledge is accomplished pursuant to a
461 written contract or resolution approved and spread upon the
462 minutes of an official meeting of the district's school board or
463 board of supervisors. It is the intent of this provision to allow
464 school districts to irrevocably pledge their Interim School
465 District Capital Expenditure Fund allotments as a constant stream
466 of revenue to secure a debt issued under the foregoing code
467 sections. To allow school districts to make such an irrevocable
468 pledge, the state shall take all action necessary to ensure that
469 the amount of a district's Interim School District Capital
470 Expenditure Fund allotments shall not be reduced below the amount
471 certified by the department or the district's total allotment
472 under the Interim Capital Expenditure Fund if fully funded, so
473 long as such debt remains outstanding.



474 (e) [Repealed]

475 (f) [Repealed]

476 (g) The State Board of Education may authorize the
477 school district to expend not more than twenty percent (20%) of
478 its annual allotment of such funds or Twenty Thousand Dollars
479 (\$20,000.00), whichever is greater, for technology needs of the
480 school district, including computers, software,
481 telecommunications, cable television, interactive video, film,
482 low-power television, satellite communications, microwave
483 communications, technology-based equipment installation and
484 maintenance, and the training of staff in the use of such
485 technology-based instruction. Any such technology expenditure
486 shall be reflected in the local district technology plan approved
487 by the State Board of Education under Section 37-151-17 * * *.

488 (h) To the extent a school district has not utilized
489 twenty percent (20%) of its annual allotment for technology
490 purposes under paragraph (g), a school district may expend not
491 more than twenty percent (20%) of its annual allotment or Twenty
492 Thousand Dollars (\$20,000.00), whichever is greater, for
493 instructional purposes. The State Board of Education may
494 authorize a school district to expend more than * * * twenty
495 percent (20%) of its annual allotment for instructional purposes
496 if it determines that such expenditures are needed for
497 accreditation purposes.



498 (i) The State Department of Education or the State
499 Board of Education may require that any project commenced under
500 this section with an estimated project cost of not less than Five
501 Million Dollars (\$5,000,000.00) shall be done only pursuant to
502 program management of the process with respect to design and
503 construction. Any individuals, partnerships, companies or other
504 entities acting as a program manager on behalf of a local school
505 district and performing program management services for projects
506 covered under this subsection shall be approved by the State
507 Department of Education.

508 Any interest accruing on any unexpended balance in the
509 Interim School District Capital Expenditure Fund shall be invested
510 by the State Treasurer and placed to the credit of each school
511 district participating in such fund in its proportionate share.

512 The provisions of this subsection (4) shall be cumulative and
513 supplemental to any existing funding programs or other authority
514 conferred upon school districts or school boards.

515 (5) The State Department of Education shall make payments to
516 charter schools for each student in average daily attendance at
517 the charter school equal to the state share of the adequate
518 education program payments for each student in average daily
519 attendance at the school district in which the public charter
520 school is located. In calculating the local contribution for
521 purposes of determining the state share of the adequate education
522 program payments, the department shall deduct the pro rata local



523 contribution of the school district in which the student resides
524 as determined in subsection (2)(a) of this section.

525 (6) The State Department of Education shall allocate
526 sufficient funds under the adequate education program to
527 designated school districts for the purpose of employing a social
528 worker, as provided for in Section 1 of this act.

529 **SECTION 4.** This act shall take effect and be in force from
530 and after July 1, 2023.

