

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

House Bill NO. 1636

By Senator(s) Committee

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

SECTION 1. The following sum, or so much thereof as may be
necessary, is hereby appropriated out of any money in the State
General Fund not otherwise appropriated, for the purpose of
defraying the expenses of the State Department of Education, and
excluding the expenses of the Vocational and Technical Education
Division, for the fiscal year beginning July 1, 1999, and ending
June 30, 2000..... \$ 87,201,281.00.

SECTION 2. The following sum, or so much thereof as may be
necessary, is hereby appropriated out of any money in any special
fund in the State Treasury to the credit of the State Department
of Education which is comprised of special source funds collected
by or otherwise available to the department, for the purpose of
defraying the expenses of the department for the fiscal year
beginning July 1, 1999, and ending June 30, 2000.....
..... \$ 577,330,103.00.

SECTION 3. Of the funds appropriated under the provisions of
Section 1 and Section 2, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time.	498
	Part Time.	0
Time-Limited:	Full Time.	68

28 Part Time. 1

29 From the funds provided herein, funds may be expended for the
30 following purposes, in compliance with the policies established by
31 the State Personnel Board and any conditions placed on such
32 expenditures:

33 (a) The components of the Variable Compensation Plan
34 shall be maintained within the constraints of the funds
35 appropriated herein.

36 (b) Funds are provided to adjust the Variable
37 Compensation Plan, including realignment, to ensure that all
38 full-time employees with at least six (6) months of continuous
39 current service, as of June 30, 1999, receive an increase of One
40 Thousand Five Hundred Dollars (\$1,500.00). Funds are provided to
41 adjust critical job classes up to an additional One Thousand
42 Dollars (\$1,000.00).

43 (c) If an employee is currently at or above the end
44 salary for his or her job classification, then the increase shall
45 be built into the employee's base salary. To be eligible for any
46 increase authorized in this section, employees may not have a
47 current performance rating below "meets expectations" as of the
48 effective date of the increase. Employees who subsequently
49 receive a performance rating of "meets expectations" or above
50 during Fiscal Year 2000 shall receive the salary increase
51 effective the date of the rating.

52 It is the agency's responsibility to make certain that funds
53 required to be appropriated for "Personal Services" for Fiscal
54 Year 2001 do not exceed Fiscal Year 2000 funds appropriated for
55 that purpose unless programs or positions are added to the
56 agency's budget by the Mississippi Legislature.

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

59 No general funds authorized to be expended herein shall be
60 used to replace federal funds and/or other special funds which are

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being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

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

SECTION 4. Of the funds appropriated in Section 2, Forty-eight Million One Hundred Eighty-six Thousand Four Hundred Sixty-seven Dollars (\$48,186,467.00) shall be derived from the School Ad Valorem Reduction Fund and Fifty-nine Million Four Hundred Twenty-five Thousand Eight Hundred Thirty-two Dollars (\$59,425,832.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for the following purposes:

School Ad Valorem Reduction	\$ 48,186,467.00
Grants to school districts for capital facilities and buses	\$ 16,000,000.00
Instructional Materials	\$ 17,812,648.00
Purchasing textbooks and other educational materials, but not to include more than Two Million Dollars (\$2,000,000.00) for technology enhancement projects for elementary and secondary education programs	\$ 15,477,171.00
Implementing Performance Based Data Collection and Accreditation Model	\$ 292,232.00
Administrator Training.....	\$ 128,266.00
Adequate Education Program.....	\$ 9,378,126.00
World Class Teacher Program.....	\$ 125,000.00
Mississippi School Boards Association	

94	Continuing Training	\$	50,000.00
95	School Board Training	\$	62,389.00
96	Education Technology Council	\$	<u>100,000.00</u>
97	TOTAL	\$	107,612,299.00

98 No school district shall expend any funds, received under the
99 School Ad Valorem Reduction Grant, unless such school district has
100 specifically identified the amount of said grant within the
101 published budget as required by Section 37-61-9, Mississippi Code
102 of 1972. The published budget shall include the following
103 statement: "Ad Valorem taxes will be \$_____ less as a result
104 of the Ad Valorem Reduction Grants enacted by the Mississippi
105 Legislature in 1992."

106 SECTION 5. Of the funds appropriated in Section 2,
107 Twenty-nine Million Seven Hundred Six Thousand Four Hundred Nine
108 Dollars (\$29,706,409.00) shall be derived from Education
109 Enhancement Funds deposited pursuant to Section 27-103-203 (1),
110 Mississippi Code of 1972, for the following purposes:

111	Reading Initiative.....	\$	1,312,413.00
112	Master Teacher Assessment.....	\$	3,824,733.00
113	Wildlife Museum.....	\$	450,000.00
114	Regional HUB Connection.....	\$	150,000.00
115	MSU Institute for Educational Design....	\$	100,000.00
116	Adequate Education Program.....	\$	10,103,797.00
117	Teacher Shortage Initiative.....	\$	2,409,360.00
118	National Guard Youth Challenge	\$	2,086,683.00
119	Network Backbone.....	\$	650,000.00
120	Dyslexia Program.....	\$	210,000.00
121	Regional Technical Support.....	\$	250,000.00
122	Technology in Classroom.....	\$	380,000.00
123	World Class Teacher Program.....	\$	500,000.00
124	Tech Prep Bond Debt.....	\$	3,214,425.00
125	Teacher Leader Model.....	\$	100,000.00
126	Assistant Teacher Training Program.....	\$	150,000.00

127	Idea Program.....\$	376,952.00
128	Greater Columbus Early Learning Center..\$	40,000.00
129	Salary Supplement for Counselors.....\$	143,264.00
130	Salary Supplement for Speech	
131	Pathologists.....\$	1,043,100.00
132	Master Teacher Fringe Benefits\$	317,682.00
133	Jobs for Mississippi Graduates.....\$	250,000.00
134	Statewide Testing Contract.....\$	<u>1,644,000.00</u>
135	TOTAL\$	29,706,409.00

136 SECTION 6. Of the funds appropriated in Section 2, Three
137 Million Four Hundred Thousand Dollars (\$3,400,000.00) shall be
138 derived from the Technology in Classroom Fund 3203.

139 SECTION 7. Of the funds appropriated under the provisions of
140 Section 2, funds in the amount of One Million Six Hundred Sixty-
141 seven Thousand One Hundred Thirty-nine Dollars (\$1,667,139.00)
142 shall come from income derived from the principal of the Education
143 Improvement Trust Fund created by Section 206A, Mississippi
144 Constitution of 1890, and One Million Six Hundred Sixty-seven
145 Thousand One Hundred Thirty-nine Dollars (\$1,667,139.00) shall be
146 used for the School for Math and Science.

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

154		FY2000
155	<u>Performance Measures</u>	<u>Target</u>
156	General Education Programs/HB4	
157	Administration	
158	Special Education	
159	Approved teacher unit funding (units)	4,100

160	Approved education child placements (children)	905
161	Child Nutrition	
162	Number of meals required (millions)	127
163	Cost per meal (dollars)	2.07
164	Special Projects	
165	Building projects approved (projects)	90
166	Project approval rate (percent)	95
167	School for Math and Science	
168	Students enrolled (persons)	270
169	Cost per student (dollars)	14,166.00
170	Educational Accountability	
171	Performance accreditation visits (visits)	70
172	Tests administered (persons)	435,000
173	Compliance reviews (actions)	70
174	Educational Training and Development	
175	Administrators trained (persons)	1,440
176	Percentage of administrators trained (percent)	68
177	Technical assistance to school districts	
178	(percent)	100%
179	Compensatory Education	
180	Title I projects awarded (programs)	152
181	Review delinquent programs (programs)	2
182	Average expenditure per child (dollars)	542.00
183	Community and Outreach Services	
184	Requested available federal funding	
185	(percent)	100%
186	Educational Technology	
187	Tech Prep Sites Implemented (sites)	116
188	Tech Prep funds allocated (millions)	0
189	Mississippi Teacher Center	
190	Teachers recruited in shortage areas (number)	450
191	A reporting of the degree to which the performance targets	
192	set above have been or are being achieved shall be provided in the	

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193 agency's budget request submitted to the Joint Legislative Budget
194 Committee for Fiscal Year 2001.

195 SECTION 9. In addition to any other funds herein
196 appropriated, the following sum, or so much thereof as may be
197 necessary, is hereby appropriated out of any money in the State
198 General Fund not otherwise appropriated, for the purpose of
199 defraying the expenses of the Vocational and Technical Education
200 Division of the State Department of Education for the fiscal year
201 beginning July 1, 1999, and ending June 30, 2000.....
202 \$ 65,519,866.00.

203 SECTION 10. In addition to any other funds herein
204 appropriated, the following sum, or so much thereof as may be
205 necessary, is hereby appropriated out of any money in any special
206 fund in the State Treasury to the credit of the Vocational and
207 Technical Education Division of the State Department of Education
208 which is comprised of special source funds collected by or
209 otherwise available to the division, for the purpose of defraying
210 the expenses of the division for the fiscal year beginning July 1,
211 1999, and ending June 30, 2000..... \$ 26,189,511.00.

212 SECTION 11. Of the funds appropriated under the provisions
213 of Sections 9 and 10, the following positions are authorized:

214 AUTHORIZED POSITIONS:

215	Permanent:	Full Time.	72
216		Part Time.	0
217	Time-Limited:	Full Time.	0
218		Part Time.	0

219 From the funds provided herein, funds may be expended for the
220 following purposes, in compliance with the policies established by
221 the State Personnel Board and any conditions placed on such
222 expenditures:

223 (a) The components of the Variable Compensation Plan
224 shall be maintained within the constraints of the funds
225 appropriated herein.

226 (b) Funds are provided to adjust the Variable
227 Compensation Plan, including realignment, to ensure that all
228 full-time employees with at least six (6) months of continuous
229 current service, as of June 30, 1999, receive an increase of One
230 Thousand Five Hundred Dollars (\$1,500.00). Funds are provided to
231 adjust critical job classes up to an additional One Thousand
232 Dollars (\$1,000.00).

233 (c) If an employee is currently at or above the end
234 salary for his or her job classification, then the increase shall
235 be built into the employee's base salary. To be eligible for any
236 increase authorized in this section, employees may not have a
237 current performance rating below "meets expectations" as of the
238 effective date of the increase. Employees who subsequently
239 receive a performance rating of "meets expectations" or above
240 during Fiscal Year 2000 shall receive the salary increase
241 effective the date of the rating.

242 It is the agency's responsibility to make certain that funds
243 required to be appropriated for "Personal Services" for Fiscal
244 Year 2001 do not exceed Fiscal Year 2000 funds appropriated for
245 that purpose unless programs or positions are added to the
246 agency's budget by the Mississippi Legislature.

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

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

253 SECTION 12. Of the funds appropriated under the provisions
254 of Sections 9 and 10, an amount not to exceed Ninety-one Thousand
255 One Hundred Seventy-three Dollars (\$91,173.00) is authorized for
256 the support of Vocational and Technical Education Programs as
257 authorized in Section 37-31-13, Mississippi Code of 1972, for a
258 period in excess of ten (10) months in a calendar year.

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SECTION 13. Of the funds appropriated under the provisions of Section 10, Eight Million One Hundred Seventy-eight Thousand Seven Hundred Forty-six Dollars (\$8,178,746.00) shall be derived from the Education Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 14. Of the funds appropriated under the provisions of Section 10, Two Million Four Hundred Thirty-one Thousand Two Hundred Twenty-eight Dollars (\$2,431,228.00) shall be derived from Education Enhancement Funds deposited pursuant to Section 27-103-203 (1), Mississippi Code of 1972.

SECTION 15. It is the intention of the Legislature that the Vocational and Technical Education Division of the State Department of Education shall, with the funds appropriated in Section 9, transfer no more than One Hundred Thousand Dollars (\$100,000.00) to the Mississippi Soil and Water Conservation Commission for the purpose of providing matching funds to purchase soil conservation equipment.

SECTION 16. Of the funds appropriated in Sections 9 and 10, no more than Seventy Thousand Dollars (\$70,000.00) is provided for the purpose of supporting the Future Farmers of America Center.

SECTION 17. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2000
<u>Performance Measures</u>	<u>Target</u>
Vocational and Technical Education	
Vocational - Secondary Programs	
Increase in students served (%)	10
LEAs served (sites)	152

292	Tech Prep sites established (sites)	20
293	Vocational - Post Secondary Programs	
294	Short-term students served (persons)	12,500
295	Short-term adult program classes (classes)	790
296	Short-term cost per student (dollars)	113

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 2001.

301 SECTION 18. In addition to any other funds herein
302 appropriated, the following sum, or so much thereof as may be
303 necessary, is hereby appropriated out of any money in the State
304 General Fund not otherwise appropriated, to the State Department
305 of Education, for the purpose of providing funding for the
306 Mississippi School District Uniform Millage Assistance Grant
307 Program, the Second Level Funding Program and the Emergency Fund
308 Loss Assistance Program for the fiscal year beginning July 1, 1999
309 and ending June 30, 2000..... \$ 21,400,000.00.

310 SECTION 19. In addition to all other sums herein
311 appropriated, the following sum, or so much thereof as may be
312 necessary, is hereby appropriated out of any money in the
313 Education Enhancement Fund pursuant to Sections 27-65-75 and
314 27-67-31, Mississippi Code of 1972, not otherwise appropriated, to
315 the State Department of Education, for the purpose of providing
316 funding for the Uniform Millage Assistance Grant Program, the
317 Second Level Funding Program and the Emergency Loss Assistance
318 Program for the fiscal year beginning July 1, 1999, and ending
319 June 30, 2000..... \$ 15,310,351.00.

320 SECTION 20. With respect to agency programs whose operation
321 is dependent on the receipt of federal funds, it is the intent of
322 the Legislature, except as hereinafter provided, that no funds
323 from the State General Fund be expended to administer, support or
324 in any way continue such programs should federal funds for their

operation be reduced or become unavailable and that no funds from the State General Fund available for expenditure under this act shall be used to replace federal funds in any major object of expenditure.

SECTION 21. It is the intention of the Legislature that the State Department of Education and Vocational and Technical Education Division shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 1999. The Department of Finance and Administration shall insure that financial controls comparable to those utilized for Fiscal Year 1999 are maintained throughout Fiscal Year 2000 for this agency. The State Personnel Board shall insure that personnel controls and records comparable to those utilized for Fiscal Year 1999 are maintained throughout Fiscal Year 2000 for this agency. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2001 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2000 budget request process.

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

SECTION 23. Should revenues generated and deposited to the Education Enhancement Fund pursuant to Section 27-103-203 (1), Mississippi Code of 1972, and apportioned pursuant to Section 37-61-33 (6), Mississippi Code of 1972, fall below funds appropriated herein from said source, the State Department of Education shall notify the Department of Finance and Administration as to which allotments shall be reduced to insure expenditures do not exceed actual revenues.

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

SECTION 25. Of the funds appropriated under the provisions of Sections 1 and 2, the amount of Eighty-eight Million Eight Hundred Seventeen Thousand Six Hundred Eighty-four Dollars (\$88,817,684.00) shall be derived from the Interim School District Capital Expenditure Fund for the benefit of the school districts as authorized in Senate Bill No. 2649, 1997 Regular Session.

SECTION 26. Of the funds provided in Section 1, Six Hundred Thousand Dollars (\$600,000.00) shall be used to provide for a Director of School Nurses in the State Department of Education and the implementation of three (3) pilot projects for a variety of school health programs in an elementary school setting. Evaluations shall be developed to determine the program's effect to drop-out rates, suspensions, expulsions, attendance and test scores.

SECTION 27. It is the intention of the Legislature that the State Department of Education shall have the authority to accept, budget and expend any source funds not to exceed Thirty Million

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Dollars (\$30,000,000.00), that become available to the department to carry out the provisions of those funds in a manner consistent with the rules and regulations of the Department of Finance and Administration.

SECTION 28. Funds are provided in this act for the reallocation of twenty-three (23) positions for an amount not to exceed Eighty Thousand Three Hundred Thirty-four Dollars (\$80,334.00).

SECTION 29. The State Department of Education shall transfer the designated amounts to the appropriate entities, which shall assume full responsibility for the expenditure of these funds in accordance with state laws and accept all responsibility for any improper expenditure, for the following: National Guard Youth Challenge Program, MSU Capital Improvements Project, World Class Teacher Programs, Writing and Thinking Institute, USM Special Education Program, Soil and Water Conservation Commission, Mississippi School Boards Association and Department of Wildlife, Fisheries and Parks.

SECTION 30. With the funds provided herein, it is the intention of the Legislature that an amount not to exceed Three Million Dollars (\$3,000,000.00) may be transferred to the Minimum Program budget.

SECTION 31. With the funds provided herein, it is the intention of the Legislature that an amount not to exceed One Million Eight Hundred Thousand Dollars (\$1,800,000.00) may be transferred to the Institutions of Higher Learning for the purpose of providing certain scholarships for the Mississippi Critical Teacher Shortage Fund as authorized in House Bill No. 609, 1998 Regular Session.

SECTION 32. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal

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424 Officer shall issue his warrants upon requisitions signed by the
425 proper person, officer or officers, in the manner provided by law.

426 SECTION 33. This act shall take effect and be in force from
427 and after July 1, 1999.