

By: Senator(s) Gordon, Little, Chaney,  
Burton, Frazier, Harden, Moffatt

To: Appropriations

SENATE BILL NO. 3122  
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE AID AND SUPPORT OF THE  
2 PUBLIC COMMUNITY AND JUNIOR COLLEGES OF THE STATE OF MISSISSIPPI  
3 FOR FISCAL YEAR 2005.

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

5 **SECTION 1.** The following sum, or so much thereof as may be  
6 necessary, is hereby appropriated out of any money in the State  
7 General Fund not otherwise appropriated, for the aid and support  
8 of the public community and junior colleges for the fiscal year  
9 beginning July 1, 2004, and ending June 30, 2005.....  
10 ..... \$ 84,724,534.00

11 **SECTION 2.** The following sum, or so much thereof as may be  
12 necessary, is hereby appropriated out of any money in the  
13 Education Enhancement Fund deposited pursuant to Sections 27-65-75  
14 and 27-67-31, Mississippi Code of 1972, not otherwise  
15 appropriated, for the aid and support of public community and  
16 junior colleges for the fiscal year beginning July 1, 2004, and  
17 ending June 30, 2005..... \$ 26,602,239.00.

18 **SECTION 3.** The following sum, or so much thereof as may be  
19 necessary, is appropriated out of any money in the Budget  
20 Contingency Fund, created in Section 27-103-301, Mississippi Code  
21 of 1972, for the aid and support of the public community and  
22 junior colleges, for the fiscal year beginning July 1, 2004, and  
23 ending June 30, 2005..... \$ 14,789,832.00

24 **SECTION 4.** The funds appropriated in this act for the aid  
25 and support of the public and community junior colleges shall be  
26 apportioned in accordance with the following assigned weights:

27 Assigned Weight

	3/5 Head Count	2/5 FTE
<u>Formula Section</u>	<u>Formula</u>	<u>Formula</u>
(1) Aid to Colleges:		
Base	5% of prior year appropriation	9% of prior year appropriation
Academic	1.0	1.0
Technical	1.13	1.0
Virtual Comm. College	.55	.50
(2) Vocational	.59	1.0
(3) Part-time	.55	
(4) Associate Degree		
Nursing	1.0	1.19
(5) Associate Degree		
Allied Health		1.19

In the 3/5 Head Count Formula such Academic, Technical, and Vocational funds shall be disbursed to such public community and junior colleges on the basis of the full-time enrollment of each such public community and junior college as of the last day of the sixth week of the fall semester, or its equivalent, of the preceding year, counting only students who reside within the State of Mississippi. Part-time academic, vocational and technical credit courses may qualify on the basis of the prior year full-time equivalency of part-time and summer students, counting only students who reside within the State of Mississippi.

Virtual Community College hosted and provided courses may qualify on the basis of the prior year full-time equivalency of Virtual Community College hours generated during the summer, fall and spring semesters that did not make a student full time in the fall semester.

In the 2/5 FTE Formula, such Academic, Technical, Vocational, Associate Degree Nursing and Associate Degree Allied Health funds shall be disbursed on the basis of prior year full-time

61 equivalency (FTE) of hours generated during the summer, fall and  
62 spring semesters for each public community and junior college as  
63 of the last day of the sixth week of each semester, or its  
64 equivalent, counting only students who reside within the State of  
65 Mississippi. However, associate degree nursing students who  
66 reside outside the State of Mississippi may be counted for pay  
67 purposes.

68 Virtual Community College hosted and provided courses may  
69 qualify on the basis of the prior year full-time equivalency of  
70 Virtual Community College hours generated during the summer, fall  
71 and spring semesters. Those semester credit hours being hosted  
72 and provided by one institution shall receive funding at the  
73 weight of 1.0.

74 Of the funds appropriated in the act for the aid and support  
75 of the public community and junior colleges, funds up to Nine  
76 Hundred Thousand Dollars (\$900,000.00) are provided to be set  
77 aside as a mechanism to hold harmless those colleges that lose  
78 funding in the second year of a five-year phase-in implementation  
79 period to a full-time equivalency (FTE) funding formula.

80 The Director of the State Board for Community and Junior  
81 Colleges, or his designee, shall audit each public community and  
82 junior college and shall determine who shall be counted in each  
83 college and shall certify the number to the State Board for  
84 Community and Junior Colleges.

85 If, pending determination of the enrollment of students at  
86 the public community and junior colleges entitled to participate  
87 in this appropriation, as provided for in this subsection, the  
88 State Board for Community and Junior Colleges shall find and  
89 determine that any such public or community junior college does  
90 not have sufficient funds on hand for payment of the necessary  
91 expenses of its operation for the period commencing July 1, 2004,  
92 until distribution of the funds appropriated hereby, then, in that  
93 event, the State Board for Community and Junior Colleges is

94 expressly authorized to make an advance to any such public  
95 community or junior college or colleges not having sufficient  
96 operating funds for such period from the funds appropriated  
97 hereby; provided, however, that the amount of any such advance to  
98 any one public community or junior college shall not exceed  
99 thirty-three percent (33%) of the amount of state appropriated  
100 funds received by such public community or junior college during  
101 the preceding fiscal year; and provided, further, that the amount  
102 of any such advance shall be deducted from the pro rata part of  
103 the funds appropriated hereby accruing to said public community or  
104 junior college when enrollment has been ascertained and  
105 distribution of funds is made.

106       **SECTION 5.** No part of the amount herein appropriated shall  
107 be used by the State Board for Community and Junior Colleges for  
108 administrative or other purposes except in the manner and to the  
109 extent authorized in the act making an appropriation for the  
110 expenses of the State Board for Community and Junior Colleges.

111       **SECTION 6.** The funds disbursed under the provisions of this  
112 act shall be accounted for through the State Board for Community  
113 and Junior Colleges.

114       **SECTION 7.** The following public community and junior  
115 colleges which qualify shall participate in the funds provided by  
116 Sections 1, 2 and 3 of this act:

117       Coahoma Community College, Copiah-Lincoln Community College,  
118 East Central Community College, East Mississippi Community  
119 College, Hinds Community College District, Holmes Community  
120 College, Itawamba Community College, Jones County Junior College,  
121 Meridian Community College, Mississippi Delta Community College,  
122 Mississippi Gulf Coast Community College District, Northeast  
123 Mississippi Community College, Northwest Mississippi Community  
124 College, Pearl River Community College, and Southwest Mississippi  
125 Community College.

126           **SECTION 8.** It is the intention of the Legislature that none  
127 of the General Funds appropriated herein shall be expended for the  
128 purpose of paying salaries, wages, and fringe benefits of any  
129 public community and junior college employee who is serving as a  
130 member of the State of Mississippi Legislature.

131           **SECTION 9.** The following sum, or so much thereof as may be  
132 necessary, is hereby appropriated out of any money in the State  
133 General Fund not otherwise appropriated, to the State Board for  
134 Community and Junior Colleges for the purposes of hiring nursing  
135 and allied health teachers, awarding interest free nursing and  
136 allied health student loans and providing instructional support  
137 for the Rural Health Corps for the fiscal year beginning  
138 July 1, 2004, and ending June 30, 2005..... \$       1,200,000.00.

139           The funds appropriated in this section shall be allocated as  
140 follows:

141           (1) One-half (1/2) divided equally among the fifteen (15)  
142 public community and junior colleges.

143           (2) One-half (1/2) divided upon the basis of the number of  
144 full-time academic, technical and vocational public community and  
145 junior college students actually enrolled and in attendance on the  
146 last day of the sixth week of the fall semester or its equivalent  
147 of the preceding year counting only those students who reside  
148 within the State of Mississippi.

149           The public community and junior colleges shall prepare and  
150 make available to the Legislature and the Legislative Budget  
151 Office an accounting of expenditures and program accomplishments  
152 of the Rural Health Corps Program for each of the individual  
153 community and junior colleges in a format and manner prescribed by  
154 the Legislative Budget Office.

155           **SECTION 10.** The following sum, or so much thereof as may be  
156 necessary, is hereby appropriated out of any money in the State  
157 General Fund not otherwise appropriated, for the aid of the public  
158 community and junior colleges, to fund life and health insurance,

159 for all employees of the public community and junior colleges for  
160 the fiscal year beginning July 1, 2004, and ending June 30, 2005.  
161 ..... \$ 16,808,282.00.

162 The funds allocated in this section shall only be used to  
163 participate in the State and School Employees' Life and Health  
164 Insurance Plan. Any funds appropriated in this section which are  
165 not expended during the fiscal year shall be carried forward for  
166 the same purposes during the next succeeding fiscal year.

167 **SECTION 11.** The following sum, or so much thereof as may be  
168 necessary, is hereby appropriated out of any money in the State  
169 General Fund not otherwise appropriated, for the purpose of  
170 establishing and operating One-Stop Career Centers at each of the  
171 public community and junior colleges for the fiscal year beginning  
172 July 1, 2004, and ending June 30, 2005..... \$ 4,500,000.00.

173 **SECTION 12.** The following sum, or so much thereof as may be  
174 necessary, is hereby appropriated out of any money in the State  
175 General Fund not otherwise appropriated, to the State Board for  
176 Community and Junior Colleges for the purpose of defraying the  
177 cost of Sign Language Interpreter Training at the public community  
178 and junior colleges for the fiscal year beginning July 1, 2004,  
179 and ending June 30, 2005..... \$ 179,050.00.

180 **SECTION 13.** The following sum, or so much thereof as may be  
181 necessary, is hereby appropriated out of any money in the State  
182 General Fund not otherwise appropriated, to the State Board for  
183 Community and Junior Colleges for the purpose of defraying the  
184 cost of the Education Technology Program at the public community  
185 and junior colleges for the fiscal year beginning July 1, 2004,  
186 and ending June 30, 2005..... \$ 3,599,160.00.

187 **SECTION 14.** The following sum, or so much thereof as may be  
188 necessary, is hereby appropriated out of any money in the  
189 Education Enhancement Fund not otherwise appropriated, to the  
190 State Board for Community and Junior Colleges for the purpose of  
191 defraying the cost of servicing the debt on bonds issued for the

192 Education Technology Program at the community and junior colleges  
 193 for the fiscal year beginning July 1, 2004, and ending  
 194 June 30, 2005..... \$ 3,160,215.00.

195 The funds appropriated in this section shall be derived from  
 196 Education Enhancement Funds deposited pursuant to Sections  
 197 27-65-75 and 27-67-31, Mississippi Code of 1972.

198 **SECTION 15.** A Mississippi Prepaid Affordable College Tuition  
 199 (MPACT) program beneficiary shall be considered a Mississippi  
 200 resident for the purposes of participating in this appropriation  
 201 regardless of the beneficiary's residence on the date of  
 202 enrollment, as set out in Mississippi Code Annotated, Section  
 203 37-155-5(d)(iii).

204 **SECTION 16.** In compliance with the "Mississippi Performance  
 205 Budget and Strategic Planning Act of 1994," it is the intent of  
 206 the Legislature that the funds provided herein shall be utilized  
 207 in the most efficient and effective manner possible to achieve the  
 208 intended mission of this agency. Based on the funding authorized,  
 209 this agency shall make every effort to attain the targeted  
 210 performance measures provided below:

<u>Performance Measures</u>	<u>FY 2005 Target</u>
Instruction	
Cumulative grade point average of community college transfer students attending State Institutions of Higher Learning will equal or exceed the Grade Point Average earned by native students in the same university system (GPA based on a 4.0 scale)	2.79
Average Class Size (Students/Class)	22
Percentage of community & junior college associate degree nursing graduates who pass the state board nursing exam on the first write (%)	90
Percentage of full-time & adjunct	

225 (part-time) faculty who met the criteria  
 226 for academic & professional preparation (%) 100  
 227 Percentage of vocational-technical  
 228 students who complete or exit a program  
 229 & are considered positively placed (%) 90  
 230 Total cost per full-time equivalent  
 231 student (\$) 5,171.76

232 Physical Plant Operation

233 Percentage of community & junior colleges  
 234 with a written comprehensive safety &  
 235 health program implemented to ensure safe  
 236 working conditions & practices (%) 100  
 237 Number of student injuries on community  
 238 & junior colleges grounds (Students) 60  
 239 Number of employee injuries on community  
 240 & junior colleges grounds (Employees) 90

241 A reporting of the degree to which the performance targets  
 242 set above have been or are being achieved shall be provided in the  
 243 agency's budget request submitted to the Joint Legislative Budget  
 244 Committee for Fiscal Year 2006.

245 **SECTION 17.** The following sum, or so much thereof as may be  
 246 necessary, is hereby appropriated out of any money in the State  
 247 General Fund not otherwise appropriated, to the State Board for  
 248 Community and Junior Colleges for the purpose of defraying the  
 249 cost of the Golden Triangle Education Center for Manufacturing  
 250 Technology, for the fiscal year beginning July 1, 2004, and ending  
 251 June 30, 2005..... \$ 150,000.00.

252 **SECTION 18.** The following sum, or so much thereof as may be  
 253 necessary, is hereby appropriated out of any money in the State  
 254 General Fund not otherwise appropriated, to the State Board for  
 255 Community and Junior Colleges for the purpose of defraying the  
 256 cost of the Mississippi Delta Community College Industrial



257 Training Program, for the fiscal year beginning July 1, 2004, and  
258 ending June 30, 2005..... \$ 150,000.00.

259 **SECTION 19.** The following sum, or so much thereof as may be  
260 necessary, is hereby appropriated out of any money in the State  
261 General Fund not otherwise appropriated, to the State Board for  
262 Community and Junior Colleges for the purpose of defraying the  
263 cost of the Holmes Community College Industrial Technology  
264 Complex, for the fiscal year beginning July 1, 2004, and ending  
265 June 30, 2005..... \$ 150,000.00.

266 **SECTION 20.** The following sum, or so much thereof as may be  
267 necessary, is hereby appropriated out of any money in the State  
268 General Fund not otherwise appropriated, to the State Board for  
269 Community and Junior Colleges for the purpose of defraying the  
270 cost of the Jones County Junior College Industrial Technology  
271 Complex, for the fiscal year ending June 30, 2005.....  
272 ..... \$ 150,000.00.

273 **SECTION 21.** The following sum, or so much thereof as may be  
274 necessary, is hereby appropriated out of any money in the State  
275 General Fund not otherwise appropriated, to the State Board for  
276 Community and Junior Colleges for the purpose of defraying the  
277 cost of the Pearl River Community College Industrial Technology  
278 Complex, for the fiscal year ending June 30, 2005.....  
279 ..... \$ 150,000.00.

280 **SECTION 22.** Of the funds provided in this act, it is the  
281 intention of the Legislature that Seventy-five Thousand Dollars  
282 (\$75,000.00) shall be allocated to Northeast Community College to  
283 defray the costs of operation of the Crow's Neck Environmental  
284 Center in Tishomingo County.

285 **SECTION 23.** The money herein appropriated shall be paid by  
286 the State Treasurer out of any money in the State Treasury to the  
287 credit of the proper fund or funds as set forth in this act, upon  
288 warrants issued by the State Fiscal Officer; and the State Fiscal

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

291           **SECTION 24.** This act shall take effect and be in force from  
292 and after July 1, 2004.