

By: Representatives Brown, Straughter,  
Arinder, Coleman (29th), Frierson

To: Appropriations

HOUSE BILL NO. 1622  
(As Passed the House)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF FUNDING  
2 K-12 AND OTHER RELATED EDUCATIONAL ACTIVITIES, INCLUDING CERTAIN  
3 AGENCIES AND PROGRAMS, IN THE STATE OF MISSISSIPPI, FOR THE FISCAL  
4 YEAR 2011.

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

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, 2010, and ending June 30, 2011,  
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.....\$ 104,483,000.00.

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 .....\$ 70,444,570.00.

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.....\$ 14,515,760.00.

26 (d) To the State Board of Education for defraying the  
27 expenses of the Mississippi Adequate Education Program.....  
28 .....\$ 1,802,743,505.00.



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.....\$ 10,991,709.00.

32 TOTAL AMOUNT OF STATE GENERAL FUNDS APPROPRIATED  
33 BY THIS SECTION BEING.....\$2,003,178,544.00.

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, 2010, and ending  
39 June 30, 2011, 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.....\$ 889,368,302.00.

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 .....\$ 23,880,616.00.

48 (c) To the State Board of Education for the purpose of  
49 defraying the expenses of the Mississippi Adequate Education  
50 Program.....\$ 362,754,841.00.

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.....\$ 634,635.00.

54 TOTAL AMOUNT OF SPECIAL FUNDS APPROPRIATED  
55 BY THIS SECTION BEING.....\$1,276,638,394.00.

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	Grants to school districts for capital	
73	facilities and buses.....	\$ 16,000,000.00.
74	Instructional materials.....	\$ 7,292,600.00.
75	Implementing Performance Based Data	
76	Collection and Accreditation	
77	Model.....	\$ 274,937.00.
78	World Class Teacher Program.....	\$ 125,000.00.
79	Testing.....	\$ 226,413.00.
80	Education Technology Council.....	\$ 94,082.00.
81	TOTAL.....	\$ 24,013,032.00.

82 (b) To the State Department of Education to defray the  
83 expenses of the Vocational and Technical Education Division.....  
84 .....\$ 7,863,746.00.

85 (c) To the State Department of Education to provide  
86 funding for the Mississippi Adequate Education Program.....  
87 .....\$139,404,438.00.

88 **SECTION 5.** Of the funds appropriated in this act, not more  
89 than the amounts set forth below shall be expended for the  
90 respective major objects or purposes of expenditure for the State  
91 Department of Education, excluding the expenses of the Vocational  
92 and Technical Education Division:

93 MAJOR OBJECTS OF EXPENDITURE:

94 Personal Services:



95	Salaries, Wages and Fringe Benefits...\$	30,799,576.00
96	Travel and Subsistence.....	1,514,522.00
97	Contractual Services.....	44,738,394.00
98	Commodities.....	5,782,500.00
99	Capital Outlay:	
100	Other Than Equipment.....	1,952,731.00
101	Equipment.....	1,025,000.00
102	Vehicles.....	65,000.00
103	Wireless Communication Devices.....	10,000.00
104	Subsidies, Loans and Grants.....	<u>907,963,579.00</u>
105	Total.....\$	993,851,302.00

106 FUNDING:

107	General Funds.....\$	104,483,000.00
108	Special Funds.....	<u>889,368,302.00</u>
109	Total.....\$	993,851,302.00

110 AUTHORIZED POSITIONS:

111	Permanent: Full Time.....	442
112	Part Time.....	3
113	Time-Limited: Full Time.....	106
114	Part Time.....	0

115 With the funds herein appropriated, it is the intention of  
116 the Legislature that it shall be the agency's responsibility to  
117 make certain that funds required to be appropriated for "Personal  
118 Services" for Fiscal Year 2012 do not exceed Fiscal Year 2011  
119 funds appropriated for that purpose, unless programs or positions  
120 are added to the agency's Fiscal Year 2011 budget by the  
121 Mississippi Legislature. Based on data provided by the  
122 Legislative Budget Office, the State Personnel Board shall  
123 determine and publish the projected annual cost to fully fund all  
124 appropriated positions in compliance with the provisions of this  
125 act. It shall be the responsibility of the agency head to insure  
126 that no single personnel action increases this projected annual  
127 cost and/or the Fiscal Year 2011 appropriations for "Personal



128 Services" when annualized, with the exception of escalated funds.  
129 If, at the time the agency takes any action to change "Personal  
130 Services," the State Personnel Board determines that the agency  
131 has taken an action which would cause the agency to exceed this  
132 projected annual cost or the Fiscal Year 2011 "Personal Services"  
133 appropriated level, when annualized, then only those actions which  
134 reduce the projected annual cost and/or the appropriation  
135 requirement will be processed by the State Personnel Board until  
136 such time as the requirements of this provision are met.

137 All positions supported by funds available through the  
138 American Recovery and Reinvestment Act of 2009 shall be designated  
139 as time-limited positions.

140 Any transfers or escalations shall be made in accordance with  
141 the terms, conditions and procedures established by law or  
142 allowable under the terms set forth within this act. The State  
143 Personnel Board shall not escalate positions without written  
144 approval from the Department of Finance and Administration. The  
145 Department of Finance and Administration shall not provide written  
146 approval to escalate any funds for salaries and/or positions  
147 without proof of availability of new or additional funds above the  
148 appropriated level.

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

153 **SECTION 6.** In compliance with the "Mississippi Performance  
154 Budget and Strategic Planning Act of 1994," it is the intent of  
155 the Legislature that the funds provided in this act shall be  
156 utilized in the most efficient and effective manner possible to  
157 achieve the intended mission of the State Department of Education,  
158 excluding the expenses of the Vocational and Technical Education  
159 Division. Based on the funding authorized, this agency shall make



160 every effort to attain the targeted performance measures provided

161 below:

	FY2011
<u>Performance Measures</u>	<u>Target</u>
164 Special Education	
165     Approved Funding for	
166         Children (\$ in Millions)	101.00
167         Teacher Units Approved for Funding (Units)	5,134
168 Child Nutrition	
169     Number of Meals Required (Millions)	128.50
170     Cost per Meal (\$)	2.52
171 MS School For Math & Science	
172     Students Enrolled (Persons)	270
173     Cost per Student (\$)	20,000.00
174 Educational Accountability	
175     Performance Accreditation	
176         Visits (Visits)	30
177         Tests Administered (Persons)	748,984
178         Compliance & Performance Reviews (Actions)	40
179 Educ Training & Development	
180     Administrators Trained (Persons)	1,100
181     Administrators Trained (%)	40.00
182     Technical Assistance to School	
183         Districts (%)	95.00
184 Compensatory Education	
185     Title I Projects Awarded (Programs)	152
186     Average Expenditure per Child (\$)	463.28
187     Review & Approve Delinquent	
188         Programs (Programs)	4
189 Community & Outreach Services	
190     Requested Available Federal Funding (%)	100.00
191 MS School Attendance Officers	
192     Resolutions to Referrals (%)	95.00



193 School Visits (Number of) 21,000  
 194 MS Teacher Center  
 195 Teachers Recruited in Shortage  
 196 Areas (Number of) 2,200

197 A reporting of the degree to which the performance targets  
 198 set above have been or are being achieved shall be provided in the  
 199 agency's budget request submitted to the Joint Legislative Budget  
 200 Committee for Fiscal Year 2012.

201 **SECTION 7.** In compliance with the "Mississippi Performance  
 202 Budget and Strategic Planning Act of 1994," it is the intent of  
 203 the Legislature that the funds provided in this act shall be  
 204 utilized in the most efficient and effective manner possible to  
 205 achieve the intended mission of the Mississippi Adequate Education  
 206 Program. Based on the funding authorized, this agency shall make  
 207 every effort to attain the targeted performance measures provided  
 208 below:

	FY2011
<u>Performance Measures</u>	<u>Target</u>
211 Basic Program	
212 Percentage of students scoring basic &	
213 above on the MS Curriculum Test in grades	
214 2-8 in reading, language & math (%)	86.60
215 Percentage of students achieving the	
216 passing score on the History test (%)	94.30
217 Percentage of students achieving the	
218 passing score on the Biology test (%)	87.90
219 Percentage of students achieving the	
220 passing score on the Algebra test (%)	76.00
221 Provide 100% Funding of the Base	
222 Student Cost (%)	100.00

223 A reporting of the degree to which the performance targets  
 224 set above have been or are being achieved shall be provided in the



225 agency's budget request submitted to the Joint Legislative Budget  
226 Committee for Fiscal Year 2012.

227       **SECTION 8.** Of the funds appropriated in Section 2, Forty-six  
228 Million Dollars (\$46,000,000.00) shall be derived from the School  
229 Ad Valorem Reduction Fund.

230       No school district shall expend any funds, received under the  
231 School Ad Valorem Reduction Grant, unless such school district has  
232 specifically identified the amount of the grant within the  
233 published budget as required by Section 37-61-9, Mississippi Code  
234 of 1972. The published budget shall include the following  
235 statement: "Ad Valorem taxes will be \$\_\_\_\_\_ less as a result  
236 of the Ad Valorem Reduction Grants enacted by the Mississippi  
237 Legislature in 1992."

238       **SECTION 9.** Of the funds appropriated in Section 2, Two  
239 Million One Hundred Thousand Dollars (\$2,100,000.00) shall be  
240 derived from the Technology in Classroom Fund 3203 for the purpose  
241 of defraying the expenses of the State Department of Education,  
242 excluding the expenses of the Vocational and Technical Education  
243 Division.

244       **SECTION 10.** Of the funds appropriated in Section 2, funds in  
245 the amount of One Million Dollars (\$1,000,000.00) shall come from  
246 income derived from the principal of the Education Improvement  
247 Trust Fund created by Section 206A, Mississippi Constitution of  
248 1890, and One Million Dollars (\$1,000,000.00) shall be used for  
249 the School for Math and Science.

250       **SECTION 11.** Of the funds appropriated under the provisions  
251 of this act, not more than the following amount shall be expended  
252 for Salaries, Wages and Fringe Benefits for the Vocational and  
253 Technical Education Division of the State Department of Education  
254 .....\$           3,291,547.00

255       FUNDING:

256       General Funds.....\$           70,444,570.00  
257       Special Funds.....          23,880,616.00





258 Total.....\$ 94,325,186.00

259 AUTHORIZED POSITIONS:

260	Permanent:	Full Time.....	59
261		Part Time.....	0
262	Time-Limited:	Full Time.....	3
263		Part Time.....	0

264 With the funds herein appropriated, it is the intention of  
265 the Legislature that it shall be the agency's responsibility to  
266 make certain that funds required to be appropriated for "Personal  
267 Services" for Fiscal Year 2012 do not exceed Fiscal Year 2011  
268 funds appropriated for that purpose, unless programs or positions  
269 are added to the agency's Fiscal Year 2011 budget by the  
270 Mississippi Legislature. Based on data provided by the  
271 Legislative Budget Office, the State Personnel Board shall  
272 determine and publish the projected annual cost to fully fund all  
273 appropriated positions in compliance with the provisions of this  
274 act. It shall be the responsibility of the agency head to insure  
275 that no single personnel action increases this projected annual  
276 cost and/or the Fiscal Year 2011 appropriations for "Personal  
277 Services" when annualized, with the exception of escalated funds.  
278 If, at the time the agency takes any action to change "Personal  
279 Services," the State Personnel Board determines that the agency  
280 has taken an action which would cause the agency to exceed this  
281 projected annual cost or the Fiscal Year 2011 "Personal Services"  
282 appropriated level, when annualized, then only those actions which  
283 reduce the projected annual cost and/or the appropriation  
284 requirement will be processed by the State Personnel Board until  
285 such time as the requirements of this provision are met.

286 All positions supported by funds available through the  
287 American Recovery and Reinvestment Act of 2009 shall be designated  
288 as time-limited positions.

289 Any transfers or escalations shall be made in accordance with  
290 the terms, conditions and procedures established by law or



291 allowable under the terms set forth within this act. The State  
292 Personnel Board shall not escalate positions without written  
293 approval from the Department of Finance and Administration. The  
294 Department of Finance and Administration shall not provide written  
295 approval to escalate any funds for salaries and/or positions  
296 without proof of availability of new or additional funds above the  
297 appropriated level.

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

302 **SECTION 12.** In compliance with the "Mississippi Performance  
303 Budget and Strategic Planning Act of 1994," it is the intent of  
304 the Legislature that the funds provided in this act shall be  
305 utilized in the most efficient and effective manner possible to  
306 achieve the intended mission of the Vocational and Technical  
307 Education Division of the State Department of Education. Based on  
308 the funding authorized, this agency shall make every effort to  
309 attain the targeted performance measures provided below:

	FY2011
<u>Performance Measures</u>	<u>Target</u>
312 Secondary Programs	
313 Increase in Students Served (%)	1.00
314 LEAs Served (Sites)	144
315 Post-secondary Programs	
316 Short-Term Students Served (Persons)	2,800
317 Short-Term Adult Program Classes (Classes)	225
318 Short-Term Cost per Student (\$)	65.00

319 A reporting of the degree to which the performance targets  
320 set above have been or are being achieved shall be provided in the  
321 agency's budget request submitted to the Joint Legislative Budget  
322 Committee for Fiscal Year 2012.



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

329           **SECTION 14.** It is the intention of the Legislature that the  
330 Vocational and Technical Education Division of the State  
331 Department of Education shall, with the funds appropriated in  
332 Section 1, transfer no more than One Hundred Thousand Dollars  
333 (\$100,000.00) to the Mississippi Soil and Water Conservation  
334 Commission for the purpose of providing matching funds to purchase  
335 soil conservation equipment.

336           **SECTION 15.** Of the funds appropriated in this act, no more  
337 than One Hundred Thirty-five Thousand Dollars (\$135,000.00) is  
338 provided for the purpose of supporting the Future Farmers of  
339 America Center.

340           **SECTION 16.** Of the funds provided in Section 1 for the  
341 purpose of providing financial assistance for the education of  
342 exceptional children as determined under Section 37-23-63,  
343 Mississippi Code of 1972, children who are certified by the  
344 designated authority as requiring inpatient care in a private  
345 intermediate care facility for the mentally retarded or  
346 psychiatric residential treatment facility, with Medicaid  
347 reimbursement, shall be eligible and entitled to receive state  
348 financial assistance under the provisions of Section 37-23-69,  
349 Mississippi Code of 1972, for the full regular school year term of  
350 such treatment. The State Department of Education shall submit a  
351 report to the Legislature with the projected cost per child and  
352 the total cost of the program no later than January 30, 2010.

353           **SECTION 17.** It is the intention of the Legislature that the  
354 State Department of Education shall have the authority to accept,  
355 budget and expend any source funds not to exceed Thirty Million



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

360       **SECTION 18.** The State Department of Education shall transfer  
361 the designated amounts to the appropriate entities, which shall  
362 assume full responsibility for the expenditure of these funds in  
363 accordance with state laws and accept all responsibility for any  
364 improper expenditure, for the following: World Class Teacher  
365 Programs, USM Special Education Program, Soil and Water  
366 Conservation Commission, Mississippi School Boards Association,  
367 Mississippi Eye Screening Program-Vision Research Corporation and  
368 Very Special Arts, Arts Institute, Jobs for Mississippi Graduates,  
369 and Mississippi Symphony, University of Southern Mississippi Safe  
370 Schools Program, Mississippi State University Center for Education  
371 Design, Writing and Thinking Institute, Greater Columbus Early  
372 Learning Center and Mississippi Council for Economic Education.

373       **SECTION 19.** Of the funds appropriated in Section 1,  
374 Sixty-four Thousand Two Hundred Sixty Dollars (\$64,260.00) is  
375 provided for the Very Special Arts Program and One Hundred  
376 Thousand Dollars (\$100,000.00) is provided for the Mississippi  
377 Council for Economic Education.

378       **SECTION 20.** Of the funds appropriated in this act, an amount  
379 not to exceed One Million Three Hundred Thousand Dollars  
380 (\$1,300,000.00) shall be used for technological methods for  
381 agricultural programs and for robotic engineering programs from  
382 the Vocational and Technical Education Division of the State  
383 Department of Education.

384       **SECTION 21.** Of the funds appropriated in Section 1, the sum  
385 of Sixty-two Thousand One Hundred Ninety-one Dollars (\$62,191.00),  
386 which is the aggregate sum that the school districts in the  
387 Chickasaw Cession receive annually from interest payments from the  
388 Chickasaw School Fund under Section 212, Mississippi Constitution



389 of 1890, shall be deducted from the allocations to the school  
 390 districts as provided in Section 29-3-137, Mississippi Code of  
 391 1972, and shall be distributed among the school districts in the  
 392 Chickasaw Cession by the State Department of Education in the  
 393 manner that those interest payments were distributed during Fiscal  
 394 Year 1985.

395 **SECTION 22.** Of the funds provided in this act for the  
 396 purpose of funding the Mississippi Adequate Education Program as  
 397 determined under Section 37-151-7, Mississippi Code of 1972, the  
 398 base student cost in Fiscal Year 2011 shall be Four Thousand Nine  
 399 Hundred One Dollars and Seventy-seven Cents (\$4,901.77).

400 **SECTION 23.** Of the funds appropriated in this act, an amount  
 401 not more than Fifty Million Dollars (\$50,000,000.00) shall be  
 402 derived from the Interim School District Capital Expenditure Fund  
 403 for the benefit of the school districts as authorized in Section  
 404 37-151-7(5), Mississippi Code of 1972.

405 **SECTION 24.** Of the funds appropriated under the provisions  
 406 of this act, not more than the following amount shall be expended  
 407 for Salaries, Wages and Fringe Benefits for the Mississippi School  
 408 for the Blind and the Mississippi School for the Deaf.....  
 409 .....\$ 9,195,736.00

410 FUNDING:  
 411 General Funds.....\$ 10,991,709.00  
 412 Special Funds..... 634,635.00  
 413 Total.....\$ 11,626,344.00

414 AUTHORIZED POSITIONS:  
 415 Permanent: Full Time..... 180  
 416 Part Time..... 25  
 417 Time-Limited: Full Time..... 1  
 418 Part Time..... 0

419 With the funds herein appropriated, it is the intention of  
 420 the Legislature that it shall be the agency's responsibility to  
 421 make certain that funds required to be appropriated for "Personal

422 Services" for Fiscal Year 2012 do not exceed Fiscal Year 2011  
423 funds appropriated for that purpose, unless programs or positions  
424 are added to the agency's Fiscal Year 2011 budget by the  
425 Mississippi Legislature. Based on data provided by the  
426 Legislative Budget Office, the State Personnel Board shall  
427 determine and publish the projected annual cost to fully fund all  
428 appropriated positions in compliance with the provisions of this  
429 act. It shall be the responsibility of the agency head to insure  
430 that no single personnel action increases this projected annual  
431 cost and/or the Fiscal Year 2011 appropriations for "Personal  
432 Services" when annualized, with the exception of escalated funds.  
433 If, at the time the agency takes any action to change "Personal  
434 Services," the State Personnel Board determines that the agency  
435 has taken an action which would cause the agency to exceed this  
436 projected annual cost or the Fiscal Year 2011 "Personal Services"  
437 appropriated level, when annualized, then only those actions which  
438 reduce the projected annual cost and/or the appropriation  
439 requirement will be processed by the State Personnel Board until  
440 such time as the requirements of this provision are met.

441 All positions supported by funds available through the  
442 American Recovery and Reinvestment Act of 2009 shall be designated  
443 as time-limited positions.

444 Any transfers or escalations shall be made in accordance with  
445 the terms, conditions and procedures established by law or  
446 allowable under the terms set forth within this act. The State  
447 Personnel Board shall not escalate positions without written  
448 approval from the Department of Finance and Administration. The  
449 Department of Finance and Administration shall not provide written  
450 approval to escalate any funds for salaries and/or positions  
451 without proof of availability of new or additional funds above the  
452 appropriated level.

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



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

457 **SECTION 25.** With the funds provided in this act, it is the  
458 intention of the Legislature that School Attendance Officers and  
459 academic teachers at the Mississippi School for the Deaf and the  
460 Mississippi School for the Blind shall receive their annual  
461 increment.

462 **SECTION 26.** It is the intention of the Legislature that the  
463 State Board of Education shall maintain complete accounting and  
464 personnel records related to the expenditure of all funds  
465 appropriated in this act and that those records shall be in the  
466 same format and level of details as maintained for Fiscal Year  
467 2010. It is further the intention of the Legislature that the  
468 budget requests for Fiscal Year 2012 shall be submitted to the  
469 Joint Legislative Budget Committee in a format and level of detail  
470 comparable to the format and level of detail provided during the  
471 Fiscal Year 2011 budget request process for each agency and  
472 institution appropriated funds within the provisions of this act.

473 **SECTION 27.** Of the funds appropriated in Section 1 to the  
474 State Board of Education, not less than Twenty-five Million Four  
475 Hundred Fifty Thousand Dollars (\$25,450,000.00) shall be used for  
476 National Board Certification.

477 **SECTION 28.** Of the funds appropriated in Section 1, not less  
478 than Fourteen Million Sixty-Five Thousand Dollars (\$14,065,000.00)  
479 shall be used for the Educable Child Program.

480 **SECTION 29.** It is the intention of the Legislature that at  
481 least Twenty-one Million Dollars (\$21,000,000.00) be expended for  
482 textbooks as defined in Section 37-43-1, Mississippi Code of 1972.  
483 No funds shall be expended under authority of this act unless the  
484 Mississippi Department of Education surveys each school district  
485 to determine the dollar amount and description of its textbook  
486 purchases. A report of such findings shall be provided to the



487 Chairmen of the House and Senate Education Committees no later  
488 than December 31, 2010.

489       **SECTION 30.** The public school districts of the state are  
490 authorized at their discretion to pay with local funds one hundred  
491 percent (100%) of the cost of the health insurance premiums of the  
492 State and School Employees Health Insurance Plan for all retired  
493 members of the Public Employees' Retirement System who are  
494 employed as school bus drivers by the school districts. It is the  
495 intention of the Legislature that no state funds shall be used for  
496 this purpose.

497       **SECTION 31.** Of the funds appropriated for Fiscal Year 2011  
498 for the Educable Child Program, the Mississippi Department of  
499 Education is authorized to pay the remaining balance up to Two  
500 Million Dollars (\$2,000,000.00) for fiscal year 2010 claims.

501       **SECTION 32.** Of the funds appropriated for Orthopedic and  
502 Aphasic, Three Hundred Twenty-five Thousand Dollars (\$325,000.00)  
503 shall be for the Dubard School at the University of Southern  
504 Mississippi.

505       **SECTION 33.** It is the intention of the Legislature that  
506 whenever two (2) or more bids are received by this agency for the  
507 purchase of commodities or equipment, and whenever all things  
508 stated in those received bids are equal with respect to price,  
509 quality and service, the Mississippi Industries for the Blind  
510 shall be given preference. A similar preference shall be given to  
511 the Mississippi Industries for the Blind whenever purchases are  
512 made without competitive bids.

513       **SECTION 34.** Of the funds appropriated in Section 1, not less  
514 than Six Million Five Hundred Thousand Dollars (\$6,500,000.00)  
515 shall be used for the Compulsory School Attendance Office and  
516 School Attendance Officers.

517       **SECTION 35.** Of the funds appropriated in Section 1(a), One  
518 Hundred Eighty-three Thousand Six Hundred Dollars (\$183,600.00) is  
519 provided for the Principal Corp.





520           **SECTION 36.** Of the funds appropriated in Section 1(a), Two  
521 Hundred Ninety-Eight Thousand Three Hundred Fifty Dollars  
522 (\$298,350.00) is provided for the Magnolia Speech School.

523           **SECTION 37.** Of the funds appropriated in Section 1, it is  
524 the intention of the Legislature that One Million Six Hundred  
525 Fifty-two Thousand Four Hundred Dollars (\$1,652,400.00) shall be  
526 used for a mentoring program.

527           **SECTION 38.** Of the funds appropriated in Section 1, it is  
528 the intention of the Legislature that Three Hundred Fifty Thousand  
529 Dollars (\$350,000.00) shall be used for professional development  
530 for dyslexia and other related disorders.

531           **SECTION 39.** Of the funds appropriated in this act, it is the  
532 intention of the Legislature that Three Million Six Hundred  
533 Thousand Dollars (\$3,600,000.00) shall be used for the Mary  
534 Kirkpatrick-Mary Sprayberry Public School Nurse Program. The  
535 amount of Three Million Six Hundred Thousand Dollars  
536 (\$3,600,000.00) shall be transferred from the Department of  
537 Health.

538           **SECTION 40.** The State Department of Education shall contract  
539 with a Certified Public Accountant to calculate components of the  
540 Mississippi Adequate Education Program to include the base student  
541 cost, school district allocations, total program cost, add-on  
542 programs, and any other required components of Section 37-151-7,  
543 Mississippi Code of 1972. The contractor shall be responsible for  
544 calculating the estimates of these components due to the  
545 Legislative Budget Office and the Governor by August 1 and the  
546 final estimates due to the Legislative Budget Office and the  
547 Governor no later than January 2. A report detailing the funding  
548 of this contract shall be submitted by the State Department of  
549 Education to the Legislature no later than January 30, 2011.

550           **SECTION 41.** Any school district receiving funds for the Save  
551 the Children Program, Learning Through Sports/Kids College shall



552 provide a thirty percent (30%) match from local funds for  
553 implementation of the program.

554 **SECTION 42.** Of the funds appropriated in this act, it is the  
555 intention of the Legislature that Twenty Million Dollars  
556 (\$20,000,000.00) from the Public School Building Fund shall be  
557 used for the Mississippi Adequate Education Program.

558 **SECTION 43.** It is the intention of the Legislature that the  
559 State Board of Education shall charge a fee for room and board for  
560 students who enroll in the Mississippi School for Mathematics and  
561 Science and the Mississippi School of Arts. Such fees will be  
562 waived for any student enrolled in the State Children's' Health  
563 Insurance Program. The amount of such fees shall be Five Hundred  
564 Dollars (\$500.00) for each semester.

565 **SECTION 44.** It is the intention of the Legislature that the  
566 State Superintendent for the Department of Education may increase  
567 major objects of expenditure in total amounts not to exceed  
568 twenty-five percent (25%) of the appropriated amount of each major  
569 object of expenditure, provided that other major objects of  
570 expenditure are decreased by a corresponding dollar amount and  
571 provided the Executive Director of the Mississippi Department of  
572 Finance and Administration also approves with written  
573 authorization. However, no transfers shall be authorized which  
574 increase the major object of expenditure "Salaries, Wages and  
575 Fringe Benefits."

576 **SECTION 45.** It is the intent of the Legislature that each  
577 eligible employee who meets the National Board requirements under  
578 Section 37-19-7(2), Mississippi Code of 1972, shall be paid the  
579 full supplement and that such supplement shall be included on a  
580 prorated basis in the employee's monthly paycheck.

581 **SECTION 46.** Of the funds appropriated under the provisions  
582 of Section 2, One Hundred Fifty-three Million Three Hundred Fifty  
583 Thousand Four Hundred Three Dollars (\$153,350,403.00) is



584 anticipated to be derived from funds provided pursuant to the  
585 American Recovery and Reinvestment Act of 2009.

586 If the amount that ultimately becomes available for this  
587 agency from the American Recovery and Reinvestment Act of 2009  
588 differs from the above stated amount, the agency shall immediately  
589 report the actual amount to the Legislative Budget Office and the  
590 agency may use the American Recovery and Reinvestment Act of 2009  
591 escalation authorization contained within this act to increase the  
592 expenditure authority as necessary.

593 **SECTION 47.** It is the intention of the Legislature that the  
594 agency shall compile cell phone usage records of any cellular  
595 phone (wireless communication device) that is assigned, issued or  
596 made available to any officer or employee in accordance with  
597 Section 25-53-191, Mississippi Code of 1972, and these records  
598 shall be made publicly available at the expense of the agency.

599 **SECTION 48.** It is legislative intent to ensure beneficial  
600 information reaches as many Mississippians as possible. Further,  
601 it is legislative intent that the expenditure of public funds for  
602 this purpose be accomplished in an efficient and effective manner.

603 Therefore, state agencies as standard procedure will observe  
604 the following criteria:

605 (a) Develop goals and desired result for a campaign.

606 (b) Evaluate effectiveness through respected  
607 advertising standards, including market reach and cost  
608 effectiveness.

609 (c) Seek public service announcements, which would be  
610 aired by media without cost.

611 (d) Itemize and justify professional assistance and  
612 related expenses for creative and production costs outside of the  
613 actual media expenditures.

614 (e) Utilize Mississippi-owned media companies when  
615 feasible.



616           **SECTION 49.** It is the intention of the Legislature that this  
617 agency shall have the authority to receive, budget and expend  
618 funds from any source that may become available to them as a  
619 result of the passage of the American Recovery and Reinvestment  
620 Act of 2009 in accordance with the rules and regulations of the  
621 Department of Finance and Administration in a manner consistent  
622 with the escalation of federal funds.

623           The Executive Director of the Department of Finance and  
624 Administration shall have the authority to approve escalations of  
625 funds and employee positions using funds from any source available  
626 due to the passage of the American Recovery and Reinvestment Act  
627 of 2009.

628           The Executive Director of the Department of Finance and  
629 Administration shall immediately send notice of the approval of  
630 such budget escalation to the House of Representatives  
631 Appropriations Committee, the Senate Appropriations Committee and  
632 the Legislative Budget Office. Within fifteen (15) days of such  
633 approval, the Executive Director of the Department of Finance and  
634 Administration shall ensure that the Legislative Budget Office  
635 receives detailed and accurate information about the amount and  
636 use of federal and special source funds by state agencies as a  
637 result of the passage of the American Recovery and Reinvestment  
638 Act of 2009.

639           **SECTION 50.** No former employee who is receiving State of  
640 Mississippi retirement benefits shall be hired under contract for  
641 an amount exceeding Twenty Thousand Dollars (\$20,000.00) a year  
642 without prior approval by an agency's proper governing board or  
643 authority. Upon approval of such contracts, a written report  
644 shall be submitted detailing the cost and need of such contract  
645 services to the Chairmen and members of the Senate and House  
646 Appropriations Committees.

647           **SECTION 51.** Of the funds appropriated in Section 1 of this  
648 act, it is the intention of the Legislature that Two Hundred



649 Seventy-five Thousand Four Hundred Dollars (\$275,400.00) shall be  
650 used for the Community College Foundation.

651 **SECTION 52.** Of the funds appropriated in Section 1, it is  
652 the intention of the Legislature that One Million One Hundred  
653 Fifty-two Thousand Ninety Dollars (\$1,152,090.00) shall be used  
654 for the Teach for America Program.

655 **SECTION 53.** It is the intention of the Legislature that the  
656 Mississippi Department of Education may loan any general or  
657 special source fund amount, not to exceed One Million Dollars  
658 (\$1,000,000.00), to any school district for the purpose of  
659 providing funds to school districts through the Emergency  
660 Assistance Fund as outlined in Section 37-17-6, Mississippi Code  
661 of 1972, during the period beginning July 1, 2010, and ending  
662 June 30, 2011. The school districts receiving these loans shall  
663 repay the Mississippi Department of Education the amount of the  
664 loan on or before June 30, 2011.

665 **SECTION 54.** None of the funds appropriated in this act may  
666 be used for out-of-state travel by any employee or school board  
667 member of any district, the Mississippi School for Math and  
668 Science, the Mississippi School of the Arts, or the Mississippi  
669 Schools for the Blind and Deaf.

670 **SECTION 55.** The money appropriated in this act shall be paid  
671 by the State Treasurer out of any money in the proper fund or  
672 funds as set forth in this act, upon warrants issued by the State  
673 Fiscal Officer; and the State Fiscal Officer shall issue his  
674 warrants upon requisitions signed by the proper person, officer or  
675 officers in the manner provided by law.

676 **SECTION 56.** This act shall take effect and be in force from  
677 and after July 1, 2010.

