

**REPORT OF CONFERENCE COMMITTEE**

**MR. SPEAKER AND MR. PRESIDENT:**

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1494: Appropriation; Education, Department of.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the Senate recede from its Amendment No. 1.
- 2. That the House and Senate adopt the following amendment:

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

6           **SECTION 1.** The following sums, or so much of those sums as  
7 may be necessary, are appropriated out of any money in the State  
8 General Fund not otherwise appropriated, for the purpose of  
9 funding K-12 and other related educational activities, including  
10 certain agencies and programs, in the State of Mississippi, for  
11 the fiscal year beginning July 1, 2011, and ending June 30, 2012,  
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.....\$           87,040,000.00.

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 .....\$           73,300,000.00.

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.....\$           16,049,728.00.

26           (d) To the State Board of Education for defraying the  
27 expenses of the Mississippi Adequate Education Program.....



28 .....\$ 1,808,129,050.00.

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.....\$ 10,750,000.00.

32 TOTAL AMOUNT OF STATE GENERAL FUNDS APPROPRIATED  
33 BY THIS SECTION BEING.....\$ 1,995,268,778.00.

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, 2011, and ending  
39 June 30, 2012, 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.....\$ 843,720,485.00.

44 (b) To the State Board of Education for the purpose of  
45 defraying the expenses of the Vocational and Technical Education  
46 Division of the State Department of Education.....  
47 .....\$ 20,316,870.00.

48 (c) To the State Board of Education for the purpose of  
49 defraying the expenses of the Mississippi Adequate Education  
50 Program.....\$ 277,822,038.00.

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.....\$ 716,559.00.

54 TOTAL AMOUNT OF SPECIAL FUNDS APPROPRIATED  
55 BY THIS SECTION BEING.....\$ 1,142,575,952.00.

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.....	\$ 6,000,000.00.
75	Implementing Performance Based Data	
76	Collection and Accreditation	
77	Model.....	\$ 274,937.00.
78	Testing.....	\$ 519,013.00.
79	Common Core/Literacy.....	\$ 94,082.00.
80	TOTAL.....	\$ 22,888,032.00.

81 (b) To the State Department of Education to defray the  
82 expenses of the Vocational and Technical Education Division.....  
83 .....\$ 4,300,000.00.

84 (c) To the State Department of Education to provide  
85 funding for the Mississippi Adequate Education Program.....  
86 .....\$207,822,038.00.

87 **SECTION 5.** Of the funds appropriated in this act, the  
88 following positions are authorized for the State Department of  
89 Education, excluding the expenses of the Vocational and Technical  
90 Education Division:

91 AUTHORIZED POSITIONS:



92	Permanent:	Full Time.....	413
93		Part Time.....	3
94	Time-Limited:	Full Time.....	107
95		Part Time.....	0

96 With the funds herein appropriated, it is the intention of  
97 the Legislature that it shall be the agency's responsibility to  
98 make certain that funds required to be appropriated for "Personal  
99 Services" for Fiscal Year 2013 do not exceed Fiscal Year 2012  
100 funds appropriated for that purpose, unless programs or positions  
101 are added to the agency's Fiscal Year 2012 budget by the  
102 Mississippi Legislature. Based on data provided by the  
103 Legislative Budget Office, the State Personnel Board shall  
104 determine and publish the projected annual cost to fully fund all  
105 appropriated positions in compliance with the provisions of this  
106 act. It shall be the responsibility of the agency head to ensure  
107 that no single personnel action increases this projected annual  
108 cost and/or the Fiscal Year 2012 appropriations for "Personal  
109 Services" when annualized, with the exception of escalated funds.  
110 If, at the time the agency takes any action to change "Personal  
111 Services," the State Personnel Board determines that the agency  
112 has taken an action which would cause the agency to exceed this  
113 projected annual cost or the Fiscal Year 2012 "Personal Services"  
114 appropriated level, when annualized, then only those actions which  
115 reduce the projected annual cost and/or the appropriation  
116 requirement will be processed by the State Personnel Board until  
117 such time as the requirements of this provision are met.

118 Any transfers or escalations shall be made in accordance with  
119 the terms, conditions and procedures established by law or  
120 allowable under the terms set forth within this act. The State  
121 Personnel Board shall not escalate positions without written  
122 approval from the Department of Finance and Administration. The  
123 Department of Finance and Administration shall not provide written



124 approval to escalate any funds for salaries and/or positions  
125 without proof of availability of new or additional funds above the  
126 appropriated level.

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

131 **SECTION 6.** In compliance with the "Mississippi Performance  
132 Budget and Strategic Planning Act of 1994," it is the intent of  
133 the Legislature that the funds provided in this act shall be  
134 utilized in the most efficient and effective manner possible to  
135 achieve the intended mission of the State Department of Education,  
136 excluding the expenses of the Vocational and Technical Education  
137 Division. Based on the funding authorized, this agency shall make  
138 every effort to attain the targeted performance measures provided  
139 below:

	FY2012
<u>Performance Measures</u>	<u>Target</u>
Special Education	
Approved Funding for	
Children (\$ in Millions)	106.00
Teacher Units Approved for	
Funding (Units)	4,990
Child Nutrition	
Number of Meals Required (Millions)	128.00
Cost per Meal (\$)	2.52
MS School For Math & Science	
Students Enrolled (Persons)	270
Cost per Student (\$)	20,000.00
Educational Accountability	
Performance Accreditation	
Visits (Visits)	30



156	Tests Administered (Persons)	850,000
157	Compliance & Performance Reviews (Actions)	40
158	Educ Training & Development	
159	Administrators Trained (Persons)	1,100
160	Administrators Trained (%)	40.00
161	Technical Assistance to School Districts (%)	95.00
162	Compensatory Education	
163	Title I Projects Awarded (Programs)	152
164	Average Expenditure per Child (\$)	463.28
165	Review & Approve Delinquent	
166	Programs (Programs)	4
167	Community & Outreach Services	
168	Requested Available Federal Funding (%)	100.00
169	MS School Attendance Officers	
170	Resolutions to Referrals (%)	98.00
171	School Visits (Number of)	21,000
172	MS Teacher Center	
173	Teachers Recruited in Shortage	
174	Areas (Number of)	2,250

175 A reporting of the degree to which the performance targets  
176 set above have been or are being achieved shall be provided in the  
177 agency's budget request submitted to the Joint Legislative Budget  
178 Committee for Fiscal Year 2013.

179 **SECTION 7.** In compliance with the "Mississippi Performance  
180 Budget and Strategic Planning Act of 1994," it is the intent of  
181 the Legislature that the funds provided in this act shall be  
182 utilized in the most efficient and effective manner possible to  
183 achieve the intended mission of the Mississippi Adequate Education  
184 Program. Based on the funding authorized, this agency shall make  
185 every effort to attain the targeted performance measures provided  
186 below:

187 FY2012



<u>Performance Measures</u>	<u>Target</u>
Basic Program	
Percentage of students scoring basic & above on the MS Curriculum Test in grades 2-8 in reading, language & math (%)	86.60
Percentage of students achieving the passing score on the History test (%)	94.30
Percentage of students achieving the passing score on the Biology test (%)	87.00
Percentage of students achieving the passing score on the Algebra test (%)	76.00
Provide 100% Funding of the Base Student Cost (%)	100.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2013.

**SECTION 8.** Of the funds appropriated in Section 2, Two Million Twenty-six Thousand Four Hundred Thirty-eight Dollars (\$2,026,438.00) shall be derived from the School Ad Valorem Reduction Fund.

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

**SECTION 9.** Of the funds appropriated in Section 2, Two Million One Hundred Thousand Dollars (\$2,100,000.00) shall be derived from the Technology in Classroom Fund 3203 for the purpose



220 of defraying the expenses of the State Department of Education,  
221 excluding the expenses of the Vocational and Technical Education  
222 Division.

223       **SECTION 10.** Of the funds appropriated in Section 2, funds in  
224 the amount of One Million Dollars (\$1,000,000.00) shall come from  
225 income derived from the principal of the Education Improvement  
226 Trust Fund created by Section 206A, Mississippi Constitution of  
227 1890, and One Million Dollars (\$1,000,000.00) shall be used for  
228 the School for Math and Science.

229       **SECTION 11.** Of the funds appropriated under the provisions  
230 of this act, the following positions are authorized for the  
231 Vocational and Technical Education Division of the State  
232 Department of Education:

233       AUTHORIZED POSITIONS:

234	Permanent:	Full Time.....	59
235		Part Time.....	0
236	Time-Limited:	Full Time.....	3
237		Part Time.....	0

238       With the funds herein appropriated, it is the intention of  
239 the Legislature that it shall be the agency's responsibility to  
240 make certain that funds required to be appropriated for "Personal  
241 Services" for Fiscal Year 2013 do not exceed Fiscal Year 2012  
242 funds appropriated for that purpose, unless programs or positions  
243 are added to the agency's Fiscal Year 2012 budget by the  
244 Mississippi Legislature. Based on data provided by the  
245 Legislative Budget Office, the State Personnel Board shall  
246 determine and publish the projected annual cost to fully fund all  
247 appropriated positions in compliance with the provisions of this  
248 act. It shall be the responsibility of the agency head to ensure  
249 that no single personnel action increases this projected annual  
250 cost and/or the Fiscal Year 2012 appropriations for "Personal  
251 Services" when annualized, with the exception of escalated funds.





252 If, at the time the agency takes any action to change "Personal  
253 Services," the State Personnel Board determines that the agency  
254 has taken an action which would cause the agency to exceed this  
255 projected annual cost or the Fiscal Year 2012 "Personal Services"  
256 appropriated level, when annualized, then only those actions which  
257 reduce the projected annual cost and/or the appropriation  
258 requirement will be processed by the State Personnel Board until  
259 such time as the requirements of this provision are met.

260 Any transfers or escalations shall be made in accordance with  
261 the terms, conditions and procedures established by law or  
262 allowable under the terms set forth within this act. The State  
263 Personnel Board shall not escalate positions without written  
264 approval from the Department of Finance and Administration. The  
265 Department of Finance and Administration shall not provide written  
266 approval to escalate any funds for salaries and/or positions  
267 without proof of availability of new or additional funds above the  
268 appropriated level.

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

273 **SECTION 12.** In compliance with the "Mississippi Performance  
274 Budget and Strategic Planning Act of 1994," it is the intent of  
275 the Legislature that the funds provided in this act shall be  
276 utilized in the most efficient and effective manner possible to  
277 achieve the intended mission of the Vocational and Technical  
278 Education Division of the State Department of Education. Based on  
279 the funding authorized, this agency shall make every effort to  
280 attain the targeted performance measures provided below:

281		FY2012
282	<u>Performance Measures</u>	<u>Target</u>
283	Secondary Programs	



284	Increase in Students Served (%)	1.00
285	LEAs Served (Sites)	144
286	Post-secondary Programs	
287	Short-term Students Served (Persons)	2,800
288	Short-term Adult Program Classes (Classes)	225
289	Short-term Cost per Student (\$)	65.00

290 A reporting of the degree to which the performance targets  
291 set above have been or are being achieved shall be provided in the  
292 agency's budget request submitted to the Joint Legislative Budget  
293 Committee for Fiscal Year 2013.

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

300 **SECTION 14.** It is the intention of the Legislature that the  
301 Vocational and Technical Education Division of the State  
302 Department of Education shall, with the funds appropriated in  
303 Section 1, transfer no more than One Hundred Thousand Dollars  
304 (\$100,000.00) to the Mississippi Soil and Water Conservation  
305 Commission for the purpose of providing matching funds to purchase  
306 soil conservation equipment.

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

311 **SECTION 16.** Of the funds provided in Section 1 for the  
312 purpose of providing financial assistance for the education of  
313 exceptional children as determined under Section 37-23-63,  
314 Mississippi Code of 1972, children who are certified by the  
315 designated authority as requiring inpatient care in a private



316 intermediate care facility for the mentally retarded or  
317 psychiatric residential treatment facility, with Medicaid  
318 reimbursement, shall be eligible and entitled to receive state  
319 financial assistance under the provisions of Section 37-23-69,  
320 Mississippi Code of 1972, in an amount not to exceed Ten Thousand  
321 Dollars (\$10,000.00) from state funds, per child per year as state  
322 funds area available. The State Department of Education shall  
323 submit a report to the Legislature with the projected cost per  
324 child and the total cost of the program no later than January 30,  
325 2012.

326       **SECTION 17.** It is the intention of the Legislature that the  
327 State Department of Education shall have the authority to accept,  
328 budget and expend any source funds not to exceed Thirty Million  
329 Dollars (\$30,000,000.00), that become available to the department  
330 to carry out the provisions of those funds in a manner consistent  
331 with the rules and regulations of the Department of Finance and  
332 Administration.

333       **SECTION 18.** The State Department of Education shall transfer  
334 the designated amounts to the appropriate entities, which shall  
335 assume full responsibility for the expenditure of these funds in  
336 accordance with state laws and accept all responsibility for any  
337 improper expenditure, for the following: World Class Teacher  
338 Centers, Children's Center for Communications and Development,  
339 Soil and Water Conservation Commission, Mississippi Eye Screening  
340 Program-Vision Research Corporation, Arts Institute, Jobs for  
341 Mississippi Graduates, Mississippi Symphony, and Mississippi  
342 Council for Economic Education.

343       **SECTION 19.** Of the funds appropriated in this act, an amount  
344 not to exceed One Million Three Hundred Thousand Dollars  
345 (\$1,300,000.00) shall be used for technological methods for  
346 agricultural programs, robotic engineering programs and equipment



347 upgrades from the Vocational and Technical Education Division of  
348 the State Department of Education.

349       **SECTION 20.** Of the funds appropriated in Section 1, the sum  
350 of Sixty-two Thousand One Hundred Ninety-one Dollars (\$62,191.00),  
351 which is the aggregate sum that the school districts in the  
352 Chickasaw Cession receive annually from interest payments from the  
353 Chickasaw School Fund under Section 212, Mississippi Constitution  
354 of 1890, shall be deducted from the allocations to the school  
355 districts as provided in Section 29-3-137, Mississippi Code of  
356 1972, and shall be distributed among the school districts in the  
357 Chickasaw Cession by the State Department of Education in the  
358 manner that those interest payments were distributed during Fiscal  
359 Year 1985.

360       **SECTION 21.** Of the funds provided in this act for the  
361 purpose of funding the Mississippi Adequate Education Program as  
362 determined under Section 37-151-7, Mississippi Code of 1972, the  
363 base student cost in Fiscal Year 2012 shall be Four Thousand Nine  
364 Hundred Thirty-five Dollars and Ninety-one Cents (\$4,935.91).

365       **SECTION 22.** Of the funds appropriated in this act, an amount  
366 not more than Fifty Million Dollars (\$50,000,000.00) shall be  
367 derived from the Interim School District Capital Expenditure Fund  
368 for the benefit of the school districts as authorized in Section  
369 37-151-7(5), Mississippi Code of 1972.

370       **SECTION 23.** Of the funds appropriated under the provisions  
371 of this act, the following positions are authorized for the  
372 Mississippi School for the Blind and the Mississippi School for  
373 the Deaf:

374       AUTHORIZED POSITIONS:

375	Permanent:	Full Time.....	180
376		Part Time.....	25
377	Time-Limited:	Full Time.....	1
378		Part Time.....	0



379           With the funds herein appropriated, it is the intention of  
380 the Legislature that it shall be the agency's responsibility to  
381 make certain that funds required to be appropriated for "Personal  
382 Services" for Fiscal Year 2013 do not exceed Fiscal Year 2012  
383 funds appropriated for that purpose, unless programs or positions  
384 are added to the agency's Fiscal Year 2012 budget by the  
385 Mississippi Legislature. Based on data provided by the  
386 Legislative Budget Office, the State Personnel Board shall  
387 determine and publish the projected annual cost to fully fund all  
388 appropriated positions in compliance with the provisions of this  
389 act. It shall be the responsibility of the agency head to ensure  
390 that no single personnel action increases this projected annual  
391 cost and/or the Fiscal Year 2012 appropriations for "Personal  
392 Services" when annualized, with the exception of escalated funds.  
393 If, at the time the agency takes any action to change "Personal  
394 Services," the State Personnel Board determines that the agency  
395 has taken an action which would cause the agency to exceed this  
396 projected annual cost or the Fiscal Year 2012 "Personal Services"  
397 appropriated level, when annualized, then only those actions which  
398 reduce the projected annual cost and/or the appropriation  
399 requirement will be processed by the State Personnel Board until  
400 such time as the requirements of this provision are met.

401           Any transfers or escalations shall be made in accordance with  
402 the terms, conditions and procedures established by law or  
403 allowable under the terms set forth within this act. The State  
404 Personnel Board shall not escalate positions without written  
405 approval from the Department of Finance and Administration. The  
406 Department of Finance and Administration shall not provide written  
407 approval to escalate any funds for salaries and/or positions  
408 without proof of availability of new or additional funds above the  
409 appropriated level.



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

414 **SECTION 24.** With the funds provided in this act, it is the  
415 intention of the Legislature that School Attendance Officers and  
416 academic teachers at the Mississippi School for the Deaf and the  
417 Mississippi School for the Blind shall receive their annual  
418 increment.

419 **SECTION 25.** It is the intention of the Legislature that the  
420 State Board of Education shall maintain complete accounting and  
421 personnel records related to the expenditure of all funds  
422 appropriated in this act and that those records shall be in the  
423 same format and level of details as maintained for Fiscal Year  
424 2011. It is further the intention of the Legislature that the  
425 budget requests for Fiscal Year 2013 shall be submitted to the  
426 Joint Legislative Budget Committee in a format and level of detail  
427 comparable to the format and level of detail provided during the  
428 Fiscal Year 2012 budget request process for each agency and  
429 institution appropriated funds within the provisions of this act.

430 **SECTION 26.** Of the funds appropriated in Section 1 and as  
431 reappropriated in Section 46 to the State Board of Education, not  
432 less than Twenty-four Million Four Hundred Fifty Thousand Dollars  
433 (\$24,450,000.00) shall be used for National Board Certification.

434 **SECTION 27.** Of the funds appropriated in Section 1, not less  
435 than Ten Million Dollars (\$10,000,000.00) shall be used for the  
436 Educable Child Program.

437 **SECTION 28.** The public school districts of the state are  
438 authorized at their discretion to pay with local funds one hundred  
439 percent (100%) of the cost of the health insurance premiums of the  
440 State and School Employees Health Insurance Plan for all retired  
441 members of the Public Employees' Retirement System who are



442 employed as school bus drivers by the school districts. It is the  
443 intention of the Legislature that no state funds shall be used for  
444 this purpose.

445 **SECTION 29.** Of the funds appropriated for Fiscal Year 2012  
446 for the Educable Child Program, the Mississippi Department of  
447 Education is authorized to pay the remaining balance up to Two  
448 Million Dollars (\$2,000,000.00) for Fiscal Year 2011 claims.

449 **SECTION 30.** Of the funds appropriated for Orthopedic and  
450 Aphasic, Three Hundred Twenty-five Thousand Dollars (\$325,000.00)  
451 shall be for the Dubard School at the University of Southern  
452 Mississippi.

453 **SECTION 31.** It is the intention of the Legislature that  
454 whenever two (2) or more bids are received by this agency for the  
455 purchase of commodities or equipment, and whenever all things  
456 stated in those received bids are equal with respect to price,  
457 quality and service, the Mississippi Industries for the Blind  
458 shall be given preference. A similar preference shall be given to  
459 the Mississippi Industries for the Blind whenever purchases are  
460 made without competitive bids.

461 **SECTION 32.** Of the funds appropriated in Section 1, not less  
462 than Five Million Nine Hundred Ninety Thousand Dollars  
463 (\$5,990,000.00) shall be used for the Compulsory School Attendance  
464 Office and School Attendance Officers.

465 **SECTION 33.** Of the funds appropriated in Section 1(a), Three  
466 Hundred Twenty-five Thousand Dollars (\$325,000.00) is provided for  
467 the Magnolia Speech School.

468 **SECTION 34.** Of the funds appropriated in Section 1, it is  
469 the intention of the Legislature that Three Hundred Thousand  
470 Dollars (\$300,000.00) shall be used for professional development  
471 for dyslexia and other related disorders.

472 **SECTION 35.** Of the funds appropriated in this act, it is the  
473 intention of the Legislature that Three Million Six Hundred



474 Thousand Dollars (\$3,600,000.00) shall be used for the Mary  
475 Kirkpatrick-Mary Sprayberry Public School Nurse Program. The  
476 amount of Three Million Six Hundred Thousand Dollars  
477 (\$3,600,000.00) shall be transferred from the Department of  
478 Health.

479 **SECTION 36.** The State Department of Education shall contract  
480 with a Certified Public Accountant to calculate components of the  
481 Mississippi Adequate Education Program to include the base student  
482 cost, school district allocations, total program cost, add-on  
483 programs, and any other required components of Section 37-151-7,  
484 Mississippi Code of 1972. The contractor shall be responsible for  
485 calculating the estimates of these components due to the  
486 Legislative Budget Office and the Governor by August 1 and the  
487 final estimates due to the Legislative Budget Office and the  
488 Governor no later than January 2. A report detailing the funding  
489 of this contract shall be submitted by the State Department of  
490 Education to the Legislature no later than January 30, 2012.

491 **SECTION 37.** Any school district receiving funds for the Save  
492 the Children Program, Learning Through Sports/Kids College shall  
493 provide a thirty percent (30%) match from local funds for  
494 implementation of the program.

495 **SECTION 38.** Of the funds appropriated in this act, it is the  
496 intention of the Legislature that Twenty Million Dollars  
497 (\$20,000,000.00) from the Public School Building Fund shall be  
498 used for the Mississippi Adequate Education Program.

499 **SECTION 39.** It is the intention of the Legislature that the  
500 State Board of Education shall charge a fee for room and board for  
501 students who enroll in the Mississippi School for Mathematics and  
502 Science and the Mississippi School of Arts. Such fees will be  
503 waived for any student enrolled in the State Children's Health  
504 Insurance Program. The amount of such fees shall be Five Hundred  
505 Dollars (\$500.00) for each semester.





506           **SECTION 40.** It is the intent of the Legislature that each  
507 eligible employee who meets the National Board requirements under  
508 Section 37-19-7(2), Mississippi Code of 1972, shall be paid the  
509 full supplement and that such supplement shall be included on a  
510 prorated basis in the employee's monthly paycheck.

511           **SECTION 41.** It is the intention of the Legislature that the  
512 agency shall compile cell phone usage records of any cellular  
513 phone (wireless communication device) that is assigned, issued or  
514 made available to any officer or employee in accordance with  
515 Section 25-53-191, Mississippi Code of 1972, and these records  
516 shall be made publicly available at the expense of the agency.

517           **SECTION 42.** It is legislative intent to ensure beneficial  
518 information reaches as many Mississippians as possible. Further,  
519 it is legislative intent that the expenditure of public funds for  
520 this purpose be accomplished in an efficient and effective manner.

521           Therefore, state agencies as standard procedure will observe  
522 the following criteria:

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

524                   (b) Evaluate effectiveness through respected  
525 advertising standards, including market reach and cost  
526 effectiveness.

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

529                   (d) Itemize and justify professional assistance and  
530 related expenses for creative and production costs outside of the  
531 actual media expenditures.

532                   (e) Utilize Mississippi-owned media companies when  
533 feasible.

534           **SECTION 43.** No former employee who is receiving State of  
535 Mississippi retirement benefits shall be hired under contract for  
536 an amount exceeding Twenty Thousand Dollars (\$20,000.00) a year  
537 without prior approval by an agency's proper governing board or



538 authority. Upon approval of such contracts, a written report  
539 shall be submitted detailing the cost and need of such contract  
540 services to the Chairmen and members of the Senate and House  
541 Appropriations Committees.

542 **SECTION 44.** It is the intention of the Legislature that the  
543 Mississippi Department of Education may loan any general or  
544 special source fund amount, not to exceed One Million Dollars  
545 (\$1,000,000.00), to any school district for the purpose of  
546 providing funds to school districts through the Emergency  
547 Assistance Fund as outlined in Section 37-17-6, Mississippi Code  
548 of 1972, during the period beginning July 1, 2011, and ending  
549 June 30, 2012. The school districts receiving these loans shall  
550 repay the Mississippi Department of Education the amount of the  
551 loan on or before June 30, 2012.

552 **SECTION 45.** The following sum, or so much thereof as may be  
553 necessary, is hereby reappropriated out of any money in the State  
554 General Fund not otherwise appropriated, for the State Board of  
555 Education for the purpose of reauthorizing the expenditure of  
556 State General Funds, as authorized in House Bill No. 1622, Regular  
557 Session of 2010, for the fiscal year beginning July 1, 2011, and  
558 ending June 30, 2012 .....\$2,000,000.00.

559 Notwithstanding the amount reappropriated under the  
560 provisions of this section, in no event shall the amount expended  
561 exceed the unexpended balance of June 30, 2011.

562 **SECTION 46.** The following sum, or so much thereof as may be  
563 necessary, is hereby reappropriated out of any money in the State  
564 General Fund not otherwise appropriated for the State Board of  
565 Education for the purpose of reauthorizing the expenditure of  
566 State General Funds , as authorized in House Bill 1622, Regular  
567 Session of 2010, to provide additional funding for the National  
568 Board Certification for fiscal year beginning July 1, 2011, and  
569 ending June 30, 2012.....



570 .....\$2,500,000.00.

571 Notwithstanding the amount reappropriated under the  
572 provisions of this section, in no event shall the amount expended  
573 exceed the unexpended balance of June 30, 2011.

574 **SECTION 47.** Of the funds appropriated in Section 1(a), Seven  
575 Hundred Thousand Dollars (\$700,000.00) shall be transferred to the  
576 Board of Health no later than December 31, 2011.

577 **SECTION 48.** The Mississippi Department of Education shall  
578 provide information to the Joint Legislative Committee on  
579 Performance Evaluation and Expenditure Review (PEER) regarding the  
580 total number of employees in the school nutrition program employed  
581 through the local school districts that are not currently  
582 receiving state-funded health care. PEER will then compile a  
583 report that includes:

584 a) the cost of providing health insurance with state funds  
585 to the school nutrition employees identified above if funding were  
586 to be provided at 100% and then if funding were to be provided in  
587 increments and spread out over a ten year period to reach 100%;

588 b) compare how other contiguous states are paying for these  
589 employees;

590 c) compile the total cost in federal dollars now being used  
591 to supplement and/or pay for health care currently;

592 c) identify solutions; and

593 d) this report shall be submitted to the chairmen of the  
594 House and Senate Education Committees and the House and Senate  
595 Appropriation Committees on or before November 1, 2011.

596 **SECTION 49.** The money appropriated in this act shall be paid  
597 by the State Treasurer out of any money in the proper fund or  
598 funds as set forth in this act, upon warrants issued by the State  
599 Fiscal Officer; and the State Fiscal Officer shall issue his  
600 warrants upon requisitions signed by the proper person, officer or  
601 officers in the manner provided by law.



602           **SECTION 50.** This act shall take effect and be in force from  
603 and after July 1, 2011.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

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 2012.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

X (SIGNED)  
Stringer

X (SIGNED)  
Davis

X (SIGNED)  
Brown

X (SIGNED)  
Carmichael

X (SIGNED)  
Straughter

X (SIGNED)  
Turner

