

By: Representatives Frierson, Moore, Rogers
(14th), Barker, Buck (5th), Clarke, Coleman
(29th), Jennings, Turner, Warren

To: Appropriations

HOUSE BILL NO. 1648
(As Sent to Governor)

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 2014.

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, 2013, and ending June 30, 2014,
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.....\$ 110,780,256.00.

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\$ 73,025,492.00.

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.....\$ 16,608,052.00.

26 (d) To the State Board of Education for defraying the
27 expenses of the Mississippi Adequate Education Program.....
28\$ 1,852,648,361.00.

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.....\$ 10,389,307.00.

32 TOTAL AMOUNT OF STATE GENERAL FUNDS APPROPRIATED

33 BY THIS SECTION BEING.....\$ 2,063,451,468.00.

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, 2013, and ending
39 June 30, 2014, 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.....\$ 860,069,870.00.



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\$ 20,961,711.00.

48 (c) To the State Board of Education for the purpose of
49 defraying the expenses of the Mississippi Adequate Education
50 Program.....\$ 279,894,704.00.

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.....\$ 1,177,418.00.

54 TOTAL AMOUNT OF SPECIAL FUNDS APPROPRIATED
55 BY THIS SECTION BEING.....\$ 1,162,103,703.00.

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	General Education.....	\$	6,686,137.00.
73	Literacy Initiative and Assessment.....	\$	2,733,806.00.
74	Grants to school districts for capital 75 facilities and buses.....	\$	16,000,000.00.
76	Instructional materials.....	\$	10,000,000.00.
77	Implementing Performance Based Data 78 Collection and Accreditation 79 Model.....	\$	274,937.00.
80	Testing.....	\$	2,545,451.00.
81	Common Core/Literacy.....	\$	94,082.00.
82	TOTAL.....	\$	38,334,413.00.

83 (b) To the State Department of Education to defray the
84 expenses of the Vocational and Technical Education Division.....
85\$ 4,300,000.00.

86 (c) To the State Department of Education to provide
87 funding for the Mississippi Adequate Education Program.....
88\$ 209,894,704.00.

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

93 AUTHORIZED POSITIONS:



94	Permanent:	Full Time.....	396
95		Part Time.....	3
96	Time-Limited:	Full Time.....	100
97		Part Time.....	0

98 With the funds herein appropriated, it is the intention of
99 the Legislature that it shall be the agency's responsibility to
100 make certain that funds required to be appropriated for "Personal
101 Services" for Fiscal Year 2015 do not exceed Fiscal Year 2014
102 funds appropriated for that purpose, unless programs or positions
103 are added to the agency's Fiscal Year 2014 budget by the
104 Mississippi Legislature. Based on data provided by the
105 Legislative Budget Office, the State Personnel Board shall
106 determine and publish the projected annual cost to fully fund all
107 appropriated positions in compliance with the provisions of this
108 act. It shall be the responsibility of the agency head to ensure
109 that no single personnel action increases this projected annual
110 cost and/or the Fiscal Year 2014 appropriations for "Personal
111 Services" when annualized, with the exception of escalated funds.
112 If, at the time the agency takes any action to change "Personal
113 Services," the State Personnel Board determines that the agency
114 has taken an action which would cause the agency to exceed this
115 projected annual cost or the Fiscal Year 2014 "Personal Services"
116 appropriated level, when annualized, then only those actions which
117 reduce the projected annual cost and/or the appropriation



118 requirement will be processed by the State Personnel Board until
119 such time as the requirements of this provision are met.

120 Unless otherwise authorized in this act, no state agency
121 shall take any action to promote or otherwise award salary
122 increases through reallocation, reclassification, realignment,
123 educational benchmark, career ladder, equity salary adjustment, or
124 any other means to increase salaries of employees or positions
125 unless specifically exempted by the following conditions: the
126 award of teacher salary increments; the advancement of a
127 trainee/cadet to the next level of a bona fide career ladder; the
128 award of an educational benchmark for the attainment of a
129 Certified Public Accountant License or higher level professional
130 certification; the immediate replacement of a departing employee
131 with an employee from within state service at a salary level of
132 the departing employee or the FY2014 promotional formula,
133 whichever is less; the emergency appointment of nurses,
134 pharmacists or other health care and child protection
135 professionals at a salary to be determined by the State Personnel
136 Board or any other requested action of the agency that has been
137 specifically authorized by the Legislature.

138 Any transfers or escalations shall be made in accordance with
139 the terms, conditions and procedures established by law or
140 allowable under the terms set forth within this act. The State
141 Personnel Board shall not escalate positions without written
142 approval from the Department of Finance and Administration. The



143 Department of Finance and Administration shall not provide written
144 approval to escalate any funds for salaries and/or positions
145 without proof of availability of new or additional funds above the
146 appropriated level.

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

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

	FY2014
<u>Performance Measures</u>	<u>Target</u>
Special Education	
Placement of Students with Disabilities in a General Education Setting as their Least Restrictive Environment (LRE) (%)	
2011-2012 Baseline: 66.2%	66.20
Students with Disabilities Enrolled in Higher	



168	Education; other Postsecondary Education	
169	or Training Program; or Employed within	
170	One Year of Leaving High School (%)	
171	2011-2012 Baseline: 78.0%	84.00
172	Child Nutrition	
173	Nutritious Meals Served in Compliance with	
174	USDA and State Board of Education	
175	Policies (%)	
176	Baseline: 100%	100.00
177	Special Projects	
178	Increase Number of Students Receiving	
179	Scholarships (School of the Arts) (%)	
180	2011-2012 Baseline: 70% of 61 Students	1.00
181	MS School For Math & Science	
182	Increase Student Enrollment (%)	
183	2011-2012 Baseline: 226	3.00
184	Educational Accountability	
185	Accreditation Evaluation for Public and	
186	Nonpublic Schools (evaluations)	
187	2011-2012 Baseline: 40 Evaluations	40
188	Students Graduating from High School	
189	(85% by 2018-2019 MS CODE 37-13-80)	
190	Increase Graduation Rate (%)	
191	2011-2012 Baseline: 73.4%	2.00
192	Decrease Dropout Rate (%)	



193	2011-2012 Baseline: 16.7%	1.00
194	Reduce Number of Schools Earning "D" or	
195	"F" Rating on the State Accountability	
196	System (%)	
197	2011-2012 Baseline: 35.0%	3.00
198	School Districts in Compliance with State	
199	Testing Regulations (%)	
200	2011-2012 Baseline: 88.0%	95.00
201	Educ Training & Development	
202	Relevant Technical Assistance Provided to	
203	School Districts on Curriculum and	
204	Instruction (%)	
205	2012-2013 Baseline: 83.0%	85.00
206	Relevant Training and Technical Assistance	
207	to District Test Coordinators (%)	
208	2011-2012 Baseline: 80%	85.00
209	Compensatory Education	
210	School Districts in Compliance with Titles	
211	(I, II, III, IV, VI, and X) (%)	
212	2011-2012 Baseline: 85.0%	95.00
213	Educational Technology	
214	Increase Minimum District Capacity to	
215	Administer On-line Assessments (%)	
216	2011-2012 Baseline: Approximately 50%	10.00
217	MS School Attendance Officers	



218 Resolutions of Referrals for Non-Attendance
219 Submitted by Local School Districts (%)
220 Baseline: 98.0% 98.00
221 School Visits by Attendance Officers
222 (number of visits per school)
223 2011-2012 Baseline: 20,000 Total Annual
224 Visits 9
225 MS Teacher Center
226 Increase Cohort of New Teachers Retained
227 After Five Years (%)
228 2011-2012 Baseline: 60% 1.00
229 Educator Referrals to Critical Shortage Areas
230 (CSAs) (number of)
231 2011-2012 Baseline: 450 500
232 Reduce Violations of Mississippi Code of
233 Ethics (%)
234 2012-2013 Baseline: 20 5.00
235 A reporting of the degree to which the performance targets
236 set above have been or are being achieved shall be provided in the
237 agency's budget request submitted to the Joint Legislative Budget
238 Committee for Fiscal Year 2015.

239 **SECTION 7.** In compliance with the "Mississippi Performance
240 Budget and Strategic Planning Act of 1994," it is the intent of
241 the Legislature that the funds provided in this act shall be
242 utilized in the most efficient and effective manner possible to



243 achieve the intended mission of the Mississippi Adequate Education
244 Program. Based on the funding authorized, this agency shall make
245 every effort to attain the targeted performance measures provided
246 below:

247		FY2014
248	<u>Performance Measures</u>	<u>Target</u>
249	Basic Program	
250	Increase Students Passing Algebra I Subject	
251	Area Test (SAPT2) (%)	
252	2011-2012 Baseline: 81.9%	1.00
253	Increase Students Passing Biology I Subject	
254	Area Test (SATP2) (%)	
255	2011-2012 Baseline: 74.7%	2.00
256	Increase Students Passing English II Subject	
257	Area Test (SATP2) (%)	
258	2011-2012 Baseline: 73.1%	2.00
259	Increase Students Passing US History Subject	
260	Area Test (SAPT2) (%)	
261	2011-2012 Baseline: 72.9%	2.00
262	Increase Students Scoring Proficient or Above	
263	on Mississippi Curriculum Test (MCT2) in	
264	Grades 3-8 in Reading/Language Arts (%)	
265	2011-2012 Baseline: 56.5%	2.50
266	Increase Students Scoring Proficient or Above	
267	on Mississippi Curriculum Test (MCT2) in	



268 Grades 3-8 in Math (%)
269 2011-2012 Baseline: 63.5% 2.50

270 A reporting of the degree to which the performance targets
271 set above have been or are being achieved shall be provided in the
272 agency's budget request submitted to the Joint Legislative Budget
273 Committee for Fiscal Year 2015.

274 **SECTION 8.** In compliance with the "Mississippi Performance
275 Budget and Strategic Planning Act of 1994," it is the intent of
276 the Legislature that the funds provided in this act shall be
277 utilized in the most efficient and effective manner possible to
278 achieve the intended mission of the School for the Blind and Deaf
279 of the State Department of Education. Based on the funding
280 authorized, this agency shall make every effort to attain the
281 targeted performance measures provided below:

282		FY2014
283	<u>Performance Measures</u>	<u>Target</u>
284	Instruction	

285	School for the Blind- Increase Graduation	
286	Rate for Visually Impaired Students (%)	
287	2011-2012 Baseline: 50%	5.00

288	School for the Deaf- Increase Number of	
289	Students Receiving Standard and	
290	Occupational Diploma (%)	
291	2011-2012 Baseline: 75%	1.00

292 Student Services



293 School for the Blind- Increase Eligible High
294 School Students Working Part-time (%)
295 2011-2012 Baseline: 34% 5.00

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

304 **SECTION 10.** Of the funds appropriated in Section 2, Two
305 Million One Hundred Thousand Dollars (\$2,100,000.00) shall be
306 derived from the Technology in Classroom Fund 3203 for the purpose
307 of defraying the expenses of the State Department of Education,
308 excluding the expenses of the Vocational and Technical Education
309 Division.

310 **SECTION 11.** Of the funds appropriated in Section 2, funds in
311 the amount of One Million Dollars (\$1,000,000.00) shall come from
312 income derived from the principal of the Education Improvement
313 Trust Fund created by Section 206A, Mississippi Constitution of
314 1890, and One Million Dollars (\$1,000,000.00) shall be used for
315 the School for Math and Science.

316 **SECTION 12.** Of the funds appropriated under the provisions
317 of this act, the following positions are authorized for the



318 Vocational and Technical Education Division of the State

319 Department of Education:

320 AUTHORIZED POSITIONS:

321	Permanent:	Full Time.....	52
322		Part Time.....	0
323	Time-Limited:	Full Time.....	3
324		Part Time.....	0

325 With the funds herein appropriated, it is the intention of
326 the Legislature that it shall be the agency's responsibility to
327 make certain that funds required to be appropriated for "Personal
328 Services" for Fiscal Year 2015 do not exceed Fiscal Year 2014
329 funds appropriated for that purpose, unless programs or positions
330 are added to the agency's Fiscal Year 2014 budget by the
331 Mississippi Legislature. Based on data provided by the
332 Legislative Budget Office, the State Personnel Board shall
333 determine and publish the projected annual cost to fully fund all
334 appropriated positions in compliance with the provisions of this
335 act. It shall be the responsibility of the agency head to ensure
336 that no single personnel action increases this projected annual
337 cost and/or the Fiscal Year 2014 appropriations for "Personal
338 Services" when annualized, with the exception of escalated funds.
339 If, at the time the agency takes any action to change "Personal
340 Services," the State Personnel Board determines that the agency
341 has taken an action which would cause the agency to exceed this
342 projected annual cost or the Fiscal Year 2014 "Personal Services"



343 appropriated level, when annualized, then only those actions which
344 reduce the projected annual cost and/or the appropriation
345 requirement will be processed by the State Personnel Board until
346 such time as the requirements of this provision are met.

347 Unless otherwise authorized in this act, no state agency
348 shall take any action to promote or otherwise award salary
349 increases through reallocation, reclassification, realignment,
350 educational benchmark, career ladder, equity salary adjustment, or
351 any other means to increase salaries of employees or positions
352 unless specifically exempted by the following conditions: the
353 award of teacher salary increments; the advancement of a
354 trainee/cadet to the next level of a bona fide career ladder; the
355 award of an educational benchmark for the attainment of a
356 Certified Public Accountant License or higher level professional
357 certification; the immediate replacement of a departing employee
358 with an employee from within state service at a salary level of
359 the departing employee or the FY2014 promotional formula,
360 whichever is less; the emergency appointment of nurses,
361 pharmacists or other health care and child protection
362 professionals at a salary to be determined by the State Personnel
363 Board or any other requested action of the agency that has been
364 specifically authorized by the Legislature.

365 Any transfers or escalations shall be made in accordance with
366 the terms, conditions and procedures established by law or
367 allowable under the terms set forth within this act. The State



368 Personnel Board shall not escalate positions without written
369 approval from the Department of Finance and Administration. The
370 Department of Finance and Administration shall not provide written
371 approval to escalate any funds for salaries and/or positions
372 without proof of availability of new or additional funds above the
373 appropriated level.

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

378 **SECTION 13.** In compliance with the "Mississippi Performance
379 Budget and Strategic Planning Act of 1994," it is the intent of
380 the Legislature that the funds provided in this act shall be
381 utilized in the most efficient and effective manner possible to
382 achieve the intended mission of the Vocational and Technical
383 Education Division of the State Department of Education. Based on
384 the funding authorized, this agency shall make every effort to
385 attain the targeted performance measures provided below:

	FY2014
<u>Performance Measures</u>	<u>Target</u>
388 Secondary Programs	
389 Increase Career and Technical Education	
390 (CTE) Student Completers' Placement	
391 Rate (%)	
392 2011-2012 Baseline: 89.0%	5.00



393 Increase Students Served in CTE (%)

394 2011-2012 Baseline: 2,785 1.00

395 A reporting of the degree to which the performance targets
396 set above have been or are being achieved shall be provided in the
397 agency's budget request submitted to the Joint Legislative Budget
398 Committee for Fiscal Year 2015.

399 **SECTION 14.** Of the funds appropriated in this act, an amount
400 not to exceed Two Hundred Twenty-nine Thousand Six Hundred
401 Eighty-four Dollars (\$229,684.00) is authorized for the support of
402 vocational and technical education programs as authorized in
403 Section 37-31-13, Mississippi Code of 1972, for a period in excess
404 of ten (10) months in a calendar year.

405 **SECTION 15.** It is the intention of the Legislature that the
406 Vocational and Technical Education Division of the State
407 Department of Education shall, with the funds appropriated in
408 Section 1, transfer no more than One Hundred Thousand Dollars
409 (\$100,000.00) to the Mississippi Soil and Water Conservation
410 Commission for the purpose of providing matching funds to purchase
411 soil conservation equipment.

412 **SECTION 16.** Of the funds appropriated in this act, no more
413 than One Hundred Seventy-five Thousand Dollars (\$175,000.00) is
414 provided for the purpose of supporting the Future Farmers of
415 America Center.

416 **SECTION 17.** It is the intention of the Legislature that the
417 State Department of Education shall have the authority to accept,



418 budget and expend any source funds not to exceed Thirty Million
419 Dollars (\$30,000,000.00), that become available to the department
420 to carry out the provisions of those funds in a manner consistent
421 with the rules and regulations of the Department of Finance and
422 Administration.

423 **SECTION 18.** The State Department of Education shall transfer
424 the designated amounts to the appropriate entities, which shall
425 assume full responsibility for the expenditure of these funds in
426 accordance with state laws and accept all responsibility for any
427 improper expenditure, for the following: World Class Teacher
428 Centers, Children's Center for Communications and Development,
429 Soil and Water Conservation Commission, Mississippi Eye Screening
430 Program-Vision Research Corporation, Magnolia Speech School,
431 Dubard School, Sight Savers, Very Special Arts, Mississippi
432 Symphony, Mississippi Autism Center, Save the Children and Teach
433 for America.

434 **SECTION 19.** Of the funds appropriated in this act, an amount
435 not to exceed One Million Eight Hundred Thousand Dollars
436 (\$1,800,000.00) shall be used for technological methods for
437 agricultural programs, robotic engineering programs and equipment
438 upgrades from the Vocational and Technical Education Division of
439 the State Department of Education.

440 **SECTION 20.** Of the funds appropriated in Section 1, the sum
441 of Sixty-two Thousand One Hundred Ninety-one Dollars (\$62,191.00),
442 which is the aggregate sum that the school districts in the



443 Chickasaw Cession receive annually from interest payments from the
444 Chickasaw School Fund under Section 212, Mississippi Constitution
445 of 1890, shall be deducted from the allocations to the school
446 districts as provided in Section 29-3-137, Mississippi Code of
447 1972, and shall be distributed among the school districts in the
448 Chickasaw Cession by the State Department of Education in the
449 manner that those interest payments were distributed during Fiscal
450 Year 1985.

451 **SECTION 21.** Of the funds provided in this act for the
452 purpose of funding the Mississippi Adequate Education Program as
453 determined under Section 37-151-7, Mississippi Code of 1972, the
454 base student cost in Fiscal Year 2014 shall be Five Thousand One
455 Hundred Three Dollars and Ninety-nine Cents (\$5,103.99).

456 **SECTION 22.** Of the funds appropriated in this act, an amount
457 not more than Fifty Million Dollars (\$50,000,000.00) shall be
458 derived from the Interim School District Capital Expenditure Fund
459 for the benefit of the school districts as authorized in Section
460 37-151-7(5), Mississippi Code of 1972.

461 **SECTION 23.** Of the funds appropriated under the provisions
462 of this act, the following positions are authorized for the
463 Mississippi School for the Blind and the Mississippi School for
464 the Deaf:

465 AUTHORIZED POSITIONS:

466 Permanent:	Full Time.....	180
467	Part Time.....	25



468 Time-Limited: Full Time..... 1
469 Part Time..... 0

470 With the funds herein appropriated, it is the intention of
471 the Legislature that it shall be the agency's responsibility to
472 make certain that funds required to be appropriated for "Personal
473 Services" for Fiscal Year 2015 do not exceed Fiscal Year 2014
474 funds appropriated for that purpose, unless programs or positions
475 are added to the agency's Fiscal Year 2014 budget by the
476 Mississippi Legislature. Based on data provided by the
477 Legislative Budget Office, the State Personnel Board shall
478 determine and publish the projected annual cost to fully fund all
479 appropriated positions in compliance with the provisions of this
480 act. It shall be the responsibility of the agency head to ensure
481 that no single personnel action increases this projected annual
482 cost and/or the Fiscal Year 2014 appropriations for "Personal
483 Services" when annualized, with the exception of escalated funds.
484 If, at the time the agency takes any action to change "Personal
485 Services," the State Personnel Board determines that the agency
486 has taken an action which would cause the agency to exceed this
487 projected annual cost or the Fiscal Year 2014 "Personal Services"
488 appropriated level, when annualized, then only those actions which
489 reduce the projected annual cost and/or the appropriation
490 requirement will be processed by the State Personnel Board until
491 such time as the requirements of this provision are met.



492 Unless otherwise authorized in this act, no state agency
493 shall take any action to promote or otherwise award salary
494 increases through reallocation, reclassification, realignment,
495 educational benchmark, career ladder, equity salary adjustment, or
496 any other means to increase salaries of employees or positions
497 unless specifically exempted by the following conditions: the
498 award of teacher salary increments; the advancement of a
499 trainee/cadet to the next level of a bona fide career ladder; the
500 award of an educational benchmark for the attainment of a
501 Certified Public Accountant License or higher level professional
502 certification; the immediate replacement of a departing employee
503 with an employee from within state service at a salary level of
504 the departing employee or the FY2014 promotional formula,
505 whichever is less; the emergency appointment of nurses,
506 pharmacists or other health care and child protection
507 professionals at a salary to be determined by the State Personnel
508 Board or any other requested action of the agency that has been
509 specifically authorized by the Legislature.

510 Any transfers or escalations shall be made in accordance with
511 the terms, conditions and procedures established by law or
512 allowable under the terms set forth within this act. The State
513 Personnel Board shall not escalate positions without written
514 approval from the Department of Finance and Administration. The
515 Department of Finance and Administration shall not provide written
516 approval to escalate any funds for salaries and/or positions



517 without proof of availability of new or additional funds above the
518 appropriated level.

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

523 **SECTION 24.** With the funds provided in this act, it is the
524 intention of the Legislature that School Attendance Officers and
525 academic teachers at the Mississippi School for the Deaf and the
526 Mississippi School for the Blind shall receive their annual
527 increment.

528 **SECTION 25.** It is the intention of the Legislature that the
529 State Board of Education shall maintain complete accounting and
530 personnel records related to the expenditure of all funds
531 appropriated in this act and that those records shall be in the
532 same format and level of details as maintained for Fiscal Year
533 2013. It is further the intention of the Legislature that the
534 budget requests for Fiscal Year 2015 shall be submitted to the
535 Joint Legislative Budget Committee in a format and level of detail
536 comparable to the format and level of detail provided during the
537 Fiscal Year 2014 budget request process for each agency and
538 institution appropriated funds within the provisions of this act.

539 **SECTION 26.** Of the funds appropriated in Section 1 to the
540 State Board of Education, not less than Twenty-two Million Six



541 Hundred Thousand Dollars (\$22,600,000.00) shall be used for
542 National Board Certification.

543 **SECTION 27.** Of the funds appropriated in Section 1 and
544 Section 2 and reappropriated in Section 45, not less than Twelve
545 Million Dollars (\$12,000,000.00) shall be used for the Educable
546 Child Program.

547 **SECTION 28.** The public school districts of the state are
548 authorized at their discretion to pay with local funds one hundred
549 percent (100%) of the cost of the health insurance premiums of the
550 State and School Employees Health Insurance Plan for all retired
551 members of the Public Employees' Retirement System who are
552 employed as school bus drivers by the school districts. It is the
553 intention of the Legislature that no state funds shall be used for
554 this purpose.

555 **SECTION 29.** Of the funds appropriated for Fiscal Year 2013
556 for the Educable Child Program, the Mississippi Department of
557 Education is authorized to pay the remaining balance up to Two
558 Million Dollars (\$2,000,000.00) for Fiscal Year 2013 claims.

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

563 **SECTION 31.** It is the intention of the Legislature that
564 whenever two (2) or more bids are received by this agency for the
565 purchase of commodities or equipment, and whenever all things



566 stated in those received bids are equal with respect to price,
567 quality and service, the Mississippi Industries for the Blind
568 shall be given preference. A similar preference shall be given to
569 the Mississippi Industries for the Blind whenever purchases are
570 made without competitive bids.

571 **SECTION 32.** Of the funds appropriated in Section 1, not less
572 than Five Million One Hundred Ninety-six Thousand Three Hundred
573 Eleven Dollars (\$5,196,311.00) shall be used for the Compulsory
574 School Attendance Office and School Attendance Officers.

575 **SECTION 33.** Of the funds appropriated in Section 1(a), Five
576 Hundred Forty-two Thousand Five Hundred Forty-one Dollars
577 (\$542,541.00) is provided for the Magnolia Speech School.

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

582 **SECTION 35.** Of the funds appropriated in this act, it is the
583 intention of the Legislature that Three Million Six Hundred
584 Thousand Dollars (\$3,600,000.00) shall be used for the Mary
585 Kirkpatrick-Mary Sprayberry Public School Nurse Program. The
586 amount of Three Million Six Hundred Thousand Dollars
587 (\$3,600,000.00) shall be transferred from the Department of
588 Health.

589 **SECTION 36.** The State Department of Education shall contract
590 with a Certified Public Accountant to calculate components of the



591 Mississippi Adequate Education Program to include the base student
592 cost, school district allocations, total program cost, add-on
593 programs, and any other required components of Section 37-151-7,
594 Mississippi Code of 1972. The contractor shall be responsible for
595 calculating the estimates of these components due to the
596 Legislative Budget Office and the Governor by August 1 and the
597 final estimates due to the Legislative Budget Office and the
598 Governor no later than January 2. A report detailing the funding
599 of this contract shall be submitted by the State Department of
600 Education to the Legislature no later than January 30, 2014.

601 **SECTION 37.** Of the funds appropriated in this act, it is the
602 intention of the Legislature that Twenty Million Dollars
603 (\$20,000,000.00) from the Public School Building Fund shall be
604 used for the Mississippi Adequate Education Program.

605 **SECTION 38.** It is the intention of the Legislature that the
606 State Board of Education shall charge a fee for room and board for
607 students who enroll in the Mississippi School for Mathematics and
608 Science and the Mississippi School of Arts. Such fees will be
609 waived for any student enrolled in the State Children's Health
610 Insurance Program. The amount of such fees shall be Five Hundred
611 Dollars (\$500.00) for each semester.

612 **SECTION 39.** It is the intent of the Legislature that each
613 eligible employee who meets the National Board requirements under
614 Section 37-19-7(2), Mississippi Code of 1972, shall be paid the



615 full supplement and that such supplement shall be included on a
616 prorated basis in the employee's monthly paycheck.

617 **SECTION 40.** It is the intention of the Legislature that the
618 Mississippi Department of Education may loan any general or
619 special source fund amount, not to exceed Five Million Dollars
620 (\$5,000,000.00), to any school district for the purpose of
621 providing funds to school districts through the Emergency
622 Assistance Fund as outlined in Section 37-17-6, Mississippi Code
623 of 1972, during the period beginning July 1, 2013, and ending
624 June 30, 2014. The school districts receiving these loans shall
625 repay the Mississippi Department of Education the amount of the
626 loan on or before June 30, 2014.

627 **SECTION 41.** Of the funds appropriated in Section 1(a), Seven
628 Hundred Thousand Dollars (\$700,000.00) shall be transferred to the
629 Board of Health no later than December 31, 2013.

630 **SECTION 42.** Any school district receiving funds through Save
631 the Children and Learning Through Sports/Kids College shall
632 provide a thirty percent (30%) match from local funds for
633 implementation of the program.

634 **SECTION 43.** Of the funds in Section 1, Six Million Dollars
635 (\$6,000,000.00) is provided for Teach for America.

636 **SECTION 44.** Of the funds appropriated under the provisions
637 of Section 2, the following sums, or so much thereof, shall be
638 derived out of any money in the State Treasury to the credit of
639 the Budget Contingency Fund, as created in Section 27-103-301,



640 Mississippi Code of 1972, and allocated in a manner as determined
641 by the Treasurer's Office, as follows:

642 (a) To the State Board of Education for the purpose of
643 defraying the expenses of the State Department of Education, and
644 excluding the expenses of the Vocational and Technical Education
645 Division of the State Department of Education.....\$ 2,500,000.00.

646 (b) To the State Board of Education to defray the expenses
647 of the Vocational and Technical Education Division of the State
648 Department of Education.....\$ 637,258.00.

649 (c) To the State Board of Education for the purpose of
650 defraying the expenses of the Mississippi School for the Blind and
651 the Mississippi School for the Deaf.....\$ 457,037.00.

652 **SECTION 45.** The following sum, or so much thereof as may be
653 necessary, is hereby reappropriated out of any money in the State
654 General Fund not otherwise appropriated, for the State Board of
655 Education for the purpose of reauthorizing the expenditure of
656 State General Funds, as authorized in House Bill No. 1593, Regular
657 Session of 2012, to provide additional funding for the fiscal year
658 beginning July 1, 2013, and ending June 30, 2014.....
659\$ 5,000,000.00.

660 Notwithstanding the amount reappropriated under the
661 provisions of this section, in no event shall the amount expended
662 exceed the unexpended balance of June 30, 2013.

663 Funding is provided for the following:

664 Educable Child.....\$ 2,000,000.00



665	Literacy Initiative and Assessment.....\$	1,500,000.00
666	General operations.....\$	1,200,000.00
667	Children's Center for Communication	
668	and Development.....\$	100,000.00
669	Learning Thru Sports.....\$	100,000.00
670	Sight Savers.....\$	100,000.00

671 **SECTION 46.** It is the intention of the Legislature that the
672 State Department of Education shall have the authority to receive,
673 escalate spending authority, and expend such sums as may be
674 received from the Department of Mental Health to expand community
675 services identified by the Mississippi Department of Mental Health
676 that will improve the State of Mississippi's compliance with the
677 Olmstead decision of the United States Supreme Court. Further, it
678 is the intention of the Legislature that any sums received from
679 this source that are not expended during the fiscal year ending
680 June 30, 2014, by the State Department of Education, shall be
681 reappropriated for the same purpose during the fiscal year ending
682 June 30, 2015. Further, it is the intention of the Legislature
683 that the State Department of Education shall account for the
684 expenditure of these funds in sufficient detail to clearly show
685 the purposes for which such funds were expended.

686 **SECTION 47.** Of the funds appropriated in Section 1(a), Five
687 Million Five Hundred Thousand Dollars (\$5,500,000.00) is provided
688 for the Mississippi Community Oriented Policing Services in
689 Schools (MCOPS) grant program. If legislation authorizing the



690 Mississippi Community Oriented Policing Services in Schools
691 (MCOPS) grant program is not passed then the amount in Section
692 1(a) of this act shall be reduced by Five Million Five Hundred
693 Thousand Dollars (\$5,500,000.00).

694 **SECTION 48.** Of the funds appropriated in Section 1(a), One
695 Million Five Hundred Thousand Dollars (\$1,500,000.00) is provided
696 for a Performance Based Compensation- Pilot Program. If
697 legislation authorizing a Performance Based Compensation- Pilot
698 Program is not passed then the amount in Section 1(a) of this act
699 shall be reduced by One Million Five Hundred Thousand Dollars
700 (\$1,500,000.00).

701 **SECTION 49.** Of the funds appropriated in Section 1(a), One
702 Million Five Hundred Thousand Dollars (\$1,500,000.00) is provided
703 for Teacher Education Scholarships. If legislation authorizing
704 Teacher Education Scholarships is not passed then the amount in
705 Section 1(a) of this act shall be reduced by One Million Five
706 Hundred Thousand Dollars (\$1,500,000.00).

707 **SECTION 50.** Of the funds appropriated in Section 1(a), Two
708 Million Dollars (\$2,000,000.00) is provided for a Digital
709 Interactive Learning Pilot Program.

710 **SECTION 51.** Of the funds appropriated in Section 1(a), Three
711 Million Dollars (\$3,000,000.00) is provided for an Early Childhood
712 Education Initiative program. If legislation creating an Early
713 Childhood Education Initiative program is not passed then the



714 amount in Section 1(a) of this act shall be reduced by Three
715 Million Dollars (\$3,000,000.00).

716 **SECTION 52.** Of the funds appropriated in Section 1(a), Three
717 Million Dollars (\$3,000,000.00) is provided for Mississippi
718 Building Blocks.

719 **SECTION 53.** Of the funds appropriated in Section 1(a), One
720 Million Eight Hundred Thousand Dollars (\$1,800,000.00) is provided
721 for the State Longitudinal Data System.

722 **SECTION 54.** Of the funds appropriated in Section 1(a), Five
723 Million Two Hundred Sixty-six Thousand One Hundred Ninety-four
724 Dollars (\$5,266,194.00) shall be used for the Literacy Initiative
725 and Assessment. If legislation pertaining to the Literacy
726 Initiative and Assessment is not passed then the amount in Section
727 1(a) of this act shall be reduced by Five Million Two Hundred
728 Sixty-six Thousand One Hundred Ninety-four Dollars
729 (\$5,266,194.00).

730 **SECTION 55.** Of the funds appropriated in Section 2(a) and
731 allocated in Section 4(a) Two Million Seven Hundred Thirty-three
732 Thousand Eight Hundred Six Dollars (\$2,733,806.00) shall be used
733 for the Literacy Initiative and Assessment. If legislation
734 pertaining to the Literacy Initiative and Assessment is not passed
735 then the amount in Section 2(a) and Section 4(a) of this act shall
736 be reduced by Two Million Seven Hundred Thirty-three Thousand
737 Eight Hundred Six Dollars (\$2,733,806.00).



738 **SECTION 56.** Of the funds appropriated in this act, it is the
739 intention of the Legislature that Three Hundred Thousand Dollars
740 (\$300,000.00) shall be used for SkoolAds for Tobacco Prevention.
741 The amount of Three Hundred Thousand Dollars (\$300,000.00) shall
742 be transferred from the Department of Health.

743 **SECTION 57.** The money appropriated in this act shall be paid
744 by the State Treasurer out of any money in the proper fund or
745 funds as set forth in this act, upon warrants issued by the State
746 Fiscal Officer; and the State Fiscal Officer shall issue his
747 warrants upon requisitions signed by the proper person, officer or
748 officers in the manner provided by law.

749 **SECTION 58.** This act shall take effect and be in force from
750 and after July 1, 2013.

