

By: Representative Scott

To: Education

HOUSE BILL NO. 247

1 AN ACT TO PROVIDE AN ALLOCATION OF FUNDS UNDER THE ADEQUATE  
2 EDUCATION PROGRAM TO SCHOOL DISTRICTS HAVING THE HIGHEST  
3 INCIDENCES OF CRIME AND VIOLENCE FOR THE PURPOSE OF EMPLOYING  
4 SOCIAL WORKERS; TO DIRECT THE STATE DEPARTMENT OF EDUCATION TO  
5 DETERMINE WHICH SCHOOL DISTRICTS SHALL RECEIVE ALLOCATIONS FOR  
6 SOCIAL WORKERS; TO REQUIRE SOCIAL WORKERS EMPLOYED WITH THOSE  
7 FUNDS TO BE APPROPRIATELY LICENSED; TO AUTHORIZE THE STATE  
8 DEPARTMENT OF EDUCATION TO PROMULGATE RULES AND REGULATIONS  
9 CONCERNING THE ACTIVITIES OF SOCIAL WORKERS; TO REQUIRE THE STATE  
10 DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HUMAN SERVICES TO  
11 JOINTLY ESTABLISH A PROGRAM TO MAKE THE SERVICES OF SOCIAL WORKERS  
12 ACCESSIBLE IN PUBLIC SCHOOLS THROUGHOUT THE STATE VIA VIDEO  
13 CONFERENCING MEANS; TO REQUIRE THE DEPARTMENT OF HUMAN SERVICES TO  
14 EMPLOY TEN SOCIAL WORKERS TO STAFF THE VIDEO CONFERENCING PROGRAM;  
15 TO AUTHORIZE SCHOOL GUIDANCE COUNSELORS WHO IDENTIFY A NEED FOR  
16 THE SERVICES OF A SOCIAL WORKER TO ARRANGE FOR THOSE SERVICES VIA  
17 THE VIDEO CONFERENCING PROGRAM; TO AMEND SECTION 37-151-7,  
18 MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS  
19 ACT; AND FOR RELATED PURPOSES.

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

21 **SECTION 1.** (1) Beginning with the 2024-2025 school year,  
22 the State Department of Education shall allocate sufficient  
23 funding under the adequate education program to those school  
24 districts designated under subsection (2) of this section for the  
25 purpose of employing a social worker.



26           (2) The State Department of Education shall designate school  
27 districts to receive an allocation for the purpose of employing a  
28 social worker. The districts must be selected according to  
29 greatest need, as indicated by records of the State Department of  
30 Education and the Division of Youth Services of the Department of  
31 Human Services which reflect those school districts having the  
32 highest incidences of crime, violence, Supplemental Nutrition  
33 Assistance Program (SNAP) participation and unemployment.

34           (3) The State Department of Education may increase the  
35 number of social worker positions funded each year beyond the  
36 above requirements as additional funding is made available.

37           (4) Any individual employed by a school district with funds  
38 allotted under this section must be licensed appropriately as a  
39 social worker under Chapter 53, Title 73, Mississippi Code of  
40 1972. The State Department of Education shall specify which  
41 license a social worker must hold as a qualification for being  
42 employed in a position funded under this section.

43           (5) To qualify for adequate education program funding,  
44 school social workers must be full-time professional personnel and  
45 must spend at least seventy-five percent (75%) of their work time  
46 in a direct relationship with students. School social workers may  
47 not devote more than twenty-five percent (25%) of the work day to  
48 administrative activities related to their social work.

49           (6) The State Board of Education may adopt rules and  
50 regulations regarding the activities of the school social workers.



51 School social workers may perform services that are not  
52 inconsistent with those rules and regulations.

53 (7) This section does not prohibit a school district from  
54 employing social workers with local funds.

55 **SECTION 2.** (1) The State Department of Education and the  
56 Department of Human Services, acting jointly, shall establish a  
57 program to make certain services by licensed social workers  
58 available in the public schools throughout the state. Under the  
59 program, the Department of Human Services shall employ ten (10)  
60 social workers who meet the licensing qualifications established  
61 by the State Department of Education for school social workers.  
62 The social workers must be housed in the Department of Human  
63 Services, which is responsible for operating the program, and must  
64 be accessible to schools throughout the state via video  
65 conferencing means.

66 (2) Whenever a school guidance counselor identifies a crisis  
67 or other need within the school setting which merits the guidance  
68 and counseling of a licensed social worker and the school district  
69 involved does not employ a social worker, the counselor may  
70 contact the office of the social workers employed under subsection  
71 (1) of this section to make arrangements for the necessary  
72 guidance and counseling services. The counselor shall provide any  
73 information as may be necessary for the social worker to assess  
74 the specific situation in the school. If the counselor and social  
75 worker determine that the services of the social worker are



76 appropriate, the school guidance counselor, in consultation with  
77 the social worker, shall schedule a conference with all interested  
78 parties, during which the social worker shall participate in the  
79 meeting through video conferencing means.

80 (3) Whenever services are provided by a social worker via  
81 video conferencing means under this section, the school guidance  
82 counselor shall take any precautions as may be necessary to afford  
83 the person or persons receiving guidance and counseling services  
84 the same confidentiality and privacy protections to which those  
85 persons otherwise would be entitled.

86 **SECTION 3.** Section 37-151-7, Mississippi Code of 1972, is  
87 amended as follows:

88 37-151-7. The annual allocation to each school district for  
89 the operation of the adequate education program shall be  
90 determined as follows:

91 (1) **Computation of the basic amount to be included for**  
92 **current operation in the adequate education program.** The  
93 following procedure shall be followed in determining the annual  
94 allocation to each school district:

95 (a) **Determination of average daily attendance.**

96 Effective with fiscal year 2011, the State Department of Education  
97 shall determine the percentage change from the prior year of each  
98 year of each school district's average of months two (2) and three  
99 (3) average daily attendance (ADA) for the three (3) immediately  
100 preceding school years of the year for which funds are being



101 appropriated. For any school district that experiences a positive  
102 growth in the average of months two (2) and three (3) ADA each  
103 year of the three (3) years, the average percentage growth over  
104 the three-year period shall be multiplied times the school  
105 district's average of months two (2) and three (3) ADA for the  
106 year immediately preceding the year for which MAEP funds are being  
107 appropriated. The resulting amount shall be added to the school  
108 district's average of months two (2) and three (3) ADA for the  
109 year immediately preceding the year for which MAEP funds are being  
110 appropriated to arrive at the ADA to be used in determining a  
111 school district's MAEP allocation. Otherwise, months two (2) and  
112 three (3) ADA for the year immediately preceding the year for  
113 which MAEP funds are being appropriated will be used in  
114 determining a school district's MAEP allocation. In any fiscal  
115 year prior to 2010 in which the MAEP formula is not fully funded,  
116 for those districts that do not demonstrate a three-year positive  
117 growth in months two (2) and three (3) ADA, months one (1) through  
118 nine (9) ADA of the second preceding year for which funds are  
119 being appropriated or months two (2) and three (3) ADA of the  
120 preceding year for which funds are being appropriated, whichever  
121 is greater, shall be used to calculate the district's MAEP  
122 allocation. The district's average daily attendance shall be  
123 computed and currently maintained in accordance with regulations  
124 promulgated by the State Board of Education. The district's  
125 average daily attendance shall include any student enrolled in a



126 Dual Enrollment-Dual Credit Program as defined and provided in  
127 Section 37-15-38(19). The State Department of Education shall  
128 make payments for Dual Enrollment-Dual Credit Programs to the home  
129 school in which the student is enrolled, in accordance with  
130 regulations promulgated by the State Board of Education. The  
131 community college providing services to students in a Dual  
132 Enrollment-Dual Credit Program shall require payment from the home  
133 school district for services provided to such students at a rate  
134 of one hundred percent (100%) of ADA. All MAEP/state funding  
135 shall cease upon completion of high school graduation  
136 requirements.

137           (b) **Determination of base student cost.** Effective with  
138 fiscal year 2011 and every fourth fiscal year thereafter, the  
139 State Board of Education, on or before August 1, with adjusted  
140 estimate no later than January 2, shall submit to the Legislative  
141 Budget Office and the Governor a proposed base student cost  
142 adequate to provide the following cost components of educating a  
143 pupil in a successful school district: (i) instructional cost;  
144 (ii) administrative cost; (iii) operation and maintenance of  
145 plant; and (iv) ancillary support cost. For purposes of these  
146 calculations, the Department of Education shall utilize financial  
147 data from the second preceding year of the year for which funds  
148 are being appropriated.

149           For the instructional cost component, the Department of  
150 Education shall select districts that have been identified as



151 instructionally successful and have a ratio of a number of  
152 teachers per one thousand (1,000) students that is between one (1)  
153 standard deviation above the mean and two (2) standard deviations  
154 below the mean of the statewide average of teachers per one  
155 thousand (1,000) students. The instructional cost component shall  
156 be calculated by dividing the latest available months one (1)  
157 through nine (9) ADA into the instructional expenditures of these  
158 selected districts. For the purpose of this calculation, the  
159 Department of Education shall use the following funds, functions  
160 and objects:

161 Fund 1120 Functions 1110-1199 Objects 100-999, Functions  
162 1210, 1220, 2150-2159 Objects 210 and 215;  
163 Fund 1130 All Functions, Object Code 210 and 215;  
164 Fund 2001 Functions 1110-1199 Objects 100-999;  
165 Fund 2070 Functions 1110-1199 Objects 100-999;  
166 Fund 2420 Functions 1110-1199 Objects 100-999;  
167 Fund 2711 All Functions, Object Code 210 and 215.

168 Prior to the calculation of the instructional cost component,  
169 there shall be subtracted from the above expenditures any revenue  
170 received for Chickasaw Cession payments, Master Teacher  
171 Certification payments and the district's portion of state revenue  
172 received from the MAEP at-risk allocation.

173 For the administrative cost component, the Department of  
174 Education shall select districts that have been identified as  
175 instructionally successful and have a ratio of an administrative



176 staff to nonadministrative staff between one (1) standard  
177 deviation above the mean and two (2) standard deviations below the  
178 mean of the statewide average administrative staff to  
179 nonadministrative staff. The administrative cost component shall  
180 be calculated by dividing the latest available months one (1)  
181 through nine (9) ADA of the selected districts into the  
182 administrative expenditures of these selected districts. For the  
183 purpose of this calculation, the Department of Education shall use  
184 the following funds, functions and objects:

185 Fund 1120 Functions 2300-2599, Functions 2800-2899,  
186 Objects 100-999;

187 Fund 2711 Functions 2300-2599, Functions 2800-2899,  
188 Objects 100-999.

189 For the plant and maintenance cost component, the Department  
190 of Education shall select districts that have been identified as  
191 instructionally successful and have a ratio of plant and  
192 maintenance expenditures per one hundred thousand (100,000) square  
193 feet of building space and a ratio of maintenance workers per one  
194 hundred thousand (100,000) square feet of building space that are  
195 both between one (1) standard deviation above the mean and two (2)  
196 standard deviations below the mean of the statewide average. The  
197 plant and maintenance cost component shall be calculated by  
198 dividing the latest available months one (1) through nine (9) ADA  
199 of the selected districts into the plant and maintenance  
200 expenditures of these selected districts. For the purpose of this





201 calculation, the Department of Education shall use the following  
202 funds, functions and objects:

203 Fund 1120 Functions 2600-2699, Objects 100-699

204 and Objects 800-999;

205 Fund 2711 Functions 2600-2699, Objects 100-699

206 and Objects 800-999;

207 Fund 2430 Functions 2600-2699, Objects 100-699

208 and Objects 800-999.

209 For the ancillary support cost component, the Department of  
210 Education shall select districts that have been identified as  
211 instructionally successful and have a ratio of a number of  
212 librarians, media specialists, guidance counselors and  
213 psychologists per one thousand (1,000) students that is between  
214 one (1) standard deviation above the mean and two (2) standard  
215 deviations below the mean of the statewide average of librarians,  
216 media specialists, guidance counselors and psychologists per one  
217 thousand (1,000) students. The ancillary cost component shall be  
218 calculated by dividing the latest available months one (1) through  
219 nine (9) ADA into the ancillary expenditures instructional  
220 expenditures of these selected districts. For the purpose of this  
221 calculation, the Department of Education shall use the following  
222 funds, functions and objects:

223 Fund 1120 Functions 2110-2129, Objects 100-999;

224 Fund 1120 Functions 2140-2149, Objects 100-999;

225 Fund 1120 Functions 2220-2229, Objects 100-999;



226 Fund 2001 Functions 2100-2129, Objects 100-999;  
227 Fund 2001 Functions 2140-2149, Objects 100-999;  
228 Fund 2001 Functions 2220-2229, Objects 100-999.

229 The total base cost for each year shall be the sum of the  
230 instructional cost component, administrative cost component, plant  
231 and maintenance cost component and ancillary support cost  
232 component, and any estimated adjustments for additional state  
233 requirements as determined by the State Board of Education.  
234 Provided, however, that the base student cost in fiscal year 1998  
235 shall be Two Thousand Six Hundred Sixty-four Dollars (\$2,664.00).

236 For each of the fiscal years between the recalculation of the  
237 base student cost under the provisions of this paragraph (b), the  
238 base student cost shall be increased by an amount equal to forty  
239 percent (40%) of the base student cost for the previous fiscal  
240 year, multiplied by the latest annual rate of inflation for the  
241 State of Mississippi as determined by the State Economist, plus  
242 any adjustments for additional state requirements such as, but not  
243 limited to, teacher pay raises and health insurance premium  
244 increases.

245 (c) **Determination of the basic adequate education**  
246 **program cost.** The basic amount for current operation to be  
247 included in the Mississippi Adequate Education Program for each  
248 school district shall be computed as follows:



249 Multiply the average daily attendance of the district by the  
250 base student cost as established by the Legislature, which yields  
251 the total base program cost for each school district.

252 (d) **Adjustment to the base student cost for at-risk**  
253 **pupils.** The amount to be included for at-risk pupil programs for  
254 each school district shall be computed as follows: Multiply the  
255 base student cost for the appropriate fiscal year as determined  
256 under paragraph (b) by five percent (5%), and multiply that  
257 product by the number of pupils participating in the federal free  
258 school lunch program in such school district, which yields the  
259 total adjustment for at-risk pupil programs for such school  
260 district.

261 (e) **Add-on program cost.** The amount to be allocated to  
262 school districts in addition to the adequate education program  
263 cost for add-on programs for each school district shall be  
264 computed as follows:

265 (i) Transportation cost shall be the amount  
266 allocated to such school district for the operational support of  
267 the district transportation system from state funds.

268 (ii) Vocational or technical education program  
269 cost shall be the amount allocated to such school district from  
270 state funds for the operational support of such programs.

271 (iii) Special education program cost shall be the  
272 amount allocated to such school district from state funds for the  
273 operational support of such programs.



274 (iv) Gifted education program cost shall be the  
275 amount allocated to such school district from state funds for the  
276 operational support of such programs.

277 (v) Alternative school program cost shall be the  
278 amount allocated to such school district from state funds for the  
279 operational support of such programs.

280 (vi) Extended school year programs shall be the  
281 amount allocated to school districts for those programs authorized  
282 by law which extend beyond the normal school year.

283 (vii) University-based programs shall be the  
284 amount allocated to school districts for those university-based  
285 programs for handicapped children as defined and provided for in  
286 Section 37-23-131 et seq., Mississippi Code of 1972.

287 (viii) Bus driver training programs shall be the  
288 amount provided for those driver training programs as provided for  
289 in Section 37-41-1, Mississippi Code of 1972.

290 The sum of the items listed above (i) transportation, (ii)  
291 vocational or technical education, (iii) special education, (iv)  
292 gifted education, (v) alternative school, (vi) extended school  
293 year, (vii) university-based, and (viii) bus driver training shall  
294 yield the add-on cost for each school district.

295 (f) **Total projected adequate education program cost.**

296 The total Mississippi Adequate Education Program cost shall be the  
297 sum of the total basic adequate education program cost (paragraph  
298 (c)), and the adjustment to the base student cost for at-risk



299 pupils (paragraph (d)) for each school district. In any year in  
300 which the MAEP is not fully funded, the Legislature shall direct  
301 the Department of Education in the K-12 appropriation bill as to  
302 how to allocate MAEP funds to school districts for that year.

303 (g) The State Auditor shall annually verify the State  
304 Board of Education's estimated calculations for the Mississippi  
305 Adequate Education Program that are submitted each year to the  
306 Legislative Budget Office on August 1 and the final calculation  
307 that is submitted on January 2.

308 (2) **Computation of the required local revenue in support of**  
309 **the adequate education program.** The amount that each district  
310 shall provide toward the cost of the adequate education program  
311 shall be calculated as follows:

312 (a) The State Department of Education shall certify to  
313 each school district that twenty-eight (28) mills, less the  
314 estimated amount of the yield of the School Ad Valorem Tax  
315 Reduction Fund grants as determined by the State Department of  
316 Education, is the millage rate required to provide the district  
317 required local effort for that year, or twenty-seven percent (27%)  
318 of the basic adequate education program cost for such school  
319 district as determined under paragraph (c), whichever is a lesser  
320 amount. In the case of an agricultural high school, the millage  
321 requirement shall be set at a level which generates an equitable  
322 amount per pupil to be determined by the State Board of Education.  
323 The local contribution amount for school districts in which there



324 is located one or more charter schools will be calculated using  
325 the following methodology: using the adequate education program  
326 twenty-eight (28) mill value, or the twenty-seven percent (27%)  
327 cap amount (whichever is less) for each school district in which a  
328 charter school is located, an average per pupil amount will be  
329 calculated. This average per pupil amount will be multiplied  
330 times the number of students attending the charter school in that  
331 school district. The sum becomes the charter school's local  
332 contribution to the adequate education program.

333 (b) The State Department of Education shall determine  
334 the following from the annual assessment information submitted to  
335 the department by the tax assessors of the various counties: (i)  
336 the total assessed valuation of nonexempt property for school  
337 purposes in each school district; (ii) assessed value of exempt  
338 property owned by homeowners aged sixty-five (65) or older or  
339 disabled as defined in Section 27-33-67(2), Mississippi Code of  
340 1972; (iii) the school district's tax loss from exemptions  
341 provided to applicants under the age of sixty-five (65) and not  
342 disabled as defined in Section 27-33-67(1), Mississippi Code of  
343 1972; and (iv) the school district's homestead reimbursement  
344 revenues.

345 (c) The amount of the total adequate education program  
346 funding which shall be contributed by each school district shall  
347 be the sum of the ad valorem receipts generated by the millage  
348 required under this subsection plus the following local revenue



349 sources for the appropriate fiscal year which are or may be  
350 available for current expenditure by the school district:

351 One hundred percent (100%) of Grand Gulf income as prescribed  
352 in Section 27-35-309.

353 One hundred percent (100%) of any fees in lieu of taxes as  
354 prescribed in Section 27-31-104.

355 (3) **Computation of the required state effort in support of**  
356 **the adequate education program.**

357 (a) The required state effort in support of the  
358 adequate education program shall be determined by subtracting the  
359 sum of the required local tax effort as set forth in subsection  
360 (2)(a) of this section and the other local revenue sources as set  
361 forth in subsection (2)(c) of this section in an amount not to  
362 exceed twenty-seven percent (27%) of the total projected adequate  
363 education program cost as set forth in subsection (1)(f) of this  
364 section from the total projected adequate education program cost  
365 as set forth in subsection (1)(f) of this section.

366 (b) \* \* \* However, \* \* \* in fiscal year 2015, any  
367 increase in the said state contribution to any district calculated  
368 under this section shall be not less than six percent (6%) in  
369 excess of the amount received by said district from state funds  
370 for fiscal year 2002; in fiscal year 2016, any increase in the  
371 said state contribution to any district calculated under this  
372 section shall be not less than four percent (4%) in excess of the  
373 amount received by \* \* \* the district from state funds for fiscal



374 year 2002; in fiscal year 2017, any increase in the \* \* \* state  
375 contribution to any district calculated under this section shall  
376 be not less than two percent (2%) in excess of the amount received  
377 by \* \* \* the district from state funds for fiscal year 2002; and  
378 in fiscal year 2018 and thereafter, any increase in the \* \* \*  
379 state contribution to any district calculated under this section  
380 shall be zero percent (0%). For purposes of this paragraph (b),  
381 state funds shall include minimum program funds less the add-on  
382 programs, State Uniform Millage Assistance Grant Funds, Education  
383 Enhancement Funds appropriated for Uniform Millage Assistance  
384 Grants and state textbook allocations, and State General Funds  
385 allocated for textbooks.

386 (c) If the school board of any school district shall  
387 determine that it is not economically feasible or practicable to  
388 operate any school within the district for the full one hundred  
389 eighty (180) days required for a school term of a scholastic year  
390 as required in Section 37-13-63, Mississippi Code of 1972, due to  
391 an enemy attack, a man-made, technological or natural disaster in  
392 which the Governor has declared a disaster emergency under the  
393 laws of this state or the President of the United States has  
394 declared an emergency or major disaster to exist in this state,  
395 said school board may notify the State Department of Education of  
396 such disaster and submit a plan for altering the school term. If  
397 the State Board of Education finds such disaster to be the cause  
398 of the school not operating for the contemplated school term and





399 that such school was in a school district covered by the  
400 Governor's or President's disaster declaration, it may permit said  
401 school board to operate the schools in its district for less than  
402 one hundred eighty (180) days and, in such case, the State  
403 Department of Education shall not reduce the state contributions  
404 to the adequate education program allotment for such district,  
405 because of the failure to operate said schools for one hundred  
406 eighty (180) days.

407 (4) The Interim School District Capital Expenditure Fund is  
408 hereby established in the State Treasury which shall be used to  
409 distribute any funds specifically appropriated by the Legislature  
410 to such fund to school districts entitled to increased allocations  
411 of state funds under the adequate education program funding  
412 formula prescribed in Sections 37-151-3 through 37-151-7,  
413 Mississippi Code of 1972, until such time as the said adequate  
414 education program is fully funded by the Legislature. The  
415 following percentages of the total state cost of increased  
416 allocations of funds under the adequate education program funding  
417 formula shall be appropriated by the Legislature into the Interim  
418 School District Capital Expenditure Fund to be distributed to all  
419 school districts under the formula: Nine and two-tenths percent  
420 (9.2%) shall be appropriated in fiscal year 1998, twenty percent  
421 (20%) shall be appropriated in fiscal year 1999, forty percent  
422 (40%) shall be appropriated in fiscal year 2000, sixty percent  
423 (60%) shall be appropriated in fiscal year 2001, eighty percent



424 (80%) shall be appropriated in fiscal year 2002, and one hundred  
425 percent (100%) shall be appropriated in fiscal year 2003 into the  
426 State Adequate Education Program Fund. Until July 1, 2002, such  
427 money shall be used by school districts for the following  
428 purposes:

429 (a) Purchasing, erecting, repairing, equipping,  
430 remodeling and enlarging school buildings and related facilities,  
431 including gymnasiums, auditoriums, lunchrooms, vocational training  
432 buildings, libraries, school barns and garages for transportation  
433 vehicles, school athletic fields and necessary facilities  
434 connected therewith, and purchasing land therefor. Any such  
435 capital improvement project by a school district shall be approved  
436 by the State Board of Education, and based on an approved  
437 long-range plan. The State Board of Education shall promulgate  
438 minimum requirements for the approval of school district capital  
439 expenditure plans.

440 (b) Providing necessary water, light, heating,  
441 air-conditioning, and sewerage facilities for school buildings,  
442 and purchasing land therefor.

443 (c) Paying debt service on existing capital improvement  
444 debt of the district or refinancing outstanding debt of a district  
445 if such refinancing will result in an interest cost savings to the  
446 district.

447 (d) From and after October 1, 1997, through June 30,  
448 1998, pursuant to a school district capital expenditure plan



449 approved by the State Department of Education, a school district  
450 may pledge such funds until July 1, 2002, plus funds provided for  
451 in paragraph (e) of this subsection (4) that are not otherwise  
452 permanently pledged under such paragraph (e) to pay all or a  
453 portion of the debt service on debt issued by the school district  
454 under Sections 37-59-1 through 37-59-45, 37-59-101 through  
455 37-59-115, 37-7-351 through 37-7-359, 37-41-89 through 37-41-99,  
456 37-7-301, 37-7-302 and 37-41-81, \* \* \* or debt issued by boards of  
457 supervisors for agricultural high schools pursuant to Section  
458 37-27-65, \* \* \* or lease-purchase contracts entered into pursuant  
459 to Section 31-7-13, \* \* \* or to retire or refinance outstanding  
460 debt of a district, if such pledge is accomplished pursuant to a  
461 written contract or resolution approved and spread upon the  
462 minutes of an official meeting of the district's school board or  
463 board of supervisors. It is the intent of this provision to allow  
464 school districts to irrevocably pledge their Interim School  
465 District Capital Expenditure Fund allotments as a constant stream  
466 of revenue to secure a debt issued under the foregoing code  
467 sections. To allow school districts to make such an irrevocable  
468 pledge, the state shall take all action necessary to ensure that  
469 the amount of a district's Interim School District Capital  
470 Expenditure Fund allotments shall not be reduced below the amount  
471 certified by the department or the district's total allotment  
472 under the Interim Capital Expenditure Fund if fully funded, so  
473 long as such debt remains outstanding.



474 (e) [Repealed]

475 (f) [Repealed]

476 (g) The State Board of Education may authorize the  
477 school district to expend not more than twenty percent (20%) of  
478 its annual allotment of such funds or Twenty Thousand Dollars  
479 (\$20,000.00), whichever is greater, for technology needs of the  
480 school district, including computers, software,  
481 telecommunications, cable television, interactive video, film,  
482 low-power television, satellite communications, microwave  
483 communications, technology-based equipment installation and  
484 maintenance, and the training of staff in the use of such  
485 technology-based instruction. Any such technology expenditure  
486 shall be reflected in the local district technology plan approved  
487 by the State Board of Education under Section 37-151-17 \* \* \*.

488 (h) To the extent a school district has not utilized  
489 twenty percent (20%) of its annual allotment for technology  
490 purposes under paragraph (g), a school district may expend not  
491 more than twenty percent (20%) of its annual allotment or Twenty  
492 Thousand Dollars (\$20,000.00), whichever is greater, for  
493 instructional purposes. The State Board of Education may  
494 authorize a school district to expend more than \* \* \* twenty  
495 percent (20%) of its annual allotment for instructional purposes  
496 if it determines that such expenditures are needed for  
497 accreditation purposes.



498 (i) The State Department of Education or the State  
499 Board of Education may require that any project commenced under  
500 this section with an estimated project cost of not less than Five  
501 Million Dollars (\$5,000,000.00) shall be done only pursuant to  
502 program management of the process with respect to design and  
503 construction. Any individuals, partnerships, companies or other  
504 entities acting as a program manager on behalf of a local school  
505 district and performing program management services for projects  
506 covered under this subsection shall be approved by the State  
507 Department of Education.

508 Any interest accruing on any unexpended balance in the  
509 Interim School District Capital Expenditure Fund shall be invested  
510 by the State Treasurer and placed to the credit of each school  
511 district participating in such fund in its proportionate share.

512 The provisions of this subsection (4) shall be cumulative and  
513 supplemental to any existing funding programs or other authority  
514 conferred upon school districts or school boards.

515 (5) The State Department of Education shall make payments to  
516 charter schools for each student in average daily attendance at  
517 the charter school equal to the state share of the adequate  
518 education program payments for each student in average daily  
519 attendance at the school district in which the public charter  
520 school is located. In calculating the local contribution for  
521 purposes of determining the state share of the adequate education  
522 program payments, the department shall deduct the pro rata local



523 contribution of the school district in which the student resides  
524 as determined in subsection (2)(a) of this section.

525 (6) The State Department of Education shall allocate  
526 sufficient funds under the adequate education program to  
527 designated school districts for the purpose of employing a social  
528 worker, as provided for in Section 1 of this act.

529 **SECTION 4.** This act shall take effect and be in force from  
530 and after July 1, 2024.

