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Chapter No. 105  
16/HR26/A202SG  
EW 1 6V

# ***HOUSE BILL NO. 1643***

Originated in House



Clerk

HOUSE BILL NO. 1643

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF FUNDING K-12 AND OTHER RELATED EDUCATIONAL ACTIVITIES, INCLUDING CERTAIN AGENCIES AND PROGRAMS, IN THE STATE OF MISSISSIPPI, FOR THE FISCAL YEAR 2017.

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

**SECTION 1.** The following sums, or so much of those sums as may be necessary, are appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of funding K-12 and other related educational activities, including certain agencies and programs, in the State of Mississippi, for the fiscal year beginning July 1, 2016, and ending June 30, 2017, as follows:

(a) To the State Board of Education for the purpose of defraying the expenses of the State Department of Education, and excluding the expenses of the Vocational and Technical Education Division..... \$ 111,955,459.00.

(b) To the State Board of Education for the purpose of defraying the expenses of the Vocational and Technical Education Division of the State Department of Education.....  
..... \$ 76,077,258.00.

(c) To the State Board of Education for the purpose of paying annual compensation to the Chickasaw Cession counties for sixteenth section lands which they lost through sale by the state, as provided in Section 29-3-137 through 29-3-141, Mississippi Code of 1972..... \$ 21,024,015.00.

(d) To the State Board of Education for defraying the expenses of the Mississippi Adequate Education Program.....  
..... \$ 2,036,556,667.00.

(e) To the State Board of Education for the purpose of defraying the expenses of the Mississippi School for the Blind and the Mississippi School for the Deaf.....\$ 9,618,184.00.

TOTAL AMOUNT OF STATE GENERAL FUNDS APPROPRIATED

BY THIS SECTION BEING.....\$ 2,255,231,583.00.

**SECTION 2.** The following sums, or so much of those sums as may be necessary, are appropriated out of any money in any special fund in the State Treasury to the credit of the proper fund or funds of the agencies or programs specified in the following paragraphs for the fiscal year beginning July 1, 2016, and ending June 30, 2017, as follows:

(a) To the State Board of Education for the purpose of defraying the expenses of the State Department of Education,

excluding the expenses of the Vocational and Technical Education  
Division..... \$ 874,513,606.00.

(b) To the State Board of Education for the purpose of  
defraying the expenses of the Vocational and Technical Education  
Division of the State Department of Education.....  
..... \$ 20,962,954.00.

(c) To the State Board of Education for the purpose of  
defraying the expenses of the Mississippi Adequate Education  
Program..... \$ 274,881,462.00.

(d) To the State Board of Education for the purpose of  
defraying the expenses of the Mississippi School for the Blind and  
the Mississippi School for the Deaf..... \$ 1,927,418.00.

TOTAL AMOUNT OF SPECIAL FUNDS APPROPRIATED

BY THIS SECTION BEING..... \$ 1,172,285,440.00.

**SECTION 3.** Of the funds appropriated in Section 2, One  
Hundred Twenty-six Thousand Four Hundred Seventy-two Dollars  
(\$126,472.00), or so much of that sum as may be necessary, is  
appropriated out of any money in the State Treasury to the credit  
of the Health Care Expendable Fund to the State Department of  
Education for the purpose of defraying the expenses of the  
department for the Mississippi Eye Screening Program for providing  
vision safety services.

**SECTION 4.** Of the funds appropriated in Section 2, the  
following sums, or so much of those sums as may be necessary, are  
derived out of any money in the State Treasury to the credit of

the Education Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, as follows:

(a) To the State Department of Education, excluding the expenses of the Vocational and Technical Education Division, for the following purposes:

Literacy Initiative and Assessment .....	\$	6,333,806.00.
Educable Child .....	\$	7,000,000.00.
Grants to school districts for capital facilities and buses .....	\$	16,000,000.00.
Instructional materials .....	\$	12,000,000.00.
Students with Special Needs .....	\$	1,800,000.00.
Implementing Performance Based Data Collection and Accreditation Model .....	\$	274,937.00.
Testing .....	\$	6,125,670.00.
Mississippi School for Math and Science .....	\$	125,000.00.
Mississippi School for Fine Arts .....	\$	125,000.00.
TOTAL .....	\$	49,784,413.00.

(b) To the State Department of Education to defray the expenses of the Vocational and Technical Education Division .....

.....	\$	4,937,258.00.
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(c) To the State Department of Education to provide funding for the Mississippi Adequate Education Program .....

.....	\$	204,881,462.00.
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(d) To the State Board of Education for the purpose of defraying the expenses of the Mississippi School for the Blind and the Mississippi School for the Deaf.....\$ 1,207,037.00.

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

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	392
	Part Time .....	3
Time-Limited:	Full Time .....	104
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2018 do not exceed Fiscal Year 2017 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2017 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2017 appropriations for "Personal Services" when annualized, with the

exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2017 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

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

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

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating

to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

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

	FY2017
<u>Performance Measures</u>	<u>Target</u>
Special Education	
Number of Special Education Teachers (FTEs)	5,138.10
2013-2014 IEP Students not Participating in Math Assessments	1,183
2013-2014 Percentage of IEP Students not Participating in Statewide Math Assessments (%)	4.50
2013-14 IEP Students not Participating in Statewide Reading Assessments	1,163
2013-14 Percentage of IEP Students not Participating in Statewide Reading Assessments (%)	4.50

Number of Students with an IEP Graduating with a Standard Diploma	892
Child Nutrition	
Sites Compliant with Fresh Fruit & Vegetable Program Standards (%)	100.00
Sites Compliant with the National School Lunch Program (%)	100.00
Sites Compliant with the School Breakfast Program	861
Graduation & Career Readiness	
Public High School 4-Year Graduation Rate for 2009-2010 Cohort (Number)	25,946
Public High School 4-Year Graduation Rate for 2009-2010 Cohort (%)	74.50
General Administration	
Total Dollars Spent on General Administration (Dollars)	21,277,539.00
Percentage of Total Dollars Spent on General Administration (%)	17.10
Turnover Rate at Central Office (%)	5.80
Special Schools	
Number of Students Enrolled Annually at MSMS	245
Amount of Scholarship Offerings for MSMS Students Attending College (Dollars)	22,000,000.00

Percentage of MSMS Graduating Seniors Who Earn National Merit or National Achievement Semifinalist Status (%)	11.00
Average ACT Composite Score for Graduating Seniors	27.80
Average Cost per Student to Attend MSMS (Dollars)	18,437.00
Average ACT Composite Score for Graduating Seniors at MS School for the Arts	20
Percentage of MS School for the Arts Graduating Seniors Receiving Scholarship Offers (%)	75.00
Early Childhood Education	
Early Learning Collaborative Mean Scaled Score on the Kindergarten Readiness Assessment for Fall 2014	435.40
Early Learning Collaborative Mean Scaled Score on the Kindergarten Readiness Assessment for Spring 2015	530.70
Teacher Training & Prof Development	
Statewide Percentage of 2015-2016 Teachers with Alternative Route License (%)	10.60
Statewide Percentage of 2015-2016	

Teachers with Five or More Years of Experience (%)	69.90
Statewide Percentage of 2015-2016 Teachers with Ten or More Years of Experience (%)	48.40
Statewide Average Years of Experience for 2015-2016 Full-Time Teachers	11
Statewide Percentage of 2015-2016 Teachers with Less than Three Years of Experience (%)	19.30
Number of Teachers Retained Statewide from Previous Year	29,947
Percentage of Teachers Retained Statewide from Previous Year (%)	87.70
Elementary Education	
Number of Students Taking the Third Grade Reading Summative Assessment in May 2015	37,929
Percentage of All 3rd Graders Enrolled in May 2015 that took the Third Grade Reading Summative Assessment (%)	99.80
Statewide Mean Scaled Score on the Third Grade Reading Summative Assessment	980
Minimum Passing Score on the Third Grade Reading Summative Assessment	926

Number of Students Scoring At or Above Passing Score on the Third Grade Reading Summative Assessment	35,022
Percentage of Students Scoring At or Above Passing Score on the Third Grade Reading Summative Assessment (%)	92.30
Secondary Education	
Statewide Mean ACT Composite Score for Juniors Testing in March	17.60
Number of 11th Graders Taking the ACT in May 2015	29,947
Percentage of All 11th Graders Enrolled in March 2015 that took the ACT (%)	
Number of Students Enrolled in One or More AP Course Grades 9 - 12	13,365
Percentage of Students Enrolled in One or More AP Course Grades 9 - 12 (%)	9.90
Compulsory School Attendance	
Statewide 2009-2010 Cohort 4-Year Dropout Rate (%)	13.90
School Performance	
Percent of 2015-2016 Month 1 Net Membership in Schools with a	

2013-2014 Accountability Rating of A (%)	19.30
Percent of 2015-2016 Month 1 Net Membership in Schools with a 2013-2014 Accountability Rating of B (%)	29.50
Percent of 2015-2016 Month 1 Net Membership in Schools with a 2013-2014 Accountability Rating of C (%)	25.10
Percent of 2015-2016 Month 1 Net Membership in Schools with a 2013-2014 Accountability Rating of D (%)	12.80
Percent of 2015-2016 Month 1 Net Membership in Schools with a 2013-2014 Accountability Rating of F (%)	1.60
Percent of 2015-2016 Month 1 Net Membership in Schools without a 2013-2014 Accountability Rating (%)	

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 2018.

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

	FY2017
<u>Performance Measures</u>	<u>Target</u>
Basic Program	
Increase Students Passing Algebra I	
Subject Area Test (SAPT2) (%)	1.00
2011-2012 Baseline: 81.90%	
Increase Students Passing Biology I	
Subject Area Test (SATP2) (%)	2.00
2011-2012 Baseline: 74.70%	
Increase Students Passing English II	
Subject Area Test (SATP2) (%)	2.00
2011-2012 Baseline: 73.10%	
Increase Students Passing US History	
Subject Area Test (SAPT2) (%)	2.00
2011-2012 Baseline: 72.90%	
Increase Students Scoring Proficient or Above	
on Mississippi Curriculum Test (MCT2) in	

Grades 3-8 in Reading/Language Arts (%) 2.50

2011-2012 Baseline: 56.50%

Increase Students Scoring Proficient  
or Above on Mississippi Curriculum

Test (MCT2) in Grades 3-8 in Math (%) 2.50

2011-2012 Baseline: 63.50%

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 2018.

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

<u>Performance Measures</u>	<u>FY2017 Target</u>
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Instruction

School for the Blind - Increase Graduation

Rate for Visually Impaired Students (%) 70.00

2011-2012 Baseline: 50.00%

School for the Deaf - Increase Number of

Students Receiving Standard & Occupational Diploma (%)	87.00
2011-2012 Baseline: 75.00%	

Student Services

School for the Blind - Increase Eligible High School Students Working Part-Time (%)	60.00
2011-2012 Baseline: 34.00%	

Operation & Maintenance

Number of Persons Served Through Community Sign Language Classes	160
Number of Parents Served Through Community Sign Language Classes	70

**SECTION 9.** 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 10.** 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 of defraying the expenses of the State Department of Education,

excluding the expenses of the Vocational and Technical Education Division.

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

**SECTION 12.** Of the funds appropriated under the provisions of this act, the following positions are authorized for the Vocational and Technical Education Division of the State Department of Education:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	51
	Part Time .....	0
Time-Limited:	Full Time .....	5
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2018 do not exceed Fiscal Year 2017 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2017 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to

fully fund all appropriated positions in compliance with the provisions of this act. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2017 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2017 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

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

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

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

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

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

	FY2017
<u>Performance Measures</u>	<u>Target</u>
Secondary Programs	
Increase Career & Technical Education	
(CTE) Student Completers' Placement	
Rate (%)	1.00
2011-2012 Baseline: 89.00%	
Increase Students Served in CTE (%)	3.00
2011-2012 Baseline: 2,785	
Decrease Number of Schools with	
Graduation Rate Less than 80%	160.00

Increase the Percentage of Students Who Graduated	77.00
Increase the Percentage of 11th Grade Students Who are College or Career Ready as Measured by the ACT	10.00
Post-secondary Programs	
Short Term Adult Programs (Num of Classes)	255

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 2018.

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

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

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

**SECTION 17.** The State Department of Education shall transfer the designated amounts to the appropriate entities, which shall assume full responsibility for the expenditure of these funds in accordance with state laws and accept all responsibility for any improper expenditure, for the following:

Chalkable Learning Earnings Pilot Program	100,000
Detention Centers	1,000,000
Digital Interactive Learning	1,200,000
Drop-out Prevention at Star Academy	500,000
Dubard School	625,000
Dyslexia Program	325,000
IHL-Alternative Route Certification Program	40,400
Jobs for MS Graduates, Inc.	1,000,000
Learning thru Sports/Kids College	785,000
Life Tracks (SLDS)	1,600,000
Literacy Based Promotion Pilot Program	700,000
Magee Enterprise Learning Lab	200,000
Magnolia Speech School	542,541
Mississippi Arts Commission-Arts Institute	40,000
MS Autism	200,000
MS Construction Education Program	225,000

MS Symphony	50,000
New Learning Resource, Inc.	350,000
Principal Corp.	500,000
Safe Hearts Program	100,000
Save the Children Program	150,000
Sight Savers	426,472
Teach for America	2,000,000
Teacher Corp.	185,000
USM - Autism Program	50,000
Children's Center for Communication & Development	717,540
Very Special Arts Program	40,000
Vision Screening Research	223,528
World Class Teacher Program	600,000
Drop-out Prevention Vicksburg - Leader in Me	100,000
University of Mississippi - Willie Price Lab School	250,000
Algebra Nation	200,000
WorkKeys - Brookhaven Pilot	25,000
USM - Statewide Bicentennial Celebration	85,000
Total	15,135,481

**SECTION 18.** It is the intention of the Legislature that the Department of Education shall obtain a research methodology from a provider that consists of a research prescription for each program to be funded through the amounts set in Section 17. This research methodology shall be made in consultation with PEER Committee staff. Copies of such methodologies shall be provided to the

Department of Finance and Administration and the Legislative Budget Office. The following shall provide the reports: Chalkable Learning Earnings Pilot Program, Magee Enterprise Learning Lab and Smart Labs, Jobs for Mississippi Graduates, Learning through Sports, Dropout Prevention at Star Academy, Literacy Based Promotion Pilot Program (Amplify), Save the Children, Algebra Nation, WorkKeys - Pilot for Brookhaven.

**SECTION 19.** Of the funds appropriated in this act, an amount not to exceed One Million Eight Hundred Thousand Dollars (\$1,800,000.00) shall be used for technological methods for agricultural programs, computer science, engineering or robotic engineering programs and equipment upgrades and Mississippi Elementary (ME) STEM and STEAM programs from the Career and Technical Education Division of the State Department of Education.

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

**SECTION 21.** Of the funds provided in this act for the purpose of funding the Mississippi Adequate Education Program as determined under Section 37-151-7, Mississippi Code of 1972, the base student cost in Fiscal Year 2017 shall be Five Thousand Three Hundred Fifty-eight Dollars and Ninety-nine Cents (\$5,358.99).

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

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

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	181
	Part Time .....	18
Time-Limited:	Full Time .....	1
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2018 do not exceed Fiscal Year 2017 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2017 budget by the Mississippi Legislature. Based on data

provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2017 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2017 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

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

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

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

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

**SECTION 25.** It is the intention of the Legislature that the State Board of Education shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated in this act and that those records shall be in the same format and level of details as maintained for Fiscal Year 2016. It is further the intention of the Legislature that the budget requests for Fiscal Year 2018 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2017 budget request process for each agency and institution appropriated funds within the provisions of this act.

**SECTION 26.** Of the funds appropriated in Section 1 to the State Board of Education, not less than Twenty-two Million Six Hundred Thousand Dollars (\$22,600,000.00) shall be used for National Board Certification.

**SECTION 27.** Of the funds appropriated in Section 1 and Section 2 not less than Fifteen Million Fifty-eight Thousand Dollars (\$15,058,000.00) shall be used for the Educable Child Program.

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

**SECTION 29.** Of the funds appropriated for Fiscal Year 2017 for the Educable Child Program, the Mississippi Department of Education is authorized to pay the remaining balance up to Two Million Dollars (\$2,000,000.00) for Fiscal Year 2016 claims.

**SECTION 30.** It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in those received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind

shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

**SECTION 31.** Of the funds appropriated in Section 1, not less than Six Million Five Hundred Forty-one Thousand Six Hundred Fifty Dollars (\$6,541,650.00) shall be used for the Compulsory School Attendance Office and School Attendance Officers.

**SECTION 32.** Of the funds appropriated in this act, it is the intention of the Legislature that Three Million Six Hundred Thousand Dollars (\$3,600,000.00) shall be used for the Mary Kirkpatrick-Mary Sprayberry Public School Nurse Program. The amount of Three Million Six Hundred Thousand Dollars (\$3,600,000.00) is provided from the Department of Health.

**SECTION 33.** The State Department of Education shall contract with a Certified Public Accountant to calculate components of the Mississippi Adequate Education Program to include the base student cost, school district allocations, total program cost, add-on programs, and any other required components of Section 37-151-7, Mississippi Code of 1972. The contractor shall be responsible for calculating the estimates of these components due to the Legislative Budget Office and the Governor by August 1 and the final estimates due to the Legislative Budget Office and the Governor no later than January 2. A report detailing the funding of this contract shall be submitted by the State Department of Education to the Legislature no later than January 30, 2017.

**SECTION 34.** Of the funds appropriated in this act, it is the intention of the Legislature that Twenty Million Dollars (\$20,000,000.00) from the Public School Building Fund shall be used for the Mississippi Adequate Education Program.

**SECTION 35.** It is the intention of the Legislature that the State Board of Education shall charge a fee for room and board for students who enroll in the Mississippi School for Mathematics and Science and the Mississippi School of Arts. Such fees will be waived for any student enrolled in the State Children's Health Insurance Program. The amount of such fees shall be Five Hundred Dollars (\$500.00) for each semester.

**SECTION 36.** It is the intent of the Legislature that each eligible employee who meets the National Board requirements under Section 37-19-7(2), Mississippi Code of 1972, shall be paid the full supplement and that such supplement shall be included on a prorated basis in the employee's monthly paycheck.

**SECTION 37.** It is the intention of the Legislature that the Mississippi Department of Education may loan any general or special source fund amount, not to exceed Five Million Dollars (\$5,000,000.00), to any school district for the purpose of providing funds to school districts through the Emergency Assistance Fund as outlined in Section 37-17-6, Mississippi Code of 1972, during the period beginning July 1, 2016, and ending June 30, 2017. The school districts receiving these loans shall

repay the Mississippi Department of Education the amount of the loan on or before June 30, 2017.

**SECTION 38.** Of the funds appropriated in Section 1(a), Seven Hundred Thousand Dollars (\$700,000.00) shall be transferred to the Board of Health no later than December 31, 2016.

**SECTION 39.** Any school district receiving funds through Save the Children and Learning Through Sports/Kids College may provide a ten percent (10%) match from local funds for implementation of the program.

**SECTION 40.** Of the funds appropriated in Section 1(a), Three Million Five Hundred Thousand Dollars (\$3,500,000.00) is provided for the Mississippi Community Oriented Policing Services in Schools (MCOPS) grant program.

**SECTION 41.** Of the funds appropriated in Section 1(a), Four Million Dollars (\$4,000,000.00) is provided for an Early Childhood Education Initiative program. Of the funds provided herein, it is the intention of the Legislature that no new funds may be expended to defray the costs of any pre-kindergarten program that has not been determined by the Joint Legislative Committee on Performance Evaluation and Expenditure Review to be evidence-based.

**SECTION 42.** Of the funds appropriated in Section 1(a) and Section 4(a), Fifteen Million Dollars (\$15,000,000.00) shall be used for the Literacy Initiative and Assessment.

**SECTION 43.** Of the funds appropriated in Section 1(b), Two Hundred Thousand Dollars (\$200,000.00) is provided for the Smart Lab project.

**SECTION 44.** None of the funds provided herein may be expended to make payments or transfers to the Mississippi Association of School Superintendents. Furthermore, none of the funds provided herein maybe expended if any local school district expends any public funds to make payments or transfers to the Association.

**SECTION 45.** Of the funds appropriated herein, funding is provided for the ACT test, which is the college readiness portion of the state accountability model.

**SECTION 46.** The following sum, or so much thereof as may be necessary, is hereby reappropriated out of any money in the State General Fund not otherwise appropriated, for the State of Education for the purpose of reauthorizing the expenditure of State General Funds, as authorized in HB 1536, 2015 Regular Session to provide additional funding for general education purposes for the fiscal year beginning July 1, 2016 and ending June 30, 2017 ..... \$5,000,000.00.

**SECTION 47.** The money appropriated in this act shall be paid by the State Treasurer out of any money in the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his

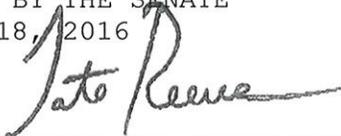
warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

**SECTION 48.** This act shall take effect and be in force from and after July 1, 2016.

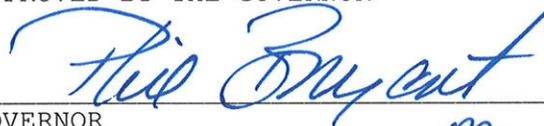
PASSED BY THE HOUSE OF REPRESENTATIVES  
April 18, 2016

  
\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE  
April 18, 2016

  
\_\_\_\_\_  
PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR

  
\_\_\_\_\_  
GOVERNOR

May 17, 2016  
9:55 am