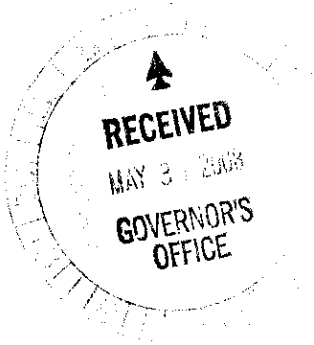


ACT No. 2008- 552

1 SB51
2 102600-5
3 By Senator Sanders
4 RFD: Finance and Taxation Education
5 First Read: 27-MAY-08



SB51

ENROLLED, An Act,

To make appropriations for the support, maintenance and development of public education in Alabama, for debt service, and for capital outlay for the fiscal year ending September 30, 2009.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby appropriated for the support of public education in Alabama for the fiscal year ending September 30, 2009, for debt service, and for capital outlay to be paid out of funds specified in subsection (a) of Section 2 of this act, the amounts specified in subsections (a), (b), (c), and (d) of Section 3 of this act. For the purpose specified in subsection (b) of Section 2 of this act, amounts are shown by programmatic area and the total for all programs is shown so as to include estimated sources of funds other than those listed in subsection (a) of Section 2 of this act. For the purpose of this act, "ETF" shall mean the Education Trust Fund and "Federal and Local Funds" shall mean all gifts, grants, contributions, or entitlements, including grants by the Congress of the United States, municipalities or counties.

1 Section 2. (a) The appropriations provided for in
2 this act shall be paid from funds in the State Treasury to the
3 credit of the Education Trust Fund, Alabama Peace Officers'
4 Standards and Training Fund, Impaired Drivers Trust Fund,
5 Driver Education and Training Fund, Special Education
6 Catastrophic Fund, Alabama Veterans Assistance Fund, and
7 Public School Fund and are hereby made for the support of
8 public education in Alabama for the fiscal year ending
9 September 30, 2009, and the appropriations herein made shall
10 be subject to the provisions, terms, conditions and
11 limitations of the Budget and Financial Control Act (Code of
12 Alabama 1975, Sections 41-4-80 et seq.), the provisions of the
13 Budget Management Act of 1976 (Code of Alabama 1975, Sections
14 41-19-1 et seq.), and shall be in the amounts hereinafter
15 specified.

16 (b) Amounts shown hereinunder the columns "Earmarked
17 Funds" and "Appropriation Total" are as set forth for the
18 purpose of establishing amounts estimated to be available by
19 programmatic area from sources other than those listed in
20 subsection (a) of this Section 2, in order, upon consideration
21 of such other funds so estimated to be available, to promote
22 the accountability for an efficient use of funds available,
23 and the same are hereby appropriated by the Legislature.
24 Provided, however, that regardless of the ending date of any
25 pay period which has been or may be established by the

Legislature for the payment of salaries of state employees,
the entire payment due shall be made from the fiscal year's
appropriation in which the pay date falls.

Section 3.

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
3A. Legislative Branch:			
1. Examiners of Public Ac- counts:			
(a) Audit Services Program ..	7,370,405		7,370,405
SOURCE OF FUNDS:			
(1) ETF	7,370,405		
Total Examiners of Public Ac- counts	7,370,405		7,370,405
The above appropriation shall be used for educational au- dits. The Department of Exam- iners of Public Accounts is hereby authorized to examine as deemed necessary all appro- priations herein made for com- pliance with the laws of the State of Alabama. Any examina- tion performed shall be in accordance with the provisions of Title 41, Chapter 5, Code of Alabama 1975.			
2. Law Institute, Alabama:			
(a) Support of Other Educa- tional Activities Program .	270,738		270,738
SOURCE OF FUNDS:			
(1) ETF	270,738		
Total Law Institute, Alabama	270,738		270,738
3. Legislative Fiscal Office:			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 (a) Legislative Operations and			
2 Support Program	285,405		285,405
3 SOURCE OF FUNDS:			
4 (1) ETF	285,405		
5 Total Legislative Fiscal Of-			
6 fice	285,405		285,405
7 4. Legislative Reference Ser-			
8 vice:			
9 (a) Legislative Operations and			
10 Support Program	107,657		107,657
11 SOURCE OF FUNDS:			
12 (1) ETF	107,657		
13 Total Legislative Reference			
14 Service	107,657		107,657
15 This appropriation to the Leg-			
16 islative Reference Service			
17 shall be expended for the re-			
18 vision of Title 16 of the Code			
19 of Alabama 1975.			
20 3B. Executive Branch:			
21 1. American Legion and Auxil-			
22 iary Scholarships:			
23 (a) Financial Assistance Pro-			
24 gram, Estimated	112,500		112,500
25 SOURCE OF FUNDS:			
26 (1) ETF	112,500		
27 Total American Legion and Aux-			
28 iliary Scholarships	112,500		112,500
29 To be expended under the pro-			
30 visions of Code of Alabama			
31 1975, Sections 16-31-1 through			
32 16-31-4.			
33 2. Archives and History, De-			
34 partment of:			
35 (a) Historical Resources Man-	3,604,444		3,604,444

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	agement Program		
2	SOURCE OF FUNDS:		
3	(1) ETF	3,604,444	
4	Total Archives and History,		
5	Department of	3,604,444	3,604,444
6	The above appropriation shall		
7	be expended to support the		
8	educational functions of Ar-		
9	chives and History.		
10	3. Arts, State Council on the:		
11	(a) Fine Arts Program	5,437,511	680,000
12	SOURCE OF FUNDS:		
13	(1) ETF	5,437,511	
14	(2) Federal and Local Funds .		680,000
15	Total Arts, State Council on		
16	the	5,437,511	680,000
17	4. Building Commission, State:		
18	(a) Special Services Program	643,132	643,132
19	SOURCE OF FUNDS:		
20	(1) ETF-Transfer	643,132	
21	Total Building Commission,		
22	State	643,132	643,132
23	5. Child Abuse and Neglect Pre-		
24	vention, Department of:		
25	(a) Social Services Program .	1,937,967	1,937,967
26	In accordance with Sections		
27	26-16-1 et seq., Code of Ala-		
28	bama 1975.		
29	SOURCE OF FUNDS:		
30	(1) ETF-Transfer	1,937,967	
31	Total Child Abuse and Neglect		
32	Prevention, Department of ...	1,937,967	1,937,967

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 6. Children's Affairs, Depart-			
2 ment of:			
3 (a) Social Services Program .	20,078,519		20,078,519
4 The proposed spending plan for			
5 the ETF monies included in the			
6 above program is as follows:			
7 Office of			
8 School Readi-			
9 ness 20,009,742			
10 Of the above appropriation to			
11 the Office of School Readi-			
12 ness, \$1,700,000 shall be ex-			
13 pended for the Home Instruc-			
14 tion for Parents of Preschool			
15 Youngsters (HIPPY) program to			
16 be administered by the State			
17 Department of Education and			
18 \$950,000 shall be expended for			
19 the Head Start program.			
20 Operations and			
21 Maintenance .. 68,777			
22 SOURCE OF FUNDS:			
23 (1) ETF	20,078,519		
24 Total Children's Affairs, De-			
25 partment of	20,078,519		20,078,519
26			
27 7. Debt Service:			
28 (a) Debt Service Program	3,012,270	8,000,000	11,012,270
29 For payments on interest and			
30 principal of GO Bonds, Series			
31 2001-B 798,215			
32 For payments on interest and			
33 principal of GO Bonds, Series			
34 2001-A 3,582,633			
35 For payments on interest and			
36 principal of GO Bonds, Series			
37 2005-A 6,016,678			
38 For payments on endowments as			
39 follows:			

	Education Trust	Earmarked Funds	Appropriation To-
	Fund		tal
1	For interest on Auburn Univer-		
2	sity Endowment 20,280		
3	For interest on University of		
4	Alabama Endowment 61,000		
5	For interest on Grove Hill		
6	Endowment 600		
7	For interest on Public School		
8	Fund Endowment:		
9	Interest on 16th Section		
10	Lands, Estimated 410,000		
11	Interest on School Indemnity		
12	Lands, Estimated 90,000		
13	Interest on Valueless 16th		
14	Section Land 5,825		
15	For interest on Surplus Reve-		
16	nue 26,764		
17	Interest on James Wallace Fund		
18	..... <u>275</u>		
19	Total Interest on Public		
20	School Fund Endowment 532,864		
21	SOURCE OF FUNDS:		
22	(1) ETF 2,479,406		
23	(2) ETF-Transfer 532,864		
24	(3) Alabama Capital Improve-		
25	ment Trust Fund 8,000,000		
26	Total Debt Service 3,012,270	8,000,000	11,012,270
27			
28	8. Dental Scholarship Awards,		
29	Board of:		
30	(a) Support of Other Educa-		
31	tional Activities Program . 335,000	250	335,250
32	To be expended under the pro-		
33	visions of Code of Alabama		
34	1975, Sections 16-47-76		
35	through 16-47-81.		
36	SOURCE OF FUNDS:		

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	(1) ETF	335,000		
2	(2) Federal and Local Funds .		250	
3	Total Dental Scholarship			
4	Awards, Board of	335,000	250	335,250
5	9. Education, State Board of -			
6	Local Boards of Education:			
7	(a) Foundation Program	3,609,320,089	458,661,170	4,067,981,259
8	The above appropriation shall			
9	include funds to pay for sub-			
10	stitute support employees for			
11	each day a support employee is			
12	absent as funds are appropri-			
13	ated. The Department of Educa-			
14	tion is directed to withhold			
15	funds from local systems not			
16	employing substitutes for ab-			
17	sent support employees. Such			
18	withheld funds shall revert to			
19	the Education Trust Fund.			
20	(b) Transportation Program ..	336,710,322		336,710,322
21	The State Superintendent is			
22	directed to withhold transpor-			
23	tation funds used to pay em-			
24	ployee benefits including but			
25	not limited to PEEHIP, sick			
26	leave, teacher retirement, and			
27	F.I.C.A. from any local board			
28	which does not directly pro-			
29	vide these benefits to trans-			
30	portation employees. No local			
31	board shall be allowed to con-			
32	vert funding provided in this			
33	budget for employee benefits			
34	into other uses or expendi-			
35	tures. The above appropriation			
36	includes fleet renewal funds			
37	of \$5,864 per bus. No fleet			
38	renewal funds shall be sent to			
39	any school system which does			
40	not own its own buses. The			
41	State Examiner of Public Ac-			
42	counts shall assure compli-			
43	ance. The rate per day for two			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	personal days and five sick		
2	days for transportation per-		
3	sonnel shall be \$40. An appro-		
4	priately certified transporta-		
5	tion substitute shall be em-		
6	ployed for the absent trans-		
7	portation employee for each		
8	day the employee is absent.		
9	The Department of Education is		
10	directed to withhold funds		
11	from local systems not employ-		
12	ing substitutes for absent		
13	transportation employees. Such		
14	withheld funds shall revert to		
15	the Education Trust Fund. Of		
16	the above appropriation, the		
17	State Department of Education		
18	shall receive \$329,220 to con-		
19	tinue research on the school		
20	bus safety belt study.		
21	(c) At-Risk Student Program .	28,828,405	28,828,405
22	Each district shall receive		
23	its pro rata share for each		
24	student who is defined as be-		
25	ing at-risk of dropping out of		
26	school or is performing at an		
27	academic level below current		
28	grade placement. It is the		
29	intent of the Legislature that		
30	school systems should be en-		
31	couraged to successfully move		
32	students from the at-risk cat-		
33	egory. Therefore, a school		
34	system shall maintain its		
35	at-risk funding for every stu-		
36	dent removed from its at-risk		
37	definition for the next two		
38	fiscal years. Local school		
39	districts shall maintain sepa-		
40	rate accounts for all funds		
41	received in this category. The		
42	funds provided in this section		
43	are specifically designated		
44	for special programs to serve		
45	these students and may not be		
46	used as a part of a local		
47	school district's general op-		
48	erating budget. Local school		

Education Trust	Earmarked Funds	Appropriation To-
Fund		tal

1 systems in partnership with
2 and funding from the Depart-
3 ment of Education are expected
4 to establish programs which
5 will increase learning oppor-
6 tunities for at-risk students.
7 These programs shall include,
8 but not be limited to, af-
9 ter-school tutoring, summer
10 schools, weekend schools,
11 character education programs,
12 drop-out prevention programs,
13 career technical education
14 youth programs, alternative
15 schools, training of parents,
16 purchase and use of web-based
17 practice tests for the high
18 school graduation exam and
19 other state required standard-
20 ized tests, programs to im-
21 prove reading, and/or math,
22 and/or science skills to in-
23 crease grade-to-grade promo-
24 tion, high school graduation
25 and college preparedness, and
26 other activities designed to
27 assist at-risk students. The
28 State Department of Education
29 shall monitor the intent of
30 the Legislature in the use of
31 these funds and shall assure
32 that they are used only in a
33 manner designed to provide
34 additional assistance above
35 and beyond the regular in-
36 structional program for
37 at-risk students. At-risk
38 funds shall not be used to
39 supplant any other funding of
40 summer schools or other activ-
41 ities which are designed to
42 serve the general student pop-
43 ulation but must be used for
44 specific programs for at-risk
45 students. At-risk students
46 shall be defined as those stu-
47 dents who score at level 1 or
48 level 2 (not profi-

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	cient/partially proficient) in		
2	reading or mathematics on the		
3	current state assessments.		
4	Further, local school faculty		
5	and the school principal shall		
6	make specific recommendations		
7	for students at the school to		
8	be included as participants in		
9	the at-risk program. At-risk		
10	funds may be expended for stu-		
11	dent programs to improve the		
12	efficiency and utilization of		
13	technology-based educational		
14	resources in the classroom. As		
15	a part of the above appropria-		
16	tion for the At-Risk Student		
17	Program, there is hereby ap-		
18	propriated \$375,000 for the		
19	Alabama Student Information		
20	Management System (ASIMS).		
21	ASIMS will connect each school		
22	in Alabama with the Department		
23	of Education through a common		
24	software program in order to		
25	assimilate data necessary to		
26	comply with state accountabil-		
27	ity standards, Legislative		
28	Fiscal Office requests, and		
29	the 2001 Reauthorization of		
30	the Elementary and Secondary		
31	Education Act (ESEA). It is		
32	the intent of the Legislature		
33	that schools and school sys-		
34	tems involve the community in		
35	planning and implementing		
36	at-risk programs. Therefore,		
37	schools shall expend at least		
38	20% of the at-risk funds to		
39	partner with non-profit commu-		
40	nity organizations in planning		
41	and implementing at-risk pro-		
42	grams which directly assist in		
43	improving academic perfor-		
44	mance. Such programs may in-		
45	clude, but not be limited to,		
46	Boys and Girls Clubs, YMCAs,		
47	21st Century Leadership, Pell		
48	City Bridge Builders, Alabama		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	<p>Young Farmers Education Pro- gram, and local civic and charitable organizations. It is the intent of the Legisla- ture that these funds not be utilized to partner with gov- ernmental nor quasi-governmental agencies and entities whose functions already include programs des- ignated for at-risk funding. The local school board shall set forth the efforts made to identify and involve community organizations. The local board shall revert to the ETF any portion of the 20% of its at-risk funding which was not expended on partnerships with qualifying community organiza- tions. If after a diligent process the local board cannot identify effective community organizations, the local board may request a waiver from this 20% requirement from the State Superintendent of Education. The local board must submit an alternative plan to the State Superintendent accompanying the request for the waiver. The State Superintendent may approve a waiver only upon good and sufficient cause. In appropriate situations, busi- nesses may partner with schools or school systems for at-risk programs but may not receive any compensation or reimbursement for expenses or other costs. The State Board of Education is hereby autho- rized, at its discretion, to institute a pilot program to employ behavioral support spe- cialists in public middle schools.</p>		
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42			
43			
44			
45			
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48	(d) Endowment Interest Pro-	532,864	532,864

		Education Trust	Earmarked Funds	Appropriation To-
		Fund		tal
1	gram-Public School Fund,			
2	Estimated			
3	(e) Capital Outlay Pro-			
4	gram-Public School Fund,			
5	Estimated		165,000,000	165,000,000
6	(f) Board of Adjustment	562,800		562,800
7	(g) Salary Matrix Adjustment	22,501,687		22,501,687
8	(h) School Nurses Program ...	33,777,343		33,777,343
9	To be distributed so that each school system shall receive one nurse and additional			
10	nurse or fractions of a nursing allocation based upon the average daily membership			
11	during the first 20 scholastic days after Labor Day of the preceding school year.			
12	The School Nurses Program shall use the following salary matrix to determine nursing			
13	salaries, based on 187 contract days and seven and one-half working hours per day.			
14	No nurse shall be dismissed, have their hours reduced and/or extended or receive			
15	less salary than received in FY 08. No funds provided herein for the School Nurses			
16	Program shall be used for the payment of any salaries of nurses who are not under			
17	the direct control, employment, and supervision of local boards of education. Any			
18	part-time employee pay shall conform to the pro-rata share of the following matrix:			
19	Years Expe-			
20	rience	LPN	RN	RN/MS
21	less than 3	19,000	36,144	41,564
22	3 but less			
23	than 6	20,881	39,756	45,720
24	6 but less			
25	than 9	21,779	41,497	47,721
26	9 but less			
27	than 12	22,062	42,053	48,362
28	12 but less			
29	than 15	22,459	42,818	49,238
30	15 but less			
31	than 18	22,953	43,794	50,364
32	18 but less			
33	than 21	23,229	44,360	51,012
34	21 but less			
35	than 24	23,507	44,926	51,666
36	24 but less			
37	than 27	24,007	45,461	52,201
38	27 or more	24,507	45,997	52,737
39	(i) Capital Outlay Pro-			
40	gram-Federal and Local			
41	Funds, Estimated		42,356,297	42,356,297

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 (j) Information Technology			
2 Services Program	4,711,022		4,711,022
3 The above appropriation shall			
4 be expended by local school			
5 systems towards the position			
6 of a district technology coor-			
7 dinator that meets the job			
8 description and qualifications			
9 as established by the State			
10 Board of Education and serves			
11 as the primary point of con-			
12 tact for all technology is-			
13 sues. The District Technology			
14 Coordinator as directed by the			
15 school system shall be respon-			
16 sible for a technology program			
17 that ensures the proper ac-			
18 countability for the follow-			
19 ing: technology funds; tech-			
20 nology professional develop-			
21 ment; technology planning and			
22 reporting; coordination of			
23 technology across all pro-			
24 grams; a safe, secure, and			
25 fully operable network; tech-			
26 nology procurement and inven-			
27 tory; technology support for			
28 data management; technology			
29 support for distance learning;			
30 annual E-rate application;			
31 and, directing a program to			
32 ensure all state standards			
33 involving technology for			
34 teachers, administrators, and			
35 students are met and technol-			
36 ogy is integrated throughout			
37 the curriculum.			
38 SOURCE OF FUNDS:			
39 (1) ETF	4,036,411,668		
40 (2) Federal and Local Funds .		501,017,467	
41 (3) Public School Fund, Esti-			
42 mated		165,532,864	
43 Total Education, State Board			
44 of - Local Boards of Education	4,036,411,668	666,550,331	4,702,961,999

Education Trust	Earmarked Funds	Appropriation To-
Fund		tal

The above appropriation shall be distributed by the State Board of Education in accordance with the provisions of the Code of Alabama 1975, Sections 16-13-230 through 16-13-239, and all other laws and regulations of the State Board of Education relating to the expenditure of such funds. These funds shall be used to provide a minimum school term of 180 full instructional days and for equitable educational opportunities in the public schools of the state. Foundation Program calculations for FY 2008-2009 are based on the funding divisors set forth below. Units earned under the Foundation Program shall be employed as regular classroom teachers until and/or unless the local school achieves class sizes equal to or less than the following as mandated by the State Board of Education: grades K-3, maximum of 18; grades 4-6, maximum of 26; and grades 7-12, maximum of 29. The divisors listed below shall not serve to prescribe pupil-teacher ratios.

Grades K-3 ...	13.8
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Grades 4-6 ...	21.4
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Grades 7-8 ...	20.1
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Grades 9-12 ..	18
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It is the intent of the Legislature that additional teacher units earned as a result of the reduction of the divisors for grades 4 through 8 in FY 2007 and FY 2008 be used for additional physical education; special education; math; and science teachers.

In allocating the funds in the Foundation Program, the State Board of Education shall allot funds based on the rates established as follows:

The Foundation Program shall use the following salary matrix to determine the cost of instructional salaries, based on 187 contract days, and any part-time contract shall conform to the pro-rata share of the following matrix:

Years Experience	BS	MS	6Y	DO	ND
less than 3	36,144	41,564	44,818	48,071	36,144
3 but less than 6	39,756	45,720	49,297	52,877	39,756
6 but less than 9	41,497	47,721	51,470	55,191	41,497
9 but less than 12	42,053	48,362	52,148	55,932	42,053
12 but less than 15	42,818	49,238	53,093	56,949	42,818
15 but less than 18	43,794	50,364	54,305	58,244	43,794
18 but less	44,360	51,012	55,005	58,999	44,360

		Education Trust Fund	Earmarked Funds	Appropriation To- tal	
1	than 21				
2	21 but less				
3	than 24	44,926	51,666	55,708	44,926
4	24 but less				
5	than 27	45,461	52,201	56,245	45,461
6	27 or more	45,997	52,737	56,780	45,997

For additional professional development, local boards of education are hereby authorized, pursuant to rules and regulations established by the State Board of Education, to continue to schedule the two additional days authorized beginning in FY 2000 for professional development/continuing education for all 9, 10 and 11 month certificated employees at their regular daily rate of pay beyond the previous 180 day employment contract. It is the intent of the Legislature that the use of these days be in accordance with a local school self-improvement plan developed at each school through a collaborative effort of the employees involved and the local school administrators. These two days for professional development/continuing education shall be made a part of the regular school year calendar. The purpose of the days provided herein is to improve classroom instruction, discipline, and school safety. The principal of each school shall report to the local superintendent the manner in which these two professional development days were used at the school. The local superintendent of education shall consolidate the reports from each school and send the report to the State Superintendent of Education. The use of the days shall be incorporated into the school system's professional development plan. It shall be the obligation of the in-service centers and colleges and universities to render maximum assistance to local school employees. The requirement of this section shall also apply to 9, 10 and 11 month certificated personnel at the Alabama Institute for Deaf and Blind, the Department of Youth Services, the School of Math and Science and the School of Fine Arts. Local boards of education are hereby authorized to schedule these two days of professional development/continuing education for all current 9, 10 and 11 month contracts of support personnel and all 9, 10 and 11 month contracts of Child Nutrition Program support personnel at their regular daily rate of pay beyond the previous 180 day employment contract. It is the intent of the Legislature that the purpose of these training sessions for all employed support personnel will be to provide occupation-specific skill training, safety training, training on school discipline, and other relevant aspects of support personnel interaction with students. For the purpose of these training sessions, it shall be the obligation of local boards of education to seek qualified occupation-specific trainers from the Department of Education and/or private vendors solely for training purposes. The requirement of this section shall apply to 9, 10 and 11 month support personnel at the Alabama Institute for Deaf and Blind, the Department of Youth Services, the School of Math and Science and the School of Fine Arts. Local or state board of education rules or regulations shall not be construed to negate the intent of the Legislature. The State Board of Education shall take care to ensure the implementation of the legislative intent as provided by this section.

For "Fringe Benefits" the rate per day for two personal days and five sick days (for units earned in the Foundation Program) shall be \$60. The Teachers' Retirement System rate shall be 12.07% of salaries. The Public Education Employees' Health Insur-

Education Trust Fund	Earmarked Funds	Appropriation To- tal
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ance Program (PEEHIP) rate shall be \$752 per month for each full-time employee.

As funds are appropriated the appropriation herein shall include funds to pay for substitute support employees for each day a support employee is absent. The Department of Education is directed to withhold funds from local systems not employing substitutes for absent support employees, such withheld funds shall revert to the ETF.

For "Classroom Instructional Support" the uniform amounts used in determining the Foundation Program allowance for classroom instructional support shall be: (1) classroom materials and supplies at \$400 per unit earned in the Foundation Program as required in Section 16-1-8.1, Code of Alabama 1975; (2) textbooks at \$57.50 per pupil in average daily membership during the first 20 scholastic days after Labor Day of the preceding school year; (3) technology at \$250 per unit earned in the Foundation Program; (4) professional development at \$35 per unit earned in the Foundation Program; (5) library enhancement at \$175 per unit earned in the Foundation Program; (6) a common purchase fund at each local school at \$125 per unit earned in the Foundation Program; and (7) funds allocated for instructional support units to meet SACS standards shall be used exclusively and specifically for principals, assistant principals, counselors, and librarians and library aides, as calculated by the State Department of Education and assigned to the schools where such units are earned. An instructional support unit earned for a principal shall be increased by .31 for elementary schools, .35 for middle schools, and .45 for secondary schools and unit schools. An instructional support unit earned for an assistant principal shall be increased by .10 for elementary schools, middle schools, secondary schools and unit schools. An instructional support unit earned for a counselor shall be increased by .03 for secondary schools and unit schools. The budgeting and expenditure of funds in the Foundation Program at the local level shall be determined and made by the local board of education in accordance with rules and regulations of the State Board of Education and all laws governing such school budgets and expenditures.

Each local school superintendent shall submit a notarized affidavit to the State Department of Education certifying that funds appropriated in this section have been expended for instructional supplies or instructional equipment for classrooms as provided and required in Section 16-1-8.1, Code of Alabama 1975. On the affidavit the superintendent shall state the amount of funds expended for use by classroom teachers and the amount of funds expended for collective purchases for instructional purposes. The affidavit of expenditures shall be subject to audit by the Examiners of Public Accounts.

**10. Education, State Board of -
Two-Year College System:**

(a) Operations and Maintenance	340,694,147	194,271,116	534,965,263
(b) Auxiliary Enterprises		37,355,000	37,355,000
(c) Restricted Funds		193,700,000	193,700,000
(d) Operations and Maintenance of Postsecondary Prison Edu-	10,004,930		10,004,930

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 cation (ETF)			
2 Of the above appropriation,			
3 \$2,000,000 shall be expended			
4 for Therapeutic Education.			
5 (e) Postsecondary Skills			
6 Training and Education (Fed-			
7 eral and Other Funds)		22,500,000	22,500,000
8 (f) Adult Education Program	8,020,185	10,723,981	18,744,166
9 (g) Special Populations Train-			
10 ing	5,164,364		5,164,364
11 For programs to prepare the			
12 inmate population, parolees or			
13 other special populations des-			
14 ignated by the Chancellor for			
15 entry into the workforce			
16 through adult education,			
17 preemployment skills training,			
18 and short-term intensive ca-			
19 reer technical training.			
20 (h) Mine Safety Training Pro-			
21 gram at Bevill State Commu-			
22 nity College	300,000		300,000
23 (i) Community Educational			
24 (C.I.T.Y.) Programs	5,362,878		5,362,878
25 (j) Postsecondary Education			
26 Department - Administration	5,444,747	3,174,902	8,619,649
27 (k) Postsecondary/Tech Col-			
28 leges - Truck Driving Train-			
29 ing	200,000	2,100,000	2,300,000
30 Of the above appropriation,			
31 \$200,000 shall be expended for			
32 the Truck Driver Training Pro-			
33 gram at Central Alabama Commu-			
34 nity College.			
35 (l) Workforce Development ...	5,380,000		5,380,000
36 The Workforce Development			
37 Funds shall be distributed by			
38 the State Board of Education			
39 upon recommendation of the			
40 Chancellor to develop and im-			
41 plement programs to provide a			
42 skilled workforce and to pro-			
43 vide college operations and			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 maintenance allocations for			
2 workforce and economic devel-			
3 opment.			
4 (m) Marion Military Institute	7,412,925		7,412,925
5 (n) Alabama Technology Network			
6	5,835,000		5,835,000
7 SOURCE OF FUNDS:			
8 (1) ETF	393,819,176		
9 (2) Federal and Other Funds .		463,824,999	
10 Total Education, State Board			
11 of - Two-Year College System	393,819,176	463,824,999	857,644,175
12 (1) The allocations as set forth above shall be distributed by the State Board of			
13 Education through the Office of the Chancellor.			
14 (2) The above appropriation from the ETF for Operations and Maintenance shall be			
15 distributed so that each of the colleges, except Marion Military Institute, shall			
16 receive the amounts necessary to fund additional employer contributions to teachers'			
17 retirement. Shelton State Community College shall receive \$1,300,000 to operate the			
18 Poison Control Center and Jefferson State Community College shall receive \$200,000			
19 to operate the Risk Watch Program. The remaining balance shall be allocated among			
20 colleges in an amount equal to the percent of the continuing and permanent Opera-			
21 tions and Maintenance allocation received from the ETF in Act 2007-361.			
22 (3) The above appropriation for Operations and Maintenance of Postsecondary Prison			
23 Education shall be distributed to the same colleges and in the same amounts as FY			
24 2008.			
25 (4) The allocation of Adult Education funds appropriated herein is restricted to the			
26 provision of services by grant recipients as defined under the stipulations of the			
27 Adult Education and Family Literacy Act, Title II of the federal Workforce Invest-			
28 ment Act of 1998.			
29 (5) From the above appropriation for Special Populations Training, the Life Tech			
30 program shall receive the same amount of funds as received from the Two Year College			
31 System in FY 2008 from all sources, except for any savings recognized from refinanc-			
32 ing of bonds.			
33 (6) From the above appropriation for the Alabama Technology Network not less than			
34 \$342,000 shall be expended for the continuation of Gadsden State Community College's			
35 AFL-CIO partnership program.			
36 (7) The Chancellor shall not assess the colleges for any state function provided			
37 through the Chancellor's Office nor make any obligation which would encumber any			
38 college's funding.			
39 (8) It is the intent of the Legislature that the State Board of Education shall not			
40 authorize or approve the sale of any property donated to any college within the			
41 two-year college system without approval from the Legislative Council.			

Education Trust Fund	Earmarked Funds	Appropriation To- tal
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11. Education, State Department
of:

(a) Administrative Services

Program	216,327,734	114,468,115	330,795,849
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The proposed spending plan for the ETF monies included in the above program is as follows:

Operations and
Maintenance of
the Department 37,664,724

Of the above appropriation, at least \$10,246,961 shall be expended in the same manner and for the same programs as the appropriation to the State Department of Education from the Children First Trust Fund was expended in FY 2005.

Operations and
Maintenance for
the Alabama
Reading Initia-
tive 69,404,704

Operations and
Maintenance for
Math/Science/Te-
chnology Ini-
tiative 40,792,050

Arts Education 600,000

For art education programs in areas evaluated and reviewed by the Black Belt Action Commission.

Teacher/Student
Testing 8,479,865

To be expended for teacher/student test development and expenses directly related to teacher and student assessment.

Children's Eye
Screening Pro-
gram and Fol- 2,696,459

Education Trust	Earmarked Funds	Appropriation To-
Fund		tal

1 low-up Eye Care
 2
 3 Of the above appropriation,
 4 \$1,377,000 shall be used to
 5 provide eye screening for
 6 Grades K, 2 and 4. The method
 7 of screening shall be color
 8 photo refraction as developed
 9 by the National Aeronautics
 10 and Space Administration and
 11 \$1,319,459 shall be used to
 12 provide follow-up care for
 13 those Grades K, 2 and 4 stu-
 14 dents. Follow-up eye care ser-
 15 vices shall include, but not
 16 be limited to, providing as-
 17 sistance in obtaining and co-
 18 ordinating local eye care ser-
 19 vices for those children iden-
 20 tified as needing said fol-
 21 low-up eye care services
 22 whether insured, uninsured or
 23 underinsured. Children identi-
 24 fied as uninsured or
 25 underinsured shall be provided
 26 with free eye exams and free
 27 prescription spectacles. A
 28 database including specific
 29 data by child, grade,
 30 school/system, and services
 31 for outcome-based measurement
 32 shall be maintained and ar-
 33 chived.
 34 Governor's Lo-
 35 cal School and
 36 School System
 37 Academic and
 38 Financial Im-
 39 provement Pro-
 40 gram (At-Risk) 22,710,268
 41 The above appropriation shall
 42 be expended for the operations
 43 and maintenance of at-risk
 44 programs to develop and imple-
 45 ment school improvement pro-
 46 grams' financial and/or aca-
 47 demic accountability per Sec-

Education Trust	Earmarked Funds	Appropriation To-
Fund		tal

tion 16-6B-3, Code of Alabama 1975, and for benefits for appropriate personnel within the Department of Education. At-risk funds shall be used to employ personnel under short-term contracts who shall be assigned by the State Superintendent of Education to give direct assistance to schools which come under the jurisdiction of the Department in accordance with Sections 16-6B-1 through 16-6B-6, Code of Alabama 1975, which requires schools and/or school systems to be placed in intervention for academic and/or financial reasons by the State Superintendent. In selecting these personnel, the State Superintendent shall give preference to persons who have achieved National Board for Professional Teaching Standards (NBPTS) certification and/or who have been chosen as Alabama Teachers of the Year. In the event this pool of personnel is inadequate, the State Superintendent may then employ other teaching and/or administrative personnel who have been recognized for their competence. Such personnel shall be assigned to work directly with schools whose operations are being assisted by the state. The State Superintendent may further use these personnel to assist schools that are on Priority status as well as use these funds in partnership with and funding from the Department of Education to improve the learning opportunities for at-risk students. These programs shall

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	include, but not be limited		
2	to, after school programs,		
3	character education programs,		
4	drop-out prevention programs,		
5	summer programs, career tech-		
6	nical youth programs, programs		
7	to improve reading, and/or		
8	math, and/or science skills to		
9	increase grade-to-grade promo-		
10	tion, high school graduation		
11	and college preparedness, and		
12	other activities designed to		
13	assist at-risk students. Per-		
14	sonnel employed or contracted		
15	by the Department for assis-		
16	tance in at-risk schools shall		
17	be on release status from		
18	their respective local boards		
19	of education and shall retain		
20	all benefits and tenure status		
21	unless they are given perma-		
22	nent employment in the State		
23	Department of Education. Funds		
24	may be allocated to entities		
25	that have and/or can effect		
26	positive results in improved		
27	student achievement. Of the		
28	above appropriation,		
29	\$2,467,250 is to be expended		
30	to reward schools for increas-		
31	ing their academic achieve-		
32	ment. Rewards will go directly		
33	to the school in which im-		
34	provement is made and should		
35	be invested in instructional		
36	improvement programs and/or		
37	materials voted on by the		
38	teaching faculty. The State		
39	Superintendent of Education		
40	shall notify and invite to		
41	participate members of the		
42	local legislative delegation		
43	when rewards are granted to		
44	schools which have increased		
45	their academic achievement.		
46	The State Board of Education		
47	is hereby authorized, at its		
48	discretion, to institute a		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	pilot program to employ behav-		
2	ioral support specialists in		
3	public middle schools.		
4	School Account-		
5	ability Report		
6	Card	746,282	
7	For distribution of the School		
8	Accountability Report Card		
9	referred to in Section 16-6B-7		
10	of the Code of Alabama 1975 to		
11	every parent with a child in		
12	Alabama public schools.		
13	English as a		
14	Second Language		
15	Students Pro-		
16	gram	4,839,800	
17	Based on the 2007-08 school		
18	system count supplied to the		
19	Alabama Department of Educa-		
20	tion by each local superinten-		
21	dent of education, herein is		
22	appropriated on a per student		
23	basis to be utilized by local		
24	school boards to provide as-		
25	sistance to students not uti-		
26	lizing English as their native		
27	language so they may become		
28	proficient in reading, writ-		
29	ing, and speaking English at		
30	the earliest possible time.		
31	Tenure Arbitra-		
32	tion Costs ...	900,000	
33	Of the above appropriation for		
34	Tenure Arbitration Costs,		
35	\$400,000 shall be transferred		
36	to fund the Office of the At-		
37	torney General for performance		
38	of arbitration services, in-		
39	cluding administration of the		
40	State's tenure laws (Code of		
41	Alabama 1975, Section		
42	36-26-115) by the Office of		
43	Administrative Hearings, Divi-		
44	sion of Administrative Law		
45	Judges.		

Education Trust	Earmarked Funds	Appropriation To-
Fund		tal

Teacher Re-
cruitment In-
centives 10,000

The State Board of Education shall designate certain areas of critical needs for classroom teachers. These needs may be in subject matter areas, grade levels, geographic location, race or gender. The scholarship funds appropriated herein shall be administered by the Alabama Commission on Higher Education (ACHE) and shall be disbursed to students graduating from high school or already enrolled in college who sign a contract to become teachers. Upon completion of the course of study leading to certification each new teacher shall perform one year of service in an Alabama public school classroom for each year of scholarship funding received. Each year of scholarship shall be forgiven for each year of Alabama public school service. In the event the contract is violated the outstanding amount of money owed shall be repaid with interest. ACHE is authorized to establish a grace period between the time a recipient withdraws from school, fails to complete the contracted program, or falls below full-time student status and the time that the recipient is obligated to begin repaying his or her loan. ACHE shall award scholarships based upon a combination of student need and academic success on previous study undertaken. The scholarships awarded may be up to \$10,000 per year for stu-

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	dents preparing to teach in		
2	areas of need determined by		
3	the State Board of Education.		
4	Ten percent of this allocation		
5	may be used in conjunction		
6	with Future Teachers of Ala-		
7	bama to strengthen high school		
8	initiatives aimed at recruit-		
9	ing students to become teach-		
10	ers. Any funds appropriated		
11	for teacher recruitment incen-		
12	tives that are unexpended in		
13	FY 2008 are hereby		
14	reappropriated for teacher		
15	recruitment incentives for FY		
16	2009.		
17	Distance Learn-		
18	ing 25,333,582		
19	Job descriptions shall be de-		
20	veloped by the State Depart-		
21	ment of Education for posi-		
22	tions funded by this appropri-		
23	ation. Hiring of personnel		
24	shall be monitored by the		
25	State Department of Education		
26	for compliance with these job		
27	descriptions. In addition,		
28	these funds shall be used ex-		
29	clusively to meet the distance		
30	learning initiative ACCESS		
31	(Alabama Connecting Class-		
32	rooms, Educators, and Students		
33	Statewide).		
34	Advanced Place-		
35	ment 1,600,000		
36	Dropout Preven-		
37	tion Pilot ... 550,000		
38	(b) Financial Assistance Pro-		
39	gram 39,468,199	975,235,577	1,014,703,776
40	The proposed spending plan for		
41	the ETF monies included in the		
42	above program is as follows:		
43	Southwest		
44	School of Deaf		
45	and Blind 343,301		

Education Trust	Earmarked Funds	Appropriation To-
Fund		tal

1	Pre-School Pro-	
2	gram (Special	
3	Education) ...	2,269,605
4	National Board	
5	for Profes-	
6	sional Teaching	
7	Standards	8,690,000
8	The above appropriation in-	
9	cludes funds to pay assessment	
10	fees for teachers desiring to	
11	take the examination, funds to	
12	provide a \$5,000 supplement in	
13	addition to base salary as	
14	determined by the Minimum Sal-	
15	ary Schedule for all	
16	board-certified teachers and	
17	funds to provide a one-time	
18	bonus for teachers earning	
19	certification to be used for	
20	classroom supplies, materials	
21	and equipment. Alabama teach-	
22	ers shall apply for funding of	
23	the assessment fees and recip-	
24	ients are required to commit	
25	to teach in Alabama public	
26	schools for an additional pe-	
27	riod of five years unless an	
28	exception is granted for just	
29	cause. Of the funds provided	
30	herein, an amount not to ex-	
31	ceed \$45,000 shall be used to	
32	pay for release time of per-	
33	sonnel used by the State De-	
34	partment of Education to men-	
35	tor prospective candidates for	
36	the NBPTS certification and to	
37	assist in determining which	
38	candidates shall receive state	
39	funding to take the examina-	
40	tion. Salary must be provided	
41	before said amount can be used	
42	by the State Department of	
43	Education for personnel re-	
44	lease time.	
45	Children's Hos-	
46	pital	145,000

Education Trust	Earmarked Funds	Appropriation To-
Fund		tal

1	Play By The	
2	Rules Program	35,000
3	Council on Eco-	
4	nomie Education	
5	.....	25,000
6	Career Tech	
7	Initiative ...	2,500,000
8	P.A.C.E.R.S.	
9	Program	150,000
10	PALS Program .	30,000
11	Teacher	
12	In-Service Cen-	
13	ters	3,824,286
14	The State Board of Education,	
15	through the State Superinten-	
16	dent of Education, shall ad-	
17	minister the in-service cen-	
18	ters and shall monitor the	
19	centers for compliance with	
20	established accountability	
21	standards. The above appropri-	
22	ation to the In-Service Cen-	
23	ters shall be distributed to	
24	the existing eleven Teacher	
25	In-Service Centers in each	
26	geographical area of the state	
27	as follows:	
28	University of	
29	Alabama	
30	.... \$301,366	
31	University of	
32	Alabama at Bir-	
33	mingham	
34	.... \$417,142	
35	Alabama A and M	
36	University	
37	.... \$380,185	
38	Alabama State	
39	University	
40	.... \$327,636	

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	Athens State		
2	University		
3	....	\$317,602	
4	Auburn Univer-		
5	sity		
6	....	\$330,577	
7	Jacksonville		
8	State Univer-		
9	sity		
10	....	\$323,731	
11	University of		
12	Montevallo		
13	....	\$340,224	
14	Troy University		
15	....	\$343,881	
16	University of		
17	North Alabama		
18	....	\$294,564	
19	University of		
20	South Alabama		
21	....	\$447,378	
22	Teacher Profes-		
23	sional Develop-		
24	ment Training	1,356,012	
25	This appropriation shall be		
26	used to train teachers (K-12)		
27	in the use of computers in the		
28	classroom. Trainers shall be		
29	chosen who can assist teachers		
30	in learning computer skills,		
31	the use of instructional soft-		
32	ware, and the classroom uses		
33	of the Internet.		
34	Jobs for Ala-		
35	bama's Gradu-		
36	ates (JAG) ...	999,467	

	Education Trust	Earmarked Funds	Appropriation To-
	Fund		tal
1	Virtual Library		
2	Project	3,772,600	
3	The State Department shall		
4	serve as the fiscal agent for		
5	the Virtual Library Project.		
6	Governor's High		
7	Hopes for Ala-		
8	bama Students	12,377,928	
9	Of the above appropriation, at		
10	least \$2,942,964 is to be al-		
11	located on behalf of students		
12	failing any section of the		
13	Alabama High School Graduation		
14	Exam. The funds appropriated		
15	in this section for graduation		
16	exam failure shall be in addi-		
17	tion to and may not supplant		
18	any other funds required to be		
19	expended by the state or local		
20	board of education for		
21	remediation and for the pur-		
22	chase of web-based sample		
23	practice tests for the High		
24	School Graduation Exam and		
25	other state required standard-		
26	ized tests which can be taken		
27	and scored using a web-based		
28	platform, or for at-risk stu-		
29	dents, including, but not lim-		
30	ited to, Section 16-6B-3, Code		
31	of Alabama 1975, and/or any		
32	rules or regulations adopted		
33	by the State Board of Educa-		
34	tion.		
35	Teacher		
36	Mentoring Pro-		
37	gram	2,950,000	
38	A teacher mentoring program		
39	shall be established and in-		
40	stituted in each school in		
41	which a first year teacher is		
42	employed. The principal shall		
43	designate a mentor for each		
44	new teacher who has had no		
45	prior teaching experience. The		
46	mentor must concur in his/her		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 selection and shall receive a			
2 stipend of \$1,000 for the aca-			
3 demic year. Mentors shall be			
4 selected on the basis of qual-			
5 ifications recommended by the			
6 State Superintendent of Educa-			
7 tion. Mentors shall advise and			
8 offer instructional counseling			
9 to the new teacher. Mentor			
10 teachers shall have no admin-			
11 istrative duties and shall not			
12 participate in the evaluation			
13 of the new teacher. At no time			
14 shall the mentor act as a sub-			
15 stitute teacher in lieu of the			
16 new teacher. Each mentor shall			
17 be currently employed as a			
18 classroom teacher and shall			
19 continue his/her normal teach-			
20 ing responsibility in addition			
21 to providing assistance to the			
22 new teacher. Payment of the			
23 stipend shall be made in two			
24 payments.			
25 (c) Alabama Science In Motion			
26 Program	2,214,759		2,214,759
27 All funds appropriated to this			
28 program shall be expended in			
29 accordance with Title 16,			
30 Chapters 61B and 61C, Code of			
31 Alabama 1975. Additionally,			
32 any funds unexpended and car-			
33 ried over from the prior fis-			
34 cal year are hereby			
35 reappropriated.			
36 (d) Disability Determination			
37 for Social Security Program		81,461,346	81,461,346
38 SOURCE OF FUNDS:			
39 (1) ETF	255,795,933		
40 (2) ETF-Transfer	2,214,759		
41 (3) Driver Education and			
42 Training Fund		4,243,250	
43 (4) Federal and Local Funds .		1,164,421,788	

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 (5) Special Education Cata-			
2 strophic Fund		2,500,000	
3 Total Education, State Depart-			
4 ment of	258,010,692	1,171,165,038	1,429,175,730
5 12. Educational Television Com-			
6 mission:			
7 (a) Educational Television			
8 Program	8,164,407	507,171	8,671,578
9 SOURCE OF FUNDS:			
10 (1) ETF	8,164,407		
11 (2) Federal and Local Funds .		507,171	
12 Total Educational Television			
13 Commission	8,164,407	507,171	8,671,578
14 13. Executive Commission on Com-			
15 munity Services Grants, State:			
16 (a) Community Services Grants			
17 Program	10,000,000		10,000,000
18 Distributed pursuant to Sec-			
19 tion 29-2-123 of the Code of			
20 Alabama 1975, as amended.			
21 SOURCE OF FUNDS:			
22 (1) ETF	10,000,000		
23 The above appropriation shall			
24 be used for grants that pro-			
25 mote public education pur-			
26 poses.			
27 Total Executive Commission on			
28 Community Services Grants,			
29 State	10,000,000		10,000,000
30 14. Family Practice Rural Health			
31 Board:			
32 (a) Family Practice Rural			
33 Health Program	1,551,857		1,551,857
34			
35 SOURCE OF FUNDS:			

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	(1) ETF	1,551,857		
2	Total Family Practice Rural			
3	Health Board	1,551,857		1,551,857
4	Of the above appropriation, at			
5	least \$100,000 shall be ex-			
6	pended for the Auburn Rural			
7	Health Program; a minimum of			
8	\$100,000 shall be expended for			
9	the Tuskegee Area Health Edu-			
10	cation Center (TAHEC);			
11	\$540,000 shall be expended for			
12	the Rural Medical Scholars			
13	Program at the University of			
14	Alabama at Tuscaloosa; and			
15	\$100,000 shall be expended for			
16	the Rural Health Program at			
17	the University of Alabama in			
18	Huntsville.			
19	15. Finance, Department of:			
20	(a) Employee Benefits Program	900,000		900,000
21	SOURCE OF FUNDS:			
22	(1) ETF, Estimated	900,000		
23	Total Finance, Department of	900,000		900,000
24	To be distributed by the State			
25	Comptroller to the designated			
26	beneficiaries or estates for			
27	unused sick leave pursuant to			
28	Code of Alabama 1975, Section			
29	16-1-18.2.			
30	16. Finance, Department of -			
31	Telephone Revolving Fund:			
32	(a) Information Systems Pro-			
33	gram	1,400,000		1,400,000
34	SOURCE OF FUNDS:			
35	(1) ETF-Transfer	1,400,000		
36	Total Finance, Department of -			
37	Telephone Revolving Fund	1,400,000		1,400,000

Education Trust Fund	Earmarked Funds	Appropriation To- tal
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The Telephone Revolving Fund shall assess to using agencies and institutions any additional amount necessary to provide continuing non-interrupted service of a minimum maintenance level.

17. Fine Arts, Alabama School of:

(a) Financial Assistance Program

7,646,705	928,000	8,574,705
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SOURCE OF FUNDS:

(1) ETF

7,646,705

(2) Federal and Local Funds .

928,000

Total Fine Arts, Alabama

School of

7,646,705	928,000	8,574,705
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18. Fire Fighters' Personnel Standards and Education Commission, Alabama/Fire College Shelton State Community College:

(a) Operations and Maintenance

.....

4,507,606	1,945,000	6,452,606
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SOURCE OF FUNDS:

(1) ETF

4,507,606

(2) Federal and Local Funds .

1,945,000

Total Fire Fighters' Personnel Standards and Education Commission, Alabama/Fire College Shelton State Community College

4,507,606	1,945,000	6,452,606
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19. Governor's Office of Faith Based and Community Initiatives:

(a) Executive Direction Program

150,000		150,000
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Education Trust Fund	Earmarked Funds	Appropriation To- tal
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SOURCE OF FUNDS:

(1) ETF	150,000	
Total Governor's Office of Faith Based and Community Ini- tiatives	150,000	150,000

20. Higher Education, Alabama

Commission on:

(a) Planning and Coordination Services Program	2,760,900	2,760,900
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The proposed spending plan for
the ETF monies included in the
above program is as follows:

Operations and Maintenance ..	2,760,900
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(b) Student Financial Aid Pro- gram	7,187,272	3,453,443	10,640,715
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(1) Policeman's Survivor Tui- tion, Estimated	137,000
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To be expended under the pro-
visions of Code of Alabama
1975, Section 36-21-105.

(2) Alabama Na- tional Guard Educational As- sistance Schol- arships	675,143
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To be expended in accordance
with Code of Alabama 1975,
Sections 31-10-1 through
31-10-4 and Sections 31-10-20
through 31-10-25.

(3) Alabama Student Assis- tance Program	3,523,658
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(4) Educational Grants Program (Alabama Stu- dent Grant Pro- gram)	2,819,471
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	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	To be expended in accordance		
2	with Code of Alabama 1975,		
3	Sections 16-33A-1 through		
4	16-33A-11. It is the intent of		
5	the Legislature that private		
6	institutions receiving state		
7	grant funds under this provi-		
8	sion make their best effort to		
9	use the equivalent of ten per-		
10	cent of Federal Work Study		
11	allocations for the purpose of		
12	tutoring and mentoring stu-		
13	dents in grades K-12 to better		
14	prepare them for graduation,		
15	college entry and retention.		
16	Institutions shall work with		
17	their respective governing		
18	boards to develop and imple-		
19	ment this effort.		
20	(5)		
21	Chiropractic		
22	Scholarships .	32,000	
23	To be expended in accordance		
24	with Code of Alabama 1975,		
25	Section 16-5-11.		
26	(c) Support of Other Educa-		
27	tional Activities Program .	3,092,926	1,594,860 4,687,786
28	The proposed spending plan for		
29	the ETF monies included in the		
30	above program is as follows:		
31	(1) Network of		
32	Alabama Aca-		
33	demic Libraries		
34	.....	325,655	
35	It is the intent of the Legis-		
36	lature that ACHE shall provide		
37	for the participation of Ath-		
38	ens State University in the		
39	Network of Alabama Academic		
40	Libraries.		
41	(2) Southern		
42	Regional Educa-		
43	tion Board		
44	(SREB)	717,271	
45	(3) EPSCoR (Re-	1,500,000	

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 search) Program			
2			
3 (4) Computer			
4 Based Articula-			
5 tion System ..	450,000		
6 To fund Troy University for			
7 developing and operating a			
8 statewide computer-based ar-			
9 ticulation system to serve all			
10 four-year and two-year			
11 postsecondary institutions in			
12 the State of Alabama.			
13 (5) School and			
14 University			
15 Partnership for			
16 Education Re-			
17 newal Program			
18 (SUPER)	100,000		
19 (d) Support of State Universi-			
20 ties Program	6,100,000	75,000	6,175,000
21 The proposed spending plan for			
22 the ETF monies included in the			
23 above program is as follows:			
24 (1) Alabama Ag-			
25 ricultural Land			
26 Grant Alliance	6,100,000		
27 Of the above appropriation to			
28 AALGA, at least \$5,000,000			
29 shall be equally distributed			
30 as a state match for federal			
31 funds for those institutions			
32 in the Alliance required to			
33 provide matching funds in or-			
34 der to obtain federal funds			
35 for the first time in fiscal			
36 year 2000. Of the above appro-			
37 priation, \$400,000 shall be			
38 allocated for the fruit and			
39 vegetable marketing initiative			
40 and \$200,000 shall be allo-			
41 cated for the Youth Partner-			
42 ship Program.			
43 SOURCE OF FUNDS:			

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	(1) ETF	19,141,098		
2	(2) Federal and Local Funds .		5,123,303	
3	Total Higher Education, Ala-			
4	bama Commission on	19,141,098	5,123,303	24,264,401
5	21. Human Resources, Department			
6	of:			
7	(a) Human Services Program -			
8	Jobs Opportunities and Basic			
9	Skills Training (JOBS) Pro-			
10	gram	5,571,624		5,571,624
11	(b) Human Services Program -			
12	Jobs Child Care and After			
13	School Child Care Program .	10,168,059		10,168,059
14	Of the above appropriation,			
15	\$175,000 shall be expended for			
16	the Black Belt Eye Care Con-			
17	sortium.			
18	SOURCE OF FUNDS:			
19	(1) ETF-Transfer	15,739,683		
20	Total Human Resources, Depart-			
21	ment of	15,739,683		15,739,683
22	Of the above appropriation, a			
23	minimum of \$1,000,000 is to be			
24	distributed to the day care			
25	centers in rural areas within			
26	the state for the dual purpose			
27	of providing day care services			
28	to the working poor and pro-			
29	vide state match to draw down			
30	additional federal subsidy			
31	dollars. These funds shall be			
32	distributed based upon a mean-			
33	ingful formula, taking into			
34	account service delivery area,			
35	population, and the services			
36	required by the targeted cli-			
37	ents.			
38	22. Industrial Development Train-			
39	ing Institute, Alabama:			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 (a) Industrial Development and			
2 Training Program	6,440,154		6,440,154
3 (b) Industrial Training Pro-			
4 gram - Operations and Main-			
5 tenance	6,488,061		6,488,061
6 (c) Workforce Development ...	29,070,000		29,070,000
7 SOURCE OF FUNDS:			
8 (1) ETF	41,998,215		
9 Total Industrial Development			
10 Training Institute, Alabama .	41,998,215		41,998,215
11 The \$29,070,000 of funds ap-			
12 propriated for Workforce De-			
13 velopment are to be expended			
14 for those costs incurred by			
15 the State in honoring commit-			
16 ments to pay Workforce Devel-			
17 opment costs, including ser-			
18 vices and other assistance and			
19 expenses of recruitment and			
20 training of a company's			
21 workforce, that are undertaken			
22 to induce companies to locate			
23 or expand their operations in			
24 Alabama (described hereinafter			
25 as a "Project") and to develop			
26 and implement training, place-			
27 ment and recruitment programs			
28 that will improve, develop and			
29 expand the State's workforce.			
30 Such costs include, but are			
31 not limited to (i) AIDT oper-			
32 ating costs directly related			
33 to a Project; (ii) wages and			
34 benefits for trainers engaged			
35 by AIDT for the purpose of a			
36 Project; (iii) costs which the			
37 State has agreed to pay under			
38 the terms of a Project Agree-			
39 ment with a company that are			
40 necessary and reasonable			
41 charges incurred by the com-			
42 pany or its affiliates for			
43 personnel providing training			
44 to the company's employees,			

Education Trust	Earmarked Funds	Appropriation To-
Fund		tal

whether those trainers are
 employees of the company or
 its vendors or suppliers, in-
 cluding wages, benefits and
 travel (domestic and, when
 necessary, international);
 (iv) any necessary materials,
 equipment, manuals, or other
 relevant training materials;
 (v) the costs incurred for
 purchasing or repairing or
 replacing training tools and
 equipment; (vi) costs incurred
 for the purchase or construc-
 tion and maintenance of train-
 ing facilities; (vii) travel
 expenses for prospective and
 current employees and train-
 ees, including travel, food,
 lodging, relocation, and other
 costs necessary and reasonable
 to enable the company to se-
 cure a qualified workforce;
 (viii) outside training fees;
 and (ix) the construction and
 equipping of career centers to
 assist citizens of the State
 in outreach, job search, as-
 sessments of individuals,
 placement assistance, labor
 market information, individual
 employment plans and counsel-
 ing, career planning, occupa-
 tional and vocational train-
 ing, and specific skills
 training. It is the intent of
 the Legislature that the above
 funds appropriated for
 workforce development shall be
 expended primarily for the
 training of Alabama residents.
 It is further the intent that
 contracts with vendors to pro-
 vide workforce training shall
 be inclusive and reflect the
 racial and gender diversity of
 the state. The Office of
 Workforce Development shall

Education Trust Fund	Earmarked Funds	Appropriation To- tal
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report quarterly to the Chairs of the Senate Committee on Finance and Taxation-Education and the House Committee on Education Appropriations and the Legislative Fiscal Officer on any funds allocated for workforce training. Such report shall include a summary of the persons trained and the vendors providing the training. The reports shall contain information including residence, race and gender of the persons trained and of the principal or majority owner of the firm or business contracted with to provide the training services.

23. Library Service, Alabama Public:

(a) Public Library Service Program	8,369,699	2,892,935	11,262,634
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Of the above appropriation, a minimum of \$5,090,608 is to be distributed to the public libraries within the state and \$300,000 shall be expended for Homework Alabama.

(b) Special Grant Program ...	325,000		325,000
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SOURCE OF FUNDS:

(1) ETF	8,694,699		
(2) Federal and Local Funds .		2,892,935	
Total Library Service, Alabama Public	8,694,699	2,892,935	11,587,634

24. Marine Environmental Sciences Consortium/Dauphin Island Sea Lab:

(a) Support of Other Educational Activities Program .	4,377,533	2,920,390	7,297,923
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Of the above appropriation,

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	\$100,000 shall be expended for			
2	the Mobile Bay National Estu-			
3	ary Program and \$100,000 shall			
4	be expended for the Missis-			
5	sippi-Alabama Sea Grant Con-			
6	sortium.			
7	SOURCE OF FUNDS:			
8	(1) ETF	4,377,533		
9	(2) Federal and Local Funds .		2,920,390	
10	Total Marine Environmental			
11	Sciences Consortium/Dauphin			
12	Island Sea Lab	4,377,533	2,920,390	7,297,923
13	25. Mathematics and Science, Ala-			
14	bama School of:			
15	(a) Financial Assistance Pro-			
16	gram	6,989,577	54,100	7,043,677
17	SOURCE OF FUNDS:			
18	(1) ETF	6,989,577		
19	(2) Federal and Local Funds .		54,100	
20	Total Mathematics and Science,			
21	Alabama School of	6,989,577	54,100	7,043,677
22	26. Medical Scholarship Awards,			
23	Board of:			
24	(a) Support of Other Educa-			
25	tional Activities Program .	1,300,000	400,000	1,700,000
26	To be expended under the pro-			
27	visions of the Code of Alabama			
28	1975, Sections 16-47-121			
29	through 16-47-129.			
30	SOURCE OF FUNDS:			
31	(1) ETF	1,300,000		
32	(2) Federal and Local Funds .		400,000	
33	Total Medical Scholarship			
34	Awards, Board of	1,300,000	400,000	1,700,000

Education Trust Fund	Earmarked Funds	Appropriation To- tal
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27. Mental Health and Mental Re-
tardation, Department of:

(a) Institutional Treatment
and Care of Mental Illness
Program

4,932,770

4,932,770

(b) Institutional Treatment
and Care of Mental Retarda-
tion Program

26,934,421

26,934,421

Of the above appropriation to
the Department of Mental
Health and Mental Retardation
for the Mental Retardation
Program, the sum of \$5,091,760
shall be used to fund the
ARC-type community-based pro-
grams, including the Montgom-
ery Institute for Neurological
Development, for the mentally
retarded and developmentally
disabled in Alabama and the
sum of \$520,148 shall be allo-
cated to Camp ASCCA.

(c) Substance Abuse Program .

1,216,051

1,216,051

SOURCE OF FUNDS:

(1) ETF-Transfer

33,083,242

Total Mental Health and Mental
Retardation, Department of ..

33,083,242

33,083,242

28. Nursing, Alabama Board of:

(a) Professional and Occupa-
tional Licensing and Regula-
tion Program

257,000

257,000

The above appropriation shall
be expended pursuant to the
provisions of the Code of Ala-
bama 1975, Sections 34-21-60
through 34-21-63. Notwith-
standing the limiting provi-
sions of the Code of Alabama
1975, Sections 34-21-60
through 34-21-63, \$200,000 of

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	the above appropriation shall			
2	be expended exclusively for			
3	scholarships for advanced de-			
4	grees to train instructors to			
5	teach nursing classes in Ala-			
6	bama colleges and universi-			
7	ties.			
8	SOURCE OF FUNDS:			
9	(1) ETF	257,000		
10	Total Nursing, Alabama Board			
11	of	257,000		257,000
12	29. Optometric Scholarship			
13	Awards, Board of:			
14	(a) Support of Other Educa-			
15	tional Activities Program .	188,000		188,000
16	To be expended under the pro-			
17	visions of the Code of Alabama			
18	1975, Sections 34-22-60			
19	through 34-22-65.			
20	SOURCE OF FUNDS:			
21	(1) ETF	188,000		
22	Total Optometric Scholarship			
23	Awards, Board of	188,000		188,000
24	30. Peace Officers' Standards and			
25	Training Commission, Alabama:			
26	(a) Professional and Occupa-			
27	tional Licensing and Regula-			
28	tion Program	339,407	4,500,000	4,839,407
29	(b) Certified Law Enforcement			
30	Academy Program	465,670	450,000	915,670
31	Of the above appropriation for			
32	the Certified Law Enforcement			
33	Academy Program, \$465,670 of			
34	ETF monies included therein			
35	shall be expended as follows:			
36	Northeast Po-			
37	lice Academy .	121,074		
38	Alabama Peace			
39	Officers' Stan-	121,074		

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 dards and			
2 Training Com-			
3 mission Law			
4 Enforcement			
5 Academy at			
6 Tuscaloosa ...			
7 Southwest Po-			
8 lice Academy .	121,074		
9 Alabama Police			
10 Academy	65,194		
11 Montgomery Po-			
12 lice Academy .	37,254		
13 SOURCE OF FUNDS:			
14 (1) ETF	805,077		
15 (2) Alabama Peace Officers'			
16 Standards and Training			
17 Fund-as provided in the Code			
18 of Alabama 1975, Sections			
19 36-21-40 through 36-21-51 .		4,950,000	
20 Total Peace Officers' Stan-			
21 dards and Training Commission,			
22 Alabama	805,077	4,950,000	5,755,077
23 31. Penny Trust Fund - Buskey			
24 Matching Funds:			
25 (a) Special Services Program,			
26 Estimated	588,454		588,454
27 SOURCE OF FUNDS:			
28 (1) ETF-Transfer	588,454		
29 Total Penny Trust Fund -			
30 Buskey Matching Funds	588,454		588,454
31 In accordance with Sections			
32 41-15A-10 through 41-15A-12,			
33 Code of Alabama 1975.			
34 32. Physical Fitness, Governor's			
35 Commission on:			
36 (a) Advisory Services Program	915,120	18,846	933,966
37 SOURCE OF FUNDS:			

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	(1) ETF	915,120		
2	(2) Federal and Local Funds .		18,846	
3	Total Physical Fitness, Gover-			
4	nor's Commission on	915,120	18,846	933,966
5	33. Public Health, Department of:			
6	(a) Public Health Services			
7	Program	13,668,136		13,668,136
8	Of the above appropriation,			
9	\$13,248,136 shall be expended			
10	for the continuation of the			
11	programs in Public School San-			
12	itation, licensure and certifi-			
13	cation, immunization activi-			
14	ties at the county level, pa-			
15	tient education and child			
16	health, immunization of			
17	pre-school children and stu-			
18	dents, dental health, tubercu-			
19	losis and nursing services,			
20	life skills educational train-			
21	ing in schools, vaccines to			
22	non-VFC-eligible children, and			
23	other public health purposes.			
24	Of the above appropriation,			
25	\$270,000 shall be expended for			
26	AIDS Alabama and \$150,000			
27	shall be expended for the Ala-			
28	bama Kidney Foundation.			
29	(b) Administration Services			
30	Program	1,100,714		1,100,714
31	(c) Continuing Education for			
32	EMT Personnel	1,800,000		1,800,000
33	With the above appropriation,			
34	the Department shall offer			
35	performance-based awards to			
36	regional EMS agencies for the			
37	purpose of providing continu-			
38	ing education to EMTs and			
39	strengthening the EMS infra-			
40	structure.			
41	SOURCE OF FUNDS:			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 (1) ETF	16,568,850		
2 Total Public Health, Depart-			
3 ment of	16,568,850		16,568,850
4			
5 34. Rehabilitation Services, De-			
6 partment of:			
7 (a) Direct Client Services for			
8 the Handicapped Program ...	41,208,068	121,349,405	162,557,473
9 The proposed spending plan for			
10 the ETF monies included in the			
11 above program is as follows:			
12 Homebound 5,406,799			
13 Hemophilia ... 1,560,958			
14 Children's Re-			
15 habilitation			
16 Services 13,428,501			
17 Of the above appropriation the			
18 agency will pay to each hospi-			
19 tal the standard per diem paid			
20 by the state Medicaid Agency			
21 for services relating to			
22 scoliosis and spina bifida			
23 medical care.			
24 Education of			
25 Dependents of			
26 Blind Parents 12,750			
27 The above appropriation shall			
28 be allocated for reimbursement			
29 to every state institution of			
30 higher learning, college, uni-			
31 versity, community college, or			
32 junior college, in which bene-			
33 fits are given to dependents			
34 of blind parents under the			
35 provisions of Code of Alabama			
36 1975, Sections 16-33-1 through			
37 16-33-12.			
38 Rehabilitation			
39 Services 12,375,143			
40 Of the above appropriation,			
41 \$100,000 shall be expended for			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 Teaching Children With Dis-			
2 abilities.			
3 Early Interven-			
4 tion Program .	6,889,119		
5 Respite Related			
6 Services and			
7 Training	50,000		
8 Rehabilitation			
9 Projects	1,484,798		
10 SOURCE OF FUNDS:			
11 (1) ETF	41,208,068		
12 (2) Federal and Local Funds .		119,955,954	
13 (3) Impaired Drivers Trust			
14 Fund		1,393,451	
15 Total Rehabilitation Services,			
16 Department of	41,208,068	121,349,405	162,557,473

17 It is the intent of the Legis-
 18 lature that the above appro-
 19 priation to the Department of
 20 Rehabilitation Services - Re-
 21 habilitation Projects may be
 22 used to contract with provid-
 23 ers of cerebral palsy ser-
 24 vices. In addition to the
 25 above appropriation to the
 26 Department of Rehabilitation
 27 Services, there is hereby ap-
 28 propriated a \$2,365,135 condi-
 29 tional appropriation from the
 30 Education Trust Fund to be
 31 allocated to the following
 32 programs: Children Rehabilita-
 33 tion Services, \$1,139,515;
 34 Early Intervention, \$272,372;
 35 Homebound Program, \$445,883;
 36 Hemophilia Program, \$36,130;
 37 and Rehabilitation Services,
 38 \$471,235. This appropriation
 39 is to be conditioned upon the
 40 availability of funds in the
 41 Education Trust Fund, the rec-
 42 ommendation of the Director of

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
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Finance and the approval of
the Governor.

**35. Sickle Cell Oversight and
Regulatory Commission, Ala-
bama:**

(a) Support of Other Educa- tional Activities Program .	1,646,269		1,646,269
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Of the above appropriation to
the Alabama Sickle Cell and
Regulatory Commission, the sum
of \$35,000 shall be used to
fund travel and other expenses
of the Alabama Sickle Cell
Oversight and Regulatory Com-
mission and \$1,611,269 shall
be used to fund university and
community-based Sickle Cell
programs which were funded
from the ETF budget in FY
2000. These funds shall be
distributed proportionately to
the distribution made in FY
2003.

SOURCE OF FUNDS:

(1) ETF	1,646,269		
Total Sickle Cell Oversight and Regulatory Commission, Alabama	1,646,269		1,646,269

**36. Space Science Exhibit Commis-
sion, Alabama:**

(a) Special Services Program	650,000	31,209,000	31,859,000
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SOURCE OF FUNDS:

(1) ETF	650,000		
(2) Federal and Local Funds .		31,209,000	
Total Space Science Exhibit Commission, Alabama	650,000	31,209,000	31,859,000

**37. Supercomputer Authority, Ala-
bama:**

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
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(a) Information Technology Services Program	6,285,248	2,633,769	8,919,017
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The above appropriation is to
be expended in accordance with
Sections 41-10-390 through
41-10-406, Code of Alabama
1975.

SOURCE OF FUNDS:

(1) ETF-Transfer	6,285,248		
(2) Supercomputer Revolving Fund, Estimated		2,633,769	
Total Supercomputer Authority, Alabama	6,285,248	2,633,769	8,919,017

**38. Veterans' Affairs, Department
of:**

(a) Administration of Veter- ans' Affairs Program	3,211,846		3,211,846
(b) Student Financial Aid Pro- gram, Estimated	20,055,275		20,055,275

For reimbursement to every
state institution of higher
learning, college, university,
community college, junior col-
lege or technical college in
which benefits are given to
veterans, their spouses, wid-
ows, or children under the
provisions of Code of Alabama
1975, Sections 31-6-1 through
31-6-17.

SOURCE OF FUNDS:

(1) ETF	23,267,121		
Total Veterans' Affairs, De- partment of	23,267,121		23,267,121

**39. Youth Services, Department
of:**

(a) Financial Assistance Pro-	8,102,228	1,090,977	9,193,205
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Education Trust Fund	Earmarked Funds	Appropriation To- tal
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gram (School District)

The above appropriation shall be expended by the Youth Services Department District in a manner consistent with the funding formula cooperatively established by the Youth Services Board and the State Board of Education pursuant to the provisions of the Code of Alabama 1975, Sections 44-1-70 through 44-1-77.

(b) Youth Services Program ..	47,621,964	14,776,777	62,398,741
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SOURCE OF FUNDS:

(1) ETF	55,724,192		
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(2) Federal and Local Funds .		15,867,754	
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Total Youth Services, Department of	55,724,192	15,867,754	71,591,946
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3C. Colleges and Universities:

1. Alabama Agricultural and Mechanical University, Board of Trustees:

(a) Operations and Maintenance and Program Support	39,042,626	42,632,193	81,674,819
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Of the above appropriation, \$50,000 shall be expended for the Black Archives Museum.

(b) Agricultural Research Station Fixed Costs	300,000		300,000
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Pursuant to Knight v. Alabama Final Settlement Agreement.

(c) Auxiliary Enterprises ...		10,500,000	10,500,000
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(d) Restricted Funds		31,207,240	31,207,240
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(e) Agricultural Research and Extension-State Match	1,501,585		1,501,585
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(f) Extension Service-Urban Affairs and Non-Traditional Programs	3,919,987		3,919,987
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	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 Pursuant to Knight v. Alabama			
2 Final Settlement Agreement.			
3 SOURCE OF FUNDS:			
4 (1) ETF	44,764,198		
5 (2) Federal and Other Funds .		84,339,433	
6 Total Alabama Agricultural and			
7 Mechanical University, Board			
8 of Trustees	44,764,198	84,339,433	129,103,631
9 2. Alabama A and M University,			
10 Board of Trustees-Miles Col-			
11 lege Consortium:			
12 (a) Alabama A and M Univer-			
13 sity-Miles College Consor-			
14 tium	453,252		453,252
15 SOURCE OF FUNDS:			
16 (1) ETF	453,252		
17 Total Alabama A and M Univer-			
18 sity, Board of Trustees-Miles			
19 College Consortium	453,252		453,252
20 3. Alabama State University,			
21 Board of Trustees:			
22 (a) Operations and Maintenance			
23 and Program Support	47,600,726	34,694,156	82,294,882
24 The above appropriation for			
25 Operations and Maintenance			
26 includes \$479,323 for Health			
27 Information Management,			
28 \$520,980 for Occupational			
29 Therapy, \$1,630,747 for Physi-			
30 cal Therapy Programs,			
31 \$1,657,477 for Title VI Pro-			
32 gram Enhancement, and \$184,906			
33 for Desegregation Planning			
34 pursuant to the Knight vs Ala-			
35 bama Final Settlement Agree-			
36 ment. Of the above appropria-			
37 tion, \$1,150,000 shall be ex-			
38 pended for Cooperative Efforts			
39 to Enhance Community Educa-			

Education Trust Fund	Earmarked Funds	Appropriation To- tal
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tional Institutions; \$500,000 shall be expended for the Minority Technology Network and Center for Public Policy; and \$200,000 shall be expended for dormitory renovations.

(b) Auxiliary Enterprises ...	12,135,266	12,135,266
(c) Restricted Funds	30,080,052	30,080,052

SOURCE OF FUNDS:

(1) ETF	47,600,726		
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(2) Federal and Other Funds .		76,909,474	
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Total Alabama State University, Board of Trustees	47,600,726	76,909,474	124,510,200
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**4. Alabama, University of,
Board of Trustees:**

(a) Operations and Maintenance and Program Support for the University of Alabama at Tuscaloosa	175,866,813	227,270,211	403,137,024
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The President of the University of Alabama shall implement a Workforce Development plan utilizing the existing Minority Technology Network. Of the above appropriation to the University of Alabama at Tuscaloosa, \$200,000 shall be expended for the Special Outreach Program; and \$250,000 shall be expended for the Alabama Center for Civic Life (the David Matthews Center).

(b) Operations and Maintenance and Program Support for the University of Alabama at Birmingham	310,812,677	1,276,598,718	1,587,411,395
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Of the above appropriation, \$500,000 shall be expended for the Minority Business Training-Economic Development Program; \$150,000 shall be expended for the Gregory Fleming

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 James Cystic Fibrosis Program; 2 \$175,000 shall be expended for 3 the High School Athletic 4 Training Program.			
5 (c) Operations and Maintenance 6 and Program Support for the 7 University of Alabama in 8 Huntsville	51,529,718	49,817,936	101,347,654
9 (d) Special Mental Health and 10 Chauncey Sparks Center for 11 Developmental and Learning 12 Disorders, University of 13 Alabama at Birmingham	4,298,696		4,298,696
14			
15 (e) School of Optometry 16 Fund-Transfer to University 17 of Alabama at Birmingham 18 School of Optometry		70,000	70,000
19 (f) Auxiliary Enterprises ...		149,796,493	149,796,493
20 (g) Restricted Funds		492,155,000	492,155,000
21 (h) University of Alabama at 22 Birmingham Cancer Center ..	5,000,000		5,000,000
23 SOURCE OF FUNDS:			
24 (1) ETF	547,507,904		
25 (2) Federal and Other Funds .		2,195,708,358	
26 Total Alabama, University of, 27 Board of Trustees	547,507,904	2,195,708,358	2,743,216,262
28 5. Auburn University, Board of 29 Trustees:			
30 (a) Operations and Maintenance 31 and Program Support, Auburn 32 University	191,761,222	286,501,668	478,262,890
33 Of the above appropriation, 34 \$900,000 shall be expended for 35 the School of Pharmacy for 36 biotechnical drug development 37 and enhancing pharmaceutical 38 science research leading to 39 new drugs, which is complimen- 40 tary to other biomedical re-			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 search underway in Alabama;			
2 \$75,000 shall be expended for			
3 the Jules Collins Smith Art			
4 Museum; \$135,000 shall be ex-			
5 pended to provide economic			
6 research services to the State			
7 of Alabama, Department of Fi-			
8 nance; and \$50,000 shall be			
9 expended for the Ralph Brown			
10 Draughon Library.			
11 (b) Auxiliary Enterprises ...		93,807,160	93,807,160
12 (c) Restricted Funds		145,247,819	145,247,819
13 (d) Operations and Maintenance			
14 and Program Support, Alabama			
15 Agricultural Experiment Sta-			
16 tion	35,695,461	5,466,860	41,162,321
17 Of the above appropriation,			
18 \$180,000 shall be expended for			
19 fire ant eradication/research			
20 at the Department of Entomol-			
21 ogy. Of the above appropria-			
22 tion, \$50,000 shall be ex-			
23 pended for poultry research.			
24 (e) Operations and Maintenance			
25 and Program Support, Alabama			
26 Cooperative Extension System			
27	38,348,072		38,348,072
28 (f) Operations and Maintenance			
29 and Program Support, Auburn			
30 University at Montgomery .	27,899,629	23,981,067	51,880,696
31 Of the above appropriation to			
32 Auburn University at Montgom-			
33 ery, \$327,500 shall be ex-			
34 pended for the Statewide Eco-			
35 nomic Resources Initiative			
36 Education Support			
37 (S.E.R.I.E.S.) Program to pro-			
38 vide a statewide economic im-			
39 pact education support system			
40 dedicated to providing techno-			
41 logical capabilities to gov-			
42 ernment agencies; \$135,000			
43 shall be expended for the fur-			
44 ther implementation of SMART			
45 Governing; \$135,000 shall be			

		Education Trust Fund	Earmarked Funds	Appropriation To- tal
1	expended for the GAAT/CPM Pro-			
2	gram; and \$200,000 shall be			
3	expended for the Judicial Col-			
4	lege.			
5	SOURCE OF FUNDS:			
6	(1) ETF	293,704,384		
7	(2) Federal and Other Funds .		555,004,574	
8	Total Auburn University, Board			
9	of Trustees	293,704,384	555,004,574	848,708,958
10	6. Education, State Board of -			
11	Athens State University:			
12	(a) Operations and Maintenance			
13	and Program Support	13,807,242	10,686,500	24,493,742
14				
15	(b) Auxiliary Enterprises ...		87,000	87,000
16	(c) Restricted Funds		16,650,000	16,650,000
17	SOURCE OF FUNDS:			
18	(1) ETF	13,807,242		
19	(2) Federal and Other Funds .		27,423,500	
20	Total Education, State Board			
21	of - Athens State University	13,807,242	27,423,500	41,230,742
22	7. Jacksonville State Univer-			
23	sity, Board of Trustees:			
24	(a) Operations and Maintenance			
25	and Program Support	44,339,200	43,968,090	88,307,290
26	Of the above appropriation,			
27	\$1,500,000 shall be expended			
28	by the Alabama Small Business			
29	Institute of Commerce;			
30	\$250,000 shall be expended for			
31	the Wellness Initiative; and			
32	\$250,000 shall be expended for			
33	the Little River Canyon Field			
34	School.			
35	(b) Auxiliary Enterprises ...		6,024,142	6,024,142
36	(c) Restricted Funds		20,904,413	20,904,413

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 SOURCE OF FUNDS:			
2 (1) ETF	44,339,200		
3 (2) Federal and Other Funds .		70,896,645	
4 Total Jacksonville State Uni-			
5 versity, Board of Trustees ..	44,339,200	70,896,645	115,235,845
6 8. Montevallo, University of,			
7 Board of Trustees:			
8 (a) Operations and Maintenance			
9 and Program Support	21,787,526	16,555,973	38,343,499
10 (b) Auxiliary Enterprises ...		4,663,541	4,663,541
11 (c) Restricted Funds		8,630,588	8,630,588
12 SOURCE OF FUNDS:			
13 (1) ETF	21,787,526		
14 (2) Federal and Other Funds .		29,850,102	
15 Total Montevallo, University			
16 of, Board of Trustees	21,787,526	29,850,102	51,637,628
17 9. North Alabama, University			
18 of, Board of Trustees:			
19 (a) Operations and Maintenance			
20 and Program Support	30,741,447	31,092,921	61,834,368
21 (b) Auxiliary Enterprises ...		7,594,179	7,594,179
22 (c) Restricted Funds		6,672,410	6,672,410
23 SOURCE OF FUNDS:			
24 (1) ETF	30,741,447		
25 (2) Federal and Other Funds .		45,359,510	
26 Total North Alabama, Univer-			
27 sity of, Board of Trustees ..	30,741,447	45,359,510	76,100,957
28 10. South Alabama, University of,			
29 Board of Trustees:			
30 (a) Operations and Maintenance			
31 and Program Support	121,854,973	368,257,907	490,112,880
32 (b) Auxiliary Enterprises ...		17,890,115	17,890,115

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 (c) Restricted Funds		44,887,500	44,887,500
2 SOURCE OF FUNDS:			
3 (1) ETF	121,854,973		
4 (2) Federal and Other Funds .		431,035,522	
5 Total South Alabama, Univer-			
6 sity of, Board of Trustees ..	121,854,973	431,035,522	552,890,495
7 11. Troy University, Board of			
8 Trustees:			
9 (a) Operations and Maintenance			
10 and Program Support	55,095,408	145,208,570	200,303,978
11 Of the above appropriation,			
12 \$50,000 shall be expended for			
13 the Interpreter's Program;			
14 \$50,000 shall be expended for			
15 the Center for International			
16 Business and Economic Develop-			
17 ment; and \$50,000 shall be			
18 expended as an additional al-			
19 location for the Phenix City			
20 Campus.			
21 (b) Auxiliary Enterprises ...		11,359,559	11,359,559
22 (c) Restricted Funds		17,343,374	17,343,374
23 SOURCE OF FUNDS:			
24 (1) ETF	55,095,408		
25 (2) Federal and Other Funds .		173,911,503	
26 Total Troy University, Board			
27 of Trustees	55,095,408	173,911,503	229,006,911
28 12. West Alabama, University of,			
29 Board of Trustees:			
30 (a) Operations and Maintenance			
31 and Program Support	15,201,477	8,795,358	23,996,835
32 Of the above appropriation,			
33 \$645,000 shall be expended for			
34 the Alabama Medical Education			
35 Consortium; \$250,000 shall be			
36 expended for the Economic and			
37 Small Business Development			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 Program; \$125,000 for the Re-			
2 gional Wellness and Fitness			
3 Center; \$45,000 shall be ex-			
4 pended for the National Young			
5 Farmers Education Association;			
6 and \$225,000 shall be expended			
7 for the Black Belt Treasures			
8 Initiative.			
9 (b) Auxiliary Enterprises ...		3,337,416	3,337,416
10 (c) Restricted Funds		658,777	658,777
11 SOURCE OF FUNDS:			
12 (1) ETF	15,201,477		
13 (2) Federal and Local Funds .		12,791,551	
14 Total West Alabama, University			
15 of, Board of Trustees	15,201,477	12,791,551	27,993,028
16 3D. Other:			
17 1. Deaf and Blind, Alabama In-			
18 stitute for, Board of Trust-			
19 ees:			
20 (a) Adult Programs	11,466,158	5,955,910	17,422,068
21 (b) Children and Youth Pro-			
22 grams	30,858,992	4,502,082	35,361,074
23 (c) Industries for the Blind	9,295,480	21,901,031	31,196,511
24 SOURCE OF FUNDS:			
25 (1) ETF	51,620,630		
26 (2) Federal and Other Funds .		32,359,023	
27 Total Deaf and Blind, Alabama			
28 Institute for, Board of Trust-			
29 ees	51,620,630	32,359,023	83,979,653
30 2. Knight v. Alabama - Finan-			
31 cial Obligations:			
32 (a) Support of State Universi-			
33 ties Program, Estimated ...	9,743,354		9,743,354
34 Pursuant to the Settlement			
35 Agreement and Final Order in			
36 the Knight v. Alabama case			

Education Trust	Earmarked Funds	Appropriation To-
Fund		tal

1	CV-83-M-1676, the appropria-	
2	tion above includes the fol-	
3	lowing:	
4	Alabama State	
5	Univer-	
6	sity-Trust for	
7	Educational Ex-	
8	cellence	1,000,000
9	Alabama State	
10	Univer-	
11	sity-Trust for	
12	Educational Ex-	
13	cellence Match-	
14	ing Funds of up	
15	to	1,000,000
16	To provide up to \$1,000,000 to	
17	the extent same has been	
18	matched by gifts, grants, and	
19	contributions to the Trust.	
20	Alabama A & M	
21	Univer-	
22	sity-Trust for	
23	Educational Ex-	
24	cellence	1,000,000
25	Alabama A & M	
26	Univer-	
27	sity-Trust for	
28	Educational Ex-	
29	cellence Match-	
30	ing Funds of up	
31	to	1,000,000
32	To provide up to \$1,000,000 to	
33	the extent same has been	
34	matched by gifts, grants, and	
35	contributions to the Trust.	
36	Alabama State	
37	University-for	
38	Scholarships to	
39	Diversify Funds	
40	of up to	1,000,000
41	To provide up to \$1,000,000	
42	pursuant to the requirements	
43	of the Settlement Agreement	
44	and Final Order. Any funds	
45	remaining after the payment of	

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 the scholarships shall be			
2 transferred to the Alabama			
3 Commission on Higher Educa-			
4 tion-Alabama Student Assis-			
5 tance Program fund and shall			
6 not revert to the ETF at the			
7 end of the fiscal year.			
8 Alabama A & M			
9 University-for			
10 Scholarships to			
11 Diversify Funds			
12 of up to 1,000,000			
13 To provide up to \$1,000,000			
14 pursuant to the requirements			
15 of the Settlement Agreement			
16 and Final Order. Any funds			
17 remaining after the payment of			
18 the scholarships shall be			
19 transferred to the Alabama			
20 Commission on Higher Educa-			
21 tion-Alabama Student Assis-			
22 tance Program fund and shall			
23 not revert to the ETF at the			
24 end of the fiscal year.			
25 EdD Educational			
26 Leadership,			
27 Policy & Law 2,307,502			
28 Based on funding formula cal-			
29 culations provided by the Ala-			
30 bama Commission on Higher Edu-			
31 cation. This appropriation is			
32 the seventh year of eight			
33 years of funding for this pro-			
34 gram.			
35 PhD in Microbi-			
36 ology 1,435,852			
37 Based on funding formula cal-			
38 culations provided by the Ala-			
39 bama Commission on Higher Edu-			
40 cation. This appropriation is			
41 the third year of eight years			
42 of funding for this program.			
43 SOURCE OF FUNDS:			
44 (1) ETF 9,743,354			

	Education Trust Fund	Earmarked Funds	Appropriation To- tal
1 Total Knight v. Alabama - Fi-			
2 nancial Obligations	9,743,354		9,743,354
3 To be allocated and expended			
4 in accordance with the Final			
5 Order and Settlement Agreement			
6 in Knight v. Alabama, Civil			
7 Action CV 83-M-1676, 900 F			
8 Supp 272.			

9 Section 4. The following appropriations from the Ed-
10 ucation Trust Fund for FY 2009 are hereby appropriated to the
11 following entities as first priority conditional appropria-
12 tions. These appropriations are conditioned upon the avail-
13 ability of funds in the Education Trust Fund, the recommenda-
14 tion of the Director of Finance and the approval of the Gover-
15 nor. The Governor may release any portion or all of the fol-
16 lowing first priority conditionals, however, the entire
17 amounts of the first priority conditionals must be released
18 before any other conditional appropriation from the Education
19 Trust Fund for FY 2009 may be released.

20	a. Alabama Institute for Deaf and Blind	
21	1. Adult Program	\$222,124
22	2. Children and Youth Programs	\$597,803
23	3. Industries for the Blind	\$180,073

1	b.	Department of Archives and History	\$1,000,000
2	c.	Department of Rehabilitation Services	
		Children's Rehabilitation Services Pro-	
3	1.	gram	\$338,586
4	2.	Early Intervention Program	\$173,702
5	3.	Homebound Program	\$136,327
6	4.	Hemophilia Program	\$39,358
7	5.	Rehabilitation Services Program	\$312,027
		Two-year College System-Community Edu-	
8	d.	cational (C.I.T.Y.) Programs	\$1,000,000
		Alabama Industrial Development Training	
9	e.	Institute-Workforce Development	\$3,000,000
		State Board of Education-Local Boards	
10	f.	Transportation Program	\$4,000,000
11	g.	Senior Institutions of Higher Education	
12		Alabama A&M University	\$357,552
13		Alabama State University	\$348,112
14		University of Alabama-Tuscaloosa	\$1,433,661
15		University of Alabama at Birmingham	\$2,566,684

1	University of Alabama in Huntsville	\$427,112
2	Auburn University	\$1,576,221
3	Agricultural Experiment Station	\$292,717
4	Cooperative Extension Service	\$316,196
5	Auburn University Montgomery	\$224,391
6	Athens State University	\$113,614
7	Jacksonville State University	\$349,899
8	University of Montevallo	\$179,346
9	University of North Alabama	\$253,976
10	University of South Alabama	\$1,008,355
11	Troy University	\$438,846
12	University of West Alabama	\$113,318
13	h. K-12 Foundation Program-Textbooks	\$13,014,907

14 Section 5. In addition to all other appropriations,
 15 there is hereby appropriated \$8,940,252 from the Education
 16 Trust Fund representing the remaining 50% of the interest in-
 17 come accumulated at the rate of 6% from FY 1992 through FY
 18 2002 for the K-12 school systems that did not receive alloca-

tions of interest from their Sixteenth Section Land Grants held in trust by the State of Alabama, to be conditioned upon the availability of funds, the recommendation of the Finance Director, and approval of the Governor. This conditional appropriation is pursuant to the Class Settlement Agreement signed by the Covington County Circuit Court on December 9, 2004.

	School System Name	Distribution of Interest
	Autauga County	\$2,152
	Baldwin County	55,478
	Barbour County	341
	Bibb County	13,475
	Blount County	5,573
	Calhoun County	567,608
	Piedmont City	120
	Cherokee County	35,893
	Chilton County	19,172
	Choctaw County	254,676

1	Clarke County	265,845
2	Thomasville City	17,620
3	Clay County	273
4	Cleburne County	1,819
5	Coffee County	15,199
6	Elba City	303
7	Enterprise City	271
8	Colbert County	862,096
9	Muscle Shoals City	58,834
10	Sheffield City	10,699
11	Tuscumbia City	56,553
12	Conecuh County	46
13	Coosa County	7,812
14	Covington County	1,335,886
15	Andalusia City	188,267
16	Opp City	161,250
17	Cullman County	95,546
18	Dale County	1,177

1	Daleville City	892
2	Dallas County	2,471
3	Selma City	1,266
4	DeKalb County	16,101
5	Fort Payne City	1,420
6	Elmore County	19,248
7	Tallassee City	1,156
8	Escambia County	249,835
9	Brewton City	20,523
10	Etowah County	107
11	Gadsden City	29
12	Fayette County	29,036
13	Franklin County	622,371
14	Russellville City	130,179
15	Geneva County	510,370
16	Geneva City	41,626
17	Greene County	258,426
18	Hale County	19,343

1	Henry County	32,646
2	Houston County	107,277
3	Dothan City	649
4	Jackson County	123,983
5	Scottsboro City	2,034
6	Jefferson County	1,320,529
7	Birmingham City	297
8	Lamar County	1,621
9	Lauderdale County	271,761
10	Florence City	18,953
11	Lawrence County	5,169
12	Limestone County	285
13	Athens City	6,630
14	Lowndes County	1,210
15	Macon County	13,766
16	Madison County	61
17	Huntsville City	522
18	Madison City	108

1	Marengo County	113,077
2	Demopolis City	2,559
3	Linden City	36,318
4	Marion County	343,220
5	Winfield City	31,151
6	Marshall County	11,001
7	Guntersville City	102
8	Monroe County	10,760
9	Montgomery County	117
10	Morgan County	603
11	Decatur City	66,869
12	Perry County	2,074
13	Pickens County	1,717
14	Pike County	83
15	Randolph County	6,074
16	Roanoke City	852
17	Russell County	107
18	Phenix City	21

1	Saint Clair County	22,582
2	Pell City	89
3	Shelby County	6,914
4	Sumter County	41,067
5	Talladega County	201
6	Sylacauga City	48
7	Talladega City	28
8	Tallapoosa County	15
9	Tuscaloosa County	10,950
10	Tuscaloosa City	41
11	Walker County	346
12	Washington County	303,595
13	Wilcox County	30,619
14	Winston County	26,025
15	Haleyville City	5,143

16 Section 6. In addition to all other appropriations,
 17 there is hereby appropriated the following amounts to be con-

ditioned upon the availability of funds, recommendation of the
Director of Finance, and the approval of the Governor:

	Entity	Appropriation
	Department of Education-for Heart	
a.	Defibrillators	\$1,000,000
	Department of Education-Teacher Re-	
b.	cruitment Incentives	\$2,725,000
	Department of Education-On line	
c.	Professional Development	\$800,000
	Department of Education-High Hopes	
d.	for other targeted grades	\$4,331,935
	Department of Education-Gifted Edu-	
e.	cation	\$2,337,400
	Department of Education-Career Tech	
f.	Initiative	\$2,500,000
	Department of Education-Children's	
g.	Hospital	\$20,000
	Department of Education-PACERS Pro-	
h.	gram	\$250,000
	Department of Education-School Bus	
i.	Seat Belts Pilot	\$329,220
j.	Department of Education-Principal	\$650,000

Preparation Redesign

Department of Education-Principal

14	k.	Leadership Program	\$750,000
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Department of Education-Training

15	l.	for Interpreters for Deaf	\$250,000
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Department of Education-21st Century After School/Extended Day Programs

16	m.	grams	\$1,000,000
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K-12 Foundation Program-Transportation

17	n.	gram-Transportation	\$8,000,000
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K-12 Foundation Program-Student Materials and Supplies

18	o.	terials and Supplies	\$6,066,409
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19	p.	K-12 Foundation Program-Technology	\$4,853,120
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K-12 Foundation Program-Library Enhancement

20	q.	hancement	\$1,213,294
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K-12 Foundation Program-Professional Development

21	r.	gram-Professional Development	\$2,669,232
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K-12 Foundation Program-Common Purchase Fund

22	s.	chase Fund	\$3,639,831
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Two-year College System-Prison Education (For Therapeutic Education)

23	t.	cation (For Therapeutic Education)	\$5,300,000
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Two-year College System-Adult Basic Education

24	u.	Education	\$4,000,000
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1	v.	Educational Television Commission	\$2,000,000
		Higher Education, Commission	
2	w.	on-Agricultural Land Grant Alliance	\$6,400,000
		Department of Public Health-for	
		Continuing Education for EMT Per-	
3	x.	sonnel	\$500,000
		With the above appropriation, the	
		Department of Public Health shall	
		offer performance-based awards to	
		regional EMS agencies for the pur-	
		pose of providing continuing educa-	
		tion to EMT's and strengthening the	
4		EMS infrastructure.	
5	y.	Alabama A&M University	\$715,105
6	z.	Alabama State University	\$696,225
7	aa.	University of Alabama-Tuscaloosa	\$2,867,320
8	bb.	University of Alabama at Birmingham	\$5,133,369
9	cc.	University of Alabama in Huntsville	\$854,223
10	dd.	Auburn University	\$3,152,441
		Agricultural Experiment Station -	
11	ee.	Auburn	\$585,435
		Cooperative Extension Service - Au-	
12	ff.	burn	\$632,392

1	gg.	Auburn University Montgomery	\$448,783
2	hh.	Athens State University	\$227,229
3	ii.	Jacksonville State University	\$699,797
4	jj.	University of Montevallo	\$358,692
5	kk.	University of North Alabama	\$507,952
6	ll.	University of South Alabama	\$2,016,710
7	mm.	Troy University	\$1,680,577
8	nn.	University of West Alabama	\$226,636
		Department of Mental Health and	
9	oo.	Mental Retardation	\$3,800,000

10 Section 7. It is the intent that each public
11 four-year and two-year higher education institution make its
12 best effort to use the equivalent of ten percent of its
13 federal work study allocations for the purpose of tutoring and
14 mentoring students in grades K-12 to better prepare them for
15 graduation, college entry and retention. Institutions shall
16 work with their respective governing boards to develop and
17 implement this effort.

18 Section 8. The appropriations made herein to an
19 agency or entity are for the valid purposes and/or operation
20 and maintenance of that agency or entity. There shall be no
21 pass-through appropriation by that agency or entity at the

1 direction of any member of the legislative, executive or
2 judicial branch of government. The director of any agency or
3 entity that is directed by a member of the legislative,
4 executive or judicial branch of government to pass-through an
5 appropriation to another state or non-state entity shall
6 report such directive to the Chairs of the House Education
7 Appropriations Committee and the Senate Finance and
8 Taxation-Education Committee. Nothing in this section is
9 intended to prohibit a legislator or any other person from
10 asking for or asking about the status of a project that falls
11 within the legal purpose or function of that agency.

12 Section 9. In addition to the appropriations herein
13 made, all gifts, grants, contributions, insurance proceeds or
14 entitlements, in excess of the amount carried in this act,
15 including grants by the Congress of the United States,
16 municipalities or counties, to any department, division,
17 board, bureau, commission, agency, institution, office or
18 officer of the State of Alabama are hereby appropriated and,
19 in the event the same are recurring, are reappropriated to
20 such department, division, board, bureau, commission, agency,
21 institution, office or officer to be used only for the purpose
22 or purposes for which the grant or contribution was or shall
23 be made. Further, all state, county, municipal and educational
24 entities are authorized to disburse such sums as deemed
25 necessary by mutual agreement between said entities and the

1 State of Alabama, Department of Examiners of Public Accounts
2 to partially defray the cost of auditing services performed by
3 said agency. All such sums are hereby appropriated and
4 reappropriated if necessary to the Department of Examiners of
5 Public Accounts for audit services, to be expended through the
6 fund established by Section 41-5-24, Code of Alabama 1975.

7 Section 10. The State Superintendent of Education
8 shall make requisitions to the State Comptroller in favor of
9 the proper beneficiary in accordance with the law and rules
10 and regulations governing the expenditure or disbursement of
11 any and all funds appropriated to the State Department of
12 Education and/or the State Board of Education in this act,
13 whereupon the Comptroller shall issue his warrant therefor.
14 All other appropriations in this act shall be paid after
15 proper requisitions are made to the State Comptroller in the
16 manner now provided by law.

17 Section 11. Nothing in this act shall be construed
18 to affect or repeal any law authorizing or permitting any
19 college, school or other education or eleemosynary institution
20 of the State to receive, collect or disburse any fees,
21 tuitions, charges, sales, endowments, trusts or income
22 therefrom, which are now or may hereafter be authorized to
23 receive, collect or disburse. The receiving college, school or
24 institution shall further maintain separate accounts for such
25 receipts or shall maintain a system of accounting which will

1 show a cash flow of such receipts received under the provision
2 of this appropriation.

3 Section 12. The appropriations made herein to the
4 departments, boards, offices, commissions, and agencies
5 include the amount necessary and said departments, boards,
6 offices, commissions, and agencies are hereby directed to make
7 the transfer of funds to the State Personnel Department in the
8 amounts enumerated in the general appropriations act for the
9 fiscal year ending September 30, 2009. All agencies and
10 institutions enumerated in this act that receive services from
11 other governmental agencies enumerated in this act or the
12 general appropriations act shall make full payment in a timely
13 manner (as determined by the Department of Finance) for such
14 services.

15 Section 13. All encumbered balances of a previous
16 fiscal year appropriation other than the exclusions authorized
17 by the Code of Alabama 1975, Section 41-4-93, shall lapse no
18 later than September 30 of the fiscal year immediately
19 following the fiscal year for which the appropriation was made
20 and shall revert to the credit of the Education Trust Fund or
21 earmarked fund from which the appropriation or appropriations
22 were made.

23 Section 14. Upon certification to the Director of
24 Finance by the State Attorney General that a federal court has
25 ordered the State of Alabama to pay claims, attorney fees, or

1 other costs relating to said court order, funds are hereby
2 appropriated to the affected department, board, bureau, or
3 commission in the amount necessary to satisfy that court
4 order. Such appropriations are in addition to any other
5 appropriation heretofore or hereafter made in this
6 appropriation act. Such appropriations are conditioned upon
7 the availability of funds and a determination by the Director
8 of Finance that other current appropriations are not available
9 for court-ordered payments.

10 Section 15. All state-mandated and state-funded
11 salary increases and fringe benefits for Child Nutrition
12 Program workers shall be fully-funded from the Foundation
13 Program appropriation in this act, and shall therefore be
14 subsequently fully-funded by all local boards of education
15 from funds provided in this act from Other Current Expense and
16 not from funds generated by the Child Nutrition Program unless
17 the local school system's Child Nutrition Program has in
18 excess of a three-month operating reserve. Before any funds
19 may be utilized by the local board of education to pay for
20 salary or fringe benefits, the State Department of Education
21 Child Nutrition Program Administrator shall conduct an
22 analysis of each local board of education's Child Nutrition
23 Program, and certify that the program meets the three-month
24 balance as of the end of the previous fiscal year and shall
25 therefore insure that the use of the funds in excess of a

1 three-month balance will not be detrimental to the local Child
2 Nutrition Program. The State Department of Education Child
3 Nutrition Program Administrator shall certify to the State
4 Superintendent of Education that funds utilized in excess of a
5 three-month balance as of the end of the previous fiscal year
6 are in excess of any funds contained in an approved corrective
7 plan submitted by the local school system's Child Nutrition
8 Program for expenditures at each applicable school site for
9 facilities, equipment, personnel, and/or salary schedule
10 adjustments. It is the intent that no employee shall suffer a
11 reduction of hours, benefits, compensation, or termination of
12 employment and that no local Child Nutrition Program services
13 shall be contracted out as a result of this section. It is
14 further the intent of the Legislature that the State
15 Department of Education shall help to develop a plan to
16 eliminate any financial deficiencies that may arise in a local
17 Child Nutrition Program as a result of this section, and that
18 disputes which may arise regarding corrective action plans are
19 to be resolved by the State Department of Education
20 consolidated monitoring teams. The State Department of
21 Education shall give an annual report to the Legislature, the
22 Chair of the House Education Appropriations Committee, the
23 Chair of the Senate Finance and Taxation-Education Committee,
24 and the Legislative Fiscal Officer one month prior to each

1 regular session of the Legislature on the impact of this
2 section on the local Child Nutrition Programs.

3 Section 16. For FY 2009, local boards of education
4 may exercise flexibility among line item expenditures, with
5 the exception of the \$400 per unit earned in the Foundation
6 Program for classroom materials and supplies, not to exceed
7 20% in any line item and not to create a reduction of earned
8 teacher units and/or local board of education support
9 personnel.

10 Section 17. No funds provided herein for the public
11 schools shall be used for the payment of any salaries of
12 personnel which are not under the direct control, employment,
13 and supervision of local boards of education; provided,
14 however, that this section shall not apply to the
15 construction, renovation, or major repair of buildings or
16 other capital improvements which are beyond the capacity of
17 regular employees to perform.

18 Section 18. There is hereby appropriated an amount
19 up to \$2,988,874 from the Education Trust Fund for the 3.5%
20 state employee pay raise effective on October 1, 2008 that was
21 authorized in Act 2007-297. This appropriation is in addition
22 to other appropriations made in this act from the Education
23 Trust Fund for FY 2009 and shall be distributed by the
24 Director of Finance to those agencies based on the salaries
25 subject to the 3.5% increase effective October 1, 2008.

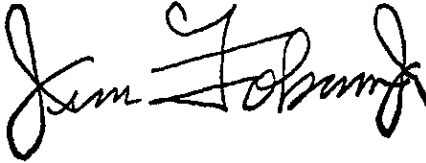
1 Section 19. Any amounts that may become due and
2 payable of Public School and College Authority Swaptions are
3 hereby authorized to be paid in the same manner as other debt
4 service on Public School and College Authority bonds.

5 Section 20. Notwithstanding any other provisions of
6 this act or any other act, any amount from appropriations for
7 the fiscal year ending September 30, 2008 from the Education
8 Trust Fund to the various entities in this act which were
9 unexpended and reverted on September 30, 2008 are hereby
10 reappropriated to the respective entities for the fiscal year
11 beginning October 1, 2008.

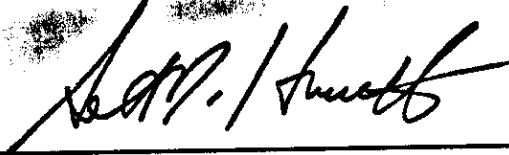
12 Section 21. If any section, paragraph, sentence,
13 clause, provision or portion of this act or all or any portion
14 of the appropriations herein made is held unconstitutional or
15 invalid, it shall not affect any other section, paragraph,
16 sentence, clause, provision or portion of this act or any
17 other appropriation or appropriations or portion thereof
18 hereby made not in and of itself unconstitutional or invalid.

19 Section 22. All laws or parts of laws, general,
20 special, private or local in conflict with or inconsistent
21 with the provisions of this act are hereby expressly repealed.

22 Section 23. This act shall become effective on
23 October 1, 2008.

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President and Presiding Officer of the Senate



Speaker of the House of Representatives

7 SB51

8 Senate 29-MAY-08

9 I hereby certify that the within Act originated in and passed
10 the Senate, as amended.

11
12 McDowell Lee
13 Secretary
14

15
16
17 House of Representatives
18 Passed: 31-MAY-08
19

20
21 By: Senator Sanders

APPROVED

TIME


GOVERNOR

Alabama Secretary Of State

Act Num.....: 2008-552
Bill Num....: S-51