HB274

116413-21

By Representatives Lindsey, Gipson, Bentley, Buskey, Kennedy, Greeson, Oden, Taylor, Letson, Hinshaw, Rogers, Fields, Graham and Boyd

RFD: Education Appropriations

First Read: 14-JAN-10
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, 2011.

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, 2011, 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 and Sections 4, 5, 12, 15, 17, 18 and 21 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.

Section 2. (a) The appropriations provided for in this act shall be paid from funds in the State Treasury to the credit of the Education Trust Fund, Alabama Peace Officers'
Standards and Training Fund, Impaired Drivers Trust Fund,
Driver Education and Training Fund, Special Education
Catastrophic Fund, Alabama Veterans Assistance Fund, and
Public School Fund and are hereby made for the support of
public education in Alabama for the fiscal year ending
September 30, 2011, and the appropriations herein made shall
be subject to the provisions, terms, conditions and
limitations of the Budget and Financial Control Act (Code of
Alabama 1975, Sections 41-4-80 et seq.), the provisions of the
Budget Management Act of 1976 (Code of Alabama 1975, Sections
41-19-1 et seq.), and shall be in the amounts hereinafter
specified.

(b) Amounts shown hereinunder the columns "Earmarked
Funds" and "Appropriation Total" are as set forth for the
purpose of establishing amounts estimated to be available by
programmatic area from sources other than those listed in
subsection (a) of this Section 2, in order, upon consideration
of such other funds so estimated to be available, to promote
the accountability for an efficient use of funds available,
and the same are hereby appropriated by the Legislature.
Provided, however, that regardless of the ending date of any
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.

<table>
<thead>
<tr>
<th>Education Trust Fund</th>
<th>Exmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
</table>

3A. Legislative Branch:

1. Examiner of Public Accounts:
   (a) Audit Services Program .. 6,891,250 6,891,250

   SOURCE OF FUNDS:
   (1) ETF ......................... 6,891,250

   Total Examiner of Public Accounts ...................... 6,891,250 6,891,250

   The above appropriation shall be used for educational audits. The Department of Examiners of Public Accounts is hereby authorized to examine as deemed necessary all appropriations herein made for compliance with the laws of the State of Alabama. Any examination performed shall be in accordance with the provisions of Title 41, Chapter 5, Code of Alabama 1975. State entities are hereby authorized to reimburse the Examiner of Public Accounts the full cost for auditing funds from the American Recovery and Reinvestment Act of 2009 and such funds are hereby appropriated to the Examiners of Public Accounts.

2. Law Institute, Alabama:
   (a) Support of Other Educational Activities Program . 269,981 269,981

   SOURCE OF FUNDS:
   (1) ETF ......................... 269,981

   Total Law Institute, Alabama 269,981 269,981
### Education Trust

<table>
<thead>
<tr>
<th></th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>3. Legislative Fiscal Office:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) Legislative Operations and Support Program</td>
<td>346,405</td>
<td>346,405</td>
</tr>
</tbody>
</table>

**SOURCE OF FUNDS:**

<p>| | | |</p>
<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>(1) ETF</td>
<td>346,405</td>
<td></td>
</tr>
<tr>
<td>Total Legislative Fiscal Office</td>
<td>346,405</td>
<td>346,405</td>
</tr>
</tbody>
</table>

### Legislative Reference Service:

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<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>(a) Legislative Operations and Support Program</td>
<td>99,674</td>
<td>99,674</td>
</tr>
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</table>

**SOURCE OF FUNDS:**

<p>| | | |</p>
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</thead>
<tbody>
<tr>
<td>(1) ETF</td>
<td>99,674</td>
<td></td>
</tr>
<tr>
<td>Total Legislative Reference Service</td>
<td>99,674</td>
<td>99,674</td>
</tr>
</tbody>
</table>

This appropriation to the Legislative Reference Service shall be expended for the revision of Title 16 of the Code of Alabama 1975.

### 3B. Executive Branch:

#### 1. American Legion and Auxiliary Scholarships:

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Financial Assistance Program, Estimated</td>
<td>112,500</td>
<td>112,500</td>
</tr>
</tbody>
</table>

**SOURCE OF FUNDS:**

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) ETF</td>
<td>112,500</td>
<td></td>
</tr>
<tr>
<td>Total American Legion and Auxiliary Scholarships</td>
<td>112,500</td>
<td>112,500</td>
</tr>
</tbody>
</table>

To be expended under the provisions of Code of Alabama 1975, Sections 16-31-1 through 16-31-4.
2. Archives and History, Department of:
   (a) Historical Resources Management Program ............ 3,338,680
   
   **SOURCE OF FUNDS:**
   (1) ETF ........................................ 3,338,680
   Total Archives and History, Department of ................ 3,338,680

   The above appropriation shall be expended to support the educational functions of Archives and History.

3. Arts, State Council on the:
   (a) Fine Arts Program ........... 4,625,624 934,500 5,560,124

   **SOURCE OF FUNDS:**
   (1) ETF ........................................ 4,625,624
   (2) Federal Stimulus Funds, estimated ...................... 112,000
   (3) Federal and Local Funds ............................. 822,500
   Total Arts, State Council on the ............................ 4,625,624 934,500 5,560,124

4. Building Commission, State:
   (a) Special Services Program 525,485

   **SOURCE OF FUNDS:**
   (1) ETF-Transfer ......................... 525,485
   Total Building Commission, State .................... 525,485

5. Child Abuse and Neglect Prevention, Department of:
   (a) Social Services Program 1,583,460

   In accordance with Sections 26-16-1 et seq., Code of Alabama 1975.
SOURCE OF FUNDS:

(1) ETF-Transfer ............. 1,583,460
Total Child Abuse and Neglect Prevention, Department of ... 1,583,460 1,583,460

6. Children's Affairs, Department of:

(a) Social Services Program . 18,590,252 18,590,252

The proposed spending plan for the ETF monies included in the above program is as follows:

Office of School Readiness ......... 18,376,806
Operations and Maintenance .. 213,446

SOURCE OF FUNDS:

(1) ETF .......................... 18,590,252
Total Children's Affairs, Department of ............... 18,590,252 18,590,252

7. Debt Service:

(a) General Obligation Bonds, Series 2001-A, or subsequent refunding issue, Estimated 773,272 773,272
(b) General Obligation Bonds, Series 2005-A, Estimated ... 5,999,886 5,999,886
(c) General Obligation Bonds, Series 2001-B, or subsequent refunding issue, Estimated .................. 178,866 178,866
(d) Payments on Endowments .. 81,880 81,880

Payments on endowments shall be as follows:

For interest on Auburn University Endowment ...20,280
For interest on University of Alabama Endowment ...61,000
For interest on Grove Hill
Endowment .......... 600

(e) Interest on Public School
Fund Endowment .......... 532,864 532,864
Interest on Public School Fund
Endowment shall be as follows:

Interest on 16th Section
Lands, Estimated .......... 410,000

Interest on School Indemnity
Lands, Estimated .......... 90,000

Interest on Valueless 16th
Section Land ........... 5,825

Interest on Surplus Revenue
..................... 26,764

Interest on James Wallace Fund
................. 275

SOURCE OF FUNDS:

(1) ETF, Estimated ............ 7,033,904

(2) ETF-Transfer ............... 532,864

Total Debt Service ............. 7,566,768 7,566,768

In addition to the above appropriation for debt service, there is hereby appropriated from the APSCA 2009-D Fiscal Fees and Expense Fund an amount as deemed necessary by the Director of Finance to make payments for the fiscal fees and other expenses associated with the APSCA 2009-D bonds.

8. Dental Scholarship Awards,
Board of:

(a) Support of Other Educa-
tional Activities Program .... 273,720 273,720

To be expended under the provisions of Code of Alabama 1975, Sections 16-47-76
through 16-47-81.

SOURCE OF FUNDS:

(1) ETF .......................... 273,720

Total Dental Scholarship Awards, Board of .................. 273,720 273,720

9. Education, State Board of -
Local Boards of Education:
(a) Foundation Program ...... 3,246,006,434 694,731,459 3,940,737,893
Notwithstanding Section
16-13-232 of the Code of Ala-
bama, 1975, of the above ap-
propriation that is allocated

to fund current teacher units,
$150,000 shall be earmarked to
fund current teacher units in

the Saraland City School Sys-

(b) Transportation Program .. 245,100,957 245,100,957

The above appropriation in-
cludes no funds for fleet re-
newal. The State Superinten-
dent is directed to withhold
transportation funds used to
pay employee benefits includ-
ing but not limited to PEEHIP,
sick leave, teacher retire-
ment, and F.I.C.A. from any
local board which does not
directly provide these bene-
fits to transportation employ-
ees. No local board shall be
allowed to convert funding
provided in this budget for
employee benefits into other
uses or expenditures. The
State Examiner of Public Ac-
counts shall assure compli-
ance. The rate per day for two
personal days and five sick
days for transportation per-
sonnel shall be $40. An appro-
priately certified transporta-
tion substitute shall be employed for the absent transportation employee for each day the employee is absent.
The Department of Education is directed to withhold funds from local systems not employing substitutes for absent transportation employees. Such withheld funds shall revert to the Education Trust Fund.

(c) At-Risk Student Program

Each district shall receive its pro rata share for each student who is defined as being at-risk of dropping out of school or is performing at an academic level below current grade placement. School systems should be encouraged to successfully move students from the at-risk category. Therefore, a school system shall maintain its at-risk funding for every student removed from its at-risk definition for the next two fiscal years. Local school districts shall maintain separate accounts for all funds received in this category. The funds provided in this section are specifically designated for special programs to serve these students and may not be used as a part of a local school district's general operating budget. Local school systems in partnership with and funding from the Department of Education are expected to establish programs which will increase learning opportunities for at-risk students. These programs shall include, but not be limited to, after-school tutoring, summer
schools, weekend schools, character education programs, drop-out prevention programs, career technical education youth programs, alternative schools, training of parents, purchase and use of web-based practice tests for the high school graduation exam and other state required standardized tests, programs to improve reading, and/or math, and/or science skills to increase grade-to-grade promotion, high school graduation and college preparedness, and other activities designed to assist at-risk students. The State Department of Education shall monitor the use of these funds and shall assure that they are used only in a manner designed to provide additional assistance above and beyond the regular instructional program for at-risk students. At-risk funds shall not be used to supplant any other funding of summer schools or other activities which are designed to serve the general student population but must be used for specific programs for at-risk students. At-risk students shall be defined as those students who score at level 1 or level 2 (not proficient/partially proficient) in reading or mathematics on the current state assessments. Further, local school faculty and the school principal shall make specific recommendations for students at the school to be included as participants in the at-risk program. At-risk funds may be expended for stu-
dent programs to improve the
efficiency and utilization of
technology-based educational
resources in the classroom. As
a part of the above appropria-
tion for the At-Risk Student
Program, there is hereby ap-
propriated $750,000 for the
Alabama Student Information
Management System (ASIMS).
ASIMS will allow the continued
support and maintenance of the
Information Management System
which permits each Local Edu-
cation Agency and the State
Department of Education to
comply with all state and fed-
eral accountability standards
and reporting obligations. It
is the intent of the Legisla-
ture that schools and school
systems involve the community
in planning and implementing
at-risk programs. Therefore,
schools shall expend at least
20% of the at-risk funds to
partner with non-profit commu-
nity organizations in planning
and implementing at-risk pro-
grams which directly assist in
improving academic perfor-
mance. Such programs may in-
clude, but not be limited to,
Boys and Girls Clubs, YMCA's,
21st Century Leadership, Pell
City Bridge Builders, Alabama
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 organizations. 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, businesses 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 authorized, at its discretion, to institute a pilot program to employ behavioral support specialists in public middle schools.

(d) Endowment Interest Program—Public School Fund, Estimated ...................... 532,864 532,864

(e) Public School Fund, Estimated ...................... 175,000,000 175,000,000

Notwithstanding the provisions of Section 16-13-234 Code of Alabama, 1975, or Section 14 of this Act, the local boards of education shall have flexi-
Education Trust  Earmarked Funds  Appropriation Total
Fund

(f) Board of Adjustment  ...... 642,501 642,501
(g) School Nurses Program ... 31,244,042 31,244,042

To be distributed so that each school system shall receive one nurse and additional nurse or fractions of a nursing allocation based upon the average daily membership during the first 20 scholastic days after Labor Day of the preceding school year. The School Nurses Program shall use the following salary matrix to determine nursing salaries, based on 187 contract days and seven and one-half working hours per day. No funds provided herein for the School Nurses Program shall be used for the payment of any salaries of nurses who are not under the direct control, employment, and supervision of local boards of education. The pay of any part-time employee shall conform to the pro-rata share of the following matrix:

<table>
<thead>
<tr>
<th>Years Experience</th>
<th>LPN</th>
<th>RN</th>
<th>RN/MS</th>
</tr>
</thead>
<tbody>
<tr>
<td>less than 3</td>
<td>19,000</td>
<td>36,144</td>
<td>41,564</td>
</tr>
<tr>
<td>3 but less</td>
<td>20,881</td>
<td>39,756</td>
<td>45,720</td>
</tr>
<tr>
<td>than 6</td>
<td>21,779</td>
<td>41,497</td>
<td>47,721</td>
</tr>
<tr>
<td>6 but less</td>
<td>21,779</td>
<td>41,497</td>
<td>47,721</td>
</tr>
<tr>
<td>than 9</td>
<td>21,779</td>
<td>41,497</td>
<td>47,721</td>
</tr>
<tr>
<td>9 but less</td>
<td>22,062</td>
<td>42,053</td>
<td>48,362</td>
</tr>
<tr>
<td>than 12</td>
<td>22,459</td>
<td>42,818</td>
<td>49,238</td>
</tr>
<tr>
<td>12 but less</td>
<td>22,459</td>
<td>42,818</td>
<td>49,238</td>
</tr>
<tr>
<td>than 15</td>
<td>22,459</td>
<td>42,818</td>
<td>49,238</td>
</tr>
<tr>
<td>15 but less</td>
<td>22,953</td>
<td>43,794</td>
<td>50,364</td>
</tr>
<tr>
<td>than 18</td>
<td>23,229</td>
<td>44,360</td>
<td>51,012</td>
</tr>
<tr>
<td>18 but less</td>
<td>23,229</td>
<td>44,360</td>
<td>51,012</td>
</tr>
<tr>
<td>than 21</td>
<td>23,507</td>
<td>44,926</td>
<td>51,666</td>
</tr>
<tr>
<td>21 but less</td>
<td>23,507</td>
<td>44,926</td>
<td>51,666</td>
</tr>
<tr>
<td>than 24</td>
<td>24,007</td>
<td>45,461</td>
<td>52,201</td>
</tr>
<tr>
<td>24 but less</td>
<td>24,507</td>
<td>45,997</td>
<td>52,737</td>
</tr>
<tr>
<td>than 27</td>
<td>24,507</td>
<td>45,997</td>
<td>52,737</td>
</tr>
<tr>
<td>27 or more</td>
<td>54,505,553</td>
<td>54,505,553</td>
<td></td>
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</table>

As a part of the above appropriation for the School Nurses Program, there is hereby appropriated $250,000 for the collection and management of statewide student health data, school by school.
<table>
<thead>
<tr>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
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<tbody>
<tr>
<td>3,704,041</td>
<td>3,704,041</td>
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</tr>
</tbody>
</table>

(i) Information Technology Services Program

The above appropriation shall be expended by local school systems towards the position of a district technology coordinator that meets the job description and qualifications as established by the State Board of Education and serves as the primary point of contact for all technology issues. The District Technology Coordinator as directed by the school system shall be responsible for a technology program that ensures the proper accountability for the following: technology funds; technology professional development; technology planning and reporting; coordination of technology across all programs; a safe, secure, and fully operable network; technology procurement and inventory; technology support for data management; technology support for distance learning; annual E-rate application; and, directing a program to ensure all state standards involving technology for teachers, administrators, and students are met and technology is integrated throughout the curriculum.

SOURCE OF FUNDS:

1. ETF ............................. 3,550,114,309
2. Federal Stimulus Funds, estimated .................. 179,434,391
(3) Federal and Local Funds ........................................ 569,802,621
(4) Public School Fund, Estimated ................................. 175,532,864

Total Education, State Board of Local Boards of Education

.................................................. 3,550,114,309  924,769,876  4,474,884,185

The above appropriation shall be distributed by the State Board of Education in accordance with the provisions of the Code of Alabama 1975, Sections 16-13-239 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 2010-2011 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
Grades 4-6 ... 21.4
Grades 7-8 ... 20.0
Grades 9-12 .. 18.0

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:

<table>
<thead>
<tr>
<th>Years Experience</th>
<th>BS</th>
<th>MS</th>
<th>6Y</th>
<th>DO</th>
<th>ND</th>
</tr>
</thead>
<tbody>
<tr>
<td>less than 3</td>
<td>36,144</td>
<td>41,564</td>
<td>44,818</td>
<td>48,071</td>
<td>36,144</td>
</tr>
<tr>
<td>3 but less than 6</td>
<td>39,756</td>
<td>45,720</td>
<td>49,297</td>
<td>52,877</td>
<td>39,756</td>
</tr>
<tr>
<td>6 but less than 9</td>
<td>41,497</td>
<td>47,721</td>
<td>51,470</td>
<td>55,191</td>
<td>41,497</td>
</tr>
<tr>
<td>9 but less than 12</td>
<td>42,053</td>
<td>48,362</td>
<td>52,148</td>
<td>55,932</td>
<td>42,053</td>
</tr>
<tr>
<td>12 but less than 15</td>
<td>42,818</td>
<td>49,238</td>
<td>53,093</td>
<td>56,949</td>
<td>42,818</td>
</tr>
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<td>Education Trust Fund</td>
<td>Earmarked Funds</td>
<td>Appropriation Total</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15 but less than 18</td>
<td>43,794</td>
<td>50,364</td>
<td>54,305</td>
<td>58,244</td>
<td>43,794</td>
</tr>
<tr>
<td>18 but less than 21</td>
<td>44,360</td>
<td>51,012</td>
<td>55,005</td>
<td>58,999</td>
<td>44,360</td>
</tr>
<tr>
<td>21 but less than 24</td>
<td>44,926</td>
<td>51,666</td>
<td>55,708</td>
<td>59,752</td>
<td>44,926</td>
</tr>
<tr>
<td>24 but less than 27</td>
<td>45,461</td>
<td>52,201</td>
<td>56,245</td>
<td>60,288</td>
<td>45,461</td>
</tr>
<tr>
<td>27 or more</td>
<td>45,997</td>
<td>52,737</td>
<td>56,780</td>
<td>60,924</td>
<td>45,997</td>
</tr>
</tbody>
</table>

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 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 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 these 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
Education Trust  Earmarked Funds  Appropriation Total

Fund               

of the legislative intent as provided by this section. Notwithstanding Section
16-13-231.1(d) of the Code of Alabama 1975, there shall not be an appropriation for
the 1% over the total cost of instructional salaries for the Foundation Program as
calculated by the State Minimum Salary Schedule for the fiscal year beginning Octo-
ber 1, 2010. 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 12.5% of salaries. The Public Education Employees'
Health Insurance 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 employ-
ing 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) text-
books at $15.88 per pupil in average daily membership during the first 20 scholastic
days after Labor Day of the preceding school year; (2) classroom materials and sup-
plies at $0 per unit earned in the Foundation Program and (3) library enhancement at
$0 per unit earned in the Foundation Program. Funds allocated for instructional sup-
port 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 second-
ary schools and unit schools. An instructional support unit earned for an assistant
principal shall be increased by .10 for elementary schools, middle schools, second-
ary 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 deter-
minded and made by the local board of education in accordance with rules and regula-
tions of the State Board of Education and all laws governing such school budgets and
expenditures.

10. Education, State Board of -
Two-Year College System:
(a) Operations and Maintenance .......................... 277,330,343  245,273,670  522,604,013
(b) Auxiliary Enterprises ............................... 33,045,000  
(c) Restricted Funds ................................. 240,669,400  240,669,400
(d) Operations and Maintenance of Postsecondary Prison Edu-
cation (ETF) ............................... 8,602,360  8,602,360

Of the above appropriation,
$2,061,751 shall be expended for Therapeutic Education.

(e) Adult Education Program

(f) Special Populations Training ......................

For programs to prepare the inmate population, parolees or other special populations designated by the Chancellor for entry into the workforce through adult education, preemployment skills training, and short-term intensive career technical training.

(g) Mine Safety Training Program at Bevill State Community College ..............

(h) Postsecondary Education Department - Administration

(i) Postsecondary/Tech Colleges - Truck Driving Training ....................

Of the above appropriation, $255,914 shall be expended for the Truck Driver Training Program at Central Alabama Community College. The above appropriation from earmarked funds is estimated and shall be expended pursuant to Section 32-5-313, Code of Alabama 1975.

(j) Workforce Development ...

The Workforce Development Funds shall be distributed by the State Board of Education upon recommendation of the Chancellor to develop and implement programs to provide a skilled workforce and to provide college operations and maintenance allocations for workforce and economic development. Of the above appropri-
ation for Workforce Development, $925,000 shall be distributed for 3-D instructional centers at Wallace State Community College - Selma; Central Alabama Community College; and Wallace State Community College - Hanceville and $600,000 shall be expended for Career Coaches. Of the above appropriation for Workforce Development, at least 30% shall be recommended by the Workforce Departmental Review Committee to the Chancellor for workforce development programs in the twenty-three counties with the highest unemployment rates in Alabama and these programs shall not be subject to review and approval by the State Workforce Planning Council. The Chancellor shall submit a quarterly report to the Chair of the Senate Committee on F&T-Education, the Chair of the House Education Appropriations Committee and the Director of the Legislative Fiscal Office, with such report noting the counties impacted by this provision, the number of persons served and the amounts expended under this provision.

(k) Marion Military Institute 6,056,899 6,056,899

(1) Alabama Technology Network 4,900,124 4,900,124

(m) English as a Second Language 100,000 100,000

Of the above appropriation to the Two-Year College System, a total of $100,000 shall be used by the Chancellor to contract with other public or private institutions of higher
<table>
<thead>
<tr>
<th>Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Education Trust</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) ETF</td>
<td>327,342,522</td>
<td></td>
</tr>
<tr>
<td>(2) Federal Stimulus Funds,</td>
<td></td>
<td></td>
</tr>
<tr>
<td>estimated</td>
<td>17,735,504</td>
<td></td>
</tr>
<tr>
<td>(3) Federal and Other Funds</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Education, State Board of - Two-Year College System</td>
<td>546,825,504</td>
<td>564,561,008</td>
</tr>
</tbody>
</table>

(1) The allocations as set forth above shall be distributed by the State Board of Education through the Office of the Chancellor.

(2) The above appropriation from the ETF for Operations and Maintenance shall be distributed to each of the colleges, except Marion Military Institute. Shelton State Community College shall receive $1,062,212 to operate the Poison Control Center; $653,997 shall be allocated to Jefferson State Community College to fund the Center for Labor Education and Research (CLEAR) previously funded at the University of Alabama in Birmingham; $64,950 116,583 shall be allocated to Jefferson State Community College - Community Outreach Partnership Center for the Predator Avoidance Education Program and other educational purposes; $185,000 shall be allocated to Shelton State Community College for a partnership with the University of West Alabama for the preservation of labor education; and $277,500 shall be allocated to Gadsden State Community College for economic development, allied health sciences and nursing programs. In addition, $230,000 shall be transferred from Northwest Shoals Community College to the Alabama Industrial Development Training Institute for the Alabama Center for Advanced Woodworking Technology. The remaining balance shall be allocated among colleges in an amount equal to the percent of the continuing and permanent Operations and Maintenance allocation received from the ETF in FY 2010.

(3) The above appropriation for Operations and Maintenance of Postsecondary Prison Education shall be distributed to the same colleges and in the same amounts as FY 2010.

(4) The allocation of Adult Education funds appropriated herein is restricted to the provision of services as defined under the stipulations of the Adult Education and Family Literacy Act, Title II of the federal Workforce Investment Act of 1998. At

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least 10% of the appropriation for Adult Education shall be recommended by the Vice
Chancellor for Instructional Services to the Chancellor for programs for individuals
that do not have a high school diploma and live in communities impacted by higher
unemployment rates than the state average unemployment rate. The Chancellor shall
submit a quarterly report to the Chair of the Senate Committee on F&T-Education, the
Chair of the House Education Appropriations Committee and the Director of the Legis-
lative Fiscal Office, with such report noting the counties impacted by this provi-
sion, the number of persons served and the amounts expended under this provision.

(5) From the above appropriation for Special Populations Training, the Life Tech
program shall receive the same amount of funds as received from the Two Year College
System in FY 2010 from all sources, except for any savings recognized from the refi-
nancing of bonds.

(6) From the above appropriation for the Alabama Technology Network not less than
$75,000 shall be expended for the continuation of Gadsden State Community College's
AFL-CIO partnership program for trainers and trainees for Goodyear in Gadsden and
$267,101 shall be expended for the AFL-CIO partnership program.

(7) The Chancellor shall not assess the colleges for any state function provided
through the Chancellor's Office nor make any obligation which would encumber any
college's funding.

(8) It is the intent of the Legislature that the State Board of Education shall not
authorize or approve the sale of any property donated to any college within the
two-year college system without approval from the Legislative Council.

11. Education, State Department

<table>
<thead>
<tr>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>170,582,580</td>
<td>89,717,107</td>
<td>260,299,687</td>
</tr>
</tbody>
</table>

(a) Administrative Services

The proposed spending plan for
the ETF monies included in the
above program is as follows:

Operations and Maintenance of
the Department 33,665,829

Of the above appropriation, at
least $99,324,735 shall be ex-
pended 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 and
$950,000 shall be expended to
link the Alabama Student In-
formation Management Systems
(ASIMS) to student home com-
<table>
<thead>
<tr>
<th>Education Trust</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Potatoes.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Operations and Maintenance for the Alabama Reading Initiative .......... 59,952,360</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Arts Education for Art Education programs in areas evaluated and reviewed by the Black Belt Action Commission</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Teacher/Student Testing .......... 7,038,975</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. To be expended for teacher/student test development and expenses directly related to teacher and student assessment.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. Children's Eye Screening Program and Follow-up Eye Care .......... 2,203,241</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8. Of the above appropriation, $1,125,128 shall be used to provide eye screening for Grades K, 2 and 4. The method of screening shall be color photo refraction as developed by the National Aeronautics and Space Administration and</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9. $1,078,113 shall be used to provide follow-up care for those Grades K, 2 and 4 students. Follow-up eye care ser-</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
vices shall include, but not
be limited to, providing as-
tance in obtaining and co-
ordinating local eye care ser-
ices for those children iden-
tified as needing said fol-
low-up eye care services
whether insured, uninsured or
underinsured. Children identi-
fied as uninsured or
underinsured shall be provided
with free eye exams and free
prescription spectacles. A
database including specific
data by child, grade,
school/system, and services
for outcome-based measurement
shall be maintained and ar-
chived.

<table>
<thead>
<tr>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Governor's Local School and School System Academic and Financial Improvement Program (At-Risk)</td>
<td>16,222,501</td>
<td></td>
</tr>
</tbody>
</table>

The above appropriation shall
be expended for the operations
and maintenance of at-risk
programs to develop and imple-
ment school improvement pro-
grams' financial and/or aca-
demic accountability per Sec-
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 Su-
perintendent 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 re-
quires schools and/or school
systems to be placed in inter-
vention 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 Stan-
dards (NBPTS) certification
and/or who have been chosen as
Alabama Teachers of the Year.
In the event this pool of per-
sonnel 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 di-
rectly with schools whose op-
erations are being assisted by
the state. The State Superin-
tendent 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 Educa-
tion to improve the learning
opportunities for at-risk stu-
dents. These programs shall
include, but not be limited
to, after school programs,
character education programs,
drop-out prevention programs,
summer programs, career tech-
nical youth programs, programs
to improve reading, and/or
math, and/or science skills to
increase grade-to-grade promo-
tion, high school graduation
and college preparedness, and
other activities designed to
assist at-risk students. Per-
sonnel employed or contracted by the Department for assistance in at-risk schools shall be on release status from their respective local boards of education and shall retain all benefits and tenure status unless they are given permanent employment in the State Department of Education. Funds may be allocated to entities that have and/or can effect positive results in improved student achievement.

School Accountability Report Card ............ 124,264

For distribution of the School Accountability Report Card referred to in Section 16-6A-7 of the Code of Alabama 1975 to every parent with a child in Alabama public schools.

English as a Second Language Students Program ............ 2,360,800

Based on the 2009-10 school system count supplied to the Alabama Department of Education by each local superintendent of education, herein is appropriated on a per student basis to be utilized by local school boards to provide assistance to students not utilizing English as their native language so they may become proficient in reading, writing, and speaking English at the earliest possible time.

Tenure Arbitration Costs ... 726,661

Of the above appropriation for Tenure Arbitration Costs,
<table>
<thead>
<tr>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
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</thead>
<tbody>
<tr>
<td>$129,500 shall be transferred to fund the Office of the Attorney General for performance of arbitration services, including administration of the State's tenure laws (Code of Alabama 1975, Section 36-26-115) by the Office of Administrative Hearings, Division of Administrative Law Judges.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Teacher Recruitment Incentives</td>
<td>9,250</td>
<td></td>
</tr>
<tr>
<td>Distance Learning</td>
<td>19,078,600</td>
<td></td>
</tr>
<tr>
<td>Job descriptions shall be developed by the State Department of Education for positions funded by this appropriation. Hiring of personnel shall be monitored by the State Department of Education for compliance with these job descriptions. In addition, these funds shall be used exclusively to meet the distance learning initiative ACCESS (Alabama Connecting Classrooms, Educators, and Students Statewide).</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Advanced Placement</td>
<td>1,310,494</td>
<td></td>
</tr>
<tr>
<td>Dropout Prevention Pilot</td>
<td>500,756</td>
<td></td>
</tr>
<tr>
<td>(b) Financial Assistance Program</td>
<td>38,676,824</td>
<td>1,095,360,825</td>
</tr>
<tr>
<td>The proposed spending plan for the ETF monies included in the above program is as follows:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Home Instruction for Parents of Preschool Young-</td>
<td>1,405,909</td>
<td></td>
</tr>
<tr>
<td>Education Trust Fund</td>
<td>Earmarked Funds</td>
<td>Appropriation Total</td>
</tr>
<tr>
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<td>-------------------</td>
</tr>
<tr>
<td>sters (HIPPY)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Program ........</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Southwest School for Deaf and Blind .....</td>
<td>269,921</td>
<td></td>
</tr>
<tr>
<td>Play By The Rules .......</td>
<td>19,147</td>
<td></td>
</tr>
<tr>
<td>PALS Program .</td>
<td>19,055</td>
<td></td>
</tr>
<tr>
<td>Council on Economic Education ........</td>
<td>18,962</td>
<td></td>
</tr>
<tr>
<td>P.A.C.E.R.S. Program .....</td>
<td>125,313</td>
<td></td>
</tr>
<tr>
<td>Pre-School Program (Special Education) ...</td>
<td>1,787,034</td>
<td></td>
</tr>
<tr>
<td>Positive Behavior Support Coaches</td>
<td>150,000</td>
<td></td>
</tr>
<tr>
<td>National Board for Professional Teaching Standards ....</td>
<td>8,038,250</td>
<td></td>
</tr>
</tbody>
</table>

The above appropriation includes funds to pay assessment fees for teachers desiring to take the examination, funds to provide a $5,000 supplement in addition to base salary as determined by the Minimum Salary Schedule for all board-certified teachers. Alabama teachers shall apply for funding of the assessment fees and recipients are required to commit to teach in Alabama public schools for an additional period of five years unless an exception is granted for just cause. Of the funds provided herein, an amount not to exceed $45,000 shall be used to pay for release time.
<table>
<thead>
<tr>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>of personnel used by the State Department of Education to mentor prospective candidates for the NBPTS certification and to assist in determining which candidates shall receive state funding to take the examination. Salary must be provided before said amount can be used by the State Department of Education for personnel release time.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Children's Hospital</td>
<td>114,006</td>
<td></td>
</tr>
<tr>
<td>Career Tech Initiative</td>
<td>2,260,074</td>
<td></td>
</tr>
</tbody>
</table>

The above appropriation shall not less than 50% of the above appropriation shall be used for Agriscience purposes. Such funds shall first be expended to pay stipends, salaries, travel, and benefits of Agriscience teachers currently on 220 day or less contracts to work during the months not on contract. Remaining funds shall be expended to pay travel expenses of Agriscience teachers to State Department of Education and FFA sanctioned activities. This shall include Agriscience teachers on 240 day contracts or less. Furthermore, remaining funds shall be expended on FFA Student Leadership Development to include conferences, speakers, and travel of state FFA officers. Furthermore, remaining funds shall be expended on travel expenses for SDE Agriscience staff for Student Leadership Development activities. Any remaining funds shall be spent at the activi-
ties. The remaining 50% of the above appropriation shall be spent at the discretion of the State Superintendent of Education for other career tech programs.

Teacher
In-Service Centers ............. 2,775,000

The State Board of Education, through the State Superintendent of Education, shall administer the in-service centers and shall monitor the centers for compliance with established accountability standards. The above appropriation to the In-Service Centers shall be distributed to the existing eleven Teacher In-Service Centers in each geographical area of the state as follows:

University of Alabama

.......... 218,678

University of Alabama at Birmingham

.......... 302,690

Alabama A and M University

.......... 275,872

Alabama State University

.......... 237,742

Athens State University

.......... 230,460

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Auburn University

..... 239,879

Jacksonville State University

..... 234,907

University of Montevallo

..... 246,875

Troy University

..... 249,529

University of North Alabama

..... 213,742

University of South Alabama

..... 324,626

Teacher Professional Development Training 1,080,972

This appropriation shall be used to train teachers (K-12) in the use of computers in the classroom. Trainers shall be chosen who can assist teachers in learning computer skills, the use of instructional software, and the classroom uses of the Internet.

Governor's High Hopes for Alabama Students 15,555,543

Of the above appropriation, $950,000 shall be expended to link the Alabama Student Information Management Systems.
<table>
<thead>
<tr>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>(ASIMS) to students' home computers.</td>
<td>878,979</td>
<td>878,979</td>
</tr>
<tr>
<td>Jobs for Alabama's Graduates (JAG)</td>
<td>3,116,110</td>
<td>3,116,110</td>
</tr>
<tr>
<td>Virtual Library Project</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The State Department shall serve as the fiscal agent for the Virtual Library Project.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Teacher Mentoring Program</td>
<td>444,549</td>
<td>444,549</td>
</tr>
<tr>
<td>Teach For America</td>
<td>630,000</td>
<td>630,000</td>
</tr>
<tr>
<td>(c) Alabama Science In Motion Program</td>
<td>1,743,801</td>
<td>1,743,801</td>
</tr>
<tr>
<td>All funds appropriated to this program shall be expended in accordance with Title 16, Chapters 61B and 61C, Code of Alabama 1975. Additionally, any funds unexpended and carried over from the prior fiscal year are hereby reappropriated.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(d) Disability Determination for Social Security Program</td>
<td>86,521,431</td>
<td>86,521,431</td>
</tr>
<tr>
<td>SOURCE OF FUNDS:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) ETF</td>
<td>209,259,404</td>
<td>209,259,404</td>
</tr>
<tr>
<td>(2) ETF-Transfer</td>
<td>1,743,801</td>
<td>1,743,801</td>
</tr>
<tr>
<td>(3) Driver Education and Training Fund</td>
<td>4,530,898</td>
<td>4,530,898</td>
</tr>
<tr>
<td>(4) Federal Stimulus Funds, estimated</td>
<td>203,642,885</td>
<td>203,642,885</td>
</tr>
<tr>
<td>(5) Federal and Local Funds</td>
<td>1,060,925,580</td>
<td>1,060,925,580</td>
</tr>
<tr>
<td>(6) Special Education Catastrophic Fund</td>
<td>2,500,000</td>
<td>2,500,000</td>
</tr>
</tbody>
</table>
12. Educational Television Commission:

(a) Capital Outlay Program ......................... 555,000 555,000

This appropriation is to be used to replace the Alabama Public Television's Digital Statewide Microwave System and create a Public Safety Radio Communications Statewide Network.

(b) Educational Television Program 6,902,978 660,873 7,563,851

SOURCE OF FUNDS:

(1) ETF ....................................... 7,457,978

(2) Federal and Local Funds 660,873

Total Educational Television Commission ................................ 7,457,978 660,873 8,118,851

13. Executive Commission on Community Services Grants, State:

(a) Community Services Grants Program 8,437,286 8,437,286

Distributed pursuant to Section 29-2-123 of the Code of Alabama 1975, as amended.

SOURCE OF FUNDS:

(1) ETF ....................................... 8,437,286

The above appropriation shall be used for grants that promote public education purposes.

Total Executive Commission on Community Services Grants, State ................................ 8,437,286 8,437,286

14. Family Practice Rural Health Board:
HB274

<table>
<thead>
<tr>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Family Practice Rural Health Program ...............</td>
<td>1,625,778</td>
<td>1,625,778</td>
</tr>
</tbody>
</table>

SOURCE OF FUNDS:

(1) ETF ..................... 1,625,778

Total Family Practice Rural Health Board ............... 1,625,778 1,625,778

Of the above appropriation, at least $104,175 shall be expended for the Auburn Rural Health Program; a minimum of $84,175 shall be expended for the Tuskegee Area Health Education Center (TAHEC); $454,545 shall be expended for the Rural Medical Scholars Program at the University of Alabama at Tuscaloosa; and $94,175 shall be expended for the Rural Health Program at the University of Alabama in Huntsville.

15. Finance, Department of:

(a) Employee Benefits Program 1,400,000 1,400,000

SOURCE OF FUNDS:

(1) ETF, Estimated ................ 1,400,000

Total Finance, Department of 1,400,000 1,400,000

To be distributed by the State Comptroller to the designated beneficiaries or estates for unused sick leave pursuant to Code of Alabama 1975, Section 16-18-2.

16. Finance, Department of:

Telephone Revolving Fund:

(a) Information Systems Program ................. 1,143,902 1,143,902
<table>
<thead>
<tr>
<th>Source of Funds</th>
<th>Education Trust</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>ETF-Transfer</td>
<td>1,143,902</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Finance, Department of Telephone Revolving Fund</td>
<td>1,143,902</td>
<td>1,143,902</td>
<td></td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Source of Funds</th>
<th>Education Trust</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>ETF</td>
<td>6,414,414</td>
<td>655,000</td>
<td>7,069,414</td>
</tr>
</tbody>
</table>

18. Fire Fighters' Personnel Standards and Education Commission, Alabama/Fire College Shelton State Community College:

- (a) Operations and Maintenance

<table>
<thead>
<tr>
<th>Source of Funds</th>
<th>Education Trust</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>ETF</td>
<td>3,846,458</td>
<td>1,707,152</td>
<td>5,553,610</td>
</tr>
</tbody>
</table>

Of the above appropriation, $163,417 to operate the Risk Watch Program.

<table>
<thead>
<tr>
<th>Source of Funds</th>
<th>Education Trust</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>ETF</td>
<td>3,846,458</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal and Local Funds</td>
<td>1,707,152</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Source of Funds</th>
<th>Education Trust</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>ETF</td>
<td>3,846,458</td>
<td>1,707,152</td>
<td>5,553,610</td>
</tr>
</tbody>
</table>
HB274

<table>
<thead>
<tr>
<th>Shelnor State Community College</th>
</tr>
</thead>
</table>

**19. Governor's Office of Faith Based and Community Initiatives:**

(a) Executive Direction Program .................................................. 132,198

**SOURCE OF FUNDS:**

(1) ETF .......................................................... 132,198

Total Governor's Office of Faith Based and Community Initiatives .......................... 132,198

**20. Higher Education, Alabama Commission on:**

(a) Planning and Coordination Services Program .................. 2,964,783

The proposed spending plan for the ETF monies included in the above program is as follows:

Operations and Maintenance ........................................... 2,964,783

(b) Student Financial Aid Program ................................................. 6,063,759

(1) Policeman's Survivor Tuition, Estimated .......................... 159,320

To be expended under the provisions of Code of Alabama 1975, Section 36-21-105.

(2) Alabama National Guard Educational Assistance Scholarships ............ 601,694

To be expended in accordance with Code of Alabama 1975, Sections 31-10-1 through
<table>
<thead>
<tr>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>31-10-4 and Sections 31-10-20 through 31-10-25.</td>
<td>(3) Alabama Student Assistance Program 2,896,855</td>
<td></td>
</tr>
<tr>
<td></td>
<td>In addition to the ETF appropriation for the Alabama Student Assistance Program, any available funds as a result of the court ordered transfers from Knight vs. Alabama diversity scholarships are hereby appropriated and any carryover funds from these transfers are hereby reappropriated.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(4) Educational Grants Program (Alabama Student Grant Program) 2,320,975</td>
<td></td>
</tr>
<tr>
<td></td>
<td>To be expended in accordance with Code of Alabama 1975, Sections 16-33A-1 through 16-33A-11. Private institutions receiving state grant funds under this provision make their best effort to use the equivalent of ten percent of Federal Work Study allocations for the purpose of tutoring and mentoring students in grades K-12 to better prepare them for graduation, college entry and retention. Institutions shall work with their respective governing boards to develop and implement this effort.</td>
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</tr>
<tr>
<td></td>
<td>(5) Chiropractic Scholarships 29,415</td>
<td></td>
</tr>
<tr>
<td></td>
<td>To be expended in accordance with Code of Alabama 1975, Section 16-5-11.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(6) Washington 55,500</td>
<td></td>
</tr>
</tbody>
</table>
Center Internship Program.

It is the intent of the Legislature that the above funds for the Washington Center Internship Program be expended for Alabama residents.

(c) Support of Other Educational Activities Program

The proposed spending plan for the ETF monies included in the above program is as follows:

(1) Network of Alabama Academic Libraries

.................. 323,505

ACHE shall provide for the participation of Athens State University in the Network of Alabama Academic Libraries.

(2) Southern Regional Education Board (SREB) ........... 671,124

(3) EPSCOR (Research) Program

.................. 1,227,543

(4) Computer Based Articulation System .......... 402,563

To fund Troy University for developing and operating a statewide computer-based articulation system to serve all four-year and two-year postsecondary institutions in the State of Alabama.

(5) School and University Partnership for Education Renewal Program (SUPER) ........ 81,707
(d) Support of State Universities Program .......... 6,181,869

The proposed spending plan for the ETF monies included in the above program is as follows:

(1) Alabama Agricultural Land Grant Alliance 6,181,869

Of the above appropriation to AALGA, at least $4,450,000 shall be equally distributed as a state match for federal funds for those institutions in the Alliance required to provide matching funds in order to obtain federal funds for the first time in fiscal year 2000. Of the above appropriation, $336,700 shall be allocated for the fruit and vegetable marketing initiative; $185,000 shall be allocated for the Youth Partnership Research Program; and $556,210 shall be allocated for the McIntire-Stennis Forestry Research Initiative Matching Program.

SOURCE OF FUNDS:

(1) ETF ......................... 17,916,853

(2) Federal and Local Funds . 4,699,380

Total Higher Education, Alabama Commission on ......... 17,916,853 4,699,380 22,616,233

In addition to the above appropriations, any scholarship funds transferred from the State Department of Education for the Alabama Teacher Recruitment Incentive Program (ATRIP) shall not revert and are hereby appropriated or reappropriated.
### 21. Human Resources, Department of:

<table>
<thead>
<tr>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Human Services Program - Jobs Opportunities and Basic Skills Training (JOBS) Program ..........</td>
<td>3,828,576</td>
<td>3,828,576</td>
</tr>
<tr>
<td>(b) Human Services Program - Jobs Child Care and After School Child Care Program</td>
<td>9,124,390</td>
<td>9,124,390</td>
</tr>
</tbody>
</table>

Of the above appropriation, $142,987 shall be expended for the Black Belt Eye Care Consortium and $909,573 shall be distributed to the Greater Alabama Child Development Program for rural day care.

**SOURCE OF FUNDS:**

| (1) ETF-Transfer ............... | 12,952,966 |
| Total Human Resources, Department of ..................... | 12,952,966 | 12,952,966 |

Notwithstanding any other provision of this act to the contrary, the maximum amount of funds from the sales tax exemption for the issuance of food stamps that may be reverted by the Department of Human Resources to the Education Trust Fund shall be $18,600,000 for the fiscal year ending September 30, 2011. Any such funds over this amount not utilized in the Food Stamp Program shall be expended for subsidized child care slots and are hereby appropriated for such purpose.

### 22. Industrial Development Training Institute, Alabama:

| (a) Industrial Development and Training Program .......... | 5,731,046 | 5,731,046 |
(b) Industrial Training Program - Operations and Maintenance .............

4,832,246

(c) Workforce Development ...

23,752,304

SOURCE OF FUNDS:

(1) ETF ..........................

Total Industrial Development

Training Institute, Alabama ..........................

34,315,596

34,315,596

The funds appropriated for Workforce Development are to be expended for those costs incurred by the State in honoring commitments to pay Workforce Development costs, including services and other assistance and expenses of recruitment and training of a company's workforce, that are undertaken to induce companies to locate or expand their operations in Alabama (described hereinafter as a "Project") and to develop and implement training, placement and recruitment programs that will improve, develop and expand the State's workforce. Such costs include, but are not limited to (i) AIDT operating costs directly related to a Project; (ii) wages and benefits for trainers engaged by AIDT for the purpose of a Project; (iii) costs which the State has agreed to pay under the terms of a Project Agreement with a company that are necessary and reasonable charges incurred by the company or its affiliates for personnel providing training to the company's employees, whether those trainers are employees of the company or...
its vendors or suppliers, including 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 construction and maintenance of training facilities; (vii) travel expenses for prospective and current employees and trainees, including travel, food, lodging, relocation, and other costs necessary and reasonable to enable the company to secure 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, assessments of individuals, placement assistance, labor market information, individual employment plans and counseling, career planning, occupational and vocational training, and specific skills training. 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 provide workforce training shall be inclusive and reflect the racial and gender diversity of the state. The Office of Workforce Development shall report quarterly to the Chairs of the Senate Committee on
Finance and Taxation – Education and the House Committee on Education Appropriation 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 .................. 7,097,639 1,709,984 8,807,623

Of the above appropriation, a minimum of $4,159,397 is to be distributed to public libraries within the state and $263,622 shall be expended for Homework Alabama.

(b) Special Grant Program .................. 362,518 362,518

SOURCE OF FUNDS:

(1) ETF .................. 7,460,157

(2) Federal and Local Funds .................. 1,709,984

Total Library Service, Alabama Public .................. 7,460,157 1,709,984 9,170,141

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

(a) Support of Other Educational Activities Program .................. 3,576,766 9,045,797 12,622,563

Of the above appropriation, $81,709 shall be expended for the Mobile Bay National Estu-
<table>
<thead>
<tr>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>3,576,766</td>
<td>9,045,797</td>
<td>12,622,563</td>
</tr>
</tbody>
</table>

**SOURCE OF FUNDS:**

1. (1) ETF .......................... 3,576,766

2. (2) Federal and Local Funds ...

| Total Marine Environmental Sciences Consortium/Dauphin Island Sea Lab ............ | 3,576,766 | 9,045,797 | 12,622,563 |

**25. Mathematics and Science, Alabama School of:**

(a) Financial Assistance Program ............................... 5,880,922 | 960,000 | 6,840,922 |

**SOURCE OF FUNDS:**

1. (1) ETF .......................... 5,880,922

2. (2) Federal and Local Funds ...

| Total Mathematics and Science, Alabama School of ................ | 5,880,922 | 960,000 | 6,840,922 |

26. Medical Scholarship Awards, Board of:

(a) Support of Other Educational Activities Program .......................... 1,062,926 | 400,000 | 1,462,926 |

To be expended under the provisions of the Code of Alabama 1975, Sections 16-47-121 through 16-47-129.

**SOURCE OF FUNDS:**

1. (1) ETF .......................... 1,062,926

2. (2) Federal and Local Funds ...

| Total Medical Scholarship Awards, Board of ................ | 1,062,926 | 400,000 | 1,462,926 |

27. Mental Health, Department of:
<table>
<thead>
<tr>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Institutional Treatment and Care of Mental Illness Program</td>
<td>4,038,707</td>
<td>4,038,707</td>
</tr>
<tr>
<td>(b) Substance Abuse Program</td>
<td>995,641</td>
<td>995,641</td>
</tr>
<tr>
<td>(c) Special Services Program</td>
<td>1,199,355</td>
<td>1,199,355</td>
</tr>
<tr>
<td>(d) Institutional Treatment and Care of Intellectually Disabled Program</td>
<td>21,341,692</td>
<td>21,341,692</td>
</tr>
</tbody>
</table>

Of the above appropriation to the Department of Mental Health for the Institutional Treatment and Care of Intellectually Disabled Program, the sum of $4,285,989 shall be used to fund ARC-type community-based programs, including the Montgomery Institute for Neurological Development for the intellectually disabled in Alabama; the sum of $437,835 shall be allocated to Camp ASCCA; and $350,000 shall be transferred to the Eagles' Wings Program.

**SOURCE OF FUNDS:**

<table>
<thead>
<tr>
<th>ETF-Transfer</th>
<th>27,575,395</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Mental Health, Department of</td>
<td>27,575,395</td>
</tr>
<tr>
<td>Source</td>
<td>27,575,395</td>
</tr>
</tbody>
</table>

**28. Nursing, Alabama Board of:**

(a) Professional and Occupational Licensing and Regulation Program | 237,725 | 237,725 |

The above appropriation shall be expended pursuant to the provisions of the Code of Alabama 1975, Sections 34-21-60 through 34-21-63. Notwithstanding the limiting provisions of the Code of Alabama

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1975, Sections 34-21-60 through 34-21-63, $200,000 of the above appropriation shall be expended exclusively for scholarships for advanced degrees to train instructors to teach nursing classes in Alabama colleges and universities.

SOURCE OF FUNDS:

(1) ETF ................................. 237,725

Total Nursing, Alabama Board of .......................... 237,725

237,725

29. Optometric Scholarship Awards, Board of:

(a) Support of Other Educational Activities Program ............................... 153,610

To be expended under the provisions of the Code of Alabama 1975, Sections 34-22-60 through 34-22-65.

SOURCE OF FUNDS:

(1) ETF ................................. 153,610

Total Optometric Scholarship Awards, Board of .............................. 153,610

153,610

30. Peace Officers' Standards and Training Commission, Alabama:

(a) Professional and Occupational Licensing and Regulation Program ............ 279,016

(b) Certified Law Enforcement Academy Program ............................ 382,813

Of the above appropriation for the Certified Law Enforcement Academy Program, $382,813 of ETF monies included therein shall be expended as follows:

Northeast Police Academy .......................... 99,531

Page 45
Alabama Peace
Officers' Standards and
Training Commission Law Enforcement Academy at
Tuscaloosa ... 99,531
Alabama Peace
Officers' Standards and
Training Commission Law Enforcement Academy - Baldwin
County ....... 99,531
Alabama Police
Academy ...... 53,595
Montgomery Police Academy . 30,625

SOURCE OF FUNDS:

(1) ETF 661,829

(2) Alabama Peace Officers'
Standards and Training
Fund as provided in the Code
of Alabama 1975, Sections
36-21-40 through 36-21-51 . 4,950,000

Total Peace Officers' Standards and Training Commission,
Alabama ....................... 661,829 4,950,000 5,611,829

31. Penny Trust Fund - Buskey
Matching Funds:

(a) Special Services Program,
    Estimated ..................... 352,267

SOURCE OF FUNDS:

(1) ETF-Transfer .............. 352,267

Total Penny Trust Fund -
Buskey Matching Funds ...... 352,267

In accordance with Sections
32. **Physical Fitness, State Commission on:**

(a) Advisory Services Program

SOURCE OF FUNDS:

(1) ETF ........................... 1,065,138

(2) Federal and Local Funds ........................... 18,846

Total Physical Fitness, State Commission on .................. 1,083,984

33. **Public Health, Department of:**

(a) Administration Services

(b) Continuing Education for EMT Personnel ............ 1,470,731

With the above appropriation, the Department shall offer performance-based awards to regional EMS agencies for the purpose of providing continuing education to EMTs and strengthening the EMS infrastructure.

(c) Public Health Services Program .................... 12,156,839

Of the above appropriation, $11,813,665 shall be expended for the continuation of the programs in Public School Sanitation, licensure and certification, immunization activities at the county level, patient education and child health, immunization of pre-school children and students, dental health, tuberculosis and nursing services, life skills educational training in schools, vaccines to non-VFC-eligible children, and...
other public health purposes.
Of the above appropriation, $220,612 shall be expended for AIDS Alabama and $122,562 shall be expended for the Alabama Kidney Foundation.

SOURCE OF FUNDS:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) ETF</td>
<td>14,539,333</td>
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</table>

Total Public Health, Department of

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>14,539,333</td>
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</table>

<table>
<thead>
<tr>
<th>Education Trust Fund</th>
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<tbody>
<tr>
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</tbody>
</table>

34. Rehabilitation Services, Department of:

(a) Direct Client Services for the Handicapped Program ...

The proposed spending plan for the ETF monies included in the above program is as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Homebound</td>
<td>5,010,303</td>
</tr>
<tr>
<td>Hemophilia</td>
<td>1,275,417</td>
</tr>
<tr>
<td>Children's Rehabilitation Services</td>
<td>10,785,733</td>
</tr>
</tbody>
</table>

Of the above appropriation the agency will pay to each hospital the standard per diem paid by the state Medicaid Agency for services relating to scoliosis and spina bifida medical care.

Education of Dependents of Blind Parents 10,635

The above appropriation shall be allocated for reimbursement to every state institution of higher learning, college, university, community college, or junior college, in which benefits are given to dependents.
of blind parents under the
provisions of Code of Alabama
1975, Sections 16-33-1 through
16-33-12.
Rehabilitation
Services ..... 10,374,054
Of the above appropriation,
$92,500 shall be expended for
Teaching Children With Dis-
abilities
Early Interven-
tion Program . 5,830,888
Respite Related
Services and
Training ..... 74,854
Rehabilitation
Projects ..... 1,213,187

SOURCE OF FUNDS:

(1) ETF ......................... 34,575,071
Total Rehabilitation Services,
Department of ............... 34,575,071 34,575,071

The above appropriation to the
Department of Rehabilitation
Services - Rehabilitation Pro-
jects may be used to contract
with providers of cerebral
palsy services.

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

(a) Support of Other Educa-
tional Activities Program . 1,345,125 1,345,125

Of the above appropriation to
the Alabama Sickle Cell and
Regulatory Commission, the sum
of $26,597 shall be used to
fund travel and other expenses
of the Alabama Sickie Cell
Oversight and Regulatory Com-
mission and $1,316,528 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 ........................ 1,345,125

Total Sickle Cell Oversight
and Regulatory Commission,
Alabama .......................... 1,345,125 1,345,125

36. Space Science Exhibit Commis-
sion, Alabama:

(a) Special Services Program 531,097 36,243,000 36,774,097

SOURCE OF FUNDS:

(1) ETF ........................ 531,097

(2) Federal and Local Funds ........................ 36,243,000

Total Space Science Exhibit
Commission, Alabama ............ 531,097 36,243,000 36,774,097

37. Supercomputer Authority, Al-
bama:

(a) Information Technology
Services Program ............... 5,244,347 2,366,740 7,611,087

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 ............... 5,244,347

(2) Supercomputer Revolving
Fund, Estimated ............... 2,366,740

Total Supercomputer Authority,
Alabama .......................... 5,244,347 2,366,740 7,611,087
38. Veterans' Affairs, Department of:

(a) Administration of Veterans' Affairs Program 2,740,194
(b) Student Financial Aid Program, Estimated 17,205,339

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

SOURCE OF FUNDS:

(1) ETF 19,945,533

Total Veterans' Affairs, Department of 19,945,533

39. Youth Services, Department of:

(a) Financial Assistance Program (School District) 7,087,235

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 49,915,142

(c) Special Programming for Achievement Network (SPAN) 4,827,979

HB274
Education Trust Fund | Earmarked Funds | Appropriation Total
---|---|---

3C. Colleges and Universities:

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

(a) Operations and Maintenance and Program Support

| 31,541,539 | 63,905,086 | 95,446,625 |

Of the above appropriation, $40,854 shall be expended for the Black Archives Museum.

(b) Extension-Urban Affairs and Non-Traditional Land Grant Programs

| 4,067,170 | 4,067,170 |

Pursuant to Knight v. Alabama Final Settlement Agreement.

(c) Agricultural Research Station Fixed Costs

| 301,219 | 301,219 |

Pursuant to Knight v. Alabama Final Settlement Agreement.

(d) Auxiliary Enterprises

| 12,755,366 | 12,755,366 |

(e) Restricted Funds

| 39,815,989 | 39,815,989 |

(f) Agricultural Research and Extension-State Match

| 1,226,904 | 1,226,904 |

SOURCE OF FUNDS:

(1) ETF

| 37,136,832 |

(2) Federal Stimulus Funds, estimated

| 3,360,117 |

(3) Federal and Other Funds

| 113,116,324 |

Total Alabama Agricultural and Mechanical University, Board of Trustees

| 37,136,832 | 116,476,441 | 153,613,273 |
Of the above appropriation from Federal Stimulus Funds, estimated, $333,226 shall be earmarked for the Extension-Urban Affairs and Non-Traditional Land Grant Programs.

2. Alabama A and M University, Board of Trustees-Miles College Consortium:

(a) Alabama A and M University-Miles College Consortium .................. 370,339

SOURCE OF FUNDS:

(1) ETF .......................... 370,339

Total Alabama A and M University, Board of Trustees-Miles College Consortium .......... 370,339

3. Alabama State University, Board of Trustees:

(a) Operations and Maintenance and Program Support ...... 43,568,347 66,868,202 110,436,549

The above appropriation for Operations and Maintenance includes funds for Health Information Management, Occupational Therapy, Physical Therapy Programs, Title VI Program Enhancement, EdD in Educational Leadership, Policy and Law, and Desegregation Planning pursuant to the Knight vs Alabama Final Settlement Agreement. Of the above appropriation, $1,156,250 shall be expended for Cooperative Efforts to Enhance Community Educational Institutions; $601,044 shall be expended for the Minority Technology Network and Center for Public Policy; and $340,917 shall be
expended for building renovations.

(b) Auxiliary Enterprises ...
(c) Restricted Funds .........

SOURCE OF FUNDS:

(1) ETF .......................... 43,568,347
(2) Federal Stimulus Funds, estimated .................. 3,259,874
(3) Federal and Other Funds .

Total Alabama State University, Board of Trustees ..... 43,568,347 120,594,198 164,162,545

4. Alabama, University of, Board of Trustees:

(a) Operations and Maintenance and Program Support for the University of Alabama at Tuscaloosa ............ 141,677,521 325,049,134 466,726,655

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, $238,417 shall be expended for the Special Outreach Program; and $204,271 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 ............ 254,204,273 1,498,641,116 1,752,845,389

Of the above appropriation $250,000 shall be transferred to Children's Hospital for the Diabetes Research Program; $408,543 shall be expended for the Minority Business Training-Economic Development Pro-
<table>
<thead>
<tr>
<th>Education Trust Fund</th>
<th>Earmarked Funds</th>
<th>Appropriation Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>122,563 shall be expended for the Gregory Fleming James Cystic Fibrosis Program; $142,990 shall be expended for the High School Athletic Training Program; and $142,677 shall be expended for the Helen Keller Foundation.</td>
<td>67,826,644</td>
<td>111,851,150</td>
</tr>
<tr>
<td>44,024,506</td>
<td></td>
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</tr>
</tbody>
</table>

Of the above appropriation $1,850,000 shall be expended for curriculum development, research support, and specialized equipment for Robotics and Controls Research and Education; and $92,500 shall be expended for the Climatology Program.

(d) Special Mental Health and Chauncey Sparks Center for Developmental and Learning Disorders, University of Alabama at Birmingham 3,512,347 3,512,347

(e) School of Optometry Fund-Transfer to University of Alabama at Birmingham School of Optometry, estimated 70,000 70,000

(f) Auxiliary Enterprises 141,050,622 141,050,622

(g) Restricted Funds 594,412,937 594,412,937

(h) University of Alabama at Birmingham Cancer Center 4,177,863 4,177,863

SOURCE OF FUNDS:

1. ETF 447,596,510
2. Federal Stimulus Funds, estimated 43,794,937
3. Federal and Other Funds 2,583,255,516
5. Auburn University, Board of Trustees:

(a) Operations and Maintenance and Program Support, Auburn University ............... 156,228,021 368,088,309 524,316,330

Of the above appropriation, $110,304 shall be expended to provide economic research services to the State of Alabama, Department of Finance; $67,281 shall be expended for the Jules Collins Smith Art Museum; $46,854 shall be expended for the Ralph Brown Draughon Library; $140,000 shall be expended for training for the use of the Alabama Student Information Management System (ASIMS); and $92,500 shall be expended for Special Outreach.

(b) Auxiliary Enterprises ...... 110,267,144 110,267,144

(c) Restricted Funds ........... 114,293,029 114,293,029

(d) Operations and Maintenance and Program Support, Alabama Agricultural Experiment Station ......................... 30,968,224 36,643,531 67,611,755

Of the above appropriation, $147,073 shall be expended for fire ant eradication/research at the Department of Entomology. Of the above appropriation, $250,000 shall be expended for the Poultry Technology Center and $40,854 shall be expended for poultry research.

(e) Operations and Maintenance and Program Support, Alabama Cooperative Extension System ................................. 32,045,664 28,941,604 60,987,268
Education Trust | Earmarked Funds | Appropriation Total
----------------|----------------|------------------

23,532,791 | 52,710,434 | 76,243,225

Of the above appropriation, $250,000 shall be expended for the federal road - rural development project.

(f) Operations and Maintenance and Program Support, Auburn University at Montgomery.

23,532,791

Of the above appropriation to Auburn University at Montgomery, $300,673 shall be expended for the Statewide Economic Resources Initiative Education Support (S.E.R.I.E.S.) Program to provide a statewide economic impact education support system dedicated to providing technological capabilities to government agencies: $110,304 shall be expended for the further implementation of SMART Governing; and $110,304 shall be expended for the GAAT/CPM Program; $163,418 shall be expended for the Judicial College; and $715,000 shall be expended for the Senior Resource Center; and $250,000 shall be expended for the Rural Economic Development Program Center.

SOURCE OF FUNDS:

(1) ETF ......................... 242,774,700

(2) Federal Stimulus Funds, estimated ......................... 25,883,408

(3) Federal and Other Funds ..................................... 685,060,643

Total Auburn University, Board of Trustees ......................... 242,774,700 710,944,051 953,718,751

6. Education, State Board of - Athens State University:

(a) Operations and Maintenance 11,142,158 15,274,646 26,416,804
and Program Support ........
(b) Auxiliary Enterprises .... 96,898 96,898
(c) Restricted Funds ......... 19,610,082 19,610,082

SOURCE OF FUNDS:

(1) ETF ....................... 11,142,158
(2) Federal Stimulus Funds, estimated ..................... 964,566
(3) Federal and Other Funds ..... 34,017,060

Total Education, State Board of - Athens State University

11,142,158 34,017,060 46,123,218

7. Jacksonville State University, Board of Trustees:

(a) Operations and Maintenance and Program Support ........ 36,811,515 54,259,501 91,071,016

Of the above appropriation, $1,325,609 shall be expended by the Alabama Small Business Institute of Commerce;
$204,268 shall be expended for the Wellness Initiative; and
$204,271 shall be expended for the Little River Canyon Field School.

(b) Auxiliary Enterprises ..... 8,062,084 8,062,084
(c) Restricted Funds ........... 9,181,572 9,181,572
(d) Alabama Film Initiative Program ......................... 462,500 462,500

SOURCE OF FUNDS:

(1) ETF ......................... 37,274,015
(2) Federal Stimulus Funds, estimated ..................... 3,343,660
(3) Federal and Other Funds ..... 68,159,487

Total Jacksonville State University, Board of Trustees

37,274,015 71,503,157 108,777,172

8. Montevallo, University of, Board of Trustees:
### 9. North Alabama, University of, Board of Trustees:

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<th>Description</th>
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<td>(c) Restricted Funds</td>
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**SOURCE OF FUNDS:**

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<td>(1) ETF</td>
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<td>(2) Federal Stimulus Funds, estimated</td>
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<td>(3) Federal and Other Funds</td>
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**Total North Alabama, University of, Board of Trustees:**

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<td>25,105,160</td>
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### 10. South Alabama, University of, Board of Trustees:

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<td>and Program Support</td>
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<tr>
<td>Of the above appropriation, $300,000 shall be expended for the C.P. New dome Foundation.</td>
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<td>(b) Auxiliary Enterprises</td>
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<td>1. Troy University, Board of Trustees:</td>
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<td>Of the above appropriation, $133,354 shall be expended for the Interpreter's Program; $40,854 shall be expended for the Center for International Business and Economic Development; and $46,654 shall be expended as an additional allocation for the Phenix City Campus.</td>
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<td>(b) Auxiliary Enterprises</td>
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<td>(c) Restricted Funds</td>
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<td>2. West Alabama, University of, Board of Trustees:</td>
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<td></td>
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<tr>
<td>(a) Operations and Maintenance and Program Support</td>
<td>13,937,010</td>
<td>12,805,801</td>
<td>26,742,811</td>
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<td>Education Trust Fund</td>
<td>Earmarked Funds</td>
<td>Appropriation Total</td>
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<td>----------------------</td>
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<tr>
<td>the Alabama Medical Education Consortium; $204,271 shall be expended for the Economic and Small Business Development Program; $102,136 for the Regional Wellness and Fitness Center; $36,769 shall be expended for the National Young Farmers Educational Association; $281,945 shall be expended for the Black Belt Treasures Initiative; $69,000 for the Office of International Programs; and $400,000 shall be expended for remedial education programs.</td>
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<td>(b) Auxiliary Enterprises ...</td>
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<td>(c) Restricted Funds ...........</td>
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</table>

**SOURCE OF FUNDS:**

1. **ETF .........................**
   - 13,937,010
2. **Federal Stimulus Funds, estimated .................**
   - 1,203,971
3. **Federal and Local Funds .**
   - 17,224,802
Total West Alabama, University of, Board of Trustees ........... 13,937,010 18,428,773 32,365,783

**3D. Other:**

1. **Deaf and Blind, Alabama Institute for, Board of Trustees:**
   - (a) Adult Programs .............. 9,349,612 6,659,444 16,009,056
   - (b) Children and Youth Programs ....................... 26,043,024 3,423,185 29,466,209
   - (c) Industries for the Blind 7,967,304 23,920,944 31,888,248

**SOURCE OF FUNDS:**

1. **ETF .........................**
   - 43,359,940
2. **Federal and Other Funds .**
   - 34,003,573
| Total Deaf and Blind, Alabama Institute for, Board of Trustees | 43,359,940 | 34,003,573 | 77,363,513 |

2. Knight v. Alabama - Financial Obligations:

(a) Support of State Universities Program, Estimated ...

Pursuant to the Settlement Agreement and Final Order in the Knight v. Alabama case CV-83-M-1676, the appropriation above includes the following:

Alabama State University
-Trust for Educational Excellence Matching Funds of up to 1,000,000

To provide up to $1,000,000 to the extent same has been matched by gifts, grants, and contributions to the Trust.

Alabama A & M University
-Trust for Educational Excellence Matching Funds of up to 1,000,000

To provide up to $1,000,000 to the extent same has been matched by gifts, grants, and contributions to the Trust.

Alabama State University-for Scholarships to Diversify Funds of up to 1,000,000

To provide up to $1,000,000 pursuant to the requirements of the Settlement Agreement and Final Order. Any funds
remaining after the payment of
the scholarships shall be
transferred to the Alabama
Commission on Higher Educa-
tion-Alabama Student Assis-
tance Program fund and shall
not revert to the ETF at the
end of the fiscal year.

Alabama A & M
University-for
Scholarships to
Diversify Funds
of up to ..... 1,000,000
To provide up to $1,000,000
pursuant to the requirements
of the Settlement Agreement
and Final Order. Any funds
remaining after the payment of
the scholarships shall be
transferred to the Alabama
Commission on Higher Educa-
tion-Alabama Student Assis-
tance Program fund and shall
not revert to the ETF at the
end of the fiscal year.

PhD in Microbi-
ology 1,295,742
Based on funding formula cal-
culations provided by the Ala-
bama Commission on Higher Edu-
cation. This appropriation is
the fifth year of eight years
of funding for this program.

Two-Year
Postsecondary
Department, Al-
abama A & M -
Alabama State
University
Transfer Scholar-
ship Program .. 200,000

SOURCE OF FUNDS:

(1) ETF ....................... 5,495,742
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<td>Total Knight v. Alabama - Financial Obligations</td>
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To be allocated and expended in accordance with the Final Order and Settlement Agreement in Knight v. Alabama, Civil Action CV 83-M-1676, 900 F Supp 272.

Section 4. In addition to all other appropriations, there is hereby appropriated $8,940,252 from the Education Trust Fund representing the remaining 50% of the interest income accumulated at the rate of 6% from FY 1992 through FY 2002 for the K-12 school systems that did not receive allocations 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.

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Section 5. In addition to all other appropriations, there is hereby appropriated from the Education Trust Fund the following amounts to be conditioned upon the availability of funds, the recommendation of the Director of Finance, and the approval of the Governor:
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<th>Appropriation</th>
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<td>2</td>
<td>a. Department of Education-for the Alabama Math/Science/Technology Initiative</td>
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<td>3</td>
<td>b. Department of Education-for Distance Learning (ACCESS)</td>
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<td>c. Foundation Program/Local Boards of Education - Other Current Expense</td>
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<td>d. Foundation Program/Local Boards of Education - Transportation Program</td>
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<td>e. Department of Education-for Advanced Placement</td>
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<td>f. Department of Education-Teacher Recruitment Incentives</td>
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<td>g. Department of Education-Teacher</td>
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<td>h. Mentoring</td>
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<td>i. Department of Human Resources</td>
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<td>j. Arts-Smithsonian Arts Festival</td>
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<td>k. Department of Rehabilitation Services</td>
<td>$500,000</td>
</tr>
</tbody>
</table>
vices-Homebound Program 1,000,000
Department of Rehabilitation Services 500,000

13  l.

vices-Early Intervention Program 1,000,000
State Board of Education, Local
Boards of Education - Textbooks (to be allocated equally based on the
number of students in Average Daily Membership and in the same manner
as other classroom instructional support funds are distributed in

14  m.

the Foundation Program) 5,600,000
State Board of Education, Local
Boards of Education - Technology
(to be distributed equally based on
the number of state-funded units
and in the same manner as other
classroom instructional support
funds are distributed in the Foun-

dation Program) 9,900,000

15  n.

16  o.

School of Math and Science 450,000
17  p.

School of Fine Arts 450,000
 Alabama Institute for Deaf and

18  q.

Blind 250,000
Section 6. The appropriations made herein to an agency or entity are for the valid purposes and/or operation and maintenance of that agency or entity. There shall be no pass-through appropriation by that agency or entity at the direction of any member of the legislative, executive or judicial branch of government. The director of any agency or entity that is directed by a member of the legislative, executive or judicial branch of government to pass-through an appropriation to another state or non-state entity shall report such directive to the Governor, the Chairs of the House Education Appropriations Committee and the Senate Finance and Taxation-Education Committee. Nothing in this section is intended to prohibit a legislator or any other person from asking for or asking about the status of a project that falls within the legal purpose or function of that agency.

Section 7. In addition to the appropriations herein made, all gifts, grants, contributions, insurance proceeds or entitlements, in excess of the amount carried in this act, including grants by the Congress of the United States, municipalities or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are reappropriated to such department, division, board, bureau, commission, agency,
institution, office or officer to be used only for the purpose
or purposes for which the grant or contribution was or shall
be made. Further, all state, county, municipal and educational
entities are authorized to disburse such sums as deemed
necessary by mutual agreement between said entities and the
State of Alabama, Department of Examiners of Public Accounts
to partially defray the cost of auditing services performed by
said agency. All such sums are hereby appropriated and
reappropriated if necessary to the Department of Examiners of
Public Accounts for audit services, to be expended through the

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

Section 9. Nothing in this act shall be construed to
affect or repeal any law authorizing or permitting any
college, school or other education or eleemosynary institution
of the State to receive, collect or disburse any fees,
tuitions, charges, sales, endowments, trusts or income
therefrom, which are now or may hereafter be authorized to
receive, collect or disburse. The receiving college, school or
institution shall further maintain separate accounts for such
receipts or shall maintain a system of accounting which will
show a cash flow of such receipts received under the provision
of this appropriation.

Section 10. The appropriations made herein to the
departments, boards, offices, commissions, and agencies
include the amount necessary and said departments, boards,
offices, commissions, and agencies are hereby directed to make
the transfer of funds to the State Personnel Department in the
amounts enumerated in the general appropriations act for the
fiscal year ending September 30, 2011. All agencies and
institutions enumerated in this act that receive services from
other governmental agencies enumerated in this act or the
general appropriations act shall make full payment in a timely
manner (as determined by the Department of Finance) for such
services.

Section 11. All encumbered balances of a previous
fiscal year appropriation other than the exclusions authorized
by the Code of Alabama 1975, Section 41-4-93, shall lapse no
later than September 30 of the fiscal year immediately
following the fiscal year for which the appropriation was made
and shall revert to the credit of the Education Trust Fund or
earmarked fund from which the appropriation or appropriations were made.

Section 12. Upon certification to the Director of Finance by the State Attorney General that a federal court has ordered the State of Alabama to pay claims, attorney fees, or other costs relating to said court order, funds are hereby appropriated to the affected department, board, bureau, or commission in the amount necessary to satisfy that court order. Such appropriations are in addition to any other appropriation heretofore or hereafter made in this appropriation act. Such appropriations are conditioned upon the availability of funds and a determination by the Director of Finance that other current appropriations are not available for court-ordered payments.

Section 13. All state-mandated and state-funded salary increases and fringe benefits for Child Nutrition Program workers shall be fully-funded from the Foundation Program appropriation in this act, and shall therefore be subsequently fully-funded by all local boards of education from funds provided in this act from Other Current Expense and not from funds generated by the Child Nutrition Program unless the local school system's Child Nutrition Program has in excess of a three-month operating reserve. Before any funds may be utilized by the local board of education to pay for salary or fringe benefits, the State Department of Education
Child Nutrition Program Administrator shall conduct an analysis of each local board of education's Child Nutrition Program, and certify that the program meets the three-month balance as of the end of the previous fiscal year and shall therefore insure that the use of the funds in excess of a three-month balance will not be detrimental to the local Child Nutrition Program. The State Department of Education Child Nutrition Program Administrator shall certify to the State Superintendent of Education that funds utilized in excess of a three-month balance as of the end of the previous fiscal year are in excess of any funds contained in an approved corrective plan submitted by the local school system's Child Nutrition Program for expenditures at each applicable school site for facilities, equipment, personnel, and/or salary schedule adjustments. It is the intent that no employee shall suffer a reduction of hours, benefits, compensation, or termination of employment, and that no local Child Nutrition Program services shall be contracted out as a result of this section. It is further the intent of the Legislature that the State Department of Education shall help to develop a plan to eliminate any financial deficiencies that may arise in a local Child Nutrition Program as a result of this section, and that disputes which may arise regarding corrective action plans are to be resolved by the State Department of Education consolidated monitoring teams. The State Department of
Education shall give an annual report to the Legislature, the Chair of the House Education Appropriations Committee, the Chair of the Senate Finance and Taxation-Education Committee, and the Legislative Fiscal Officer one month prior to each regular session of the Legislature on the impact of this section on the local Child Nutrition Programs.

Section 14. For FY 2011, local boards of education may exercise flexibility among line item expenditures, not to create a reduction of earned teacher units and/or local board of education support personnel.

Section 15. This Act anticipates $0 in an unappropriated or unanticipated ending balance in the Education Trust Fund. Notwithstanding Section 40-1-32.1 or any other law, if FY 2011 ends with a balance in the ETF, 37.5% of any ending balance must be transferred by the Director of Finance to the Statutory Proration Prevention Account in Section 40-1-32.1, Code of Alabama and 37.5% must be transferred by the Director of Finance toward the repayment of the Rainy Day Account as provided for in Amendment 803 to the Alabama Constitution.

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

Section 17. Any amounts that may become due and payable of Public School and College Authority Swaptions are hereby authorized to be paid in the same manner as other debt service on Public School and College Authority bonds, including items such as court costs and attorney fees associated with swaption litigation.

Section 18. Notwithstanding any other provisions of this act or any other act, any amount from appropriations for the fiscal year ending September 30, 2010 to the various state agencies and institutions in this act which are unexpended and reverted on September 30, 2010 are hereby reappropriated to the respective offices for the fiscal year beginning October 1, 2010.

Section 19. If merit pay increases are reinstated after December 31, 2010, current anniversary dates will be maintained for all employees. Agencies are prohibited from adjusting employee anniversary dates to obtain merit pay increases at an earlier date.

Section 20. The appropriations made herein to the departments, boards, offices, commissions and agencies include the amounts necessary to pay the State Employee Health Insurance Board (SEIB). The SEIB rate shall be $805 per month
for each full-time employee for the fiscal year ending
September 30, 2011. The SEIB shall adjust the insurance
program wherever appropriate to maintain the aforementioned
fixed rate.

Section 21. In the event any federal funds become
available to Alabama from any additional federal stimulus or
jobs funds from Congress for education, it is the intent of
the Legislature to carry forward those funds to be
appropriated for FY 2012 if allowed by Congress. If Alabama is
not allowed to carry those funds forward to FY 2012, there is
hereby conditionally appropriated any federal funds made
available to Alabama from any additional federal stimulus
funds provided by Congress. Any such funds should be
apportioned by the Director of Finance according to the
division of funds between higher education and K-12 as
provided for in this Act unless the distribution is otherwise
provided by Congress. The first priority conditional for the
K-12 share of federal jobs funds shall be to distribute
$33,040,170 for fleet renewal. The second priority conditional
shall be to distribute the remainder of any K-12 federal jobs
funds through the Other Current Expense formula in the
Foundation Program.

Section 22. If any section, paragraph, sentence,
clause, provision or portion of this act or all or any portion
of the appropriations herein made is held unconstitutional or
invalid, it shall not affect any other section, paragraph,
sentence, clause, provision or portion of this act or any
other appropriation or appropriations or portion thereof
hereby made not in and of itself unconstitutional or invalid.

Section 23. All laws or parts of laws, general,
special, private or local in conflict with or inconsistent
with the provisions of this act are hereby expressly repealed.

Section 24. This act shall become effective on
October 1, 2010.
HB274

Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 30-MAR-10, as amended.

Greg Pappas
Clerk

Senate 08-APR-10
Amended and Passed
Concurred in Senate Amendment

House 08-APR-10

APPROVED April 22, 2010
TIME 3:05 p.m.

Bob Riley
GOVERNOR

Alabama Secretary Of State
Act Num....: 2010-610
Bill Num....: H-274

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