

NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

SENATE BILL 05-110

BY SENATOR(S) Tapia, Keller, Owen, and Evans;
also REPRESENTATIVE(S) Plant, Buescher, and Hall.

CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF
EDUCATION.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Part III of section 2 of chapter 427, Session Laws of Colorado 2004, is amended to read:

Section 2. **Appropriation.**

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$

**PART III
DEPARTMENT OF EDUCATION**

(I) MANAGEMENT AND ADMINISTRATION

General Department and Program Administration	6,230,339*		3,964,437		125,820 ^b	2,125,324(T) ^c	14,758
	6,275,245 ^a		4,009,343 (50.5 FTE)	(1,011) (1.5 FTE)	(1,011) (1.5 FTE)	(24.5 FTE)	
Office of Professional Services	2,326,485		591,710		2,326,485 ^d (17.0 FTE)	40,879 ^b	419,001
Health, Life, and Dental Salary Survey and Senior Executive Service	1,172,468		278,552		18,536 ^b	47,875(T) ^c	204,066
Performance-based Pay Awards	242,529		88,912		10,057 ^b	31,239(T) ^c	112,321
Shift Differential	80,202		80,202				
Workers' Compensation	424,213		229,901		17,455*		176,857
	438,058		237,404		18,025 ^b		182,629
Emeritus Retirement	57,100		57,100				
	38,623		38,623				
Administrative Law Judge Services	45,984				9,656*	36,328(T) ^f	
	57,024				11,974 ^e	45,050(T) ^f	
Payment to Risk Management and Property Funds	121,709		65,960		5,008*		50,741
	61,762		33,472		2,541 ^b		25,749

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				FEDERAL FUNDS
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	
	\$	\$	\$	\$	\$	\$	\$
Capitol Complex Leased Space	455,054 478,254		139,555 146,670		29,898^a 31,422 ^b	285,601 300,162	
Information Technology Asset Maintenance	90,697		90,697				
Disaster Recovery	19,722		19,722				
Colorado Student Assessment Program	18,338,954 18,351,939		13,206,260 13,219,245			5,132,694	
Federal Grant for State Assessments and Related Activities	1,005,673					(6.0 FTE)	
School Accountability Reports and State Data Reporting System	2,024,062		2,024,062 (3.0 FTE)				
Record Integrated Tracking System Unit	180,000		180,000 (2.0 FTE)				
		33,364,220 33,391,772					

^a For informational purposes only, this amount includes the following: ~~\$5,275,529~~ \$5,326,152 for personal services; \$698,502 for operating expenses; \$117,537 for 1,909 hours of legal services; ~~\$15,878~~ \$15,840 for vehicle lease; \$32,250 for capital outlay; \$36,549 for short-term disability; ~~\$13,934~~ \$9,728 for the purchase of services from computer center; and ~~\$40,160~~ \$38,687 for multiuse network payments.

^b Of these amounts, it is estimated that ~~\$97,116~~ \$97,094 shall be from general education development program fees, ~~\$115,057~~ \$114,706 shall be from the Educator Licensure Cash Fund created in Section 22-60.5-112, C.R.S., and \$35,480 shall be from the Public School Income Fund pursuant to Section 22-2-112 (1) (i), C.R.S.

APPROPRIATION FROM

ITEM & SUBTOTAL	\$	\$	\$	\$	\$	\$	\$	\$	\$
		TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS		

^c Of these amounts, it is estimated that \$1,334,422 shall be from indirect cost recoveries; \$177,212 shall be from Assistance to Public Schools, Categorical Programs, Other Categorical Programs, Public School Transportation; \$761,568 shall be from Assistance to Public Schools, Public School Finance, State Share of Districts' Total Program Funding; and \$52,114 shall be from various appropriations to the Department of Education.

^d This amount shall be from the Educator Licensure Cash Fund created in Section 22-60.5-112, C.R.S. For informational purposes only, this amount includes the following: \$991,524 for personal services; \$755,400 for Colorado Bureau of Investigation services; \$274,636 for operating expenses; \$155,040 for indirect cost recoveries; \$136,685 for 2,220 hours of legal services; and \$13,200 for capital outlay.

^e This amount shall be from the Educator Licensure Cash Fund created in Section 22-60.5-112, C.R.S.

^f This amount shall be from Assistance to Public Schools, Categorical Programs, District Programs Required by Statute, Special Education - Children with Disabilities.

(2) ASSISTANCE TO PUBLIC SCHOOLS

(A) Public School Finance^{8,9}

State Share of Districts'									
Total Program Funding ¹⁰ ,	2,748,177,287				11,500,000 ^a	354,996,744^a			
	2,759,768,238		2,381,680,543			366,587,695 ^b			
Additional State									
Aid Related to Locally									
Negotiated Business									
Incentive Agreements	2,339,101								
	<u>2,192,812</u>								
	<u>2,750,516,388</u>								
	2,761,961,050								

^a This amount shall be from rental income earned on public school lands.

^b Of this amount, \$310,403,393 shall be from the State Education Fund created in Section 17 (4) of Article IX of the State Constitution and ~~\$44,593,351~~ \$56,184,302 shall be from the State Public School Fund created in Section 22-54-114, C.R.S. Of the amount from the State Public School Fund, \$25,593,351 is estimated to be from federal mineral leasing revenues transferred to the State Public School Fund pursuant to Section 22-54-114 (1), C.R.S., and \$19,000,000 is estimated to be from interest earned on moneys in the Public School Fund and transferred to the State Public School Fund pursuant to Section 22-41-106, C.R.S., and \$11,590,951 IS ESTIMATED TO BE FROM RESERVES.

(B) Categorical Programs¹²

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM			
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT
	\$	\$	\$	\$	\$	\$
(I) District Programs Required by Statute						
Special Education - Children with Disabilities	205,990,933 205,955,241		71,572,347		15,152,370* 15,116,678 ^a (0.5 FTE)	119,266,216 (48.6 FTE)
English Language Proficiency Program	9,859,599		3,101,598		970,783 ^b (1.0 FTE)	5,787,218 (3.2 FTE)
(II) Other Categorical Programs						
Federal Special Education Grant for Infants, Toddlers, and Their Families ¹³	6,386,135					6,386,135 (5.6 FTE)
Public School Transportation Transfer to the Department of Higher Education for Distribution of State Assistance for Vocational Education	41,573,643		36,922,227		4,651,416 ^c	
Special Education - Gifted and Talented Children	19,959,556		17,792,850		2,166,706 ^d	
Expelled and At-risk Student Services Grant Program	6,258,744		5,500,000		758,744 ^d	
	6,285,171		5,788,807		496,364 ^d	

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Small Attendance Center Aid	808,089 843,781		787,645		20,444 [#] 56,136 ^d		
Comprehensive Health Education	<u>600,000</u> 297,721,870		300,000		300,000 ^e		

^a Of this amount, ~~\$15,097,370~~ \$15,061,678 shall be from the State Education Fund created in Section 17 (4) of Article IX of the State Constitution and \$55,000(T) shall be from federal funds appropriated in the Department of Human Services.

^b Of this amount, \$665,032 shall be from the State Education Fund created in Section 17 (4) of Article IX of the State Constitution and \$305,751(T) shall be from federal funds appropriated in the Department of Human Services.

^c Of this amount, \$4,496,166 shall be from the State Education Fund created in Section 17 (4) of Article IX of the State Constitution and \$155,250(L) shall be from local funds. The latter amount represents an estimate of categorical program support funds to be replaced with local property tax revenue pursuant to Section 22-54-107, C.R.S.

^d These amounts shall be from the State Education Fund created in Section 17 (4) of Article IX of the State Constitution.

^e This amount shall be from reserves in the Colorado Comprehensive Health Education Fund created in Section 22-25-109, C.R.S.

(C) Grant Programs and Other Distributions¹⁴

Read-to-Achieve Cash Fund	16,592,664				16,592,664 ^a		
Read-to-Achieve Grant Program	16,592,664				16,592,664 ^b		
Federal Title I Reading First Grant	9,650,058					9,650,058 (8.8 FTE)	
S.B. 97-101 Public School Health Services	14,585,895				14,585,895(T) ^c (1.4 FTE)		
State Public School Fund, Contingency Reserve ^{15, 16}	3,585,804				3,585,804 ^d		

APPROPRIATION FROM

	\$	\$	\$	\$	\$	\$	
ITEM & SUBTOTAL		TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
State Public School Fund, School Capital Construction	10,000,000				10,000,000 ^c (1.0 FTE)		
Charter School Capital Construction	5,000,000				5,000,000 ^f		
State Match for School Lunch Program	<u>2,472,644</u>				2,472,644 ^g		
	78,479,729						

^a This amount shall be from the Tobacco Litigation Settlement Cash Fund created in Section 24-22-115, C.R.S., pursuant to Section 24-75-1104 (1) (e), C.R.S.

^b This amount shall be from the Read-to-Achieve Cash Fund created in Section 22-7-506 (4), C.R.S.

^c This amount shall be from federal Medicaid funds appropriated to the Department of Health Care Policy and Financing. Of this amount, \$179,470 shall be for administrative costs.

^d This amount shall be from school district reimbursements that are credited to the State Public School Fund, Contingency Reserve, pursuant to Section 22-54-117 (5) (b), C.R.S.

^e Of this amount, \$5,000,000 shall be from the State Education Fund created in Section 17 (4) of Article IX of the State Constitution, and \$5,000,000 shall be from the State Public School Fund, School Capital Construction Expenditures Reserve established in Section 22-54-117 (1.5), C.R.S.

^f This amount shall be from the State Education Fund created in Section 17 (4) of Article IX of the State Constitution.

^g This amount shall be from the State Public School Fund created in Section 22-54-114, C.R.S.

(D) Appropriated Sponsored Programs

Sponsored Programs	268,580,812				575,000 ^a	3,388,029 ^b (5.6 FTE)	264,617,783 (88.0 FTE)
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^a This amount shall be from fees and charges for workshops, conferences, training programs, and seminars.

^b Of this amount, \$2,572,534(T) shall be from the Department of Human Services and \$815,495 shall be from various grants and donations.

APPROPRIATION FROM

	\$	TOTAL	\$	GENERAL FUND	\$	GENERAL FUND EXEMPT	\$	CASH FUNDS	\$	CASH FUNDS EXEMPT	\$	FEDERAL FUNDS
ITEM & SUBTOTAL	\$		\$		\$		\$		\$		\$	
		3,406,743,461										

(3) LIBRARY PROGRAMS

Regional Library Service Systems	600,000
Colorado Virtual Library Reading Services for the Blind	379,796
	93,800
	1,073,596

^a This amount shall be from grants and donations.

^b This amount shall be from the Reading Services for the Blind Cash Fund created in Section 24-90-105.5, C.R.S.

(4) SCHOOL FOR THE DEAF AND THE BLIND

(A) School Operations¹⁷

Personal Services	8,409,895
	(148.2 FTE)
Operating Expenses	393,520
COMMUNICATIONS	
SERVICES PAYMENTS	2,341
Utilities	331,536
	431,137
Allocation of State and Federal Categorical Program Funding	145,000
	(0.4 FTE)

APPROPRIATION FROM

	\$		\$		\$		\$		\$			
ITEM & SUBTOTAL		TOTAL		GENERAL FUND		GENERAL FUND EXEMPT		CASH FUNDS		CASH FUNDS EXEMPT		FEDERAL FUNDS
Medicaid Reimbursements for Public School Health Services		75,000										
		<u>(1.5 FTE)</u>										
		9,354,951		7,909,605						1,445,346(T) ^a		
		9,456,893		8,011,547								

^a Of this amount, \$1,165,346 shall be from Assistance to Public Schools, Public School Finance, State Share of Districts' Total Program Fundings; \$145,000 shall be from Assistance to Public Schools, Categorical Programs; \$75,000 shall be from Assistance to Public Schools, Grant Programs and Other Distributions, S.B. 97-101 Public School Health Services; and \$60,000 shall be from federal Child Nutrition Act funds appropriated in the Assistance to Public Schools, Appropriated Sponsored Programs subsection.

(B) Special Purpose

Fees and Conferences		75,000								
Aides for Extended Diagnostic Enrollment		82,500								
		<u>(2.8 FTE)</u>								
Summer Olympics Housing Grants		10,000								
		1,284,844								
		<u>(7.2 FTE)</u>								
		1,452,344						85,000 ^a		1,367,344 ^b

^a Of this amount, \$75,000 shall be from fees and charges for workshops and conferences and \$10,000 shall be from housing reimbursements.

^b Of this amount, \$1,284,844(T) shall be from various federal funds transferred from the Appropriated Sponsored Programs subsection and \$82,500 shall be from federal funds transferred from school districts.

~~10,807,295~~
10,909,237

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	\$3,440,543,910	\$2,555,671,589		\$14,743,794	\$457,019,405*	\$413,109,122
	\$3,452,118,066	\$2,555,648,786		\$14,745,739	\$468,619,078 ^a	\$413,104,463

**TOTALS PART III
(EDUCATION)^{1,2}**

^a Of this amount, ~~\$22,611,014~~ \$22,619,736 contains a (T) notation, and \$155,250 contains an (L) notation.

FOOTNOTES -- The following statements are referenced to the numbered footnotes throughout section 2.

- 1 (Governor lined through this provision. See L. 2004, p. 2712.)
- 2 All Departments, Totals -- The General Assembly requests that copies of all reports requested in other footnotes contained in this act be delivered to the Joint Budget Committee and the majority and minority leadership in each house of the General Assembly. Each principal department of the state is requested to produce its rules in an electronic format that is suitable for public access through electronic means. Such rules in such format should be submitted to the Office of Legislative Legal Services for publishing on the Internet. It is the intent of the General Assembly that this be done within existing resources.
- 8 (Governor lined through this provision. See L. 2004, p. 2715.)
- 9 (Governor lined through this provision. See L. 2004, p. 2715.)
- 10 Department of Education, Assistance to Public Schools, Public School Finance, State Share of Districts' Total Program Funding -- The minimum state aid for fiscal year 2004-05 is established at \$80.43 per student.
- 11 (Governor lined through this provision. See L. 2004, p. 2716.)
- 12 (Governor lined through this provision. See L. 2004, p. 2716.)
- 13 (Governor lined through this provision. See L. 2004, p. 2717.)
- 14 (Governor lined through this provision. See L. 2004, p. 2717.)

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$

15 (Governor lined through this provision. See L. 2004, p. 2718.)

16 (Governor lined through this provision. See L. 2004, p. 2718.)

17 Department of Education, School for the Deaf and the Blind, School Operations -- This appropriation is based on an estimated enrollment of 232 students at the Colorado School for the Deaf and Blind. It is the intent of the General Assembly that enrollment at the school not significantly exceed 232 students. The Department is requested to report annually to the Joint Budget Committee on any variance from this enrollment count.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Joan Fitz-Gerald
PRESIDENT OF
THE SENATE

Andrew Romanoff
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Karen Goldman
SECRETARY OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

Bill Owens
GOVERNOR OF THE STATE OF COLORADO