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Revised Fiscal Note

(replaces fiscal note dated January 29, 2024)

Drafting Number:	LLS 24-0066	Date:	March 1, 2024
Prime Sponsors:	Sen. Kolker	Bill Status:	Senate Appropriations
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Bill Topic: CLARIFY INDIVIDUALIZED EDUCATION PROGRAM INFORMATION

Summary of Fiscal Impact:	<input type="checkbox"/> State Revenue	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Local Government
	<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> TABOR Refund	<input type="checkbox"/> Statutory Public Entity

The bill requires that the Colorado Department of Education create a training program on federal and state laws related to individualized education programs. The bill increases state expenditures for three years through FY 2026-27 only, and increases workload on an ongoing basis.

Appropriation Summary: For FY 2024-25, the bill requires an appropriation of \$75,288 to the Colorado Department of Education.

Fiscal Note Status: This fiscal note reflects the introduced bill, as amended by the Senate Education Committee.

**Table 1
State Fiscal Impacts Under SB 24-069**

		Budget Year FY 2024-25	Out Year FY 2025-26	Out Year FY 2026-27
Revenue		-	-	
Expenditures	General Fund	\$75,288	\$171,229	\$79,522
	Centrally Appropriated	\$8,408	\$21,019	\$10,510
	Total Expenditures	\$83,696	\$192,248	\$90,032
	Total FTE	0.4 FTE	1.0 FTE	0.5 FTE
Transfers		-	-	
Other Budget Impacts	General Fund Reserve	\$11,293	\$25,684	\$11,928

Summary of Legislation

The bill requires that the Colorado Department of Education (CDE) create a training program that includes easy to understand explanations of federal and state laws and procedures related to individualized education programs. The training must be available by July 1, 2026, and must be developed for delivery both in person and online. It may include interpersonal and communication strategies and exercises.

CDE must collaborate with stakeholders to create the training. Upon request, CDE must:

- provide a train-the-trainer model training to non-profit organizations;
- publish online a list of non-profit organizations whose employees, members, or volunteers have completed the train-the-trainer model training; and
- provide resources or materials in any language requested.

The bill specifies that the General Assembly may appropriate money for this purpose for FY 2024-25 and FY 2025-26, but that for subsequent years the CDE must accomplish any additional work to implement the bill within existing resources.

State Expenditures

The bill increases state expenditures in CDE by about \$84,000 in FY 2024-25, \$192,000 in FY 2025-26, and \$90,000 in FY 2026-27. In subsequent years, workload in the CDE will minimally increase but will not require additional appropriations. Costs are listed in Table 2 and discussed below.

Table 2
Expenditures Under SB 24-069

	FY 2024-25	FY 2025-26	FY 2026-27
Department of Education			
Personal Services	\$43,106	\$107,764	\$53,882
Operating Expenses	\$512	\$1,280	\$640
Capital Outlay Costs	\$6,670	-	
Contract Costs	\$25,000	\$50,000	\$25,000
Translation Costs		\$12,185	-
Centrally Appropriated Costs ¹	\$8,408	\$21,019	\$10,510
Total Cost	\$83,696	\$192,248	\$90,032
Total FTE	0.4 FTE	1.0 FTE	0.5 FTE

¹ Centrally appropriated costs are not included in the bill's appropriation.

Colorado Department of Education. CDE will have staff and contracting costs for three years to implement the bill. Based on development of similar programs, it is assumed that the training program will be developed in FY 2024-25 and FY 2025-26 and the train-the-trainer model program will be developed in FY 2025-26 and FY 2026-27.

- **Staff.** CDE requires 0.5 FTE in FY 2024-25, 1.0 FTE in FY 2025-26, and 0.5 FTE in FY 2026-27. In FY 2024-25, staff will develop the training. In FY 2025-26, staff will complete development and implementation of the training, translate materials, and begin developing the train-the-trainer model training. In FY 2026-27, CDE will complete development and implementation of the train-the-trainer model training. Staff duties include collaborating with stakeholders, creating materials to accompany the trainings, and coordinating with a current vendor on subject matter content.

First-year staff levels are prorated for a September start date. Beginning in FY 2027-28, workload to maintain the training will be absorbable without additional appropriations.

- **Contracting.** CDE currently contracts with a vendor to provide content expertise on laws and policies related to individualized education plans and special education. The department will expand the contract for three years, through FY 2026-27, to support the development of the training and train-the-trainer model training. This cost is estimated at \$25,000 in FY 2024-25, \$50,000 in FY 2025-26, and \$25,000 in FY 2026-27.

Colorado Department of Early Childhood. The bill minimally increases workload for the Department of Early Childhood to update processes or materials for early childhood special education to align with the materials provided by CDE. No change in appropriations is required.

Centrally appropriated costs. Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. These costs, which include employee insurance and supplemental employee retirement payments, are shown in Table 2.

Other Budget Impacts

General Fund reserve. Under current law, an amount equal to 15 percent of General Fund appropriations must be set aside in the General Fund statutory reserve. Based on this fiscal note, the bill is expected to increase the amount of General Fund held in reserve by the amounts shown in Table 1, decreasing the amount of General Fund available for other purposes.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

Technical Note

The bill states that the General Assembly may only appropriate funds to CDE for the training in FY 2024-25 and FY 2025-26; however, the fiscal note estimates that the CDE requires funding in FY 2026-27 to implement the train-the-trainer model training.

State Appropriations

For FY 2024-25, the bill requires a General Fund appropriation of \$75,288 to the Colorado Department of Education, and 0.4 FTE.

State and Local Government Contacts

Education

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).