

CHAPTER 344

APPROPRIATIONS

SENATE BILL 99-177

BY SENATORS Lacy, Owen, and Tanner;
also REPRESENTATIVES Tool, Berry, Saliman, and Coleman.

AN ACT

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 336, Session Laws of Colorado 1998,
is amended to read:

Section 2. **Appropriation.**

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

Appropriations

APPROPRIATION FROM

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

**PART III
DEPARTMENT OF EDUCATION**

(1) SCHOOL DISTRICT AND LIBRARY ASSISTANCE^{18, 19}

Administration	6,993,074 6,947,241	6,033,285 5,987,452 (80.2 FTE)	93,215 ^a	866,574(T) ^b (15.5 FTE)
Sick and Annual Payouts	102,976			102,976 ^c
Salary Survey, Anniversary Increases, and Shift Differential	512,391	472,657	39,734 ^d	
Office of Professional Services	1,580,497 1,631,967		1,580,497^d 1,631,967 ^d (17.0 FTE)	
Telecommunications Program	105,418	105,418 (1.0 FTE)		
Library Materials	101,899	101,899		

Library for the Blind and the Physically Handicapped, Maintenance and Utilities	45,000	45,000		
Capitol Complex Leased Space	336,621	148,114	23,563^a	164,944
	298,164	131,193	20,871 ^d	146,100
Disaster Recovery	38,100	38,100		
Year 2000 Projects ²⁰	272,232	272,232		
Access Colorado Library Information Network	<u>324,788</u>	304,788		20,000 ^e
	10,412,996			
	10,380,176			

^a Of this amount, \$48,735 shall be from the Educator Licensure Cash Fund pursuant to Section 22-60.5-112, C.R.S., \$35,480 shall be from the Public School Income Fund pursuant to Section 22-2-112(1)(i), C.R.S., and \$9,000 shall be from General Education Development Program fees.

^b Of this amount, \$583,505 shall be from indirect cost recoveries, \$140,496 shall be from Public School Transportation, \$72,256 shall be from Public School Finance, Total Program, and \$70,317 shall be from the Department of Natural Resources, Division of Wildlife.

^c This amount shall be from indirect cost recoveries.

^d These amounts shall be from the Educator Licensure Cash Fund pursuant to Section 22-60.5-112, C.R.S.

^e This amount shall be from grants and donations.

(2) DISTRIBUTIONS

Regional Systems	2,449,893	2,449,893
Colorado Reference Center	2,048,101	2,048,101
Interlibrary Loan	162,006	162,006
County Equalization	134,114	134,114
Emeritus Retirement	213,770	213,770

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			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Boards of Cooperative Services	170,000		170,000				
Special Contingency Reserve ²¹	2,200,000		2,200,000				
Comprehensive Health Education ²²	600,000		300,000			300,000(T) ^a	
Health/Medicaid	8,981,800					8,981,800(T) ^b	
Expelled Student Services ²³	3,500,000		3,500,000				
National Academic Student Competitions	50,000					50,000 ^c	
In-Home and In-School Suspension Programs	<u>497,957</u>		497,957				
		21,007,641					

^a This amount shall be from funds originally appropriated to Public School Finance, Total Program.

^b This amount shall be from the Department of Health Care Policy and Financing. Of this amount, \$91,399 shall be for administrative costs.

^c This amount shall be from gifts, contributions, and donations.

(3) PUBLIC SCHOOL FINANCE

Total Program ^{24, 25, 26}	1,851,564,021	1,775,728,939	9,980,760 ^a	65,854,322 ^b	
Public School Transportation	36,187,227	36,122,227		65,000(L) ^c	
	36,660,494			538,267(L) ^c	
English Language Proficiency	3,661,238	2,601,598		244,640(T) ^d	815,000
				(1.0 FTE)	(1.5 FTE)
Special Education - Children with Disabilities	127,019,402	69,410,773		55,000(T) ^e	57,553,629
				(0.5 FTE)	(42.9 FTE)
Special Education - Gifted and Talented Children ²⁷	<u>5,000,000</u>	5,000,000			
	<u>2,023,431,888</u>				
	2,023,905,155				

^a This amount shall be from rental income earned on state trust lands.

^b Of this amount, \$19,700,000 shall be from interest earned on moneys in the Public School Fund, \$22,100,000 shall be from federal mineral leasing revenues, and \$24,054,322 shall be from Public School Fund reserves.

^c This 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 This amount shall be from federal funds appropriated in the Department of Human Services.

^e This amount shall be from federal funds appropriated in the Office of the Governor.

(4) APPROPRIATED SPONSORED PROGRAMS

Sponsored Programs	170,888,845		575,000 ^a	1,132,057 ^b	169,181,788
				(7.2 FTE)	(128.1 FTE)

^a This amount shall be from fees and charges for workshops, conferences, training programs, and seminars.

Appropriations

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		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Personal Services	6,689,941					
(148.2 FTE)						
Exempt Staff - Salary Survey and Anniversary Increases	196,842					
Operating Expenses	364,217					
Utilities	225,265					
	<u>7,476,265</u>	6,427,244			1,049,021(T) ^a	

^b Of this amount, \$567,000(T) shall be from the Department of Human Services, \$125,000(T) shall be from the Office of the Governor, \$155,000(T) shall be from the Department of Local Affairs, \$125,000(T) shall be from the Office of the Governor in the Office of Energy Conservation, and \$160,057 shall be from various grants and donations.

(5) SCHOOL FOR THE DEAF AND THE BLIND

(A) School Operations²⁸

^a Of this amount, \$964,912 shall be from Public School Finance, Total Program, and \$84,109 shall be from federal Child Nutrition Act funds appropriated in Appropriated Sponsored Programs.

(B) Special Purpose

Fees and Conferences	75,000			
Summer Olympics Housing	10,000			
Grants	675,000			
	<u>(9.0 FTE)</u>			
	760,000		85,000 ^a	675,000(T) ^b
	8,236,265			

^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 This amount shall be from various federal funds transferred from Appropriated Sponsored Programs.

TOTALS PART III

(EDUCATION)^{4, 5}	\$2,233,977,635	\$1,914,488,115	\$12,377,769	\$79,396,390*	\$227,715,361
	<u>\$2,234,418,082</u>	<u>\$1,914,425,361</u>	<u>\$12,426,547</u>	<u>\$79,869,657^a</u>	<u>\$227,696,517</u>

^a Of this amount, \$13,144,035 contains a (T) notation, and ~~\$65,000~~ \$538,267 contains an (L) notation.

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

4 (Governor lined through this provision. See L. 98, p. 2193.)

5 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 shall produce its rules and regulations in an electronic format that is suitable for public access through electronic means. Such rules and regulations in such format shall 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

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within existing resources.

- 18 Department of Education, School District and Library Assistance -- The Department is requested to submit its Fiscal Year 1999-2000 budget request to the Office of State Planning and Budgeting for review in accordance with Sections 24-37-301 and 24-1-110, C.R.S. It is expected that the Department's budget request receive the same scrutiny as other budget requests by the Office of State Planning and Budgeting and that the Department's request for General Fund moneys, as approved by the Governor, be included in the total General Fund request for all departments for Fiscal Year 1999-2000.
- 19 Department of Education, School District and Library Assistance -- It is the intent of the General Assembly that the Department submit a zero base budget request for Fiscal Year 1999-2000. The Department is requested to submit an outline of its zero-based budget request by July 1, 1998, a draft of its zero-based budget request by September 1, 1998, and a final zero-based budget request by November 1, 1998.
- 20 Department of Education, School District and Library Assistance, Year 2000 Projects -- It is the intent of the General Assembly that the Department of Education comply with the condition imposed by the Commission on Information Management (IMC) on the Department of Education's Year 2000 Projects implementation plan and develop a formal plan to migrate legacy systems to the Automated Data Exchange program. The plan should include cost estimates and milestone dates, and should be submitted to the IMC with the Department of Education's Fiscal Year 1998-99 Information Management Annual Plan. The Department should make every effort to migrate systems to the Automated Data Exchange rather than renovate systems to become Year 2000 compliant.

- 21 Department of Education, Distributions, Special Contingency Reserve -- It is the intent of the General Assembly that the State Board of Education utilize the assistance of the Division of Property Taxation in the Department of Local Affairs in making a determination of school district requests for payment from the contingency reserve fund prior to approving payments from the fund.
- 22 Department of Education, Distributions, Comprehensive Health Education -- It is the intent of the General Assembly that all funds appropriated for the comprehensive health education fund adhere to the provisions of Section 22-25-104 (6), C.R.S., and all relevant rules and regulations promulgated by the State Board of Education.
- 23 Department of Education, Distributions, Expelled Student Services -- The Department is requested to include in its annual budget request information regarding grant awards made under this program. This information should include, but not be limited to, the number and amount of grants awarded, the grant recipients, and the number of students served by each grant award.
- 24 Department of Education, Public School Finance, Total Program -- The minimum state aid for Fiscal Year 1998-99 is established at \$91.73 per student.
- 25 Department of Education, Public School Finance, Total Program -- The Department is requested to include in its annual budget request information regarding the extent of private sector participation in the preschool program pursuant to Section 22-28-109, C.R.S. The information should include, but not be limited to, the number of participating districts, the funded pupil count (FTE) allocated to each participating district, and whether or not each district contracts for preschool services with community providers.
- 26 Department of Education, Public School Finance, Total Program -- It is the intent of the General Assembly that no less than 95 percent of the per pupil operating revenue available to or through the preschool program shall be used to fund the costs of providing preschool services directly to children enrolled under the preschool program. Such costs shall include teachers and paraprofessional salaries and benefits, supplies and materials, home visits, and the entire cost of any preschool program contracted services. Moneys made available to or through the preschool program shall only be used to fund the costs of services provided by a district to participating children or parents, any associated professional development activities, costs that a district would not otherwise have incurred but for the services provided in conjunction with the preschool program,

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and a reasonable allocation of district overhead costs. This footnote is not intended to require that districts give 95 percent of the funds received through the preschool program to any community provider.

- 27 Department of Education, Public School Finance, Special Education - Gifted and Talented Children -- The Department is requested to include in its annual budget request information regarding the use of moneys appropriated for gifted and talented programs. The information should include, but not be limited to, the amount and use of moneys distributed for each of the purposes outlined in Section 22-20-104.5, C.R.S., the number of approved gifted and talented programs, the number of students served in each of these approved programs, and the types of services provided with the appropriations.
- 28 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 the 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.

Approved: March 10, 1999