

CHAPTER 319

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**APPROPRIATIONS**

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**HOUSE BILL 98-1341**

BY REPRESENTATIVES Grampas, Owen, Romero, Allen, and Gotlieb;  
also SENATORS Lacy, Blickensderfer, and Rizzuto.

**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 310, Session Laws of Colorado 1997, is amended to read:

Section 2. **Appropriation.**

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*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

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>PART III</b>						
<b>DEPARTMENT OF EDUCATION</b>						
<b>(1) SCHOOL DISTRICT AND LIBRARY ASSISTANCE<sup>19, 20</sup></b>						
Administration	<del>7,387,668</del> 7,395,268	<del>6,497,164</del> 6,504,764		74,360 <sup>a</sup>		816,144(T) <sup>b</sup>
Sick and Annual Payouts	102,976					102,976 <sup>c</sup>
Salary Survey, Anniversary Increases, and Shift Differential	466,412	407,783		33,439 <sup>d</sup>		25,190(T) <sup>e</sup>
Office of Professional Services	<del>1,498,628</del> 1,505,228			<del>1,498,628</del> 1,505,228 <sup>d</sup>		
Telecommunications Program	105,418	105,418				
Library Materials	63,899	63,899				

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 <sup>d</sup>	164,944
YEAR 2000 DATE CHANGE <sup>20a</sup>	54,850	54,850		
Automated Data Exchange Access Colorado Library Information Network	888,162		888,162(T) <sup>e</sup>	
	<u>324,788</u>	304,788	20,000 <sup>f</sup>	
		<del>11,219,572</del>		
		11,288,622		

<sup>a</sup> Of this amount, \$29,880 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.

<sup>b</sup> Of this amount, \$545,511 shall be from indirect cost recoveries, \$137,070 shall be from Public School Transportation, \$68,581 shall be from Total Program, and \$64,982 shall be from the Division of Wildlife.

<sup>c</sup> This amount shall be from indirect cost recoveries.

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

<sup>e</sup> This amount shall be from Total Program.

<sup>f</sup> This amount shall be from grants and donations.

<sup>g</sup> Of this amount, \$18,034 shall be from indirect cost recoveries, \$3,270 shall be from Public School Transportation, \$2,014 shall be from Total Program, and \$1,872 shall be from the Division of Wildlife.

**(2) DISTRIBUTIONS**

Regional Systems	2,019,128	2,019,128
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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Colorado Reference Center	1,548,101		1,548,101				
Interlibrary Loan	162,006		162,006				
County Equalization	134,114		134,114				
Emeritus Retirement	257,351		257,351				
Boards of Cooperative Services	170,000		170,000				
Special Contingency Reserve <sup>21</sup>	<del>2,200,000</del>		<del>2,200,000</del>				
	3,121,733		3,121,733				
Comprehensive Health Education <sup>22</sup>	600,000		300,000			300,000(T) <sup>a</sup>	
In-Home and In-School Suspension Programs	<u>497,957</u>		497,957				
		<del>7,588,657</del>					
		8,510,390					

<sup>a</sup> This amount shall be from funds originally appropriated to Public School Finance, Total Program.

**(3) PUBLIC SCHOOL FINANCE**

Total Program <sup>23, 24, 25, 26</sup>	<del>1,727,203,376</del>	<del>1,690,827,766</del>	8,468,100 <sup>a</sup>	<del>27,907,510<sup>b</sup></del>	
	1,722,789,203	1,688,185,740		26,135,363 <sup>b</sup>	
Public School					
Transportation	36,187,227	<del>35,187,227</del>		<del>1,000,000(L)<sup>f</sup></del>	
		35,651,528		535,699(L) <sup>c</sup>	
English Language					
Proficiency	3,654,583	2,601,598		245,000(T) <sup>d</sup>	807,985
Special Education -					
Children with Disabilities	111,356,203	64,673,288		423,560(T) <sup>e</sup>	46,259,355
Special Education - Gifted					
and Talented Children <sup>27</sup>	<u>4,000,000</u>	4,000,000			
		<del>1,882,401,389</del>			
		1,877,987,216			

<sup>a</sup> This amount shall be from rental income earned on state trust lands.

<sup>b</sup> Of this amount, \$7,737,510 shall be from interest earned on moneys in the Public School Fund and ~~\$20,170,000~~ \$18,397,853 shall be from federal mineral leasing revenues.

<sup>c</sup> 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.

<sup>d</sup> This amount shall be from federal funds appropriated in the Department of Human Services.

<sup>e</sup> Of this amount, \$290,569 shall be from federal funds appropriated in the Office of the Governor, and \$132,991 shall be from federal funds appropriated in the Department of Human Services.

**(4) APPROPRIATED SPONSORED PROGRAMS**

Sponsored Programs <sup>28</sup>	<del>159,006,641</del>		<del>575,000<sup>a</sup></del>	698,065 <sup>b</sup>	157,733,576
	159,054,641		623,000 <sup>a</sup>		

<sup>a</sup> This amount shall be from fees and charges for workshops, conferences, training programs, and seminars.

Appropriations

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Personal Services	6,428,126					
(147.2 FTE)						
Exempt Staff - Salary Survey and Anniversary Increases	148,770					
Operating Expenses	315,250					
Utilities	225,265					
	<u>7,117,411</u>	<u>6,071,510</u>			<u>1,045,901(T)<sup>b</sup></u>	
		6,100,006			1,017,405(T) <sup>a</sup>	

<sup>b</sup> Of this amount, \$297,000(T) shall be from the Department of Human Services, \$69,059(T) shall be from the Office of the Governor, \$143,000(T) shall be from the Department of Local Affairs, and \$189,006 shall be from various grants and donations.

**(5) SCHOOL FOR THE DEAF AND THE BLIND**

**(A) School Operations<sup>29</sup>**

<sup>a</sup> Of this amount, ~~\$961,792~~ \$933,296 shall be from Total Program, and \$84,109 shall be from federal Child Nutrition Act funds appropriated in Sponsored Programs.

**(B) Special Purpose**

Fees and Conferences 75,000

Summer Olympics				
Housing	10,000			
Grants	470,806			
	<u>(6.3 FTE)</u>			
	555,806	85,000 <sup>a</sup>	470,806(T) <sup>b</sup>	

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

<sup>b</sup> This amount shall be from various federal funds in Appropriated Sponsored Programs.

7,673,217

**TOTALS PART III**

<b>(EDUCATION)<sup>2, 3, 4</sup></b>	\$2,067,889,476	\$1,818,222,212	\$10,758,090	\$33,943,314*	\$204,965,860
	<u>\$2,064,514,086</u>	<u>\$1,817,057,166</u>	<u>\$10,812,690</u>	<u>\$31,678,370<sup>a</sup></u>	

<sup>a</sup> Of this amount, ~~\$4,723,822~~ \$4,695,326 contains a (T) notation, and ~~\$1,000,000~~ \$535,699 contains an (L) notation.

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

- 2 (Governor lined through this provision. See L. 97, p. 2039.)
- 3 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.
- 4 (Governor lined through this provision. See L. 97, p. 2040.)

Appropriations

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			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
19	Department of Education, School District and Library Assistance -- The Department is requested to submit its FY 1998-99 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 FY 1998-99.						
20	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 FY 1998-99. The Department is requested to submit an outline of its zero-based budget request by July 1, 1997, a draft of its zero-based budget request by September 1, 1997, and a final zero-based budget request by November 1, 1997.						
<u>20a</u>	DEPARTMENT OF EDUCATION, SCHOOL DISTRICT AND LIBRARY ASSISTANCE, YEAR 2000 DATE CHANGE -- IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT MONEYS IN THIS LINE BE RESTRICTED BY THE STATE CONTROLLER UNTIL THE COMMISSION ON INFORMATION MANAGEMENT HAS REVIEWED AND APPROVED THE DEPARTMENT'S YEAR 2000 IMPLEMENTATION PLAN.						
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 from 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, Public School Finance, Total Program -- It is the intent of the General Assembly that \$888,162 of this amount be used for the completion of the Automated Data Exchange System in FY 1997-98. Furthermore, it is the intent of the General Assembly that completion of this system shall not require additional transfers from Total Program after FY 1997-98.
- 24 Department of Education, Public School Finance, Total Program -- The minimum state aid for FY 1997-98 is established at \$55.99 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 teacher 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 which a district would not otherwise have incurred but for the services provided in conjunction with the preschool program, 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

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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 appropriation.

28 (Governor lined through this provision. See L. 97, p. 2042.)

29 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.

Approved: March 12, 1998