

CHAPTER 330

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**APPROPRIATIONS**

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SENATE BILL 05-110

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

**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 427, Session Laws of Colorado 2004, 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.*

APPROPRIATION FROM

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

**PART III  
DEPARTMENT OF EDUCATION**

**(1) MANAGEMENT AND ADMINISTRATION**

General Department and Program

Administration	6,230,339*	3,964,437		125,820 <sup>b</sup>	2,125,324(T) <sup>c</sup>	14,758
	6,275,245 <sup>a</sup>	4,009,343				
		(50.5 FTE)		(1.0 FTE) (1.5 FTE)	(24.5 FTE)	

Office of Professional Services

	2,326,485			2,326,485 <sup>d</sup> (17.0 FTE)		
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Health, Life, and Dental

	1,172,468	591,710		40,879 <sup>b</sup>	120,878(T) <sup>c</sup>	419,001
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Salary Survey and Senior Executive Service

	549,029	278,552		18,536 <sup>b</sup>	47,875(T) <sup>c</sup>	204,066
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Performance-based Pay Awards

	242,529	88,912		10,057 <sup>b</sup>	31,239(T) <sup>c</sup>	112,321
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Shift Differential

	80,202	80,202				
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Workers' Compensation	<del>424,213</del> 438,058	<del>229,901</del> 237,404	<del>17,455<sup>b</sup></del> 18,025 <sup>b</sup>	<del>176,857</del> 182,629
Emeritus Retirement	<del>57,100</del> 38,623	<del>57,100</del> 38,623		
Administrative Law Judge Services	<del>45,984</del> 57,024		<del>9,656<sup>a</sup></del> 11,974 <sup>c</sup>	<del>36,328(T)<sup>f</sup></del> 45,050(T) <sup>f</sup>
Payment to Risk Management and Property Funds	<del>121,709</del> 61,762	<del>65,960</del> 33,472	<del>5,008<sup>b</sup></del> 2,541 <sup>b</sup>	<del>50,741</del> 25,749
Capitol Complex Leased Space	<del>455,054</del> 478,254	<del>139,555</del> 146,670	<del>29,898<sup>b</sup></del> 31,422 <sup>b</sup>	<del>285,601</del> 300,162
Information Technology Asset Maintenance	90,697	90,697		
Disaster Recovery	19,722	19,722		
Colorado Student Assessment Program	<del>18,338,954</del> 18,351,939	<del>13,206,260</del> 13,219,245		5,132,694
				(6.0 FTE)
Federal Grant for State Assessments and Related Activities	1,005,673			1,005,673 (6.0 FTE)

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
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)			
	<u>33,364,220</u>					
	33,391,772					

<sup>a</sup> 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.

<sup>b</sup> 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.

<sup>c</sup> 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.

<sup>d</sup> 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.

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

<sup>f</sup> 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<sup>8,9</sup>**

State Share of Districts'

Total Program

Funding <sup>10, 11</sup>	<del>2,748,177,287</del>	2,381,680,543	11,500,000 <sup>a</sup>	<del>354,996,744<sup>b</sup></del>
	2,759,768,238			366,587,695 <sup>b</sup>

Additional State

Aid Related to Locally

Negotiated Business

Incentive Agreements	<del>2,339,101</del>	<del>2,339,101</del>		
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	<u>2,192,812</u>	<u>2,192,812</u>		
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	<del>2,750,516,388</del>			
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	2,761,961,050			
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<sup>a</sup> This amount shall be from rental income earned on public school lands.

<sup>b</sup> 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 Programs<sup>12</sup>**

**(I) District Programs Required by Statute**

Special Education -

Children with

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

Expelled and At-risk Student Services Grant Program	6,285,171	5,788,807	496,364 <sup>d</sup>
Small Attendance Center Aid	<del>808,089</del> 843,781	787,645	<del>20,444*</del> 56,136 <sup>d</sup>
Comprehensive Health Education	<u>600,000</u>	300,000	300,000 <sup>e</sup>
	297,721,870		

<sup>a</sup> 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.

<sup>b</sup> 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.

<sup>c</sup> 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.

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

<sup>e</sup> 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 Distributions<sup>14</sup>**

Read-to-Achieve Cash Fund	16,592,664	16,592,664 <sup>a</sup>	
Read-to-Achieve Grant Program	16,592,664	16,592,664 <sup>b</sup>	
Federal Title I Reading First Grant	9,650,058		9,650,058 (8.8 FTE)

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
S.B. 97-101 Public School Health Services	14,585,895					14,585,895(T) <sup>e</sup> (1.4 FTE)	
State Public School Fund, Contingency Reserve <sup>15, 16</sup>	3,585,804					3,585,804 <sup>d</sup>	
State Public School Fund, School Capital Construction Expenditures Reserve	10,000,000					10,000,000 <sup>e</sup> (1.0 FTE)	
Charter School Capital Construction	5,000,000					5,000,000 <sup>f</sup>	
State Match for School Lunch Program	<u>2,472,644</u>					2,472,644 <sup>g</sup>	
	78,479,729						

<sup>a</sup> 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.

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

<sup>c</sup> 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.



<sup>d</sup> 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.

<sup>e</sup> Of this amount, \$5,000,000 shall be from the 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.

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

<sup>g</sup> 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 <sup>a</sup>	3,388,029 <sup>b</sup>	264,617,783
			(5.6 FTE)	(88.0 FTE)

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

<sup>b</sup> 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.

~~3,395,298,799~~

3,406,743,461

**(3) LIBRARY PROGRAMS**

Regional Library				
Service Systems	600,000	600,000		
Colorado Virtual				
Library	379,796	359,796	20,000 <sup>a</sup>	
Reading Services for				
the Blind	<u>93,800</u>		93,800 <sup>b</sup>	
		1,073,596		

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM					FEDERAL FUNDS
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT		
\$	\$	\$	\$	\$	\$	\$	\$
<b>(4) SCHOOL FOR THE DEAF AND THE BLIND</b>							
<b>(A) School Operations<sup>17</sup></b>							
Personal Services	8,409,895						
	(148.2 FTE)						
Operating Expenses	393,520						
COMMUNICATIONS							
SERVICES PAYMENTS	2,341						
Utilities	<del>331,536</del>						
	431,137						
Allocation of State and Federal Categorical Program Funding	145,000						
	(0.4 FTE)						
Medicaid Reimbursements for Public School Health Services	75,000						
	(1.5 FTE)						
	<u>9,354,951</u>						
		7,909,605				1,445,346(T) <sup>a</sup>	

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

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

9,456,893

8,011,547

<sup>a</sup> Of this amount, \$1,165,346 shall be from Assistance to Public Schools, Public School Finance, State Share of Districts' Total Program Funding; \$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

(2.8 FTE)

Summer Olympics

Housing 10,000

Grants 1,284,844

(7.2 FTE)

1,452,344

85,000<sup>a</sup>

1,367,344<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> 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

**TOTALS PART III**

**(EDUCATION)<sup>1, 2</sup>**

~~\$3,440,543,910~~

~~\$2,555,671,589~~

~~\$14,743,794~~

~~\$457,019,405<sup>a</sup>~~

~~\$413,109,122~~

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM					FEDERAL FUNDS
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT		
\$	\$	\$	\$	\$	\$	\$	\$
	<u>\$3,452,118,066</u>	<u>\$2,555,648,786</u>			<u>\$14,745,739</u>	<u>\$468,619,078<sup>a</sup></u>	<u>\$413,104,463</u>

<sup>a</sup> 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.)

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.

Approved: March 11, 2005

