

CHAPTER 443

APPROPRIATIONS

SENATE BILL 07-161

BY SENATOR(S) Tapia, Keller, and Johnson;
also REPRESENTATIVE(S) Buescher, Pommer, White, Casso, Labuda, Massey, Peniston, and Todd.

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 394, Session Laws of Colorado 2006, 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.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		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	6,723,166 6,702,173 ^a	4,352,189 4,331,196 (53.5 FTE)	128,608 ^b (1.5 FTE)	2,229,423(T) ^c (24.5 FTE)	12,946
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Office of Professional
Services

	2,427,339 2,477,339		2,427,339 2,477,339 ^d (19.0 FTE)		
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Health, Life, and
Dental

	1,624,152	816,811	54,756 ^b	145,800(T) ^c	606,785
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Amortization
Equalization

Disbursement	202,764	88,987	8,298 ^b	19,555(T) ^c	85,924
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Salary Survey and
Senior Executive
Service

	768,848	354,397	33,632 ^b	68,042(T) ^c	312,777
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Workers' Compensation	407,704 245,136	187,597 108,867	18,603^a 11,185 ^b	38,588(T)^a 27,129(T) ^c	162,916 97,955
Emeritus Retirement	29,392 21,607	29,392 21,607			
Administrative Law Judge Services	26,177 73,878		5,497^e 15,514 ^c	20,680(T)^f 58,364(T) ^f	
Payment to Risk Management and Property Funds	83,004 161,894	38,193 76,812	3,787^a 7,387 ^b	7,856(T)^e 13,003(T) ^c	33,168 64,692
Capitol Complex Leased Space	485,083	95,139	38,699 ^b	62,455(T) ^c	288,790
Information Technology Asset Maintenance	90,697	90,697			
Disaster Recovery	19,722	19,722			
Colorado Student Assessment Program	21,771,340	15,709,849			6,061,491 (6.0 FTE)
Federal Grant for State Assessments and Related Activities	601,154				601,154 (7.0 FTE)
School Accountability Reports and State Data Reporting System	1,308,453	1,308,453			
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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM					FEDERAL FUNDS
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT		
\$	\$	\$	\$	\$	\$	\$	
		(3.0 FTE)					
Longitudinal Analyses of Student Assessment Results	277,124	277,124					
		(2.0 FTE)					
State Charter School Institute Administration, Oversight, and Management	765,125 473,087					765,125(T)^f 473,087(T) ^g (6.5 FTE) (5.0 FTE)	
Institute Charter Schools' Categorical Funding OTHER							
TRANSFERS TO INSTITUTE CHARTER SCHOOLS	450,000 750,000					450,000(T)^f 750,000(T) ^h	

Direct Administrative
and Support Services
Provided by the
Department to the State
Charter School
Institute

~~255,042~~
60,000

~~255,042(T)^f~~
60,000(T)ⁱ
(2.0 FTE)
(1.3 FTE)

Department
Implementation of
Section 22-30.5-501 et
seq., C.R.S.

~~510,084~~
315,391

~~510,084(T)^f~~
315,391(T)^g
(3.0 FTE)
(5.0 FTE)

Financial Literacy

40,000

40,000^h

Civic Education

200,000

200,000ⁱ

~~39,066,370~~
38,669,842

^a For informational purposes only, this amount includes the following: \$5,814,198 for personal services; \$655,216 for operating expenses; \$129,373 for 1,909 hours of legal services; \$42,885 for capital outlay; ~~\$40,923~~ \$29,163 for multiuse network payments; AND \$31,338 for short-term disability; and ~~\$9,233 for the purchase of services from computer center.~~ DISABILITY.

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

^b Of these amounts, it is estimated that ~~\$143,395~~ \$139,860 shall be from the Educator Licensure Cash Fund created in Section 22-60.5-112, C.R.S., ~~\$107,508~~ \$107,225 shall be from general education development program fees, and \$35,480 shall be from the Public School Income Fund pursuant to Section 22-2-112 (1) (i), C.R.S.

^c Of these amounts, it is estimated that ~~\$1,436,724~~ \$1,432,811 shall be from indirect cost recoveries; \$842,406 shall be from Assistance to Public Schools, Public School Finance, State Share of Districts' Total Program Funding; ~~\$195,150~~ \$194,834 shall be from Assistance to Public Schools, Categorical Programs, Other Categorical Programs, Public School Transportation; and ~~\$97,439~~ \$95,356 shall be from various appropriations to the Department of Education.

^d Of this amount, ~~\$2,419,839~~ \$2,469,839 shall be from the Educator Licensure Cash Fund created in Section 22-60.5-112, C.R.S., and \$7,500 shall be from the Nonpublic School Fingerprint Fund created in Section 22-1-121 (1.7) (c), C.R.S. For informational purposes only, this amount includes the following: ~~\$1,049,521~~ \$1,099,521 for personal services; \$775,000 for Colorado Bureau of Investigation services; \$274,636 for operating expenses; \$164,533 for indirect cost recoveries; \$150,449 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.

^g These amounts shall be from Assistance to Public Schools, Public School Finance, State Share of Districts' Total Program Funding.

^h This amount shall be from various line items in the Assistance to Public Schools, Categorical Programs section.

ⁱ This amount shall be from the State Charter School Institute Administration, Oversight, and Management line item.

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

(2) ASSISTANCE TO PUBLIC SCHOOLS

(A) Public School Finance

State Share of Districts'

Total Program

Funding ^{6, 7}	3,034,231,512	2,386,878,681	256,100,000 ^a	9,527,356^a	381,725,475^a
	3,055,332,676			9,491,876 ^b	402,862,119 ^c

Additional State Aid

Related to Locally

Negotiated Business

Incentive Agreements	1,140,015	1,140,015			
	904,942	904,942			
	<u>3,035,371,527</u>				
	3,056,237,618				

^a This amount shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S.

^b This amount shall be from rental income earned on public school lands that is credited to the Public School Income Fund pursuant to Section 36-1-116 (1) (a), C.R.S., and transferred to the State Public School Fund pursuant to Section 22-54-114 (1), C.R.S.

^c Of this amount, \$308,628,360 shall be from the State Education Fund created in Section 17 (4) of Article IX of the State Constitution, and ~~\$73,097,115~~ \$94,233,759 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, ~~\$52,071,000~~ \$62,900,000 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., \$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 Sections 22-41-106 and 22-54-114 (1), C.R.S., \$2,000,000 is estimated to be from audit recoveries credited to the State Public School Fund pursuant to Section 22-54-114 (4), C.R.S., and ~~\$26,115~~ \$10,333,759 is estimated to be from reserves in the State Public School Fund.

(B) Categorical Programs^a

(I) District Programs Required by Statute

Special Education -

Children with

Disabilities	242,844,686	73,852,376	16,478,950 ^a	152,513,360
			(0.5 FTE)	(54.4 FTE)

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
English Language Proficiency Program	17,410,769		4,657,644			1,475,253 ^b	11,277,872 (4.6 FTE)
	<u>260,255,455</u>						
(II) Other Categorical Programs							
Public School Transportation	42,940,625		38,079,601			4,861,024 ^b	
Transfer to the Department of Higher Education for Distribution of State Assistance for Vocational Education	20,635,922		18,349,048			2,286,874 ^b	
Special Education - Gifted and Talented Children	7,808,744		7,050,000			758,744 ^b	
Expelled and At-risk Student Services Grant Program	6,285,171		5,788,807			496,364 ^b	
Small Attendance Center Aid	890,777		834,479			56,298 ^b	

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
	184,520					184,520(T) ^e (1.4 FTE)	
State Public School Fund, Contingency Reserve	4,291,277					4,291,277 ^f	
State Public School Fund, School Capital Construction Expenditures Reserve	15,000,000		7,500,000			7,500,000 ^g (2.0 FTE)	
School Construction and Renovation Fund	15,437,602		7,500,000			7,937,602 ^h	
Charter School Capital Construction	5,000,000					5,000,000 ^e	
State Match for School Lunch Program	2,472,644				2,472,644 ⁱ		
School Breakfast Program	500,000		500,000				
Colorado History Day	10,000					10,000 ^e	
	<u>78,608,343</u>						
	63,079,402						

^a This amount shall be from the Tobacco Litigation Settlement Cash Fund created in Section 24-22-115, C.R.S., pursuant to Section 24-75-1104.5 (1) (h), C.R.S.

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

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

^d This amount shall be from the National Credential Fund created in Section 22-60.5-112.5 (4) (b), C.R.S.

^e This amount shall be from federal Medicaid funds transferred from the Department of Health Care Policy and Financing. ~~Of this amount, \$184,520~~ THIS AMOUNT shall be for administrative expenditures incurred by the Department of Education.

^f 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.

^g This amount shall be from State Public School Fund, School Capital Construction Expenditures Reserve established in Section 22-54-117 (1.5), C.R.S. Of this amount, \$158,043 shall be for administrative expenditures.

^h Of this amount, \$7,500,000 shall be from the General Fund appropriation to the School Construction and Renovation Fund established in Section 22-43.7-103 (1), C.R.S., for FY 2006-07, and \$437,602 shall be from reserves in said fund.

ⁱ This amount shall be from rental income earned on public school lands that is credited to the Public School Income Fund pursuant to Section 36-1-116 (1) (a), C.R.S., and transferred to the State Public School Fund pursuant to Section 22-54-114 (1), C.R.S.

^j This amount shall be from the Family Literacy Education Fund created in Section 22-2-124 (8) (b), C.R.S.

(D) Appropriated Sponsored

Programs

Sponsored Programs	308,854,029	575,000 ^a	3,074,648 ^b	305,204,381
			(6.3 FTE)	(95.3 FTE)

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

^b Of this amount, \$2,588,648(T) shall be transferred from the Department of Human Services, and \$486,000 shall be from various grants and donations.

~~3,762,250,593~~

3,767,587,743

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM					FEDERAL FUNDS
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT		
\$	\$	\$	\$	\$	\$	\$	\$
(3) LIBRARY PROGRAMS							
Colorado Library Consortium	1,000,000	1,000,000					
Colorado Virtual Library	379,796		359,796			20,000 ^a	
Colorado Talking Book Library, Building Maintenance and Utilities Expenses	61,023		61,023				
Reading Services for the Blind ^b	<u>200,000</u>					200,000 ^b	
	1,640,819						

^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 Operations

Personal Services	8,266,658
	(141.3 FTE)
Early Intervention Services ¹	1,253,716

	(10.0 FTE)		
Shift Differential	75,627		
Operating Expenses	400,077		
	415,567		
Vehicle Lease			
Payments	45,060		
	23,292		
Communication			
Services Payments	3,282		
	3,473		
Utilities	577,718		
	498,094		
Allocation of State and			
Federal Categorical			
Program Funding	150,000		
	(0.4 FTE)		
Medicaid			
Reimbursements for			
Public School Health			
Services	75,000		
	(1.5 FTE)		
	<u>10,847,138</u>	9,189,120	1,658,018(T)*
	10,761,427	9,103,409	

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

* Of this amount, \$1,219,410 shall be from Assistance to Public Schools, Public School Finance, State Share of Districts' Total Program Funding; \$153,608 shall be from various grants and donations; \$150,000 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					
Federal Funds Transferred from School Districts	269,000 (2.8 FTE)					
Summer Olympics Housing	10,000					
Grants	1,246,392 (5.9 FTE)					
	<u>1,600,392</u>			85,000 ^a	1,515,392 ^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, \$1,246,392(T) shall be from various federal funds transferred from the Appropriated Sponsored Programs subsection, and \$269,000 shall be from federal funds transferred from school districts.

12,447,530

12,361,819

TOTALS PART III

(EDUCATION)^{2,3}

\$3,815,405,312	\$2,586,409,140	\$256,100,000 ^a	\$15,379,219	\$469,477,164 ^b	\$488,039,789
<u>\$3,820,260,223</u>	<u>\$2,586,019,467</u>		<u>\$15,399,938</u>	<u>\$474,734,466^b</u>	<u>\$488,006,352</u>

^a This amount shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S.

^b Of this amount, ~~\$25,877,169~~ \$9,997,827 contains a (T) notation.

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

- 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. Until such time as the Secretary of State publishes the code of Colorado regulations and the Colorado register in electronic form pursuant to section 24-4-103 (11) (b), C.R.S., 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. Alternatively, the Office of Legislative Legal Services may provide links on its internet web site to such rules. It is the intent of the General Assembly that this be done within existing resources.
- 3 (Governor lined through this provision. See L. 2006, p. 2896.)
- 6 Department of Education, Assistance to Public Schools, Public School Finance, State Share of Districts' Total Program Funding -- The minimum state aid for fiscal year 2006-07 is established at \$110.86 per student.
- 7 (Governor lined through this provision. See L. 2006, p. 2898.)
- 8 (Governor lined through this provision. See L. 2006, p. 2898.)
- 9 (Governor lined through this provision. See L. 2006, p. 2899.)

10 (Governor lined through this provision. See L. 2006, p. 2899.)

11 (Governor lined through this provision. See L. 2006, p. 2899.)

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 22, 2007