

An Act

HOUSE BILL 12-1182

BY REPRESENTATIVE(S) Gerou, Becker, Levy, Casso, Fields, Hamner, Kerr A., Labuda, Peniston, Todd, Young;
also SENATOR(S) Hodge, Steadman, Lambert.

CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF
EDUCATION.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Appropriation to the department of education for the fiscal year beginning July 1, 2011. In Session Laws of Colorado 2011, section 2 of chapter 335, (SB 11-209), **amend** Part III as follows:

Section 2. Appropriation.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
PART III							
DEPARTMENT OF EDUCATION							
(1) MANAGEMENT AND ADMINISTRATION							
(A) Administration and Centrally-Appropriated Line Items							
State Board of Education	286,118		286,118 (2.0 FTE)				
General Department and Program Administration	3,801,252		1,595,262 (16.2 FTE)		170,596 ^a (2.5 FTE)	2,035,394 ^b (20.9 FTE)	
Office of Professional Services	2,005,200				2,005,200 ^c (23.0 FTE)		
Division of On-line Learning	372,507				372,507 ^d (3.5 FTE)		
Health, Life, and Dental	3,140,202		1,450,460		241,795 ^e	377,766 ^f	1,070,181
Short-term Disability	52,767		21,124		6,088 ^e	5,237 ^f	20,318
S.B. 04-257 Amortization Equalization Disbursement	830,745		330,197		96,286 ^e	82,859 ^f	321,403
S.B. 06-235 Supplemental Amortization Equalization Disbursement	665,531		263,308		77,371 ^e	66,582 ^f	258,270
Workers' Compensation	280,433		107,181		24,539 ^e	34,437 ^f	114,276
Legal Services for 5,600 hours	423,976		210,625		160,354 ^c	52,997 ^g	
Administrative Law Judge Services	36,017				29,800 ^e	6,217 ^h	
	38,258				31,654 ^c	6,604 ^h	

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Payment to Risk Management and Property Funds	53,752		43,770		3,403 ^e	6,579 ^f	
Capitol Complex Leased Space	561,093		81,077		59,364^e 131,435 ^e	144,089^f 88,389 ^f	276,563 260,192
Reprinting and Distributing Laws Concerning Education	35,480				35,480 ⁱ		
Emeritus Retirement	5,387		5,387				
(B) Information Technology							
Information Technology Services	2,738,547		2,112,862 (16.1 FTE)			625,685 ^j (6.9 FTE)	
Purchase of Services from Computer Center	144,254		144,254				
Multiuse Network Payments	28,398		28,398				
Information Technology Asset Maintenance	303,830		303,830				
Disaster Recovery	19,722		19,722				
(C) Assessments and Data Analyses							
Colorado Student Assessment Program	21,735,589				15,885,363 ^d (5.0 FTE)		5,850,226 ^k (6.8 FTE)
Federal Grant for State Assessments and Related Activities	2,247,224						2,247,224 ^k (5.7 FTE)

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM					
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	
	\$	\$	\$	\$	\$	\$	\$	
Longitudinal Analyses of Student Assessment Results	7,703,411		286,311 (3.0 FTE)					7,417,100
Preschool to Postsecondary Education Alignment	567,685				567,685 ^d (3.5 FTE)			
(D) State Charter School Institute								
State Charter School Institute Administration, Oversight, and Management	1,502,820 1,689,544						1,502,820^l 1,689,544 ^l (10.7 FTE)	
Institute Charter School Assistance Fund	550,000				550,000 ^m			
Other Transfers to Institute Charter Schools	2,013,615						2,013,615 ⁿ	
Transfer of Federal Moneys to Institute Charter Schools	5,730,000						5,730,000 ⁿ (4.5 FTE)	
Department Implementation of Section 22-30.5-501 et seq., C.R.S.	210,014						210,014 ^l (2.6 FTE)	
STATE CHARTER SCHOOL INSTITUTE EMERGENCY RESERVE	<u>195,004</u>						195,004 ^l	
		58,045,569 58,429,538						

APPROPRIATION FROM

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

^a This amount shall be from general education development program fees.

^b This amount shall be from departmental and statewide indirect cost recoveries.

^c These amounts shall be from the Educator Licensure Cash Fund created in Section 22-60.5-112 (1), C.R.S.

^d These amounts shall be from the State Education Fund created in Section 17 (4) (a) of Article IX of the State Constitution. Pursuant to Section 17 (3) of Article IX of the State Constitution, appropriations from the State Education Fund are not subject to the limitation on fiscal year spending set forth in Section 20 of Article X of the State Constitution.

^e Of these amounts, ~~\$237,583~~ \$256,779 shall be from the State Education Fund created in Section 17 (4) (a) of Article IX of the State Constitution, ~~\$188,566~~ \$227,407 shall be from the Educator Licensure Cash Fund created in Section 22-60.5-112 (1), C.R.S., ~~\$66,200~~ \$77,528 shall be from the Public School Capital Construction Assistance Fund created in Section 22-43.7-104 (1), C.R.S., and ~~\$16,497~~ \$19,203 shall be from general education development program fees. Pursuant to Section 17 (3) of Article IX of the State Constitution, appropriations from the State Education Fund are not subject to the limitation on fiscal year spending set forth in Section 20 of Article X of the State Constitution.

^f Of these amounts, ~~\$390,130~~ \$359,846 is estimated to be transferred from various appropriations to the Department of Education and ~~\$327,419~~ \$302,003 is estimated to be from departmental and statewide indirect cost recoveries and.

^g Of this amount, \$37,855 shall be transferred from the Assistance to Public Schools, Public School Finance, State Share of Districts' Total Program Funding line item and \$15,142 shall be transferred from the Assistance to Public Schools, Grant Programs, Distributions, and Other Assistance, Capital Construction, Division of Public School Capital Construction Assistance line item.

^h This amount shall be transferred from the Assistance to Public Schools, Categorical Programs, District Programs Required by Statute, Special Education Programs for Children with Disabilities line item.

ⁱ This amount shall be from interest and income earned on the investment of moneys in the Public School Fund that is credited to the State Public School Fund pursuant to Section 22-41-102 (3) (a), C.R.S. Pursuant to Section 22-2-112 (1) (i), C.R.S., publishing costs shall be paid out of State Public School Fund created in Section 22-54-114 (1), C.R.S.

^j Of this amount, \$525,685 shall be transferred from various appropriations to the Department of Education and \$100,000 shall be transferred from the Assistance to Public Schools, Public School Finance, State Share of Districts' Total Program Funding line item.

^k These amounts from the federal grant for state assessments and related activities authorized pursuant to Title VI, Part A, Section 6113 of the federal No Child Left Behind Act of 2001 and are included for informational purposes only.

^l These amounts shall be transferred from the Assistance to Public Schools, Public School Finance, State Share of Districts' Total Program Funding line item.

^m This amount shall be from the Institute Charter School Assistance Fund created in Section 22-30.5-515.5 (1) (a), C.R.S.

ⁿ These amounts shall be transferred from various line items in the Assistance to Public Schools section.

(2) ASSISTANCE TO PUBLIC SCHOOLS

(A) Public School Finance

Administration	1,501,265	20,418 ^a	1,480,847 ^b
		(0.2 FTE)	(18.3 FTE)

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
State Share of Districts' Total Program Funding ^{7, 8}	3,562,775,745		2,848,425,153	284,175,417 ^c	430,175,175 ^d		
Hold-harmless Full-day Kindergarten Funding	7,198,953				7,198,953 ^e		
District Per Pupil Reimbursements for Juveniles Held in Jail	<u>100,000</u>				100,000 ^a		
	3,571,575,963						

^a These amounts shall be from the Read-to-Achieve Cash Fund created in Section 22-7-908 (1), C.R.S.

^b This amount shall be transferred from the Assistance to Public Schools, Public School Finance, State Share of Districts' Total Program Funding line item.

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

^d Of this amount, \$317,158,532 shall be from the State Education Fund created in Section 17 (4) (a) of Article IX of the State Constitution, and \$113,016,643 shall be from the State Public School Fund created in Section 22-54-114 (1), C.R.S. Pursuant to Section 17 (3) of Article IX of the State Constitution, appropriations from the State Education Fund are not subject to the limitation on fiscal year spending set forth in Section 20 of Article X of the State Constitution. Of the amount appropriated from the State Public School Fund, \$67,600,000 is estimated to be from federal mineral leasing revenues transferred to the State Public School Fund pursuant to Sections 22-54-114 (1) and 34-63-102, C.R.S., \$36,924,767 is estimated to be from reserves in the State Public School Fund, and \$8,491,876 shall be from interest and income earned on the investment of moneys in the Public School Fund that is credited to the State Public School Fund pursuant to Section 22-41-102 (3) (a), C.R.S.

^e This amount shall be from the State Education Fund created in Section 17 (4) (a) of Article IX of the State Constitution. Pursuant to Section 17 (3) of Article IX of the State Constitution, appropriations from the State Education Fund are not subject to the limitation on fiscal year spending set forth in Section 20 of Article X of the State Constitution.

(B) Categorical Programs

(I) District Programs Required by Statute

Special Education Programs for Children with Disabilities	288,628,104		71,572,347		58,225,450 ^a	101,812 ^b (1.0 FTE)	158,728,495 ^c (63.5 FTE)
English Language Proficiency Program	24,377,497		3,101,598		9,984,180 ^a		11,291,719 ^d (4.6 FTE)

(II) Other Categorical Programs

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Public School Transportation	50,828,042		36,922,227		13,905,815 ^e (2.0 FTE)		
Transfer to the Department of Higher Education for Distribution of State Assistance for Career and Technical Education	23,584,498		17,792,850		5,791,648 ^a		
Special Education Programs for Gifted and Talented Children	9,201,106		5,500,000		3,701,106 ^a (0.5 FTE)		
Expelled and At-risk Student Services Grant Program	7,493,560		5,788,807		1,704,753 ^a (1.0 FTE)		
Small Attendance Center Aid	959,379		787,645		171,734 ^a		
Comprehensive Health Education	1,005,396		300,000		705,396 ^a (1.0 FTE)		
	<u>406,077,582</u>						

^a These amounts shall be from the State Education Fund created in Section 17 (4) (a) of Article IX of the State Constitution. Pursuant to Section 17 (3) of Article IX of the State Constitution, appropriations from the State Education Fund are not subject to the limitation on fiscal year spending set forth in Section 20 of Article X of the State Constitution.

^b This amount shall be from federal funds transferred from the Department of Human Services.

^c This amount shall be from federal funds authorized pursuant to the federal Individuals with Disabilities Education Act and is included for informational purposes only.

^d This amount shall be from federal funds authorized pursuant to Title III of the federal No Child Left Behind Act of 2001 and is included for informational purposes only.

^e Of this amount, \$13,455,815 shall be from the State Education Fund created in Section 17 (4) (a) of Article IX of the State Constitution and \$450,000 shall be from the Public School Transportation Fund created in Section 22-51-103 (1), C.R.S. Pursuant to Section 17 (3) of Article IX of the State Constitution, appropriations from the State Education Fund are not subject to the limitation on fiscal year spending set forth in Section 20 of Article X of the State Constitution.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(C) Grant Programs, Distributions, and Other Assistance							
(I) Health and Nutrition							
Federal Nutrition Programs	156,631,328		82,327 (0.9 FTE)				156,549,001 (8.1 FTE)
State Match for School Lunch Program	2,472,644				2,472,644 ^a		
Child Nutrition School Lunch Protection Program	850,000				850,000 ^b		
Start Smart Nutrition Program Fund	700,000		700,000				
Start Smart Nutrition Program	843,495				143,495 ^c	700,000 ^c	
S.B. 97-101 Public School Health Services	142,073					142,073 ^d (1.4 FTE)	
(II) Capital Construction							
Division of Public School Capital Construction Assistance	874,523				874,523 ^e (9.0 FTE)		
Public School Capital Construction Assistance Board - Lease Payments	29,000,000				29,000,000 ^e		
Financial Assistance Priority Assessment	164,793				164,793 ^e		
State Aid for Charter School Facilities	5,000,000				5,000,000 ^b		
(III) Reading and Literacy							

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Read-to-Achieve Grant Program	4,391,241				4,391,241 ^f (1.0 FTE)		
(IV) Professional Development and Instructional Support							
Content Specialists	441,808				441,808 ^b (5.0 FTE)		
Office of Dropout Prevention and Student Reengagement	3,000,000						3,000,000 (2.3 FTE)
(V) Facility Schools							
Facility Schools Unit and Facility Schools Board	258,575					258,575 ^g (3.0 FTE)	
Facility School Funding	14,875,000				14,875,000 ^b		
(VI) Other Assistance							
Appropriated Sponsored Programs	280,780,000 282,580,000				1,300,000^h 3,100,000 ^h (1.0 FTE)	4,480,000 ⁱ (6.0 FTE)	275,000,000 (67.0 FTE)
School Counselor Corps Grant Program	5,000,000				5,000,000 ^b (1.0 FTE)		
Contingency Reserve Fund	1,000,000				1,000,000 ^j		
Supplemental On-line Education Services	480,000				480,000 ^k		
Interstate Compact on Educational Opportunity for Military Children	<u>22,832</u>				22,832 ^b		

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	506,928,312					
	508,728,312					

^a This amount shall be from interest and income earned on the investment of moneys in the Public School Fund that is credited to the State Public School Fund pursuant to Section 22-41-102 (3) (a), C.R.S.

^b These amounts shall be from the State Education Fund created in Section 17 (4) (a) of Article IX of the State Constitution. Pursuant to Section 17 (3) of Article IX of the State Constitution, appropriations from the State Education Fund are not subject to the limitation on fiscal year spending set forth in Section 20 of Article X of the State Constitution.

^c These amounts shall be from the Start Smart Nutrition Program Fund created in Section 22-82.7-105 (1), C.R.S., including \$700,000 General Fund that is appropriated to this fund in FY 2011-12 and \$143,495 from fund reserves.

^d This amount shall be from federal Medicaid funds transferred from the Department of Health Care Policy and Financing.

^e These amounts shall be from the Public School Capital Construction Assistance Fund created in Section 22-43.7-104 (1), C.R.S.

^f This amount shall be from the transfer of tobacco settlement moneys to the Read-to-Achieve Cash Fund pursuant to Section 24-75-1104.5 (1) (h), C.R.S. Pursuant to Section 24-22-116, C.R.S., tobacco litigation settlement funds are not state fiscal year spending as defined in Section 20 of Article X of the State Constitution.

^g This amount shall be transferred from the Assistance to Public Schools, Grant Programs, Distributions, and Other Assistance, Facility Schools, Facility School Funding line item.

^h Of this amount, \$810,000 shall be from fees and charges for workshops, conferences, training programs, and seminars, and ~~\$490,000~~ \$2,290,000 shall be from various grants and donations.

ⁱ This amount shall be transferred from the Department of Human Services.

^j This amount shall be from school district reimbursements that are credited to the Contingency Reserve Fund pursuant to Section 22-54-117 (1) (c), C.R.S.

^k This amount shall be from federal mineral leasing revenues transferred to the State Public School Fund pursuant to Sections 22-54-114 (1) and 34-63-102, C.R.S.

~~4,484,581,857~~
4,486,381,857

(3) LIBRARY PROGRAMS

Administration	995,921	745,921 (11.8 FTE)	250,000 ^a (2.5 FTE)	
Federal Library Funding	3,031,787			3,031,787 (23.8 FTE)
Broadband Technology Opportunities Program	1,219,460		443,274 ^a	776,186

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
					(1.6 FTE)		(2.9 FTE)
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	70,660		70,660				
Reading Services for the Blind ⁹	<u>250,000</u>					250,000 ^b	
		6,947,624					

^a These amounts shall be from grants and donations.

^b This amount shall be from moneys appropriated from the Colorado Disabled Telephone Users Fund to the Department of Regulatory Agencies to be credited to the Blind Cash Fund pursuant to Section 40-17-104 (1), C.R.S.

(4) SCHOOL FOR THE DEAF AND THE BLIND

(A) School Operations

Personal Services	9,205,925	
	(141.3 FTE)	
Early Intervention Services	1,165,533	
	(10.0 FTE)	
Shift Differential	65,755	
Operating Expenses	417,277	
Vehicle Lease Payments	23,043	
	24,100	
Utilities	554,810	
Allocation of State and Federal Categorical Program Funding	170,000	

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(0.4 FTE)						
Medicaid Reimbursements for Public School Health Services	150,000					
	(1.5 FTE)					
	11,752,343	10,096,384			1,655,959 ^a	
	11,753,400	10,097,441				

^a Of this amount: \$1,300,959 shall be transferred from the Assistance to Public Schools, Grant Programs, Distributions, and Other Assistance, Facility Schools, Facility School Funding line item; \$170,000 shall be transferred from various line items in the Assistance to Public Schools, Categorical Programs section; \$150,000 shall be from federal Medicaid funds transferred from the Department of Health Care Policy and Financing pursuant to the S.B. 97-101 Public School Health Services program; and, \$35,000 shall be transferred from federal Child Nutrition Act funds appropriated in the Assistance to Public Schools, Grant Programs, Distributions, and Other Assistance, Other Assistance, Appropriated Sponsored Programs line item.

(B) Special Purpose

Fees and Conferences	120,000					
Outreach Services	1,025,000					
	(5.4 FTE)					
Tuition from Out-of-state Students	200,000					
Grants	1,200,000					
	(9.0 FTE)					
	<u>2,545,000</u>			1,075,000 ^a	1,470,000 ^b	

^a Of this amount, \$755,000 shall be from fees collected from school districts, boards of cooperative services, and private entities for the purposes of outreach services, \$200,000 shall be tuition payments received from other states, and \$120,000 shall be from fees and charges for workshops and conferences.

^b This amount shall be from various federal funds transferred from the Assistance to Public Schools section.

~~14,297,343~~
14,298,400

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
TOTALS PART III (EDUCATION)	\$4,563,872,393	\$3,010,535,601	\$284,175,417 ^a	\$619,775,069	\$23,433,557	\$625,952,749
	<u>\$4,566,057,419</u>	<u>\$3,010,536,658</u>		<u>\$621,648,994</u>	<u>\$23,759,972</u>	<u>\$625,936,378</u>

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

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

- 7 Department of Education, Assistance to Public Schools, Public School Finance, State Share of Districts' Total Program Funding -- It is the intent of the General Assembly that the Department of Education be authorized to utilize up to \$4,647,614 of this appropriation to fund qualified students designated as Accelerating Students Through Concurrent Enrollment (ASCENT) Program participants as authorized pursuant to Section 22-35-108, C.R.S. This amount is calculated based on an estimated 753 participants funded at a rate of \$6,172.13 per FTE pursuant to Section 22-54-104 (4.7), C.R.S.
- 8 Department of Education, Assistance to Public Schools, Public School Finance, State Share of Districts' Total Program Funding -- Of the amount appropriated for this line item, a portion, not to exceed \$250,000 for fiscal year 2011-12, shall be transferred to the Legislative Council for the purpose of funding the biennial cost of living analysis pursuant to Section 22-54-104 (5) (c) (III) (B), C.R.S.
- 9 Department of Education, Library Programs, Reading Services for the Blind -- This appropriation is for the support of privately operated reading services for the blind, as authorized by Section 24-90-105.5, C.R.S. It is the intent of the General Assembly that \$200,000 of this appropriation be used to provide access to radio and television broadcasts of locally published and produced materials and \$50,000 of this appropriation be used to provide telephone access to digital transmissions of nationally published and produced materials.

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.

Frank McNulty
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Brandon C. Shaffer
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO