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STATE OF COLORADO

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BILL 3

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LLS NO. 15-0103.01 Julie Pelegrin x2700

INTERIM COMMITTEE BILL

Early Childhood and School Readiness Legislative Commission

BILL TOPIC: "Early Childhood Educator Scholarships"

A BILL FOR AN ACT

101 **CONCERNING DISTRIBUTION OF MONEYS FOR SCHOLARSHIP PROGRAMS**
102 **THAT ASSIST EARLY CHILDHOOD EDUCATION PROFESSIONALS IN**
103 **OBTAINING POSTSECONDARY CREDENTIALS IN EARLY**
104 **CHILDHOOD EDUCATION, AND, IN CONNECTION THEREWITH,**
105 **CREATING THE EARLY CHILDHOOD EDUCATOR DEVELOPMENT**
106 **FUND.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

Early Childhood and School Readiness Legislative Commission. The bill repeals the existing early childhood educator development scholarship program and creates the early childhood professional development educator fund (fund). The fund consists of general fund appropriations and gifts, grants, or donations that the department of education (department) may receive. The department must distribute the moneys in the fund to tax-exempt nonprofit corporations or institutions of higher education (qualifying entities) for scholarship programs to assist early childhood education professionals in obtaining a postsecondary credential in early childhood education.

A qualifying entity may apply for a scholarship grant as provided in rules of the state board of education (state board). The department will review the applications and make recommendations to the state board. The state board will award scholarship grants to qualifying entities based on criteria established in rules. At a minimum, the department and the state board must consider whether the qualifying entity's scholarship program aligns with state priorities for professional development for early childhood education professionals. The department will annually submit a report to the state board, the governor, and the general assembly concerning the use of the moneys in the fund.

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

2 **SECTION 1.** In Colorado Revised Statutes, **repeal and reenact,**
3 **with amendments,** article 9.7 of title 22 as follows:

4 **ARTICLE 9.7**

5 **Early Childhood Educator Development Fund**

6 **22-9.7-101. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
7 CONTEXT OTHERWISE REQUIRES:

8 (1) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION
9 CREATED AND EXISTING PURSUANT TO SECTION 24-1-115, C.R.S.

10 (2) "FUND" MEANS THE EARLY CHILDHOOD EDUCATOR
11 DEVELOPMENT FUND CREATED IN SECTION 22-9.7-102.

12 (3) "INSTITUTION OF HIGHER EDUCATION" MEANS:

13 (a) A NOT-FOR-PROFIT COLLEGE OR UNIVERSITY THAT MAINTAINS
14 ITS PRIMARY PLACE OF BUSINESS IN THE STATE OF COLORADO, THAT

1 OFFERS GENERAL BACCALAUREATE DEGREES IN ARTS AND SCIENCES, AND
2 THAT IS INSTITUTIONALLY ACCREDITED ON THE BASIS OF AN ON-SITE
3 REVIEW IN COLORADO BY ONE OF THE SIX NATIONALLY RECOGNIZED
4 REGIONAL ACCREDITING ASSOCIATIONS OR BY AN ACCREDITING AGENCY
5 DETERMINED BY THE COLORADO COMMISSION ON HIGHER EDUCATION TO
6 BE APPROPRIATE TO ITS EDUCATIONAL PURPOSES AND PROGRAMS;

7 (b) A STATE INSTITUTION OF HIGHER EDUCATION, AS DEFINED IN
8 SECTION 23-18-102 (10), C.R.S.; OR

9 (c) A JUNIOR COLLEGE THAT IS PART OF A JUNIOR COLLEGE
10 DISTRICT ORGANIZED PURSUANT TO ARTICLE 71 OF TITLE 23, C.R.S.

11 (4) "POSTSECONDARY CREDENTIAL" MEANS:

12 (a) A CERTIFICATE RECOGNIZED BY THE DEPARTMENT OF
13 EDUCATION OR THE DEPARTMENT OF HUMAN SERVICES THAT LEADS TO
14 CERTIFICATION AS AN EARLY CHILDHOOD EDUCATION TEACHER OR
15 PROGRAM DIRECTOR; OR

16 (b) AN ASSOCIATE, BACHELOR'S, OR HIGHER DEGREE IN EARLY
17 CHILDHOOD EDUCATION.

18 (5) "QUALIFYING ENTITY" MEANS A NONPROFIT OR
19 NOT-FOR-PROFIT CORPORATION THAT HOLDS TAX-EXEMPT STATUS UNDER
20 26 U.S.C. SEC. 501 (c) (3) OF THE FEDERAL "INTERNAL REVENUE CODE OF
21 1986", AS AMENDED, OR AN INSTITUTION OF HIGHER EDUCATION.

22 (6) "SCHOLARSHIP GRANT" MEANS MONEYS THAT THE STATE
23 BOARD AWARDS TO A QUALIFYING ENTITY THAT THE QUALIFYING ENTITY
24 MUST USE TO PROVIDE SCHOLARSHIPS TO EARLY CHILDHOOD EDUCATION
25 PROFESSIONALS TO ASSIST THEM IN PAYING THE EDUCATION COSTS OF
26 OBTAINING A POSTSECONDARY CREDENTIAL IN EARLY CHILDHOOD
27 EDUCATION.

1 (7) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION
2 CREATED IN SECTION 1 OF ARTICLE IX OF THE STATE CONSTITUTION.

3 **22-9.7-102. Early childhood educator development fund -**
4 **created.** (1) (a) THERE IS CREATED IN THE STATE TREASURY THE EARLY
5 CHILDHOOD EDUCATOR DEVELOPMENT FUND CONSISTING OF MONEYS THE
6 DEPARTMENT OF EDUCATION MAY RECEIVE PURSUANT TO SUBSECTION (2)
7 OF THIS SECTION AND MONEYS THAT THE GENERAL ASSEMBLY MAY
8 APPROPRIATE TO THE FUND. THE MONEYS IN THE FUND ARE SUBJECT TO
9 ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY TO THE
10 DEPARTMENT TO DISTRIBUTE AS SCHOLARSHIP GRANTS TO QUALIFYING
11 ENTITIES AS PROVIDED IN SECTION 22-9.7-103. IN ADDITION, THE
12 DEPARTMENT MAY EXPEND A PORTION OF THE MONEYS ANNUALLY
13 APPROPRIATED TO THE FUND TO OFFSET THE ACTUAL DIRECT AND
14 INDIRECT ADMINISTRATIVE COSTS INCURRED IN DISTRIBUTING THE
15 SCHOLARSHIP GRANTS, WHICH PORTION SHALL NOT EXCEED
16 DOLLARS IN A BUDGET YEAR.

17 (b) THE STATE TREASURER MAY INVEST ANY MONEYS IN THE FUND
18 NOT EXPENDED FOR THE PURPOSE OF THIS ARTICLE AS PROVIDED BY LAW.
19 THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED
20 FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND TO THE
21 FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN
22 THE FUND AT THE END OF A FISCAL YEAR MUST REMAIN IN THE FUND AND
23 SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR
24 ANOTHER FUND.

25 (2) THE DEPARTMENT MAY SOLICIT, ACCEPT, AND EXPEND PUBLIC
26 OR PRIVATE GIFTS, GRANTS, OR DONATIONS TO USE TO AWARD
27 SCHOLARSHIP GRANTS TO QUALIFYING ENTITIES AS PROVIDED IN SECTION

1 22-9.7-103, SUBJECT TO THE TERMS AND CONDITIONS UNDER WHICH THE
2 GIFTS, GRANTS, OR DONATIONS ARE GIVEN; EXCEPT THAT THE
3 DEPARTMENT SHALL NOT ACCEPT A GIFT, GRANT, OR DONATION IF THE
4 CONDITIONS ATTACHED TO THE GIFT, GRANT, OR DONATION REQUIRE THE
5 USE OR EXPENDITURE OF THE GIFT, GRANT, OR DONATION IN A MANNER
6 CONTRARY TO LAW. THE DEPARTMENT SHALL TRANSMIT TO THE STATE
7 TREASURER ANY GIFTS, GRANTS, OR DONATIONS RECEIVED PURSUANT TO
8 THIS SUBSECTION (2), AND THE STATE TREASURER SHALL CREDIT THE
9 AMOUNTS TO THE FUND. IMPLEMENTATION OF THIS ARTICLE IS NOT
10 CONDITIONED ON THE RECEIPT OF GIFTS, GRANTS, OR DONATIONS
11 PURSUANT TO THIS SUBSECTION (2).

12 **22-9.7-103. Scholarship grants - qualifying entities - rules -**
13 **report.** (1) (a) SUBJECT TO AVAILABLE APPROPRIATIONS, THE
14 DEPARTMENT SHALL ANNUALLY ACCEPT APPLICATIONS FROM QUALIFYING
15 ENTITIES FOR SCHOLARSHIP GRANTS. AT THE TIME IT APPLIES, A
16 QUALIFYING ENTITY MUST HAVE AN OPERATING SCHOLARSHIP PROGRAM
17 THAT AWARDS SCHOLARSHIPS TO EARLY CHILDHOOD EDUCATION
18 PROFESSIONALS TO ASSIST THEM IN ATTAINING A POSTSECONDARY
19 CREDENTIAL IN EARLY CHILDHOOD EDUCATION. AN EARLY CHILDHOOD
20 EDUCATION PROFESSIONAL WHO RECEIVES A SCHOLARSHIP THAT IS
21 FUNDED BY MONEYS THAT A QUALIFYING ENTITY RECEIVES PURSUANT TO
22 THIS SECTION MUST USE THE SCHOLARSHIP TO ATTEND AN INSTITUTION OF
23 HIGHER EDUCATION.

24 (b) AFTER REVIEWING THE APPLICATIONS RECEIVED, THE
25 DEPARTMENT SHALL RECOMMEND TO THE STATE BOARD THE QUALIFYING
26 ENTITIES THAT SHOULD RECEIVE SCHOLARSHIP GRANTS AND THE AMOUNT
27 OF EACH GRANT. SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE

1 BOARD SHALL ANNUALLY DISTRIBUTE MONEYS APPROPRIATED AND
2 CREDITED TO THE FUND TO QUALIFYING ENTITIES, TAKING INTO
3 CONSIDERATION THE DEPARTMENT'S RECOMMENDATIONS.

4 (2) THE STATE BOARD SHALL PROMULGATE RULES TO ESTABLISH,
5 AT A MINIMUM:

6 (a) THE PROCEDURES AND TIMELINES BY WHICH A QUALIFYING
7 ENTITY MAY APPLY FOR A SCHOLARSHIP GRANT;

8 (b) THE CRITERIA THAT THE DEPARTMENT SHALL APPLY IN
9 REVIEWING THE GRANT APPLICATIONS AND MAKING RECOMMENDATIONS
10 TO THE STATE BOARD AND THAT THE STATE BOARD SHALL APPLY IN
11 AWARDING SCHOLARSHIP GRANTS. AT A MINIMUM, THE CRITERIA MUST
12 INCLUDE CONSIDERATION OF WHETHER AN APPLICANT'S SCHOLARSHIP
13 PROGRAM ALIGNS WITH THE EARLY CHILDHOOD PROFESSIONAL
14 DEVELOPMENT PRIORITIES SET BY THE DEPARTMENT.

15 (c) THE INFORMATION THAT EACH QUALIFYING ENTITY THAT
16 RECEIVES A SCHOLARSHIP GRANT MUST SUBMIT TO THE DEPARTMENT TO
17 ENABLE THE DEPARTMENT TO PREPARE THE ANNUAL PROGRAM REPORT.

18 (3) FOR EACH YEAR THAT IT AWARDS SCHOLARSHIP GRANTS, THE
19 DEPARTMENT SHALL SUBMIT TO THE STATE BOARD, THE GOVERNOR, AND
20 THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND
21 THE SENATE, OR ANY SUCCESSOR COMMITTEE, A REPORT THAT INCLUDES,
22 AT A MINIMUM:

23 (a) THE NAME OF EACH QUALIFYING ENTITY THAT RECEIVED A
24 SCHOLARSHIP GRANT, THE AMOUNT OF EACH SCHOLARSHIP GRANT, AND
25 THE TOTAL AMOUNT OF SCHOLARSHIP GRANTS DISTRIBUTED FOR THE
26 FISCAL YEAR;

27 (b) A DESCRIPTION OF THE SCHOLARSHIP PROGRAMS THAT

1 RECEIVED SCHOLARSHIP GRANTS, INCLUDING THE NUMBER OF EARLY
2 CHILDHOOD EDUCATION PROFESSIONALS WHO RECEIVED SCHOLARSHIPS,
3 THE AMOUNTS OF THE SCHOLARSHIPS, AND THE POSTSECONDARY
4 CREDENTIAL PROGRAMS IN WHICH THE SCHOLARSHIP RECIPIENTS
5 ENROLLED; AND

6 (c) THE TOTAL NUMBER AND TYPE OF POSTSECONDARY
7 CREDENTIALS IN EARLY CHILDHOOD EDUCATION THAT WERE ISSUED FOR
8 THE FISCAL YEAR AND, OF THE CREDENTIALS ISSUED, THE NUMBER AND
9 TYPE THAT WERE FUNDED IN WHOLE OR IN PART BY SCHOLARSHIP GRANTS.

10 <{Sen. Todd: would you prefer a safety clause or a 90-day petition
11 clause?}>