

First Regular Session
Seventieth General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 15-0508.01 Julie Pelegrin x2700

HOUSE BILL 15-1001

HOUSE SPONSORSHIP

Pettersen and Garnett,

SENATE SPONSORSHIP

Todd,

House Committees

Education
Appropriations

Senate Committees

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 AND MAKING AN APPROPRIATION.**

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/bills summaries>.)

The bill repeals the early childhood educator development

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 (1) "INSTITUTION OF HIGHER EDUCATION" MEANS:

2 (a) A NOT-FOR-PROFIT COLLEGE OR UNIVERSITY THAT MAINTAINS
3 ITS PRIMARY PLACE OF BUSINESS IN THE STATE OF COLORADO, THAT
4 OFFERS GENERAL BACCALAUREATE DEGREES IN ARTS AND SCIENCES, AND
5 THAT IS INSTITUTIONALLY ACCREDITED ON THE BASIS OF AN ON-SITE
6 REVIEW IN COLORADO BY ONE OF THE SIX NATIONALLY RECOGNIZED
7 REGIONAL ACCREDITING ASSOCIATIONS OR BY AN ACCREDITING AGENCY
8 DETERMINED BY THE COLORADO COMMISSION ON HIGHER EDUCATION TO
9 BE APPROPRIATE TO ITS EDUCATIONAL PURPOSES AND PROGRAMS;

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

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

14 (2) "POSTSECONDARY CREDENTIAL" MEANS:

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

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

21 (3) "QUALIFYING ENTITY" MEANS A NONPROFIT OR
22 NOT-FOR-PROFIT CORPORATION THAT HOLDS TAX-EXEMPT STATUS UNDER
23 26 U.S.C. SEC. 501 (c) (3) OF THE FEDERAL "INTERNAL REVENUE CODE OF
24 1986", AS AMENDED, OR AN INSTITUTION OF HIGHER EDUCATION.

25 (4) "SCHOLARSHIP GRANT" MEANS MONEYS THAT THE STATE
26 BOARD AWARDS TO A QUALIFYING ENTITY AS PROVIDED IN THIS PART 4.

27 (5) "STATE BOARD" MEANS THE STATE BOARD OF HUMAN SERVICES

1 CREATED AND AUTHORIZED TO ACT IN ACCORDANCE WITH SECTION
2 26-1-107.

3 (6) "STATE DEPARTMENT" MEANS THE DEPARTMENT OF HUMAN
4 SERVICES CREATED AND EXISTING PURSUANT TO SECTION 24-1-120, C.R.S.

5 ■■ ■■

6 **26-6.5-402. Scholarship grants - qualifying entities - rules -**

7 **report.** (1) (a) SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE
8 DEPARTMENT SHALL ANNUALLY ACCEPT APPLICATIONS FROM QUALIFYING
9 ENTITIES FOR SCHOLARSHIP GRANTS. ■■■ A QUALIFYING ENTITY THAT

10 RECEIVES A SCHOLARSHIP GRANT MUST USE THE GRANT MONEYS FOR
11 SCHOLARSHIPS. ■■■ AN EARLY CHILDHOOD EDUCATION PROFESSIONAL

12 WHO RECEIVES A SCHOLARSHIP THAT IS FUNDED BY MONEYS THAT A
13 QUALIFYING ENTITY RECEIVES PURSUANT TO THIS SECTION MUST USE THE
14 SCHOLARSHIP TO ATTEND AN INSTITUTION OF HIGHER EDUCATION.

15 (b) AFTER REVIEWING THE APPLICATIONS RECEIVED, THE STATE
16 DEPARTMENT SHALL RECOMMEND TO THE STATE BOARD THE QUALIFYING
17 ENTITIES THAT SHOULD RECEIVE SCHOLARSHIP GRANTS AND THE AMOUNT
18 OF EACH GRANT. SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE
19 BOARD SHALL ANNUALLY DISTRIBUTE MONEYS ■■■ TO QUALIFYING
20 ENTITIES, TAKING INTO CONSIDERATION THE DEPARTMENT'S
21 RECOMMENDATIONS.

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

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

26 (b) THE CRITERIA THAT THE STATE DEPARTMENT SHALL APPLY IN
27 REVIEWING THE GRANT APPLICATIONS AND MAKING RECOMMENDATIONS

1 TO THE STATE BOARD AND THAT THE STATE BOARD SHALL APPLY IN
2 AWARDING SCHOLARSHIP GRANTS. AT A MINIMUM, THE CRITERIA MUST
3 INCLUDE:

4 (I) CONSIDERATION OF WHETHER AN APPLICANT'S SCHOLARSHIP
5 PROGRAM OR PROPOSED SCHOLARSHIP PROGRAM ALIGNS WITH THE EARLY
6 CHILDHOOD PROFESSIONAL DEVELOPMENT PRIORITIES SET BY THE STATE
7 DEPARTMENT;

8 (II) IF THE QUALIFYING ENTITY OPERATES A SCHOLARSHIP
9 PROGRAM AT THE TIME OF APPLICATION, ITS RECORD OF SUCCESS IN
10 ADMINISTERING THE PROGRAM;

11 (III) THE QUALIFYING ENTITY'S ABILITY TO LEVERAGE ADDITIONAL
12 RESOURCES IF THE SCHOLARSHIP PROGRAM OR PROPOSED SCHOLARSHIP
13 PROGRAM IS FUNDED; AND

14 (IV) EVIDENCE THAT THE QUALIFYING ENTITY IS CAPABLE OF
15 SUCCESSFULLY IMPLEMENTING THE PROPOSED SCHOLARSHIP PROGRAM,
16 WHICH MAY INCLUDE DEMONSTRATED EXPERIENCE IN ADMINISTERING A
17 SCHOLARSHIP PROGRAM FOR EARLY CHILDHOOD PROFESSIONALS.

18 (c) THE INFORMATION THAT EACH QUALIFYING ENTITY THAT
19 RECEIVES A SCHOLARSHIP GRANT MUST SUBMIT TO THE STATE
20 DEPARTMENT TO ENABLE THE STATE DEPARTMENT TO PREPARE THE
21 ANNUAL PROGRAM REPORT.

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

27 (a) THE NAME OF EACH QUALIFYING ENTITY THAT RECEIVED A

1 SCHOLARSHIP GRANT, THE AMOUNT OF EACH SCHOLARSHIP GRANT, AND
2 THE TOTAL AMOUNT OF SCHOLARSHIP GRANTS DISTRIBUTED FOR THE
3 FISCAL YEAR;

4 (b) A DESCRIPTION OF THE QUALIFYING ENTITIES THAT RECEIVED
5 SCHOLARSHIP GRANTS, INCLUDING THE NUMBER OF EARLY CHILDHOOD
6 EDUCATION PROFESSIONALS WHO RECEIVED SCHOLARSHIPS FROM THE
7 QUALIFYING ENTITIES; THE AMOUNTS OF THE SCHOLARSHIPS; AND THE
8 POSTSECONDARY CREDENTIAL PROGRAMS IN WHICH THE SCHOLARSHIP
9 RECIPIENTS ENROLLED; AND

10 (c) THE TOTAL NUMBER AND TYPE OF POSTSECONDARY
11 CREDENTIALS IN EARLY CHILDHOOD EDUCATION THAT WERE ISSUED FOR
12 THE FISCAL YEAR AND, OF THE CREDENTIALS ISSUED, THE NUMBER AND
13 TYPE THAT WERE FUNDED IN WHOLE OR IN PART BY SCHOLARSHIP GRANTS.

14 **26-6.5-403. Operation of grant program - authority to**
15 **contract.** NOTWITHSTANDING ANY PROVISION OF THIS PART 4 TO THE
16 CONTRARY, THE STATE DEPARTMENT MAY ENTER INTO A CONTRACT OR
17 INTERAGENCY AGREEMENT WITH A PUBLIC OR PRIVATE ENTITY, INCLUDING
18 ANOTHER STATE EXECUTIVE BRANCH AGENCY, TO PERFORM ALL OR A
19 PORTION OF THE STATE DEPARTMENT'S DUTIES DESCRIBED IN THIS PART 4;
20 EXCEPT THAT THE STATE BOARD SHALL NOT DELEGATE THE DUTY OF
21 AWARDDING SCHOLARSHIP GRANTS AS PROVIDED IN THIS PART 4. AN ENTITY
22 WITH WHICH THE STATE DEPARTMENT CONTRACTS PURSUANT TO THIS
23 SECTION MUST APPLY THE CRITERIA ADOPTED BY THE STATE BOARD
24 PURSUANT TO SECTION 26-6.5-402 (2) IN REVIEWING APPLICATIONS AND
25 RECOMMENDING SCHOLARSHIP GRANT RECIPIENTS.

26
27 **SECTION 2.** In Colorado Revised Statutes, **repeal** article 9.7 of

1 title 22.

2 **SECTION 3. Appropriation.** (1) For the 2015-16 state fiscal
3 year, \$125,000 is appropriated to the department of human services for
4 use by the division of early care and learning. This appropriation is from
5 the general fund and is based on an assumption that the division will
6 require an additional 0.2 FTE. To implement this act, the division may
7 use the appropriation for grant program administration and scholarship
8 grant awards.

9 (2) For the FY 2015-16 state fiscal year, \$11,553 is appropriated
10 to the department of education. This appropriation is from reappropriated
11 funds received from the department of human services under subsection
12 (1) of this section.

13 **SECTION 4. Act subject to petition - effective date.** This act
14 takes effect at 12:01 a.m. on the day following the expiration of the
15 ninety-day period after final adjournment of the general assembly (August
16 5, 2015, if adjournment sine die is on May 6, 2015); except that, if a
17 referendum petition is filed pursuant to section 1 (3) of article V of the
18 state constitution against this act or an item, section, or part of this act
19 within such period, then the act, item, section, or part will not take effect
20 unless approved by the people at the general election to be held in
21 November 2016 and, in such case, will take effect on the date of the
22 official declaration of the vote thereon by the governor.