HOUSE BILL 20-1053

CONCERNING MEASURES TO SUPPORT THE EARLY CHILDHOOD EDUCATOR WORKFORCE.

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://leg.colorado.gov.)

Early Childhood and School Readiness Legislative Commission. The bill directs the state board of human services (state board) in the department of human services (DHS) to establish licensing standards that will allow an early care and education program to be licensed for a period of time determined by the state board if one or more early childhood educators have pursued DHS-approved early childhood
credentials but have not yet completed the credential and other state-board-determined quality, safety, and supervision conditions are met.

The state board shall also promulgate rules allowing an early childhood educator to earn points toward an early childhood credential based on the candidate's prior experience and demonstrated competency.

The bill directs DHS and the department of education (CDE) to streamline and align the early childhood professional credential, child care program licensing, and educator licensing to make requirements clear and consistent and to reduce the administrative burden and paperwork burden relating to credentialing and licensing of early childhood educators.

The bill directs DHS to analyze and prepare a written report every 2 years on the gap between Colorado's current supply of early childhood educators and the current and future need for early childhood educators in the state. The report will be posted on DHS's website.

The bill directs DHS and CDE to direct resources to support concurrent enrollment opportunities and career pathways for high school students and other nontraditional students interested in earning college credit toward becoming an early childhood educator.

The bill creates the early care and education recruitment and retention grant and scholarship program in DHS (grant and scholarship program). DHS shall administer the program directly or by contract. The state board shall establish an application process for the grant and scholarship program, and DHS shall award grants and scholarships to eligible individuals or entities for the purposes of increasing the number of individuals qualified as early childhood educators to teach in a program serving children 5 years of age or younger and to retain early childhood educators teaching in those programs.

Individuals and entities eligible for a grant or scholarship include individuals pursuing a career in early childhood education, nonprofit entities that administer scholarship programs aligned with the purposes of the grant and scholarship program, licensed early care and education programs, and institutions of higher education that administer scholarship programs aligned with the purposes of the grant and scholarship program.

The bill includes a list of eligible expenditures of the grant or scholarship money, including, among others, payment of tuition and other expenses for courses that lead to a degree or credential as an early childhood educator or a higher degree or qualification that results in retention of an educator; payment for the costs of coaching, mentoring, professional development, and other costs and programs that lead to credentialing; payments to licensed providers; and money for programs, schools, and institutions of higher education to establish "grow-your-own" programs to support individuals completing qualifications to become early childhood educators.
The bill creates a fund for the grant and scholarship program and requires DHS to report on the grant and scholarship program at least every 2 years and post the report on its website.

The bill creates the early childhood educator apprenticeship program (apprenticeship program) in the division of employment and training (division) in the department of labor and employment (CDLE). The division shall administer the apprenticeship program. The executive director of CDLE shall establish program standards relating to eligibility criteria for local entities, including workforce development programs, nonprofit organizations, institutions of higher education, and early childhood councils, to receive money to support existing apprenticeship programs and to implement new apprenticeship programs for early childhood educators. The bill includes the approved uses of funding provided through the apprenticeship program. The bill creates a fund for the apprenticeship program.

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

SECTION 1. In Colorado Revised Statutes, 26-6-106, add (7) as follows:

26-6-106. Standards for facilities and agencies - rules. (7) The state board shall promulgate rules concerning standards for licensing early care and education programs that facilitate the recruitment and retention of Colorado's early childhood educator workforce as described in section 26-6-122.

SECTION 2. In Colorado Revised Statutes, add 26-6-122 as follows:

26-6-122. Pathways to the classroom and retention strategies for early childhood educators - standards - alignment across agencies - report - rules. (1) The state board shall promulgate rules establishing standards for licensing that allow an early care and education program to be licensed for a period of time determined by the state board, if a state-board-approved number of aspiring early childhood educators in the program...
ARE PURSUING A STATE-AGENCY-APPROVED EARLY CHILDHOOD
CREDENTIAL, AND OTHER QUALITY, SAFETY, AND SUPERVISION
CONDITIONS ARE MET.

(2) THE STATE BOARD SHALL PROMULGATE RULES THAT ALLOW AN
EARLY CHILDHOOD EDUCATOR TO EARN POINTS TOWARD AN EARLY
CHILDHOOD CREDENTIAL THAT MEETS CHILD CARE LICENSING STANDARDS
BASED ON THE CANDIDATE’S PRIOR EXPERIENCE AND DEMONSTRATED
COMPETENCY. THE LICENSING PATHWAY MUST ALSO INCLUDE WAYS IN
WHICH A CANDIDATE IN A SECOND CAREER OR CHANGING CAREERS CAN
EARN POINTS OR CREDITS FOR PRIOR EXPERIENCE AND COMPETENCIES
THAT APPLY TOWARD THE QUALIFICATIONS FOR AN EARLY CHILDHOOD
EDUCATOR CREDENTIAL. THE STANDARDS AND CREDENTIAL AWARDING
PROCESS MUST EXPAND THE NUMBER OF PEOPLE AND ORGANIZATIONS
THAT CAN USE IDENTIFIED AND VALIDATED TOOLS TO AWARD POINTS FOR
DEMONSTRATED COMPETENCIES AND INCREASE THE NUMBER OF
COMMUNITY-BASED ORGANIZATIONS APPROVED BY THE STATE
DEPARTMENT TO REVIEW AND AWARD CREDENTIALS.

(3) THE STATE DEPARTMENT AND THE DEPARTMENT OF EDUCATION
SHALL ALIGN, TO THE EXTENT POSSIBLE, THE STATE’S EARLY CHILDHOOD
PROFESSIONAL CREDENTIAL, DEPARTMENT OF EDUCATION EDUCATOR
LICENSING, AND CHILD CARE PROGRAM LICENSING IN ORDER TO MAKE THE
REQUIREMENTS AS CONSISTENT AND CLEAR AS POSSIBLE TO EDUCATORS
AND PROVIDERS. THE ALIGNMENT PROCESS MUST INCLUDE EXAMINING
STRATEGIES THAT SUPPORT RECIPROCITY FOR EARLY CHILDHOOD
EDUCATOR CREDENTIALS OR QUALIFICATIONS EARNED OUTSIDE OF
COLORADO.

(4) THE STATE DEPARTMENT AND THE DEPARTMENT OF EDUCATION
SHALL STREAMLINE ALL PAPERWORK THAT LICENSED EARLY CARE AND
EDUCATION PROGRAMS AND EARLY CHILDHOOD EDUCATORS MUST
COMPLETE TO MEET CHILD CARE LICENSING AND EARLY CHILDHOOD
EDUCATOR CREDENTIALING COMPLIANCE REQUIREMENTS. THE STATE
AGENCIES SHALL IDENTIFY WAYS TO SHARE INFORMATION AND REPORTS
ACROSS THE AGENCIES IN ORDER TO REDUCE THE ADMINISTRATIVE AND
PAPERWORK BURDEN ON EARLY CARE AND EDUCATION PROGRAMS AND
EDUCATORS. THE STREAMLINING PROCESS MUST INCLUDE A SYSTEMS SCAN
OF PROGRAMS AND INITIATIVES, IDENTIFICATION OF OVERLAPPING
REPORTING REQUIREMENTS, AND WAYS TO REDUCE THE ADMINISTRATIVE
AND PAPERWORK BURDEN ON PROGRAMS AND EDUCATORS.

(5) (a) NO LATER THAN JANUARY 31, 2021, AND NO LATER THAN
JANUARY 31 EVERY TWO YEARS THEREAFTER, THE STATE DEPARTMENT
SHALL ANALYZE AND PREPARE A WRITTEN REPORT CONCERNING:

(I) THE GAP, IF ANY, BETWEEN COLORADO'S CURRENT SUPPLY OF
QUALIFIED EARLY CHILDHOOD EDUCATORS AND THE CURRENT UNMET
NEED FOR QUALIFIED EARLY CHILDHOOD EDUCATORS; AND

(II) THE GAP, IF ANY, BETWEEN COLORADO'S CURRENT SUPPLY OF
QUALIFIED EARLY CHILDHOOD EDUCATORS AND THE ANTICIPATED FUTURE
NEED FOR QUALIFIED EARLY CHILDHOOD EDUCATORS GIVEN THE
EXPECTED PARTICIPATION IN THE EARLY CHILDHOOD EDUCATOR
WORKFORCE AND THE ANTICIPATED GROWTH IN THE STATE'S CHILD
POPULATION.

(b) TO THE FULLEST EXTENT POSSIBLE, THE ANALYSES REQUIRED
PURSUANT TO SUBSECTION (5)(a) OF THIS SECTION MUST BE CONDUCTED
BY AGE GROUP AND GEOGRAPHIC AREA OF THE STATE.

(c) THE STATE DEPARTMENT SHALL MAKE THE WRITTEN REPORTS
(6) The state department, the department of higher education, and the department of education shall develop resources to support local communities to increase concurrent enrollment opportunities for high school students or other nontraditional students to earn higher education credits and degrees that allow them to serve as early childhood educators and shall support career pathways for high school students earning college credits toward becoming early childhood educators, including concurrent enrollment, career and technical education, the ASCENT program, and other career pathways.

SECTION 3. In Colorado Revised Statutes, add part 4 to article 6.5 of title 26 as follows:

PART 4

EARLY CARE AND EDUCATION

RECRUITMENT AND RETENTION

GRANT AND SCHOLARSHIP PROGRAM

26-6.5-401. Definitions. As used in this part 4, unless the context otherwise requires:

(1) "Grant and scholarship program" means the early care and education recruitment and retention grant and scholarship program created in this part 4.

26-6.5-402. Early care and education recruitment and retention grant and scholarship program - created - eligibility - awards - rules. (1) There is created in the state department the early care and education recruitment and retention grant and
SCHOLARSHIP PROGRAM. THE STATE DEPARTMENT SHALL ADMINISTER, DIRECTLY OR BY CONTRACT, THE GRANT AND SCHOLARSHIP PROGRAM.

(2) THE PURPOSES OF THE GRANT AND SCHOLARSHIP PROGRAM ARE TO:

(a) INCREASE THE NUMBER OF INDIVIDUALS THROUGHOUT THE STATE WHO ARE QUALIFIED TO SERVE AS EARLY CHILDHOOD EDUCATORS IN PROGRAMS LICENSED BY THE STATE DEPARTMENT SERVING CHILDREN FIVE YEARS OF AGE OR YOUNGER; AND

(b) RETAIN EARLY CHILDHOOD EDUCATORS WORKING IN PROGRAMS LICENSED BY THE STATE DEPARTMENT SERVING CHILDREN FIVE YEARS OF AGE OR YOUNGER.

(3) THE STATE DEPARTMENT SHALL ESTABLISH A PROCESS FOR ELIGIBLE INDIVIDUALS OR ENTITIES, AS DESCRIBED IN THIS SUBSECTION (3), TO APPLY FOR A GRANT OR SCHOLARSHIP THAT ALIGNS WITH THE PURPOSES OF THE GRANT AND SCHOLARSHIP PROGRAM. INDIVIDUALS AND ENTITIES ELIGIBLE TO APPLY FOR THE GRANT OR SCHOLARSHIP MONEY INCLUDE, BUT ARE NOT LIMITED TO:

(a) INDIVIDUALS PURSUING A CAREER IN EARLY CARE AND EDUCATION AND WHO ARE PARTICIPATING IN ACTIVITIES THAT ARE ELIGIBLE FOR SCHOLARSHIP MONEY;

(b) NONPROFIT ENTITIES THAT ADMINISTER OR PLAN TO ADMINISTER SCHOLARSHIP PROGRAMS THAT ARE ALIGNED WITH THE PURPOSES OF THE GRANT AND SCHOLARSHIP PROGRAM;

(c) EARLY CARE AND EDUCATION PROGRAMS LICENSED BY THE STATE DEPARTMENT THAT ARE SERVING CHILDREN FIVE YEARS OF AGE OR YOUNGER; AND

(d) INSTITUTIONS OF HIGHER EDUCATION THAT ADMINISTER
SCHOLARSHIP PROGRAMS THAT ARE ALIGNED WITH THE PURPOSES OF THE
GRANT AND SCHOLARSHIP PROGRAM.

(4) THE STATE DEPARTMENT MAY SEEK APPLICATIONS FROM
INDIVIDUALS FOR THE AWARD OF SCHOLARSHIP MONEY FOR ELIGIBLE
PURPOSES AND MAY ACCEPT APPLICATIONS FOR GRANT MONEY FROM
NONPROFIT ENTITIES THAT HAVE ESTABLISHED PROGRAMS TO DISTRIBUTE
SCHOLARSHIP MONEY TO INDIVIDUALS FOR ELIGIBLE PURPOSES. THE STATE
BOARD SHALL ESTABLISH A PROCESS FOR INDIVIDUALS AND ENTITIES TO
APPLY FOR GRANT OR SCHOLARSHIP MONEY. THE STATE DEPARTMENT
SHALL SELECT GRANT AND SCHOLARSHIP RECIPIENTS FROM A LIST
PREPARED BY THE STATE DEPARTMENT OF ELIGIBLE RECIPIENTS, WHICH
INCLUDES THE INTENDED USE OF THE GRANT OR SCHOLARSHIP MONEY.
GRANT AND SCHOLARSHIP AWARDS MAY BE MADE FROM EITHER THE FUND
CREATED IN SECTION 26-6.5-403, OR FROM OTHER SOURCES OF MONEY
RECEIVED BY THE STATE DEPARTMENT THAT IS AUTHORIZED TO BE
EXPENDED FOR THE PURPOSES OF THE GRANT AND SCHOLARSHIP PROGRAM
CREATED IN THIS PART 4.

(5) ELIGIBLE EXPENDITURES OF GRANT OR SCHOLARSHIP MONEY
BY RECIPIENTS INCLUDE:

(a) ADMINISTRATION BY A NONPROFIT ENTITY OF A SCHOLARSHIP
PROGRAM UP TO A FIXED DOLLAR AMOUNT OR PERCENTAGE OF GRANT
PROCEEDS AS DETERMINED BY THE STATE BOARD;

(b) PAYMENT OF TUITION, FEES, AND MATERIALS, INCLUDING
BOOKS AND ANY OTHER MATERIALS AS DETERMINED BY THE STATE
BOARD, FOR COURSES THAT LEAD TO A DEGREE OR CREDENTIAL OR FOR
OTHER FORMAL TRAINING, WHICH COURSES OR TRAINING RESULTS IN A
RECIPIENT WHO IS NOT YET QUALIFIED TO SERVE AS AN EARLY CHILDHOOD
EDUCATOR IN A STATE-DEPARTMENT-LICENSED PROGRAM SERVING CHILDREN FIVE YEARS OF AGE OR YOUNGER TO BECOME QUALIFIED TO DO SO;

(c) PAYMENT OF TUITION, FEES, AND MATERIALS, INCLUDING BOOKS AND ANY OTHER MATERIALS AS DETERMINED BY THE STATE BOARD, FOR A RECIPIENT WHO IS Already A CREDENTIALED EARLY CHILDHOOD EDUCATOR FOR COURSES THAT LEAD TO A DEGREE OR CREDENTIAL OR FOR OTHER FORMAL TRAINING, WHICH COURSES OR TRAINING RESULTS IN THE RECIPIENT BEING ELIGIBLE FOR A HIGHER LEVEL CREDENTIAL IN THE STATE DEPARTMENT’S PROFESSIONAL DEVELOPMENT INFORMATION SYSTEM OR A HIGHER DEGREE OR QUALIFICATION THAT RESULTS IN THE RETENTION OF THE EDUCATOR IN A STATE-DEPARTMENT-LICENSED PROGRAM SERVING CHILDREN FIVE YEARS OF AGE OR YOUNGER;

(d) PAYMENT FOR COSTS ASSOCIATED WITH A CREDENTIALED EARLY CHILDHOOD EDUCATOR EARNING A COACHING, FORMAL TRAINER, MENTORSHIP, OR PROFESSIONAL DEVELOPMENT CERTIFICATION THAT ALLOWS THE EDUCATOR TO SERVE AS A TRAINER OR MENTOR OF OTHER CURRENT OR POTENTIAL EARLY CHILDHOOD EDUCATORS PURSUING PROGRAMMING THAT LEADS THE CURRENT OR POTENTIAL EARLY CHILDHOOD EDUCATOR TO A CREDENTIAL;

(e) PAYMENTS TO LICENSED PROVIDERS TO COVER PAID RELEASE TIME FOR INDIVIDUALS, SUBSTITUTES, AND PROGRAM COSTS TO ALLOW ELIGIBLE INDIVIDUALS TO PURSUE PROGRAMS, COURSEWORK, CREDENTIALS, DEGREES, AND OTHER FORMAL TRAINING THAT INCREASE THE NUMBER OF QUALIFIED EARLY CHILDHOOD EDUCATORS OR RETAIN CURRENT EARLY CHILDHOOD EDUCATORS IN
STATE-DEPARTMENT-LICENSED PROGRAMS SERVING CHILDREN FIVE YEARS
OF AGE OR YOUNGER;

(f) PAYMENTS TO LICENSED PROVIDERS, SCHOOLS, COMMUNITY
COLLEGES, INSTITUTIONS OF HIGHER EDUCATION, EARLY CHILDHOOD
COUNCILS, OR OTHER LOCAL NONPROFIT ENTITIES TO COVER THE COSTS OF
"GROW-YOUR-OWN" PROGRAMS THAT SUPPORT CURRENT PARENTS, STAFF,
OR LOCAL COMMUNITY MEMBERS TO MEET QUALIFICATIONS TO SERVE AS
AN EARLY CHILDHOOD EDUCATOR TO COMPLETE APPROPRIATE PROGRAMS,
CERTIFICATIONS, OR TRAINING THAT RESULTS IN PARTICIPANTS BEING
ABLE TO SERVE AS QUALIFIED EARLY CHILDHOOD EDUCATORS IN
STATE-DEPARTMENT-LICENSED PROGRAMS SERVING CHILDREN FIVE YEARS
OF AGE OR YOUNGER;

(g) PAYMENTS TO LICENSED PROVIDERS TO COVER THE COSTS OF
PROMOTING TEACHERS TO COACHING AND MENTORSHIP ROLES WITH THE
INTENT OF INCREASING ACCESS TO COACHING AND PROFESSIONAL
LEARNING COMMUNITIES AND TO PROVIDE FLEXIBILITY IN SCHEDULING
FOR EARLY CHILDHOOD EDUCATORS; AND

(h) RAISES, BONUSES, AND OTHER FINANCIAL INCENTIVES, WHICH
COULD INCLUDE LOAN FORGIVENESS PROVIDED BY LICENSED EARLY
CHILDHOOD EDUCATOR PROGRAMS OR THROUGH SCHOLARSHIP PROGRAMS,
FOR CURRENT OR POTENTIAL EARLY CHILDHOOD EDUCATORS TO REWARD
PROGRESS TOWARD QUALIFICATIONS THAT ALLOW THE INDIVIDUAL TO
SERVE AS AN EARLY CHILDHOOD EDUCATOR IN A
STATE-DEPARTMENT-LICENSED EARLY CARE AND EDUCATION PROGRAM
OR TO IMPROVE RETENTION OF EARLY CHILDHOOD EDUCATORS IN
STATE-DEPARTMENT-LICENSED EARLY CARE AND EDUCATION PROGRAMS.

(6) THE STATE BOARD SHALL ADOPT RULES FOR THE
26-6.5-403. Early care and education recruitment and retention grant and scholarship program fund. (1) There is created in the state treasury the early care and education recruitment and retention grant and scholarship fund, referred to in this part 4 as the "fund". The fund consists of money that the general assembly may appropriate or transfer to the fund.

(2) The state treasurer shall credit all interest and income derived from the deposit and investment of money in the fund to the fund.

(3) Subject to annual appropriation by the general assembly, the state department may expend money from the fund for grants and scholarships for the purposes specified in section 26-6.5-402.

26-6.5-404. Reporting. (1) As part of participating in the grant and scholarship program, the state department shall require grant or scholarship recipients to report program outcomes to the state department, including but not limited to the increase in the number of individuals credentialed to teach or who receive a higher-level credential to teach at state-department-licensed programs serving children five years of age or younger as a result of the grant and scholarship program, as well as information relating to retention of early childhood educators as a result of the grant and scholarship program.

(2) As long as the grant and scholarship program is awarding money pursuant to this part 4, the state department
SHALL SUMMARIZE AND POST, NOT LESS THAN EVERY TWO YEARS, THE
INFORMATION DESCRIBED IN SUBSECTION (1) OF THIS SECTION ON THE
PORTION OF THE STATE DEPARTMENT'S WEBSITE RELATING TO EARLY
CHILDHOOD EDUCATION.

SECTION 4. In Colorado Revised Statutes, add part 6 to article
83 of title 8 as follows:

PART 6

EARLY CHILDHOOD EDUCATOR
APPRENTICESHIP PROGRAM

8-83-601. Definitions. As used in this part 6, unless the
context otherwise requires:

(1) "APPRENTICESHIP PROGRAM" MEANS THE EARLY CHILDHOOD
EDUCATOR APPRENTICESHIP PROGRAM CREATED IN THIS PART 6.

8-83-602. Early childhood educator apprenticeship program
- created - eligibility - standards. (1) There is created in the
division the early childhood educator apprenticeship program.
The division shall administer the apprenticeship program.

(2) The purpose of the apprenticeship program is to create
work-based learning opportunities for individuals interested in
entering the field of early care and education, serving children
five years of age or younger, so that they can receive on-the-job
training, classroom instruction, and financial rewards for gains
in skills and earn credentials, credits, or higher education
degrees. The apprenticeship program must create pathways into
the profession.

(3) The executive director of the department shall
establish program standards that:
(a) Define and establish eligibility criteria for local entities to receive money to implement apprenticeships, which local entities include, at a minimum, workforce development programs, nonprofit organizations, institutions of higher education, and early childhood councils;

(b) Establish, if appropriate, eligible uses of money awarded pursuant to the apprenticeship program beyond those uses described in subsection (6) of this section; and

(c) Establish appropriate standards for a program to qualify as a formally recognized early childhood educator apprenticeship pursuant to this section. At a minimum, the standards for formally recognized apprenticeship programs must address the following program components:

(I) Expectations for employer involvement, whether the employer is a licensed provider, school district, Head Start or Early Head Start program, or other employer;

(II) Standards for on-the-job training, including opportunities to earn higher education credits for on-the-job, work-based learning;

(III) Ensuring the availability of relevant training and classroom instruction;

(IV) Rewards for skills gains; and

(V) The pathway or pathways to earning a credential though the apprenticeship program.

(4) The division shall collaborate with the Department of Human Services, the Department of Higher Education, and the Department of Education to create standards for the
APPRENTICESHIP PROGRAM AND TO SUPPORT LOCAL COMMUNITIES IN IMPLEMENTING APPRENTICESHIP PROGRAMS FOR EARLY CARE AND EDUCATION PROFESSIONALS.

(5) The Executive Director of the Department may award money from either the fund created in section 8-83-603 or from other sources of money received by the Department that is authorized to be expended for the purposes of the apprenticeship program created in this part 6. The Department of Human Services, the Department of Higher Education, and the Department of Education shall also examine the potential role of money received by those departments from federal and other sources in establishing or supporting apprenticeship programs that meet the goals of this part 6.

(6) The Director may award money pursuant to this part 6 to support local communities in implementing apprenticeship programs for early childhood educators and to support local programs in achieving the purposes of this part 6. Monetary awards may be given for uses, including but not limited to:

(a) Supporting existing apprenticeship programs or the creation of new apprenticeship programs by making money available to local entities, including those described in subsection (3)(a) of this section;

(b) Supporting existing apprenticeship programs in expanding their reach to serve more apprentices;

(c) Technical assistance relating to establishing the partnerships necessary to create apprenticeships;

(d) Money for the recruitment of mentor teachers;
(e) INCENTIVES FOR PROGRAM PARTICIPANTS;
(f) FINANCIAL REWARDS FOR SKILLS GAINS IN THE APPRENTICESHIP PROGRAM;
(g) INCENTIVES FOR DEPARTMENT-OF-HUMAN-SERVICES-LICENSED PROVIDERS TO PARTICIPATE IN APPRENTICESHIPS;
(h) MONEY TO COVER THE COSTS OF CLASSROOM TRAINING AND INSTRUCTION;
(i) MONEY TO COVER THE COSTS OF EARNING A CREDENTIAL; AND
(j) MONEY TO SUPPORT ON-THE-JOB TRAINING.

8-83-603. Early childhood educator apprenticeship program fund. (1) THERE IS CREATED IN THE STATE TREASURY THE EARLY CHILDHOOD EDUCATOR APPRENTICESHIP PROGRAM FUND, REFERRED TO IN THIS PART 6 AS THE "FUND". THE FUND CONSISTS OF MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND.

(2) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND.

(3) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, THE DEPARTMENT MAY EXPEND MONEY FROM THE FUND FOR THE PURPOSES SPECIFIED IN SECTION 8-83-602.

SECTION 5. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect.
unless approved by the people at the general election to be held in
November 2020 and, in such case, will take effect on the date of the
official declaration of the vote thereon by the governor.