

CHAPTER 115

**EDUCATION - PUBLIC SCHOOLS**

**HOUSE BILL 10-1030**

BY REPRESENTATIVE(S) Peniston, Benefield, Solano, Apuan, Court, Ferrandino, Fischer, Hullinghorst, Labuda, Merrifield, Middleton, Pace, Pommer, Primavera, Rice, Ryden, Scanlan, Schafer S., Summers, Todd, Vigil, Carroll T.; also SENATOR(S) Steadman, Hodge, Hudak, Williams, Carroll M., Shaffer B.

**AN ACT**

**CONCERNING THE CREATION OF THE EARLY CHILDHOOD EDUCATOR DEVELOPMENT SCHOLARSHIP PROGRAM.**

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

**SECTION 1.** Title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW ARTICLE to read:

**ARTICLE 9.7  
Early Childhood Educator Development  
Scholarship Program**

**22-9.7-101. Early childhood educator development scholarship program - creation - eligibility.** SUBJECT TO THE RECEIPT OF SUFFICIENT MONEYS PURSUANT TO SECTION 22-9.7-103, THERE IS HEREBY CREATED IN THE DEPARTMENT OF EDUCATION THE EARLY CHILDHOOD EDUCATOR DEVELOPMENT SCHOLARSHIP PROGRAM, REFERRED TO IN THIS ARTICLE AS THE "SCHOLARSHIP PROGRAM", TO AWARD STIPENDS TO ASSIST PERSONS EMPLOYED IN EARLY CHILDHOOD EDUCATION IN OFFSETTING THE COSTS INCURRED IN OBTAINING AN ASSOCIATE OF ARTS DEGREE IN EARLY CHILDHOOD EDUCATION. THE DEPARTMENT SHALL AWARD STIPENDS ON A NEED BASIS, BASED ON THE CRITERIA SPECIFIED IN SECTION 22-9.7-102. THE STIPENDS SHALL BE AWARDED ON A YEARLY BASIS, AND RECIPIENTS SHALL REAPPLY EACH YEAR THAT THEY ARE ENROLLED IN THE ASSOCIATE OF ARTS DEGREE PROGRAM. THE SCHOLARSHIPS SHALL BE PAID FROM ANY MONEYS AVAILABLE IN THE EARLY CHILDHOOD EDUCATOR DEVELOPMENT SCHOLARSHIP FUND CREATED IN SECTION 22-9.7-103.

**22-9.7-102. Scholarship program - rules - criteria for awards.** (1) THE

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

DEPARTMENT, BY RULE, SHALL COLLABORATE WITH THE DEPARTMENT OF HUMAN SERVICES, THE COLORADO COMMUNITY COLLEGE SYSTEM, AND THE OFFICE OF INFORMATION TECHNOLOGY, TO ESTABLISH THE PROCEDURES BY WHICH A PERSON MAY APPLY FOR A STIPEND THROUGH THE SCHOLARSHIP PROGRAM. AT A MINIMUM, THE RULES SHALL SPECIFY THE INFORMATION A PERSON SHALL SUBMIT AND THE DEADLINES FOR SUBMITTING THE APPLICATION.

(2) THE DEPARTMENT SHALL AWARD STIPENDS TO AN APPLICANT BASED ON THE FOLLOWING CRITERIA:

(a) THE APPLICANT'S DEMONSTRATED DEGREE OF FINANCIAL NEED, BASED ON THE RESOURCES OF THE APPLYING PERSON AND THE COST OF THE ASSOCIATE OF ARTS DEGREE PROGRAM FOR WHICH THE APPLICANT REQUESTS A STIPEND;

(b) THE APPLICANT'S DEMONSTRATED DEGREE OF PROFESSIONAL NEED;

(c) THE QUALITY OF THE ASSOCIATE OF ARTS DEGREE PROGRAM FOR WHICH THE APPLICANT REQUESTS A STIPEND;

(d) THE APPLICANT'S COMMITMENT TO TEACH IN EARLY CHILDHOOD EDUCATION FOR AT LEAST TWO YEARS AFTER RECEIVING THE ASSOCIATE OF ARTS DEGREE;

(e) THE APPLICANT'S CURRENT EMPLOYMENT IN AN EARLY CHILDHOOD CAPACITY; AND

(f) ANY OTHER CRITERIA ADOPTED BY RULE OF THE DEPARTMENT TO IDENTIFY APPLICANTS IN THE GREATEST NEED OF ASSISTANCE IN OBTAINING A REGIONALLY ACCREDITED ASSOCIATE OF ARTS DEGREE TO IMPROVE THEIR PERFORMANCE AS EARLY CHILDHOOD EDUCATORS.

(3) THE DEPARTMENT SHALL SET THE AMOUNT OF EACH STIPEND AWARDED BASED ON THE APPLICANT'S DEGREE OF NEED, THE COST OF THE ASSOCIATE OF ARTS DEGREE PROGRAM FOR WHICH THE APPLICANT REQUESTS A STIPEND, THE AMOUNT AVAILABLE IN THE EARLY CHILDHOOD EDUCATOR DEVELOPMENT SCHOLARSHIP FUND FOR THE APPLICABLE BUDGET YEAR, AND THE ANTICIPATED NUMBER OF PERSONS WHO WILL APPLY TO THE SCHOLARSHIP PROGRAM IN THE COURSE OF THE APPLICABLE BUDGET YEAR.

(4) THE DEPARTMENT SHALL ASSIGN AN EDUCATOR IDENTIFIER PURSUANT TO SECTION 22-68.5-102 TO EACH RECIPIENT OF A STIPEND PURSUANT TO THIS SECTION.

**22-9.7-103. Early childhood educator development scholarship fund - created.** (1) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT ANY COSTS ASSOCIATED WITH IMPLEMENTING THIS ARTICLE SHALL BE PAID FOR BY THE RECEIPT OF ANY AVAILABLE FEDERAL MONEYS OR OTHER GIFTS, GRANTS, OR DONATIONS AND THAT NO ADDITIONAL GENERAL FUND MONEYS BE APPROPRIATED FOR THE IMPLEMENTATION OF THE GRANT PROGRAM.

(2) THE DEPARTMENT IS AUTHORIZED TO SEEK, ACCEPT, AND EXPEND ANY FEDERAL MONEYS OR OTHER GIFTS, GRANTS, OR DONATIONS FOR THE PURPOSES OF THIS ARTICLE. IF NECESSARY, ANY GIFTS, GRANTS, OR DONATIONS SHALL BE

TRANSMITTED TO THE STATE TREASURER WHO SHALL CREDIT THEM TO THE EARLY CHILDHOOD EDUCATOR DEVELOPMENT SCHOLARSHIP FUND, WHICH FUND IS HEREBY CREATED AND REFERRED TO IN THIS SECTION AS THE "FUND".

(3) THE MONEYS IN THE FUND SHALL BE CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING THIS ARTICLE. ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE OF THIS ARTICLE MAY BE INVESTED BY THE STATE TREASURER AS PROVIDED BY LAW. ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND.

(4) THE DEPARTMENT SHALL RETAIN ONLY THE ACTUAL AMOUNT OF DIRECT AND INDIRECT COSTS NECESSARY TO IMPLEMENT THIS ARTICLE.

**22-9.7-104. Repeal of part.** (1) (a) ON OR BEFORE JULY 1, 2011, OR JULY 1 OF ANY YEAR THEREAFTER, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL NOTIFY THE REVISOR OF STATUTES IN WRITING IF FEDERAL MONEYS ARE NOT RECEIVED AND ALLOCATED TO THE DEPARTMENT OR IF GIFTS, GRANTS, AND DONATIONS ARE NOT RECEIVED BY THE DEPARTMENT TO PROVIDE FOR THE AWARD OF GRANTS PURSUANT TO THIS ARTICLE.

(b) IF THE REVISOR OF STATUTES DOES NOT RECEIVE NOTICE PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (1), ON JULY 1, 2011, OR ON JULY 1 OF ANY YEAR THEREAFTER, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL NOTIFY THE REVISOR OF STATUTES IN WRITING IF FEDERAL MONEYS OR GIFTS, GRANTS, OR DONATIONS ARE NOT AVAILABLE TO CONTINUE TO PROVIDE FOR THE AWARD OF GRANTS PURSUANT TO THIS ARTICLE.

(2) THIS ARTICLE IS REPEALED, EFFECTIVE THE JULY 1 FOLLOWING THE RECEIPT OF THE NOTICE BY THE REVISOR OF STATUTES PURSUANT TO PARAGRAPH (a) OR (b) OF SUBSECTION (1) OF THIS SECTION.

**SECTION 2. Act subject to petition - effective date.** This act shall take 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 11, 2010, if adjournment sine die is on May 12, 2010); 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 shall not take effect unless approved by the people at the general election to be held in November 2010 and shall take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 15, 2010