

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

PREAMENDED

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

LLS NO. 18-0318.01 Brita Darling x2241

SENATE BILL 18-099

SENATE SPONSORSHIP

Merrifield and Priola, Martinez Humenik

HOUSE SPONSORSHIP

Pettersen and Wilson, Buckner

Senate Committees
Education

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE ALIGNMENT OF EARLY CHILDHOOD QUALITY**
102 **IMPROVEMENT PROGRAMS WITH THE COLORADO SHINES**
103 **QUALITY RATING AND IMPROVEMENT SYSTEM.**

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 amends the application and eligibility requirements for the school-readiness quality improvement program and the infant and toddler quality and availability grant program to align with the Colorado shines quality rating and improvement system to streamline the

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

administration of the programs.

The bill removes obsolete references to early childhood and education councils.

The bill makes conforming amendments to reflect the references changed in the bill and to remove terms no longer used in the programs.

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

2 **SECTION 1.** In Colorado Revised Statutes, 26-6.5-101.5, **amend**
3 (2); **repeal** (5), (6), (7), and (8); and **add** (6.5) as follows:

4 **26-6.5-101.5. Definitions.** As used in this part 1, unless the
5 context otherwise requires:

6 (2) "Council" OR "EARLY CHILDHOOD COUNCIL" means an early
7 childhood council identified or established locally in communities
8 throughout the state pursuant to section 26-6.5-103 for the purpose of
9 developing and ultimately implementing a comprehensive system of early
10 childhood services to ensure the school readiness of children five years
11 of age or younger in the community. ~~A council may be an early childhood~~
12 ~~care and education council so long as no more than one council exists in~~
13 ~~a given service area.~~

14 (5) ~~"Early care and education provider" or "early care and~~
15 ~~education facility" means a school district, provider, or facility that:~~

16 (a) ~~Is licensed pursuant to part 1 of article 6 of this title or that~~
17 ~~participates in the Colorado preschool program pursuant to article 28 of~~
18 ~~title 22, C.R.S.; and~~

19 (b) ~~Participates in local community councils.~~

20 (6) ~~"Early childhood care and education council" means a council~~
21 ~~that represents public and private stakeholders identified or established~~
22 ~~locally in communities throughout the state pursuant to section~~
23 ~~26-6.5-106. An early childhood care and education council shall provide~~

1 ~~school-readiness quality improvement funding to early care and education~~
2 ~~providers pursuant to section 26-6.5-106 (3) to enhance the school~~
3 ~~readiness of children five years of age or younger.~~

4 (6.5) "EARLY CHILDHOOD EDUCATION PROGRAM" MEANS A
5 LICENSED CHILD CARE PROGRAM PURSUANT TO PART 1 OF ARTICLE 6 OF
6 THIS TITLE 26 THAT PROVIDES CHILD CARE AND EDUCATION TO CHILDREN
7 FIVE YEARS OF AGE OR YOUNGER.

8 (7) "Eligible elementary school" means a public elementary school
9 that:

10 (a) (I) ~~For the school year immediately preceding submission of~~
11 ~~the council's application for funding pursuant to section 26-6.5-106, is~~
12 ~~required to implement a priority improvement or turnaround plan as~~
13 ~~described in section 22-11-405 or 22-11-406, C.R.S., respectively, or is~~
14 ~~subject to restructuring pursuant to section 22-11-210, C.R.S.; and~~

15 (II) ~~(Deleted by amendment, L. 2009, (SB 09-163), ch. 293, p.~~
16 ~~1546, § 57, effective May 21, 2009.)~~

17 (b) ~~As of the date on which the council applies for funding~~
18 ~~through the program, is receiving moneys pursuant to Title I of the federal~~
19 ~~"Elementary and Secondary Education Act of 1965", 20 U.S.C. sec. 6301~~
20 ~~et seq.~~

21 (8) "Pilot site agency" means a community consolidated child care
22 services pilot site agency as it existed prior to May 31, 2007.

23 **SECTION 2.** In Colorado Revised Statutes, 26-6.5-103, **amend**
24 (2) as follows:

25 **26-6.5-103. Early childhood councils - established - rules.**

26 (2) The statewide system of early childhood councils shall consist of ~~the~~
27 ~~seventeen pilot site agencies and other~~ existing early childhood councils,

1 renamed through this part 1 as "early childhood councils", and new
2 councils designated and convened pursuant to this part 1, subject to
3 available appropriations. ~~from the general fund.~~

4 **SECTION 3.** In Colorado Revised Statutes, 26-6.5-103.3, **amend**
5 (3) introductory portion as follows:

6 **26-6.5-103.3. Early childhood councils - applications - rules.**

7 (3) ~~A pilot site agency or other~~ AN existing early childhood council
8 seeking to be newly identified as a council shall designate on its
9 application a restatement of the following information:

10 **SECTION 4.** In Colorado Revised Statutes, 26-6.5-106, **amend**
11 (3), (3.5), (4), (5) introductory portion, (5)(a) introductory portion, (5)(b),
12 (5)(c), (5)(d), (5)(e), (6), (7), (8), and (9) as follows:

13 **26-6.5-106. School-readiness quality improvement program -**
14 **created - Colorado shines quality rating and improvement system.**

15 (3) On and after ~~January 1, 2003~~ JULY 1, 2018, and continuing thereafter
16 subject to sufficient and available federal funding, there is hereby created
17 the school-readiness quality improvement program, referred to in this
18 section as the "program", ~~pursuant to~~ WHICH IS ADMINISTERED BY THE
19 DEPARTMENT AS PART OF THE COLORADO SHINES QUALITY RATING AND
20 IMPROVEMENT SYSTEM. The state department ~~of human services~~ shall
21 award ~~three years of~~ school-readiness quality improvement funding to
22 eligible early childhood ~~care and education~~ councils identified or
23 established throughout the state pursuant to ~~subsection (3.5) of this~~
24 ~~section.~~ ~~School-readiness~~ SECTION 26-6.5-103. SCHOOL-READINESS
25 quality improvement funding shall be awarded to improve the school
26 readiness of children five years of age and younger who are enrolled in
27 early ~~care and education facilities~~ CHILDHOOD EDUCATION PROGRAMS.

1 School-readiness quality improvement funding shall be awarded to
2 eligible early childhood ~~care and education~~ councils based upon
3 allocations made at the discretion of the state department and subject to
4 available ~~federal~~ funding. Nothing in this section or in any rules
5 promulgated pursuant to this section shall be interpreted to create a legal
6 entitlement in any early childhood ~~care and education~~ council to
7 school-readiness quality improvement funding. ~~pursuant to the program.~~
8 ~~Moneys~~ MONEY awarded ~~through the program shall~~ MUST be used to
9 improve the school readiness of children, five years of age and younger,
10 cared for ~~at such facilities, who ultimately attend eligible elementary~~
11 ~~schools~~ IN EARLY CHILDHOOD EDUCATION PROGRAMS.

12 (3.5) ~~(a) (F)~~ Communities throughout the state that do not have a
13 ~~pilot site agency~~ AN EARLY CHILDHOOD COUNCIL may identify an existing
14 ~~entity~~ EARLY CHILDHOOD COUNCIL IN ANOTHER COMMUNITY or establish
15 a new ~~entity to serve as the~~ early childhood ~~care and education~~ council
16 PURSUANT TO SECTIONS 26-6.5-103.3 AND 26-6.5-103.5 to work toward
17 the development and implementation of a comprehensive early childhood
18 system to ensure the school readiness of young children in the
19 community. ~~A community may identify an existing entity, such as a~~
20 ~~consolidated child care pilot site agency or an interagency coordinating~~
21 ~~council or a district preschool program advisory council, to serve as its~~
22 ~~early childhood care and education council, or it may establish a new~~
23 ~~council. To the extent it is practical, early childhood care and education~~
24 ~~councils shall be representative of the various public and private~~
25 ~~stakeholders in the community, as specified in this subsection (3.5), who~~
26 ~~are committed to supporting the preparedness of young children for~~
27 ~~school. Such stakeholders shall include:~~

- 1 ~~(A) School districts;~~
- 2 ~~(B) The county department;~~
- 3 ~~(C) Private for-profit and nonprofit licensed child care providers~~
4 ~~representing child care centers, family child care homes, and preschools;~~
- 5 ~~(D) Local resource and referral agency or agencies;~~
- 6 ~~(E) County, district, or municipal public health agencies; and~~
- 7 ~~(F) Local mental health community or communities.~~
- 8 ~~(H) In addition, each early childhood care and education council~~
9 ~~may include, but is not limited to, representation from any combination~~
10 ~~of the following:~~
- 11 ~~(A) The board of county commissioners;~~
- 12 ~~(B) The local head start grantee;~~
- 13 ~~(C) The Colorado preschool program established in article 28 of~~
14 ~~title 22, C.R.S.;~~
- 15 ~~(D) Child care associations;~~
- 16 ~~(E) Other local governmental entities;~~
- 17 ~~(F) Parents or other consumers of early childhood care and~~
18 ~~education services; and~~
- 19 ~~(G) Faith-based organizations.~~
- 20 ~~(b) For purposes of this section, the early childhood care and~~
21 ~~education council, whether newly established in a community or newly~~
22 ~~identified to serve as such, shall work toward consolidating and~~
23 ~~coordinating funding, including school-readiness quality improvement~~
24 ~~funding, to create a seamless early childhood system of collaboration~~
25 ~~among the various public and private stakeholders for the effective~~
26 ~~delivery of early childhood care and education to young children in the~~
27 ~~community.~~

1 (4) **Application for funding.** (a) ~~(f)~~ An early childhood care and
2 ~~education~~ council seeking school-readiness quality improvement funding
3 from the state department pursuant to this section shall apply directly to
4 the state department in the manner specified by rule of the state board of
5 human services. An early childhood care and education council applying
6 for school-readiness quality improvement funding pursuant to this section
7 shall ~~meet the following minimum criteria:~~ DEVELOP AND SUBMIT A
8 SCHOOL-READINESS PLAN TO IMPROVE THE SCHOOL READINESS OF
9 CHILDREN IN THE COMMUNITY AS DESCRIBED IN SUBSECTION (6) OF THIS
10 SECTION AND SHALL MEET ANY ADDITIONAL ELIGIBILITY REQUIREMENTS
11 SPECIFIED BY RULE OF THE STATE BOARD.

12 ~~(A) The community represented by the early childhood care and~~
13 ~~education council shall include one or more eligible elementary schools;~~

14 ~~(B) The early childhood care and education council shall develop~~
15 ~~and submit a school-readiness plan to improve the school readiness of~~
16 ~~children in the community as described in subsection (6) of this section;~~
17 ~~and~~

18 ~~(C) The early childhood care and education council shall~~
19 ~~demonstrate the commitment of the early care and education facilities~~
20 ~~identified in the school-readiness plan to cooperate with and participate~~
21 ~~in the school-readiness quality rating system. described in subsection (5)~~
22 ~~of this section.~~

23 ~~(H) An early childhood care and education council seeking~~
24 ~~school-readiness quality improvement funding pursuant to this section~~
25 ~~shall, in addition to the requirements set forth in subparagraph (f) of this~~
26 ~~paragraph (a), meet any additional eligibility requirements specified by~~
27 ~~rule of the state board.~~

1 (b) Early childhood ~~care and education~~ councils that receive
2 school-readiness quality improvement funding pursuant to this section
3 shall ~~distribute such moneys~~ PRIORITIZE THE DISTRIBUTION OF THE MONEY
4 to PARTICIPATING early ~~care and~~ CHILDHOOD education ~~facilities~~
5 ~~identified in the school-readiness plan described in subsection (6) of this~~
6 ~~section~~ PROGRAMS THAT SERVE CHILDREN FIVE YEARS OF AGE OR
7 YOUNGER WITH RISK FACTORS ASSOCIATED WITH NOT BEING SCHOOL
8 READY, INCLUDING BUT NOT LIMITED TO CHILDREN LIVING IN LOW-INCOME
9 FAMILIES, AS SPECIFIED BY RULE OF THE STATE BOARD.

10 (5) **Colorado shines quality rating and improvement system.**
11 ~~The early childhood and school-readiness legislative commission created~~
12 ~~in section 26-6.5-203 shall adopt a voluntary school-readiness quality~~
13 ~~rating system. The rating system~~ THE COLORADO SHINES QUALITY RATING
14 AND IMPROVEMENT SYSTEM, REFERRED TO IN THIS SECTION AS THE
15 "COLORADO SHINES SYSTEM", shall measure the level of preparedness of
16 and quality of services provided by an early ~~care and~~ CHILDHOOD
17 education ~~provider~~ PROGRAM to prepare children to enter elementary
18 school. The ~~school-readiness quality rating~~ COLORADO SHINES system
19 shall:

20 (a) Measure ~~such~~ AND SUPPORT THE elements of quality of an
21 early ~~care and~~ CHILDHOOD education ~~facility as~~ PROGRAM, INCLUDING,
22 BUT NOT LIMITED TO:

23 (b) Be variable to inform parents, counties, and other purchasers
24 of early childhood ~~care and~~ education about the level of quality at an early
25 ~~care and~~ CHILDHOOD education ~~facility~~ PROGRAM in a simple and
26 easy-to-understand manner;

27 (c) Be supported by statistically valid research as a reliable

1 measure of quality of an early ~~care and~~ CHILDHOOD education facility
2 PROGRAM;

3 (d) Include a quality improvement plan that ~~informs quality-rated~~
4 ~~early care and education providers of their strengths and weaknesses and~~
5 ~~that provides such providers with strategies to improve the quality of their~~
6 ~~services~~ FACILITATES GOAL SETTING AND PLANNING RELATED TO
7 IMPROVING PROGRAM QUALITY OVER TIME; and

8 (e) Have demonstrated effectiveness at improving the level of
9 quality of ~~early care and~~ EARLY CHILDHOOD education ~~providers~~
10 PROGRAMS in geographically diverse Colorado communities.

11 (6) **School-readiness plans.** Each early childhood ~~care and~~
12 ~~education~~ council seeking to apply for school-readiness quality
13 improvement funding pursuant to this section shall prepare and submit to
14 the state department a three-year school-readiness plan that outlines
15 strategies to improve the school readiness of children. ~~who reside in~~
16 ~~neighborhoods with eligible elementary schools.~~ The school-readiness
17 plan, at a minimum, ~~shall~~ MUST include:

18 (a) ~~The number and location of eligible elementary schools in the~~
19 ~~community~~ A NARRATIVE THAT DEMONSTRATES THE NEED TO IMPROVE
20 QUALITY AND INCREASE THE CAPACITY FOR EARLY CHILDHOOD
21 EDUCATION PROGRAMS IN ITS SERVICE AREA;

22 (b) ~~The number and location of early care and education providers~~
23 ~~that will voluntarily participate in the school-readiness quality~~
24 ~~improvement program;~~ A PLAN THAT DESCRIBES HOW THE EARLY
25 CHILDHOOD COUNCIL WILL TARGET AND RECRUIT PROGRAMS THAT ARE
26 RATED IN THE COLORADO SHINES SYSTEM AT A LEVEL TWO OR HIGHER OR
27 THAT ARE LICENSED PROGRAMS WITH A DEMONSTRATED HARDSHIP THAT

1 ARE ACTIVELY WORKING TOWARD ACHIEVING A COLORADO SHINES
2 SYSTEM LEVEL TWO RATING. THE EARLY CHILDHOOD COUNCIL MUST
3 TARGET AND RECRUIT PROGRAMS TO INCREASE THE ACCESS AND
4 AVAILABILITY OF QUALITY CHILD CARE FOR CHILDREN PARTICIPATING IN
5 THE COLORADO CHILD CARE ASSISTANCE PROGRAM, CREATED IN PART 8
6 OF ARTICLE 2 OF THIS TITLE 26; AND

7 (c) ~~A commitment that the early care and education providers~~
8 ~~identified in the school-readiness plan will cooperate with and participate~~
9 ~~in the school-readiness quality rating system; described in subsection (5)~~
10 ~~of this section; and~~ STRATEGIES DEVELOPED JOINTLY WITH COMMUNITY
11 PARTNERS TO INCLUDE, AT A MINIMUM, COUNTY DEPARTMENTS OF HUMAN
12 OR SOCIAL SERVICES TO TARGET SCHOOL-READINESS QUALITY
13 IMPROVEMENT FUNDING TO IMPROVE THE LEVEL OF QUALITY AT
14 PARTICIPATING EARLY CHILDHOOD EDUCATION PROGRAMS.

15 (d) ~~Community strategies to target school-readiness quality~~
16 ~~improvement funding to improve the level of quality at participating early~~
17 ~~care and education providers.~~

18 (7) **Rules.** (a) The state board of ~~human services~~ shall promulgate
19 rules for the implementation of this section, including but not limited to
20 rules that:

21 (I) Specify the procedure by which an early childhood ~~care and~~
22 ~~education~~ council may apply for school-readiness quality improvement
23 funding pursuant to the program; AND

24 (II) Specify the manner in which school-readiness quality
25 improvement funding is distributed to early childhood ~~care and education~~
26 councils, ensuring an equitable distribution between rural and urban
27 communities; and

1 (III) Identify any additional eligibility requirements for early
2 childhood care and education councils seeking school-readiness quality
3 improvement funding, as described in subparagraph (H) of paragraph (a)
4 of subsection (4) of this section.

5 (b) At a minimum, the rules promulgated pursuant to this
6 subsection (7) shall MUST identify a specific and measurable level of
7 improvement in the school-readiness quality rating COLORADO SHINES
8 SYSTEM that an early care and CHILDHOOD education provider PROGRAM
9 must achieve over the course of the funding distribution period after
10 receiving an initial funding distribution through the program WITHIN EACH
11 COLORADO SHINES RATING CYCLE in order for the provider to continue
12 receiving school-readiness quality improvement funding, as well as the
13 eligibility criteria for continued participation in the program.

14 (8) **Funding.** (a) The school-readiness quality improvement
15 program shall be funded using federal child care development fund
16 moneys MONEY OR OTHER FEDERAL MONEY annually appropriated for the
17 program. Such moneys THE MONEY shall be allocated by the state
18 department to the eligible early childhood care and education councils for
19 implementation of the rating system and for distribution to early care and
20 CHILDHOOD education providers PROGRAMS, as provided in this section.

21 (b) (f) If moneys are MONEY IS required to match the federal child
22 care development funds, such matching moneys MONEY may be from, but
23 need not be limited to, general fund moneys MONEY appropriated by the
24 general assembly, local moneys MONEY, or private matching moneys. Any
25 state department staff that may be necessary to support the
26 school-readiness quality improvement program shall be funded by federal
27 child care development funds appropriated for the program and not from

1 ~~general funds. The FTE authorization for any staff necessary to support~~
2 ~~the school-readiness quality improvement program shall be eliminated~~
3 ~~should federal funds no longer be available for the program MONEY.~~

4 ~~(H) Notwithstanding the provisions of subparagraph (I) of this~~
5 ~~paragraph (b); The general assembly shall IS not be obligated to~~
6 ~~appropriate general fund moneys MONEY if private matching moneys are~~
7 ~~MONEY IS not available or later become BECOMES unavailable.~~

8 (c) The state department ~~shall be~~ IS authorized to enter into a
9 sole-source contract with an organization to provide the following:

10 (I) ~~Ratings of child care~~ QUALITY RATING ASSESSMENTS;

11 (II) Technical assistance for ~~child care providers~~ EARLY
12 CHILDHOOD EDUCATION PROGRAMS;

13 (III) Community infrastructure and resource development for
14 improving the quality of ~~child care~~ EARLY CHILDHOOD EDUCATION;

15 (IV) Parent and consumer education on the IMPORTANCE OF
16 quality of ~~child care providers in the community~~ EARLY CHILDHOOD
17 EDUCATION; AND

18 (V) PROFESSIONAL DEVELOPMENT ACTIVITIES.

19 (9) **Evaluation - report.** (a) Each early childhood ~~care and~~
20 ~~education~~ council shall submit A REPORT to the state department a
21 ~~summative thirty-month report~~ on or before ~~January 1, 2009~~ AUGUST 15,
22 2019, and on or before ~~January 1 every three years~~ AUGUST 15 EACH
23 YEAR thereafter. The report ~~shall~~ MUST address the quality improvement
24 of the participating early ~~care and education facilities~~ CHILDHOOD
25 EDUCATION PROGRAMS and the overall effectiveness of the
26 ~~school-readiness quality improvement program~~ COLORADO SHINES
27 SYSTEM at preparing ~~low-income children residing in communities with~~

1 ~~eligible elementary schools~~, CHILDREN WITH IDENTIFIED RISK FACTORS for
2 school. ~~Such reports~~; At a minimum, ~~shall~~ THE REPORT MUST address:

3 (I) The number of early ~~care and~~ CHILDHOOD education ~~facilities~~
4 PROGRAMS and children who participated in the ~~school-readiness quality~~
5 ~~improvement program~~ COLORADO SHINES SYSTEM, INCLUDING THE
6 NUMBER OF CHILDREN FIVE YEARS OF AGE OR YOUNGER SERVED AS A
7 RESULT OF THE SCHOOL-READINESS QUALITY IMPROVEMENT FUNDING IN
8 HOME-BASED PROGRAMS AND IN CENTER-BASED PROGRAMS;

9 (II) The baseline quality ratings of each participating early ~~care~~
10 ~~and~~ CHILDHOOD education ~~provider~~ PROGRAM ~~during each year of~~
11 ~~participation~~ FOR EACH COLORADO SHINES RATING CYCLE;

12 (III) An analysis and explanation of the quality improvement
13 strategies undertaken at each early ~~care and~~ CHILDHOOD education ~~facility~~
14 PROGRAM; ~~and~~

15 (IV) The barriers to quality improvement that were encountered;

16 AND

17 (V) ANY OTHER DATA REQUIRED BY THE STATE DEPARTMENT.

18 (b) (I) On or before ~~April 1, 2009~~ DECEMBER 1, 2019, and on or
19 before ~~April 1~~ DECEMBER 1 every three years thereafter, the state
20 department, or any private entity with which the state department is
21 ~~hereby~~ authorized to contract for this purpose, shall submit a consolidated
22 statewide report, based upon the reports prepared and submitted by the
23 early childhood ~~care and education~~ councils, addressing the items set
24 forth in ~~paragraph (a) of this subsection~~ SUBSECTION (9)(a) OF THIS
25 SECTION to the early childhood and school readiness legislative
26 commission and to the members of the education committees of the house
27 of representatives and the senate of the general assembly, OR ANY

1 SUCCESSOR COMMITTEE.

2 (II) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REPORT
3 REQUIRED IN SUBSECTION (9)(b)(I) OF THIS SECTION CONTINUES
4 INDEFINITELY.

5 (c) Reporting early childhood ~~care and education~~ councils, as well
6 as the state department or any private entity with which it may contract
7 for reporting purposes, may draw upon the evaluations and studies
8 prepared by a nationally recognized research firm to report on the school
9 readiness of children in quality-rated early ~~care and~~ CHILDHOOD education
10 ~~facilities~~ PROGRAMS.

11 (d) Each early childhood ~~care and education~~ council shall work
12 with state and local agencies, such as school districts, to support efforts
13 to track, through high school graduation, the future academic
14 performance of children who receive ~~school-readiness~~ services from early
15 ~~care and~~ CHILDHOOD education ~~providers who~~ PROGRAMS THAT receive
16 funding pursuant to this section.

17 **SECTION 5.** In Colorado Revised Statutes, 26-6.7-102, **amend**
18 the introductory portion, (1), and (4); **repeal** (6); and **add** (1.3) as
19 follows:

20 **26-6.7-102. Definitions.** As used in this ~~article~~ ARTICLE 6.7,
21 unless the context otherwise requires:

22 (1) "Colorado child care assistance program" or "CCCAP" means
23 the Colorado child care assistance program ~~in the state department~~
24 CREATED IN PART 8 OF ARTICLE 2 OF THIS TITLE 26.

25 (1.3) "COLORADO SHINES SYSTEM" MEANS THE COLORADO SHINES
26 QUALITY RATING AND IMPROVEMENT SYSTEM ESTABLISHED IN SECTION
27 26-6.5-106.

1 (4) "Early childhood EDUCATION program" means a ~~school~~
2 ~~district, provider, head start program, or facility that provides child care~~
3 ~~and education to low-income infants and toddlers, has a contract as a~~
4 ~~provider through the Colorado child care assistance program, and is either~~
5 licensed CHILD CARE PROGRAM pursuant to part 1 of article 6 of this title
6 ~~or participates in the Colorado preschool program pursuant to article 28~~
7 ~~of title 22, C.R.S. TITLE 26 THAT PROVIDES CHILD CARE AND EDUCATION~~
8 TO INFANTS AND TODDLERS LIVING IN LOW-INCOME FAMILIES.

9 (6) "~~Tiered reimbursement~~" means a pay structure that reflects an
10 increased rate of reimbursement for early childhood programs that receive
11 moneys through CCCAP.

12 SECTION 6. In Colorado Revised Statutes, **amend** 26-6.7-103
13 as follows:

14 **26-6.7-103. Colorado infant and toddler quality and**
15 **availability grant program - creation.** Subject to available
16 appropriations, there is hereby created in the state department the
17 Colorado infant and toddler quality and availability grant program. ~~The~~
18 ~~goal of the grant program is to improve quality in infant and toddler care,~~
19 ~~provide tiered reimbursement to high-quality early childhood programs,~~
20 GRANTS ARE AWARDED THROUGH THE COLORADO SHINES SYSTEM TO
21 IMPROVE QUALITY IN LICENSED INFANT AND TODDLER CARE and increase
22 the number of low-income infants and toddlers served through
23 high-quality early childhood EDUCATION programs, as well as promote
24 voluntary ~~parental involvement~~ FAMILY PARTNERSHIPS, AS DETERMINED
25 FOR THE COLORADO SHINES SYSTEM. A program is considered
26 "high-quality" if it is RATED in the top ~~two ratings~~ THREE LEVELS of the
27 state's ~~quality rating and improvement~~ COLORADO SHINES system. ~~or is~~

1 ~~accredited by a state department-approved accrediting body, or is an early~~
2 ~~head start program meeting federal standards. Early childhood councils~~
3 ~~and county departments must jointly~~ MAY apply for ~~moneys~~ MONEY
4 through the ~~grant program~~ STATE DEPARTMENT, which ~~will be~~
5 ~~administered by the state department~~ ADMINISTERS THE PROGRAM AS PART
6 OF THE COLORADO SHINES SYSTEM. AN early childhood EDUCATION
7 ~~programs that are~~ PROGRAM THAT IS within the service area of an early
8 childhood council ~~and within the county jointly applying for the grant~~
9 may apply to the early childhood council for ~~moneys~~ MONEY that would
10 allow ~~them to achieve one of the objectives of the grant program~~ THE
11 PROGRAM TO INCREASE THE NUMBER OF INFANTS AND TODDLERS LIVING
12 IN LOW-INCOME FAMILIES SERVED THROUGH HIGH-QUALITY EARLY
13 CHILDHOOD EDUCATION PROGRAMS.

14 **SECTION 7.** In Colorado Revised Statutes, **amend** 26-6.7-104
15 as follows:

16 **26-6.7-104. Eligibility for grants - applications - deadlines.**

17 (1) The state department shall develop an application process and issue
18 a request for proposals for the grant program, including notification of
19 available ~~moneys~~ MONEY to early childhood councils, ~~and county~~
20 ~~departments~~, eligibility criteria, proposal requirements, and award criteria.

21 (2) An applicant to the grant program is eligible for a grant award
22 pursuant to this ~~article~~ ARTICLE 6.7 if:

23 (a) The application is made ~~jointly between~~ BY an early childhood
24 council AND INCLUDES STRATEGIES DEVELOPED JOINTLY WITH
25 COMMUNITY PARTNERS, INCLUDING, AT A MINIMUM, COUNTY
26 DEPARTMENTS OF HUMAN OR SOCIAL SERVICES. ~~and a county department.~~

27 If an early childhood council serves more than one county, it may submit

1 a single application ~~that combines multiple counties in its~~ FOR THE
2 COUNTIES THAT MAKE UP ITS DESIGNATED service area.

3 (b) The early childhood EDUCATION programs to which the grant
4 ~~moneys~~ MONEY will be distributed have ~~contracts~~ ACHIEVED A QUALITY
5 RATING PURSUANT TO THE COLORADO SHINES SYSTEM OF AT LEAST A
6 LEVEL TWO, OR ARE LICENSED PROGRAMS WITH A DEMONSTRATED
7 HARDSHIP THAT ARE ACTIVELY WORKING TOWARD ACHIEVING A
8 COLORADO SHINES SYSTEM LEVEL TWO RATING, AND HAVE FISCAL
9 AGREEMENTS with CCCAP;

10 (c) The ~~application~~ EARLY CHILDHOOD COUNCIL demonstrates a
11 need and provides a plan to improve quality and increase the capacity for
12 early childhood EDUCATION programs THAT SERVE INFANTS AND
13 TODDLERS THREE YEARS OF AGE OR YOUNGER in its DESIGNATED service
14 area. ~~The goal of the grant program is to increase the number of infants~~
15 ~~and toddlers served through high-quality early childhood programs.~~ The
16 early childhood EDUCATION programs may be home-based or
17 center-based.

18 (d) ~~It provides a plan detailing how it will provide tiered~~
19 ~~reimbursement, and~~ THE APPLICANT MEETS ANY OTHER CRITERIA SET
20 FORTH IN THE APPLICATION PROCESS DEVELOPED PURSUANT TO THIS
21 SECTION.

22 (e) ~~It meets any other criteria set forth in the application process~~
23 ~~developed pursuant to this section.~~

24 (3) (a) ~~In fiscal year 2013-14, grant applications must be received~~
25 ~~by the state department on or before July 31, 2013~~ SUBJECT TO
26 AVAILABLE APPROPRIATIONS, the state department shall review
27 applications and determine which applicants will receive grants and the

1 amount of each grant. ~~Grant awards must be made on or before~~
2 ~~September 1, 2013, through the fund.~~

3 ~~(b) For each fiscal year thereafter, subject to available~~
4 ~~appropriations, grant applications must be received by the state~~
5 ~~department on or before June 30 of the prior fiscal year. The state~~
6 ~~department shall review applications and determine which applicants will~~
7 ~~receive grants and the amount of each grant. Grant awards must be made~~
8 ~~on or before August 1 through the fund.~~

9 ~~(c) If in any fiscal year the full appropriation by the general~~
10 ~~assembly for the grant program is not dispersed as specified in paragraphs~~
11 ~~(a) and (b) of this subsection (3), the state department shall review~~
12 ~~proposals and award grants as the applications are received and not~~
13 ~~require the applications to be held until the next grant cycle.~~

14 **SECTION 8.** In Colorado Revised Statutes, 26-6.7-105, **amend**
15 (1) introductory portion and (1)(a) as follows:

16 **26-6.7-105. Reporting requirements.** (1) No later than ~~four~~
17 ~~months after the conclusion of a grant, the~~ AUGUST 15 EACH YEAR, AN
18 early childhood council that received the grant shall provide the state
19 department with an annual report concerning the outcomes of the grant.
20 The report must include, at a minimum:

21 (a) A summary of data received from early childhood EDUCATION
22 programs that received grant ~~moneys~~ MONEY;

23 **SECTION 9.** In Colorado Revised Statutes, 22-7-304, **amend** (1)
24 introductory portion as follows:

25 **22-7-304. Council - advisory duties - technical assistance -**
26 **report.** (1) The council shall inform, at a minimum, the early childhood
27 councils, ~~and the early childhood care and education councils created~~

1 pursuant to article 6.5 of title 26, C.R.S., public schools, school districts,
2 the state charter school institute, the department, the state board, the
3 department of higher education, the Colorado commission on higher
4 education, and the governing boards for the state institutions of higher
5 education concerning best practices and strategies, aligned with the
6 national standards for family-school partnerships, for increasing parent
7 involvement in public education and promoting family and school
8 partnerships, including but not limited to best practices and strategies in
9 the following areas:

10 **SECTION 10.** In Colorado Revised Statutes, 22-7-1010, **amend**
11 (1) introductory portion and (1)(a)(II) as follows:

12 **22-7-1010. State board - commission - public input - staff**
13 **assistance.** (1) In fulfilling their duties ~~under~~ PURSUANT TO this part 10,
14 the state board and the commission, at a minimum, shall:

15 (a) Meet with interested persons throughout the state, including
16 but not limited to:

17 (II) Representatives of early childhood councils; ~~and early~~
18 ~~childhood care and education councils;~~

19 **SECTION 11.** In Colorado Revised Statutes, 22-11-305, **amend**
20 (4)(b) as follows:

21 **22-11-305. Accredited with priority improvement plan - school**
22 **district or institute - plan contents - adoption.** (4) An early childhood
23 learning needs assessment must determine the extent to which:

24 (b) Children are enrolled in publicly funded early learning and
25 development programs within the school district or in private early
26 learning and development programs that participate in the ~~school~~
27 ~~readiness~~ COLORADO SHINES quality RATING AND improvement program

1 SYSTEM ~~created~~ ESTABLISHED in section 26-6.5-106;

2 **SECTION 12.** In Colorado Revised Statutes, 24-37.5-703.5,
3 **amend** (1) introductory portion and (1)(f)(VII) as follows:

4 **24-37.5-703.5. Education data subcommittee - created - duties**
5 **- repeal.** (1) The education data subcommittee is hereby created as a
6 subcommittee of the advisory board. The education data subcommittee
7 ~~shall consist~~ CONSISTS of the following members:

8 (f) At least ten members appointed by the governor with expertise
9 in data sharing by education agencies, including at least one
10 representative from each of the following groups:

11 (VII) Early childhood councils established pursuant to section
12 26-6.5-103; ~~C.R.S., and early childhood care and education councils~~
13 ~~established pursuant to section 26-6.5-106, C.R.S.;~~

14 **SECTION 13. Act subject to petition - effective date.** This act
15 takes effect at 12:01 a.m. on the day following the expiration of the
16 ninety-day period after final adjournment of the general assembly (August
17 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a
18 referendum petition is filed pursuant to section 1 (3) of article V of the
19 state constitution against this act or an item, section, or part of this act
20 within such period, then the act, item, section, or part will not take effect
21 unless approved by the people at the general election to be held in
22 November 2018 and, in such case, will take effect on the date of the
23 official declaration of the vote thereon by the governor.