

**Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO**

**REVISED**

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

LLS NO. 18-0419.01 Jane Ritter x4342

**HOUSE BILL 18-1141**

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**HOUSE SPONSORSHIP**

**Hooton**, Arndt, Thurlow, McKean

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**House Committees**  
Education

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Judiciary

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**A BILL FOR AN ACT**

101      **CONCERNING THE REMOVAL OF OUTDATED REFERENCES IN STATUTE**  
102      **TO "EARLY CHILDHOOD CARE AND EDUCATION COUNCILS".**

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**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/>.)*

**Statutory Revision Committee.** The bill removes outdated references in statute to "early childhood care and education councils". The term is no longer used. Instead, these entities are referred to as "early childhood councils".

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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.

SENATE  
2nd Reading Unamended  
March 5, 2018

HOUSE  
3rd Reading Unamended  
February 9, 2018

HOUSE  
Amended 2nd Reading  
February 8, 2018

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

2 **SECTION 1. Legislative declaration.** The general assembly  
3 declares that the purpose of House Bill 18-1141, enacted in 2018, is to  
4 effect a nonsubstantive change in statute to modernize the outdated term  
5 "early childhood care and education council" to the term that is currently  
6 utilized, "early childhood council". The general assembly further declares  
7 that these terminology changes do not in any way alter the scope or  
8 applicability of the statutory sections in which the terminology appears.

9 **SECTION 2.** In Colorado Revised Statutes, 22-2-134, **amend** (2)  
10 as follows:

11 **22-2-134. Unique student identifier - early childhood**  
12 **education - rules.** (2) The working group shall adopt protocols by which  
13 the department of education, the department of human services, school  
14 districts, charter schools, AND the early childhood councils, as described  
15 in ~~section 26-6.5-103.3, C.R.S., and the early childhood care and~~  
16 ~~education councils, as defined in section 26-6.5-101.5 (6), C.R.S.~~ PART  
17 1 OF ARTICLE 6.5 OF TITLE 26, shall cooperate in assigning the uniquely  
18 identifying student numbers. The working group shall also consider  
19 methods by which to encourage and facilitate the assignment of uniquely  
20 identifying student numbers to students who are receiving early childhood  
21 education services that are not subsidized by state or federal funding.

22 **SECTION 3.** In Colorado Revised Statutes, 22-7-304, **amend** (1)  
23 introductory portion as follows:

24 **22-7-304. Council - advisory duties - technical assistance -**  
25 **report.** (1) The council shall inform, at a minimum, the early childhood  
26 councils ~~and the early childhood care and education councils~~ created  
27 pursuant to PART 1 OF article 6.5 of title 26, ~~C.R.S.~~, public schools, school

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

9 **SECTION 4.** In Colorado Revised Statutes, 22-7-1010, **amend**  
10 (1)(a)(II) as follows:

11 **22-7-1010. State board - commission - public input - staff**  
12 **assistance.** (1) In fulfilling their duties under this part 10, the state board  
13 and the commission, at a minimum, shall:

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

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

18 **SECTION 5.** In Colorado Revised Statutes, 24-37.5-703.5,  
19 **amend** (1) introductory portion and (1)(f)(VII) as follows:

20 **24-37.5-703.5. Education data subcommittee - created - duties**  
21 **- repeal.** (1) The education data subcommittee is ~~hereby~~ created as a  
22 subcommittee of the advisory board. The education data subcommittee  
23 ~~shall consist~~ CONSISTS of the following members:

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

27 (VII) Early childhood councils established pursuant to ~~section~~

1 ~~26-6.5-103, C.R.S., and early childhood care and education councils~~  
2 ~~established pursuant to section 26-6.5-106, C.R.S. PART 1 OF ARTICLE 6.5~~  
3 ~~OF TITLE 26;~~

4 **SECTION 6.** In Colorado Revised Statutes, 26-6-121, **amend** (2)  
5 as follows:

6 **26-6-121. Preschools - unique student identifying numbers -**  
7 **rules.** (2) The working group shall adopt protocols by which the  
8 department of education, the department of human services, school  
9 districts, charter schools, AND the early childhood councils, as described  
10 in ~~section 26-6.5-103.3, and the early childhood care and education~~  
11 ~~councils, as defined in section 26-6.5-101.5 (6)~~ PART 1 OF ARTICLE 6.5 OF  
12 TITLE 26, shall cooperate in assigning the uniquely identifying student  
13 numbers. The working group shall also consider methods by which to  
14 encourage and facilitate the assignment of uniquely identifying student  
15 numbers to students who are receiving early childhood education services  
16 that are not subsidized by state or federal funding.

17 **SECTION 7.** In Colorado Revised Statutes, 26-6.5-101.5, **amend**  
18 (2); and **repeal** (6) as follows:

19 **26-6.5-101.5. Definitions.** As used in this part 1, unless the  
20 context otherwise requires:

21 (2) "Council" means an early childhood council identified or  
22 established locally in communities throughout the state pursuant to  
23 section 26-6.5-103 OR 26-6.5-106 for the purpose of developing and  
24 ultimately implementing a comprehensive system of early childhood  
25 services to ensure the school readiness of children five years of age or  
26 younger in the community. ~~A council may be an early childhood care and~~  
27 ~~education council so long as no more than one council exists in a given~~

1 ~~service area.~~

2 (6) ~~"Early childhood care and education council" means a council~~  
3 ~~that represents public and private stakeholders identified or established~~  
4 ~~locally in communities throughout the state pursuant to section~~  
5 ~~26-6.5-106. An early childhood care and education council shall provide~~  
6 ~~school-readiness quality improvement funding to early care and education~~  
7 ~~providers pursuant to section 26-6.5-106 (3) to enhance the school~~  
8 ~~readiness of children five years of age or younger.~~

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

13 **26-6.5-106. School-readiness quality improvement program -**  
14 **rules. (3) School-readiness quality improvement program created.**  
15 On and after January 1, 2003, and continuing thereafter subject to  
16 sufficient and available federal funding, there is ~~hereby~~ created the  
17 school-readiness quality improvement program, referred to in this section  
18 as the "program", pursuant to which the state department ~~of human~~  
19 ~~services~~ shall award three years of school-readiness quality improvement  
20 funding to eligible early childhood ~~care and education~~ councils identified  
21 or established throughout the state pursuant to subsection (3.5) of this  
22 section. School-readiness quality improvement funding shall be awarded  
23 to improve the school readiness of children five years of age and younger  
24 who are enrolled in early care and education facilities. School-readiness  
25 quality improvement funding shall be awarded to eligible early childhood  
26 ~~care and education~~ councils based upon allocations made at the discretion  
27 of the state department and subject to available federal funding. Nothing

1 in this section or in any rules promulgated pursuant to this section ~~shall~~  
2 ~~be interpreted to create~~ CREATES a legal entitlement in any early  
3 childhood ~~care and education~~ council to school-readiness quality  
4 improvement funding pursuant to the program. ~~Moneys~~ MONEY awarded  
5 through the program shall be used to improve the school readiness of  
6 children, five years of age and younger, cared for at such facilities, who  
7 ultimately attend eligible elementary schools.

8 (3.5) **Early childhood councils.** (a) (I) Communities throughout  
9 the state that do not have a pilot site agency may identify an existing  
10 entity or establish a new entity to serve as the early childhood ~~care and~~  
11 ~~education~~ council to work toward the development and implementation  
12 of a comprehensive early childhood system to ensure the school readiness  
13 of young children in the community. A community may identify an  
14 existing entity, such as a consolidated child care pilot site agency, ~~or~~ an  
15 interagency coordinating council, or a district preschool program advisory  
16 council, to serve as its early childhood ~~care and education~~ council, or it  
17 may establish a new council. To the extent it is practical, early childhood  
18 ~~care and education~~ councils shall be representative of the various public  
19 and private stakeholders in the community, as specified in this subsection  
20 (3.5), who are committed to supporting the preparedness of young  
21 children for school. ~~Such stakeholders shall~~ STAKEHOLDERS include:

22 (II) In addition, each early childhood ~~care and education~~ council  
23 may include ~~but is not limited to~~, representation from any combination of  
24 the following:

25 (b) For purposes of this section, ~~the~~ AN early childhood ~~care and~~  
26 ~~education~~ council, whether newly established in a community or newly  
27 identified to serve as such, shall work toward consolidating and

1 coordinating funding, including school-readiness quality improvement  
2 funding, to create a seamless early childhood system of collaboration  
3 among the various public and private stakeholders for the effective  
4 delivery of early childhood care and education to young children in the  
5 community.

6 (4) **Application for funding.** (a) (I) An early childhood ~~care and~~  
7 ~~education~~ council seeking school-readiness quality improvement funding  
8 from the state department pursuant to this section shall apply directly to  
9 the state department in the manner specified by rule of the state board. ~~of~~  
10 ~~human services.~~ An early childhood ~~care and education~~ council applying  
11 for school-readiness quality improvement funding pursuant to this section  
12 shall meet the following minimum criteria:

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

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

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

24 (II) An early childhood ~~care and education~~ council seeking  
25 school-readiness quality improvement funding pursuant to this section  
26 shall, in addition to the requirements set forth in ~~subparagraph (I) of this~~  
27 ~~paragraph (a)~~ SUBSECTION (4)(a)(I) OF THIS SECTION, meet any additional

1 eligibility requirements specified by rule of the state board.

2 (b) Early childhood ~~care and education~~ councils that receive  
3 school-readiness quality improvement funding pursuant to this section  
4 shall distribute such ~~moneys~~ MONEY to early care and education facilities  
5 identified in the school-readiness plan described in subsection (6) of this  
6 section.

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

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

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

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

24 (III) Identify any additional eligibility requirements for early  
25 childhood ~~care and education~~ councils seeking school-readiness quality  
26 improvement funding, as described in ~~subparagraph (H) of paragraph (a)~~  
27 ~~of subsection (4)~~ SUBSECTION (4)(a)(II) of this section.



1           (8) **Funding.** (a) The school-readiness quality improvement  
2 program shall be funded using federal child care development fund  
3 ~~moneys~~ MONEY annually appropriated for the program. ~~Such moneys shall~~  
4 ~~be allocated by~~ The state department SHALL ALLOCATE THE MONEY to the  
5 eligible early childhood ~~care and education~~ councils for implementation  
6 of the rating system and for distribution to early care and education  
7 providers, as provided in this section.

8           (b) (I) If ~~moneys are~~ MONEY IS required to match the federal child  
9 care development funds, such matching ~~moneys~~ MONEY may be from, but  
10 need not be limited to, general fund ~~moneys~~ MONEY appropriated by the  
11 general assembly, local ~~moneys~~ MONEY, or private matching ~~moneys~~  
12 MONEY. Any state department staff that may be necessary to support the  
13 school-readiness quality improvement program shall be funded by federal  
14 child care development funds appropriated for the program and not from  
15 general funds. The FTE authorization for any staff necessary to support  
16 the school-readiness quality improvement program shall be eliminated  
17 should federal funds no longer be available for the program.

18           (II) Notwithstanding the provisions of ~~subparagraph (I) of this~~  
19 ~~paragraph (b)~~ SUBSECTION (8)(b)(I) OF THIS SECTION, the general  
20 assembly shall not be obligated to appropriate general fund ~~moneys~~  
21 MONEY if private matching ~~moneys are~~ MONEY IS not available or later  
22 ~~become~~ BECOMES unavailable.

23           (9) **Evaluation - report.** (a) Each early childhood ~~care and~~  
24 ~~education~~ council shall submit to the state department a summative  
25 thirty-month report on or before January 1, 2009, and on or before  
26 January 1 every three years thereafter. The report shall address the quality  
27 improvement of the participating early care and education facilities and

1 the overall effectiveness of the school-readiness quality improvement  
2 program at preparing low-income children, residing in communities with  
3 eligible elementary schools, for school. ~~Such~~ THE reports, at a minimum,  
4 shall address:

5 (b) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), on or before  
6 April 1, 2009, and on or before April 1 every three years thereafter, the  
7 state department, or any private entity with which the state department is  
8 ~~hereby~~ authorized to contract for this purpose, shall submit a consolidated  
9 statewide report, based upon the reports prepared and submitted by the  
10 early childhood ~~care and education~~ councils, addressing the items set  
11 forth in ~~paragraph (a) of this subsection (9)~~ SUBSECTION (9)(a) OF THIS  
12 SECTION to the early childhood and school-readiness legislative  
13 commission and to the members of the education committees of the house  
14 of representatives and the senate of the general assembly, OR ANY  
15 SUCCESSOR COMMITTEES.

16 (c) Reporting early childhood ~~care and education~~ councils, as well  
17 as the state department or any private entity with which it may contract  
18 for reporting purposes, may draw upon the evaluations and studies  
19 prepared by a nationally recognized research firm to report on the  
20 school-readiness of children in quality-rated early care and education  
21 facilities.

22 (d) Each early childhood ~~care and education~~ council shall work  
23 with state and local agencies, such as school districts, to support efforts  
24 to track, through high school graduation, the future academic  
25 performance of children who receive school-readiness services from early  
26 care and education providers who receive funding pursuant to this  
27 section.

1           **SECTION 9. Act subject to petition - effective date.** This act  
2 takes effect at 12:01 a.m. on the day following the expiration of the  
3 ninety-day period after final adjournment of the general assembly (August  
4 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a  
5 referendum petition is filed pursuant to section 1 (3) of article V of the  
6 state constitution against this act or an item, section, or part of this act  
7 within such period, then the act, item, section, or part will not take effect  
8 unless approved by the people at the general election to be held in  
9 November 2018 and, in such case, will take effect on the date of the  
10 official declaration of the vote thereon by the governor.