

**First Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 21-0879.01 Jane Ritter x4342

SENATE BILL 21-236

SENATE SPONSORSHIP

Story and Sonnenberg, Bridges, Buckner, Cooke, Danielson, Donovan, Fenberg, Fields, Garcia, Ginal, Gonzales, Hansen, Hisey, Jaquez Lewis, Kolker, Lee, Moreno, Pettersen, Priola, Rodriguez, Scott, Smallwood, Winter, Woodward, Zenzinger

HOUSE SPONSORSHIP

Tipper and Van Beber,

Senate Committees

Education
Appropriations

House Committees

Education
Appropriations

A BILL FOR AN ACT

101 **CONCERNING INCREASING THE CAPACITY OF QUALITY EARLY**
102 **CHILDHOOD EDUCATION THROUGH GRANT PROGRAMS, AND, IN**
103 **CONNECTION THEREWITH, 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://leg.colorado.gov>.)

The bill creates 4 new grant programs to increase capacity for early childhood care and education, improve recruitment and retention rates for early childhood educators (educators), and improve salaries for educators.

Specifically, the bill creates the following programs:

- The employer-based child care facility grant program;

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
3rd Reading Unamended
May 13, 2021

SENATE
Amended 2nd Reading
May 12, 2021

- The early care and education recruitment and retention grant and scholarship program;
- The child care teacher salary grant program; and
- The community innovation and resilience for care and learning equity (CIRCLE) grant program.

The bill also eliminates the repeal dates for the child care sustainability grant program and the emerging and expanding child care grant program.

The bill appropriates money for the grant programs from the general fund as well as from federal funds from the child care development fund.

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

2 **SECTION 1.** In Colorado Revised Statutes, 26-6-801, **amend**
3 **(2)(a)** as follows:

4 **26-6-801. Legislative declaration.** (2) (a) Therefore, the general
5 assembly finds it is a matter of statewide concern that we take immediate
6 action to save and protect our child care infrastructure. Doing so
7 INFRASTRUCTURE, INCLUDING OFFERING A WIDE RANGE OF CHILD CARE
8 OPTIONS, INCLUDING BUT NOT LIMITED TO PUBLIC AND PRIVATE CHILD
9 CARE CENTERS, DAY CARE CENTERS, SCHOOL-AGE CHILD CARE CENTERS,
10 BEFORE- AND AFTER-SCHOOL PROGRAMS, NURSERY SCHOOLS,
11 KINDERGARTENS, PRESCHOOLS, CHURCH DAY CARE CENTERS, DAY CAMPS,
12 SUMMER CAMPS, FACILITIES FOR CHILDREN WITH INTELLECTUAL AND
13 DEVELOPMENTAL DISABILITIES, AND OTHER FACILITIES DESCRIBED IN
14 SECTION 26-6-102 (5). SUPPORTING THIS MIXED DELIVERY OF CHILD CARE
15 enables the state to invest in its children's futures, advance gender equity
16 in the home and the workplace, and rebuild an economy that works for all
17 Coloradans. When Colorado families have access to child care, everyone
18 benefits.

19 **SECTION 2.** In Colorado Revised Statutes, 26-6-802, **amend**

1 (4)(a) and (5); and **repeal** (6) as follows:

2 **26-6-802. Child care sustainability grant program - created -**
3 **timeline and criteria - grant awards - definitions.** (4) (a) The state
4 department shall develop a formula to allocate money from the grant
5 program to all eligible entities. The key criteria for a grant award to an
6 eligible entity is the eligible entity's licensed child care capacity. In
7 determining grant awards, the department shall also take into
8 consideration the criteria set forth in subsection (4)(b) of this section. The
9 state department is responsible for communicating important dates and
10 the criteria for grant awards to eligible entities in the state. ~~Grant awards~~
11 ~~must range from at least five hundred dollars to no more than thirty-five~~
12 ~~thousand dollars.~~

13 (5) The department shall determine grant award amounts for
14 eligible entities as soon as possible. ~~but no later than January 31, 2021,~~
15 ~~and distribute the money for grant awards no later than February 28,~~
16 ~~2021.~~

17 (6) ~~This section is repealed, effective June 30, 2023.~~

18 **SECTION 3.** In Colorado Revised Statutes, 26-6-803, **amend**
19 **(4)(b); and repeal** (6) as follows:

20 **26-6-803. Emerging and expanding child care grant program**
21 **- created - timeline and criteria - grant awards - definitions.** (4) (b) A
22 grant award must range from at least three thousand dollars to no more
23 than fifty TWO HUNDRED thousand dollars. In awarding a grant, the state
24 department shall use the applicant's existing or proposed licensed child
25 care capacity, as well as the applicant's need, as key criteria in
26 determining the amount of the grant award AND SHALL PRIORITIZE
27 MAKING MULTIPLE SMALLER GRANT AWARDS.

1 ~~(6) This section is repealed, effective June 30, 2023.~~

2 **SECTION 4.** In Colorado Revised Statutes, **add** 26-6-804,
3 26-6-805, 26-6-806, and 26-6-807 as follows:

4 **26-6-804. Employer-based child care facility grant program**
5 **- created - timeline and criteria - eligibility - grant awards - reports**
6 **- definitions - repeal.** (1) AS USED IN THIS SECTION, UNLESS THE
7 CONTEXT OTHERWISE REQUIRES:

8 (a) "CHILD CARE CENTER" HAS THE SAME MEANING AS SET FORTH
9 IN SECTION 26-6-102.

10 (b) "CHILD CARE DESERT" MEANS A COMMUNITY OR AREA IN THE
11 STATE WHERE THERE ARE MORE THAN THREE CHILDREN LESS THAN FIVE
12 YEARS OF AGE FOR EACH AVAILABLE CHILD CARE SLOT.

13 (c) "ELIGIBLE ENTITY" MEANS A COLORADO EMPLOYER OR
14 MULTIPLE EMPLOYERS.

15 (d) "GRANT PROGRAM" MEANS THE EMPLOYER-BASED CHILD CARE
16 FACILITY GRANT PROGRAM CREATED IN SUBSECTION (2) OF THIS SECTION.

17 (2) THERE IS CREATED IN THE DEPARTMENT THE EMPLOYER-BASED
18 CHILD CARE FACILITY GRANT PROGRAM. THE PURPOSE OF THE GRANT
19 PROGRAM IS TO PROVIDE ELIGIBLE ENTITIES WITH MONEY TO CONSTRUCT,
20 REMODEL, RENOVATE, OR RETROFIT A CHILD CARE CENTER ON THE SITE OR
21 NEAR TO THE SITE OF THE ELIGIBLE ENTITY'S PROPERTY TO PROVIDE
22 LICENSED CHILD CARE SERVICES TO THE ELIGIBLE ENTITY'S EMPLOYEES,
23 THUS SUPPORTING THE ELIGIBLE ENTITY'S WORKFORCE PARTICIPATION AND
24 PROVIDING SAFE, STABLE, AND QUALITY CARE FOR THE ELIGIBLE ENTITY'S
25 EMPLOYEES' CHILDREN.

26 (3) THE DEPARTMENT SHALL SOLICIT AND REVIEW GRANT
27 APPLICATIONS FROM ELIGIBLE ENTITIES BEGINNING ON OR BEFORE JUNE

1 30, 2021, AND BEGIN TO AWARD GRANTS NO LATER THAN SEPTEMBER 1,
2 2021. EACH APPLICATION MUST INCLUDE, AT A MINIMUM:

3 (a) A BUSINESS PLAN THAT INCLUDES:

4 (I) A DESCRIPTION OF THE CONSTRUCTION, RENOVATION,
5 REMODELING, OR RETROFITTING OF A CHILD CARE CENTER ON-SITE OR
6 NEAR TO THE SITE OF THE ELIGIBLE ENTITY;

7 ==
8 (II) A COMMITMENT TO PROVIDE A FINANCIAL MATCH, AS
9 DESCRIBED IN SUBSECTION (4) OF THIS SECTION;

10 (III) A DESCRIPTION OF HOW THE ELIGIBLE ENTITY WILL ADDRESS
11 THE PARTICULAR CHILD CARE NEEDS AMONG THE ELIGIBLE ENTITY'S
12 EMPLOYEES, SUCH AS NONTRADITIONAL-HOUR CARE OR INFANT AND
13 TODDLER CARE;

14 (IV) A DESCRIPTION OF HOW THE ELIGIBLE ENTITY WILL
15 FINANCIALLY SUSTAIN THE CHILD CARE CENTER BEYOND THE GRANT
16 PERIOD;

17 (V) THE ESTIMATED TOTAL COST AND BUDGET FOR THE
18 CONSTRUCTION, RENOVATION, REMODELING, OR RETROFITTING OF THE
19 CHILD CARE CENTER;

20 (VI) IF THE ELIGIBLE ENTITY LEASES THE SPACE TO BE
21 RENOVATED, REMODELED, RETROFITTED, OR HAVE A NEW FACILITY
22 CONSTRUCTED ON THE PROPERTY, A COPY OF A CURRENT, VALID LEASE
23 THAT CONTAINS SPECIFIC AUTHORIZATIONS FROM THE PROPERTY OWNER
24 TO MAKE THE REQUESTED ALTERATIONS TO THE PROPERTY OR A WRITTEN
25 STATEMENT FROM THE LANDLORD EXPRESSING CONSENT TO THE
26 REQUESTED ALTERATIONS;

27 (VII) WRITTEN ASSURANCE THAT THE ELIGIBLE ENTITY WILL

1 CONNECT ITS EMPLOYEES TO RESOURCES DESCRIBING AVAILABLE PUBLIC
2 EARLY CHILDHOOD CARE AND EDUCATION ASSISTANCE; AND

3 (VIII) ANY OTHER COMPONENTS THE DEPARTMENT REQUIRES TO
4 ADEQUATELY ASSESS THE GRANT APPLICATION, INCLUDING A
5 COMMITMENT REGARDING THE DURATION OF TIME THE ELIGIBLE ENTITY
6 SEEKS TO OCCUPY THE SPACE TO BE RENOVATED, REMODELED,
7 RETROFITTED, OR CONSTRUCTED;

8 (b) WRITTEN ASSURANCE THAT THE ELIGIBLE ENTITY WILL OBTAIN
9 A CHILD CARE LICENSE PURSUANT TO PART 1 OF THIS ARTICLE 6; AND

10 (c) WRITTEN ASSURANCE THAT THE EMPLOYEES OF THE ELIGIBLE
11 ENTITY WILL HAVE FIRST PRIORITY FOR OPEN SLOTS AT THE CHILD CARE
12 CENTER BEFORE THOSE SLOTS ARE OFFERED TO NONEMPLOYEES.

13 (4) ELIGIBLE ENTITIES MUST PROVIDE A FINANCIAL MATCH TO A
14 GRANT AWARD AS FOLLOWS:

15 (a) A FOR-PROFIT EMPLOYER SHALL PROVIDE A FIFTY PERCENT
16 MATCH; AND

17 (b) A NONPROFIT OR GOVERNMENT EMPLOYER SHALL PROVIDE A
18 TWENTY-FIVE PERCENT MATCH.

19 (5) IN DETERMINING GRANT AWARDS FOR THE GRANT PROGRAM,
20 THE DEPARTMENT SHALL CONSIDER APPLICANTS THAT MIGHT REQUIRE
21 WAIVER OF CHILD CARE LICENSING RULES IN THE FOLLOWING AREAS:

22 (a) A LOCATION THAT PREVENTS THE APPLICANT FROM OFFERING
23 CHILD CARE PROGRAMS ON THE GROUND FLOOR; AND

24 (b) A LOCATION THAT PREVENTS THE APPLICANT FROM PROVIDING
25 AN OUTDOOR SPACE.

26 (6) IN DETERMINING GRANT AWARDS FOR THE GRANT PROGRAM,
27 THE DEPARTMENT SHALL PRIORITIZE:

1 (a) APPLICANTS THAT SERVE A HIGH PERCENTAGE OF EMPLOYEES
2 WITH WAGES BELOW THE AREA'S MEDIAN INCOME;

3 (b) APPLICATIONS WITH PLANS TO MEET THE LEVEL FOUR
4 STANDARD OF THE COLORADO SHINES QUALITY RATING AND
5 IMPROVEMENT SYSTEM, PURSUANT TO SECTION 26-6.5-106 (5);

6 (c) APPLICATIONS WITH A STATED COMMITMENT TO AND A
7 BUSINESS PLAN FOR A WELL-COMPENSATED CHILD CARE STAFF;

8 (d) APPLICATIONS WITH A PLAN FOR INNOVATIVE MODELS, SUCH
9 AS CO-OPS, HUBS, OR MICROCENTERS;

10 (e) APPLICANTS WITH A PLAN TO SERVE CHILDREN IN CHILD CARE
11 DESERTS OR IN REGIONS WITH LOW CHILD CARE CAPACITY;

12 (f) APPLICANTS WITH STAFF THAT REPRESENT OR REFLECT THE
13 LINGUISTIC AND CULTURAL DIVERSITY OF THE FAMILIES LIVING OR
14 WORKING IN THEIR COMMUNITY, INCLUDING DUAL LANGUAGE LEARNERS;
15 AND

16 (g) APPLICANTS WHOSE PRIMARY INDUSTRY AND AREA OF
17 BUSINESS IS OTHER THAN CHILD CARE.

18 (7) THE DEPARTMENT SHALL PROVIDE GRANTEES WITH
19 INFORMATION AND REFERRALS TO SERVICES THAT SUPPORT
20 IMPLEMENTATION OF QUALITY CARE, INCLUDING:

21 (a) TRAINING FOR TEACHERS AND DIRECTORS ON QUALITY CHILD
22 CARE, INCLUDING LINGUISTICALLY AND CULTURALLY COMPETENT CARE,
23 CHILD DEVELOPMENT, AND PROGRAM IMPROVEMENT; AND

24 (b) PUBLIC EARLY CHILDHOOD ASSISTANCE PROGRAMS FOR
25 FAMILIES, INCLUDING, BUT NOT LIMITED TO:

26 (I) CHILD CARE SUBSIDIES;

27 (II) PRESCHOOL AND EARLY CHILDHOOD EDUCATION ASSISTANCE;

1 AND

2 (III) CHILD NUTRITION PROGRAMS.

3 (8) ON OR BEFORE JANUARY 30, 2023, AND ON OR BEFORE
4 JANUARY 30, 2024, THE DEPARTMENT SHALL REPORT PROGRESS ON THE
5 GRANT PROGRAM AS PART OF ITS "STATE MEASUREMENT FOR
6 ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART)
7 GOVERNMENT ACT" HEARING REQUIRED BY SECTION 2-7-203. AT A
8 MINIMUM, THE REPORT MUST INCLUDE:

9 (a) THE NUMBER OF ELIGIBLE ENTITIES THAT RECEIVED A GRANT
10 THROUGH THE GRANT PROGRAM;

11 (b) THE NUMBER OF CHILDREN AND FAMILIES THAT RECEIVED
12 CHILD CARE SERVICES AS A RESULT OF THE GRANTS, REPORTED IN
13 AGGREGATE AND BY GRANTEE;

14 (c) THE NUMBER OF EARLY CHILDHOOD EDUCATORS AND STAFF
15 HIRED AS A RESULT OF THE GRANT PROGRAM;

16 (d) THE COLORADO SHINES QUALITY RATING OF EACH GRANTEE;

17 (e) ANY INNOVATIVE APPROACHES THAT WERE USED AS A RESULT
18 OF THE GRANT PROGRAM THAT MAY BE REPLICATED BY OTHER
19 EMPLOYERS; AND

20 (f) ANY OTHER RELEVANT INFORMATION ABOUT THE GRANT
21 PROGRAM, INCLUDING THE INDUSTRY TYPE OF THE ENTITY AND
22 GEOGRAPHIC REGION SERVED BY THE ENTITY.

23 (9) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2024.

24 **26-6-805. Early care and education recruitment and retention**
25 **grant and scholarship program - created - criteria and eligibility -**
26 **grant and scholarship awards - reports - rules - definitions. (1) AS**
27 **USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:**

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(a) "EARLY CHILDHOOD EDUCATOR" MEANS AN INDIVIDUAL WHO HOLDS AN EARLY CHILDHOOD PROFESSIONAL CREDENTIAL OR QUALIFICATION.

(b) "ELIGIBLE ENTITY" IS ANY ENTITY DESCRIBED IN SUBSECTION (3) OF THIS SECTION.

(c) "PROGRAM" MEANS THE EARLY CARE AND EDUCATION RECRUITMENT AND RETENTION GRANT AND SCHOLARSHIP PROGRAM CREATED IN SUBSECTION (2) OF THIS SECTION.

(2) THERE IS CREATED IN THE DEPARTMENT THE EARLY CARE AND EDUCATION RECRUITMENT AND RETENTION GRANT AND SCHOLARSHIP PROGRAM. THE DEPARTMENT SHALL ADMINISTER, DIRECTLY OR BY CONTRACT, THE PROGRAM. THE PURPOSES OF THE PROGRAM ARE TO:

(a) INCREASE THE NUMBER OF INDIVIDUALS THROUGHOUT THE STATE WHO ARE QUALIFIED TO SERVE AS EARLY CHILDHOOD EDUCATORS, INCLUDING QUALIFIED MULTILINGUAL AND CULTURALLY COMPETENT EDUCATORS, IN PROGRAMS LICENSED BY THE DEPARTMENT PURSUANT TO PART 1 OF THIS ARTICLE 6 THAT SERVE CHILDREN FIVE YEARS OF AGE OR YOUNGER; AND

(b) RETAIN EARLY CHILDHOOD EDUCATORS WHO ARE WORKING IN PROGRAMS LICENSED BY THE DEPARTMENT THAT SERVE CHILDREN FIVE YEARS OF AGE OR YOUNGER.

(3) THE DEPARTMENT SHALL ESTABLISH A PROCESS FOR ELIGIBLE ENTITIES TO APPLY FOR A GRANT THAT ALIGNS WITH THE PURPOSES OF THE PROGRAM. ENTITIES THAT ARE ELIGIBLE TO APPLY FOR A GRANT FROM THE PROGRAM INCLUDE, BUT ARE NOT LIMITED TO:

(a) NONPROFIT ENTITIES THAT ADMINISTER OR PLAN TO

1 ADMINISTER SCHOLARSHIP PROGRAMS THAT ARE ALIGNED WITH THE
2 PURPOSES OF THE PROGRAM;

3 (b) EARLY CHILD CARE AND EDUCATION PROGRAMS LICENSED BY
4 THE DEPARTMENT PURSUANT TO PART 1 OF THIS ARTICLE 6 AND THAT ARE
5 SERVING CHILDREN FIVE YEARS OF AGE OR YOUNGER; AND

6 (c) INSTITUTIONS OF HIGHER EDUCATION THAT ADMINISTER
7 SCHOLARSHIP PROGRAMS THAT ARE ALIGNED WITH THE PURPOSES OF THE
8 PROGRAM.

9 (4) THE DEPARTMENT SHALL PROMULGATE RULES REGARDING
10 CRITERIA, TIMELINES, AND THE ADMINISTRATION OF THE PROGRAM
11 PURSUANT TO THE REQUIREMENTS OUTLINED IN THIS SECTION.

12 (5) THE DEPARTMENT SHALL SEEK AND ACCEPT APPLICATIONS
13 FROM ELIGIBLE ENTITIES TO AWARD PROGRAM GRANT MONEY FOR
14 ELIGIBLE PURPOSES. THE DEPARTMENT SHALL COORDINATE WITH THE
15 DEPARTMENT OF HIGHER EDUCATION TO ENSURE EFFECTIVE
16 ADMINISTRATION OF PROGRAM GRANT MONEY AWARDED TO STATE PUBLIC
17 INSTITUTIONS OF HIGHER EDUCATION. ELIGIBLE EXPENDITURES OF GRANT
18 OR SCHOLARSHIP MONEY BY RECIPIENTS INCLUDE:

19 (a) ADMINISTRATION BY A NONPROFIT ENTITY OF A SCHOLARSHIP
20 PROGRAM UP TO A FIXED DOLLAR AMOUNT OR PERCENTAGE OF GRANT
21 PROCEEDS, AS DETERMINED AND PUBLISHED BY THE DEPARTMENT;

22 (b) PAYMENT OF TUITION, FEES, AND MATERIALS, INCLUDING
23 BOOKS AND ANY OTHER MATERIALS AS DETERMINED BY THE DEPARTMENT,
24 FOR COURSES THAT LEAD TO A DEGREE OR CREDENTIAL OR FOR OTHER
25 FORMAL TRAINING, ANY OF WHICH RESULTS IN A RECIPIENT WHO WAS NOT
26 QUALIFIED TO BECOME QUALIFIED AS AN EARLY CHILDHOOD EDUCATOR IN
27 A CHILD CARE PROGRAM LICENSED PURSUANT TO PART 1 OF THIS ARTICLE

1 6 THAT SERVES CHILDREN FIVE YEARS OF AGE OR YOUNGER;

2 (c) PAYMENT OF TUITION, FEES, AND MATERIALS, INCLUDING
3 BOOKS AND ANY OTHER MATERIALS AS DETERMINED BY THE DEPARTMENT,
4 FOR A RECIPIENT WHO IS ALREADY CREDENTIALLED AS AN EARLY
5 CHILDHOOD EDUCATOR FOR COURSES THAT LEAD TO A DEGREE OR A
6 HIGHER LEVEL CREDENTIAL OR FOR OTHER FORMAL TRAINING, ANY OF
7 WHICH RESULTS IN THE RECIPIENT BEING ELIGIBLE FOR A HIGHER LEVEL
8 CREDENTIAL IN THE DEPARTMENT'S PROFESSIONAL DEVELOPMENT
9 INFORMATION SYSTEM OR A HIGHER DEGREE OR QUALIFICATION THAT
10 RESULTS IN LONGER RETENTION OF THE RECIPIENT IN A CHILD CARE
11 PROGRAM LICENSED PURSUANT TO PART 1 OF THIS ARTICLE 6 THAT SERVES
12 CHILDREN FIVE YEARS OF AGE OR YOUNGER;

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

19 (e) PAYMENTS TO LICENSED PROVIDERS TO COVER PAID RELEASE
20 TIME FOR INDIVIDUALS, SUBSTITUTES, AND PROGRAM COSTS TO ALLOW
21 ELIGIBLE INDIVIDUALS TO PURSUE PROGRAMS, COURSE WORK,
22 CREDENTIALS, DEGREES, AND OTHER FORMAL TRAINING THAT INCREASES
23 THE NUMBER OF QUALIFIED EARLY CHILDHOOD EDUCATORS OR RETAINS
24 CURRENT EARLY CHILDHOOD EDUCATORS IN CHILD CARE PROGRAMS
25 LICENSED BY THE DEPARTMENT PURSUANT TO PART 1 OF THIS ARTICLE 6;

26 (f) PAYMENTS TO LICENSED PROVIDERS, SCHOOLS, COMMUNITY
27 COLLEGES, INSTITUTIONS OF HIGHER EDUCATION, EARLY CHILDHOOD

1 COUNCILS, OR OTHER LOCAL NONPROFIT ENTITIES TO COVER THE COSTS OF
2 "GROW-YOUR-OWN" PROGRAMS THAT SUPPORT CURRENT PARENTS, STAFF,
3 OR LOCAL COMMUNITY MEMBERS TO MEET QUALIFICATIONS TO SERVE AS
4 AN EARLY CHILDHOOD EDUCATOR TO COMPLETE APPROPRIATE PROGRAMS,
5 CERTIFICATIONS, OR TRAINING THAT RESULTS IN PARTICIPANTS BEING
6 ABLE TO SERVE AS QUALIFIED EARLY CHILDHOOD EDUCATORS IN CHILD
7 CARE PROGRAMS LICENSED BY THE DEPARTMENT PURSUANT TO PART 1 OF
8 THIS ARTICLE 6;

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

14 (h) RAISES, BONUSES, AND OTHER FINANCIAL INCENTIVES,
15 INCLUDING LOAN FORGIVENESS PROVIDED BY LICENSED EARLY CHILDHOOD
16 EDUCATOR PROGRAMS OR THROUGH SCHOLARSHIP PROGRAMS, FOR
17 CURRENT OR POTENTIAL EARLY CHILDHOOD EDUCATORS TO REWARD
18 PROGRESS TOWARD QUALIFICATIONS THAT ALLOW THE INDIVIDUAL TO
19 SERVE AS AN EARLY CHILDHOOD EDUCATOR IN AN EARLY CHILD CARE AND
20 EDUCATION PROGRAM LICENSED BY THE DEPARTMENT PURSUANT TO PART
21 1 OF THIS ARTICLE 6, OR TO IMPROVE RETENTION OF EARLY CHILDHOOD
22 EDUCATORS IN EARLY CHILD CARE AND EDUCATION PROGRAMS LICENSED
23 BY THE DEPARTMENT PURSUANT TO PART 1 OF THIS ARTICLE 6; AND

24 (i) PAYMENTS FOR REGISTERED APPRENTICESHIPS FOR
25 WORK-BASED LEARNING OPPORTUNITIES FOR INDIVIDUALS INTERESTED IN
26 ENTERING THE FIELD OF EARLY CHILD CARE AND EDUCATION, SERVING
27 CHILDREN FIVE YEARS OF AGE OR YOUNGER, SO THAT THEY CAN RECEIVE

1 ON-THE-JOB TRAINING, CLASSROOM INSTRUCTION, AND FINANCIAL
2 REWARDS FOR GAINS IN SKILLS AND EARN CREDENTIALS, CREDITS, OR
3 HIGHER EDUCATION DEGREES. ANY SUCH APPRENTICESHIP PROGRAM MUST
4 CREATE PATHWAYS INTO THE EARLY CHILD CARE AND EDUCATION
5 PROFESSION. THE DEPARTMENT, IN CONSULTATION WITH THE DEPARTMENT
6 OF LABOR AND EMPLOYMENT, THE DEPARTMENT OF HIGHER EDUCATION,
7 AND THE DEPARTMENT OF EDUCATION, SHALL:

8 (I) DEFINE AND ESTABLISH ELIGIBILITY CRITERIA FOR ELIGIBLE
9 ENTITIES TO RECEIVE MONEY TO IMPLEMENT APPRENTICESHIPS;

10 (II) ESTABLISH PROGRAM STANDARDS FOR FORMALLY RECOGNIZED
11 EARLY CHILDHOOD APPRENTICESHIP PROGRAMS. THESE STANDARDS MUST
12 ADDRESS EXPECTATIONS FOR EMPLOYER INVOLVEMENT; ON-THE-JOB
13 TRAINING, CREDIT, AND CREDENTIAL ATTAINMENT; ENSURING THE
14 AVAILABILITY OF RELEVANT TRAINING AND CLASSROOM INSTRUCTION;
15 REWARDS FOR SKILLS GAINS; AND SUPPORT FOR LOCAL IMPLEMENTATION;
16 AND

17 (III) ADD MONETARY AWARDS FOR THE FOLLOWING USES OF
18 EARLY CHILDHOOD APPRENTICESHIPS, AS APPROPRIATE:

19 (A) SUPPORTING EXISTING APPRENTICESHIP PROGRAMS OR THE
20 CREATION OF NEW APPRENTICESHIP PROGRAMS BY MAKING MONEY
21 AVAILABLE TO ELIGIBLE ENTITIES;

22 (B) SUPPORTING EXISTING APPRENTICESHIP PROGRAMS BY
23 EXPANDING THEIR REACH TO SERVE MORE APPRENTICES;

24 (C) TECHNICAL ASSISTANCE RELATING TO ESTABLISHING THE
25 PARTNERSHIPS NECESSARY TO CREATE APPRENTICESHIPS;

26 (D) MONEY FOR THE RECRUITMENT OF MENTOR TEACHERS;

27 (E) INCENTIVES FOR PROGRAM PARTICIPANTS;

1 (F) FINANCIAL REWARDS FOR SKILLS GAINED IN THE
2 APPRENTICESHIP PROGRAM;

3 (G) INCENTIVES FOR DEPARTMENT-LICENSED PROVIDERS TO
4 PARTICIPATE IN APPRENTICESHIPS;

5 (H) MONEY TO COVER THE COSTS OF CLASSROOM TRAINING AND
6 INSTRUCTION;

7 (I) MONEY TO COVER THE COSTS OF EARNING A CREDENTIAL; AND

8 (J) MONEY TO SUPPORT ON-THE-JOB TRAINING.

9 (6) (a) AS PART OF PARTICIPATING IN THE PROGRAM, THE
10 DEPARTMENT SHALL REQUIRE EACH ELIGIBLE ENTITY, AS DESCRIBED IN
11 SUBSECTION (3) OF THIS SECTION, THAT RECEIVES GRANT PROGRAM
12 MONEY TO REPORT PROGRAM OUTCOMES TO THE DEPARTMENT, AS
13 APPLICABLE, INCLUDING, BUT NOT LIMITED TO, THE INCREASE, AS A
14 RESULT OF THE PROGRAM, IN THE NUMBER OF INDIVIDUALS CREDENTIALLED
15 TO TEACH OR WHO RECEIVE A HIGHER LEVEL CREDENTIAL TO TEACH AT
16 EARLY CHILD CARE AND EDUCATION PROGRAMS LICENSED BY THE
17 DEPARTMENT PURSUANT TO PART 1 OF THIS ARTICLE 6 THAT SERVE
18 CHILDREN FIVE YEARS OF AGE OR YOUNGER, AS WELL AS INFORMATION
19 RELATING TO RETENTION OF EARLY CHILDHOOD EDUCATORS AS A RESULT
20 OF THE PROGRAM.

21 (b) SO LONG AS THE DEPARTMENT IS AWARDING GRANT AND
22 SCHOLARSHIP MONEY PURSUANT TO THIS PART 8, THE DEPARTMENT SHALL
23 SUMMARIZE AND POST, AT LEAST EVERY TWO YEARS, THE INFORMATION
24 DESCRIBED IN SUBSECTION (6)(a) OF THIS SECTION ON THE PORTION OF THE
25 DEPARTMENT'S WEBSITE RELATING TO EARLY CHILDHOOD EDUCATION.

26 **26-6-806. Child care teacher salary grant program - created**
27 **- timeline - criteria and eligibility - grant awards - reports -**

1 **definitions.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT
2 OTHERWISE REQUIRES:

3 (a) "CCCAP" MEANS THE COLORADO CHILD CARE ASSISTANCE
4 PROGRAM CREATED IN PART 8 OF ARTICLE 2 OF THIS TITLE 26.

5 (b) "CHILD CARE CENTER" HAS THE SAME MEANING AS SET FORTH
6 IN SECTION 26-6-102.

7 (c) "ELIGIBLE ENTITY" MEANS A CHILD CARE CENTER LICENSED
8 PURSUANT TO PART 1 OF THIS ARTICLE 6 OR A FAMILY CHILD CARE HOME
9 THAT HAS THE FOLLOWING COMPONENTS:

10 (I) AUTHORIZATION TO SERVE FAMILIES PURSUANT TO CCCAP;
11 AND

12 (II) A QUALITY RATING OF AT LEAST A LEVEL THREE PURSUANT TO
13 THE COLORADO SHINES QUALITY RATING AND IMPROVEMENT SYSTEM
14 ESTABLISHED IN SECTION 26-6.5-106.

15 (d) "FAMILY CHILD CARE HOME" HAS THE SAME MEANING AS SET
16 FORTH IN SECTION 26-6-102.

17 (e) "GRANT PROGRAM" MEANS THE CHILD CARE TEACHER SALARY
18 GRANT PROGRAM CREATED IN SUBSECTION (2) OF THIS SECTION.

19 (2) THERE IS CREATED IN THE DEPARTMENT THE CHILD CARE
20 TEACHER SALARY GRANT PROGRAM. THE PURPOSE OF THE GRANT
21 PROGRAM IS TO ALLOW ELIGIBLE ENTITIES TO APPLY FOR A GRANT TO
22 INCREASE THE SALARIES OF ITS EARLY CHILDHOOD EDUCATORS.

23 (3) THE DEPARTMENT SHALL SOLICIT AND REVIEW APPLICATIONS
24 FROM ELIGIBLE ENTITIES. EACH APPLICATION MUST, AT A MINIMUM,
25 INCLUDE:

26 (a) A DESCRIPTION OF THE NUMBER OF EARLY CHILDHOOD
27 EDUCATORS PROPOSED TO RECEIVE A SALARY INCREASE;

1 (b) VERIFICATION THAT THE ELIGIBLE ENTITY HAS HAD A QUALITY
2 RATING OF AT LEAST LEVEL THREE UNDER THE COLORADO SHINES
3 QUALITY RATING AND IMPROVEMENT SYSTEM DURING THE PAST TWELVE
4 MONTHS AND SPECIFICATION OF THAT QUALITY RATING LEVEL;

5 (c) VERIFICATION THAT THE ELIGIBLE ENTITY IS AUTHORIZED TO
6 ADMINISTER SUBSIDIES UNDER CCCAP;

7 (d) VERIFICATION THAT THE ELIGIBLE ENTITY IS ACTIVELY
8 SERVING FAMILIES THAT ARE SUBSIDIZED THROUGH CCCAP; AND

9 (e) WRITTEN ATTESTATION THE MONEY RECEIVED FROM THE
10 GRANT PROGRAM WILL ONLY BE USED TO INCREASE SALARIES OF EARLY
11 CHILDHOOD EDUCATORS, AS SPECIFIED IN SUBSECTION (4) OF THIS
12 SECTION.

13 (4) THE DEPARTMENT SHALL ESTABLISH THE PERCENTAGE OF
14 SALARY INCREASE FOR EACH EARLY CHILDHOOD EDUCATOR, BASED ON
15 THE NUMBER OF APPLICATIONS AND AVAILABLE APPROPRIATIONS.

16 **26-6-807. Community innovation and resilience for care and**
17 **learning equity (CIRCLE) grant program - created - criteria -**
18 **definitions.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT
19 OTHERWISE REQUIRES:

20 (a) "CHILD CARE CENTER" HAS THE SAME MEANING AS SET FORTH
21 IN SECTION 26-6-102.

22 (b) "ELIGIBLE ENTITY" INCLUDES ANY ONE OF THE FOLLOWING:

23 (I) A CHILD CARE CENTER OR FAMILY CHILD CARE HOME THAT IS
24 ELIGIBLE TO RECEIVE FEDERAL CHILD CARE AND DEVELOPMENT BLOCK
25 GRANT FUNDING PURSUANT TO 42 U.S.C. SEC. 9858;

26 (II) A LOCAL EARLY CHILDHOOD COUNCIL, AS DEFINED IN SECTION
27 26-6.5-101.5; OR

1 (III) ANY OTHER COMMUNITY-BASED OR EDUCATION-BASED
2 ENTITY OR GOVERNMENT AGENCY APPROVED BY THE DEPARTMENT AND
3 THAT PROPOSES GRANT ACTIVITIES DESCRIBED IN SUBSECTION (2) OF THIS
4 SECTION.

5 (c) "FAMILY CHILD CARE HOME" HAS THE SAME MEANING AS SET
6 FORTH IN SECTION 26-6-102.

7 (d) "GRANT PROGRAM" MEANS THE COMMUNITY INNOVATION AND
8 RESILIENCE FOR CARE AND LEARNING EQUITY (CIRCLE) GRANT PROGRAM
9 CREATED IN SUBSECTION (2) OF THIS SECTION.

10 (2) THERE IS CREATED IN THE DEPARTMENT THE COMMUNITY
11 INNOVATION AND RESILIENCE FOR CARE AND LEARNING EQUITY (CIRCLE)
12 GRANT PROGRAM. THE PURPOSE OF THE GRANT PROGRAM IS TO ADDRESS
13 SYSTEMIC CHALLENGES FOR EARLY CARE AND LEARNING PROVIDERS THAT
14 HAVE WORSENERD AS A RESULT OF THE ECONOMIC, SOCIAL, AND HEALTH
15 IMPACTS OF THE COVID-19 PUBLIC HEALTH EMERGENCY AND TO
16 PROMOTE INNOVATION TO IMPROVE OUTCOMES FOR CHILDREN AND
17 FAMILIES.

18 (3) AN ELIGIBLE ENTITY MAY APPLY FOR A GRANT FROM THE
19 GRANT PROGRAM FOR THE FOLLOWING PURPOSES:

20 (a) IMPROVING THE AFFORDABILITY OF CHILD CARE FOR FAMILIES
21 WHOSE CHILDREN ARE NOT SERVED BY THE COLORADO CHILD CARE
22 ASSISTANCE PROGRAM, CREATED IN PART 8 OF ARTICLE 2 OF THIS TITLE 26,
23 INCLUDING, BUT NOT LIMITED TO, ANY OF THE FOLLOWING APPROACHES:

24 (I) TUITION SUBSIDIES OR SCHOLARSHIPS;

25 (II) DEVELOPING PUBLIC-PRIVATE PARTNERSHIPS; OR

26 (III) EMPLOYER-BASED COST-SHARING APPROACHES;

27 (b) INCREASING ACCESS TO CHILD CARE FOR CHILDREN FROM BIRTH

1 TO THREE YEARS OF AGE;

2 (c) STRENGTHENING BUSINESS PRACTICES OF CHILD CARE
3 PROGRAMS;

4 (d) ENSURING EQUITABLE ACCESS FOR CHILDREN, INCLUDING
5 CHILDREN WITH SPECIAL NEEDS AND DUAL LANGUAGE LEARNER
6 CHILDREN; OR

7 (e) OTHER APPROACHES TO IMPROVE EARLY CHILDHOOD
8 TRANSITIONS, WORKFORCE PREPARATION, AFFORDABILITY, OUTCOMES, OR
9 INNOVATIVE PRACTICES.

10 (4) THE DEPARTMENT SHALL SOLICIT AND REVIEW APPLICATIONS
11 FROM ELIGIBLE ENTITIES. EACH APPLICATION MUST INCLUDE, AT A
12 MINIMUM:

13 (a) A DESCRIPTION OF THE ACTIVITIES FOR WHICH THE ELIGIBLE
14 ENTITY WILL USE THE GRANT MONEY;

15 (b) A DESCRIPTION OF ANY PARTNERSHIPS THAT AN ELIGIBLE
16 ENTITY INTENDS TO ESTABLISH TO CARRY OUT ITS GRANT ACTIVITIES;

17 (c) A DESCRIPTION OF HOW THE ACTIVITIES LISTED IN SUBSECTION
18 (4)(a) OF THIS SECTION WILL ACHIEVE THE PURPOSES OF THE GRANT
19 PROGRAM; AND

20 (d) A DETAILED BUDGET TO CARRY OUT THE ACTIVITIES LISTED IN
21 SUBSECTION (4)(a) OF THIS SECTION.

22 **SECTION 5.** In Session Laws of Colorado 2020, First
23 Extraordinary Session, **amend** section 2 of chapter 10 as follows:

24 Section 2. **Appropriation.** (1) For the 2020-21 state fiscal year,
25 \$45,016,340 is appropriated to the department of human services for use
26 by the office of early childhood. This appropriation is from the general
27 fund. To implement this act, the office of early childhood may use this

1 appropriation as follows:

2 (a) \$432,961 for administration, which amount is based on an
3 assumption that the office will require an additional 1.2 FTE. Money
4 appropriated in this subsection (1)(a) not expended prior to July 1, 2021,
5 is further appropriated to the department of human services for use by the
6 office of early childhood for the 2021-22 state fiscal year for the same
7 purpose.

8 (b) (I) \$34,806,917 for the child care sustainability grant program
9 created in section 26-6-802, C.R.S.

10 (II) Up to \$300,000 of any appropriation made pursuant to
11 subsection (1)(b)(I) of this section for state fiscal year 2020-21 for the
12 child care sustainability grant program created in section 26-6-802,
13 C.R.S., must be made available to neighborhood youth organizations.

14 (c) \$8,751,329 for the emerging and expanding child care grant
15 program created in section 26-6-803, C.R.S. Money appropriated in this
16 subsection (1)(c) not expended prior to July 1, 2021, is further
17 appropriated to the department of human services for use by the office of
18 early childhood for the 2021-22 state fiscal year for the same purpose.

19 (d) \$875,133 for early childhood councils, as defined in section
20 26-6.5-101.5 (2), C.R.S., in support of the emerging and expanding child
21 care grant program created in section 26-6-803, C.R.S. Money
22 appropriated in this subsection (1)(d) not expended prior to July 1, 2021,
23 is further appropriated to the department of human services for use by the
24 office of early childhood for the 2021-22 state fiscal year for the same
25 purpose.

26 (e) \$150,000 for linguistic and culturally competent outreach and
27 technical application assistance in support of the emerging and expanding

1 child care grant program created in section 26-6-803, C.R.S. MONEY
2 APPROPRIATED IN THIS SUBSECTION (1)(e) NOT EXPENDED PRIOR TO JULY
3 1, 2021, IS FURTHER APPROPRIATED TO THE DEPARTMENT OF HUMAN
4 SERVICES FOR USE BY THE OFFICE OF EARLY CHILDHOOD FOR THE 2021-22
5 STATE FISCAL YEAR FOR THE SAME PURPOSE.

6 **SECTION 6. Appropriation.** (1) (a) For the 2020-21 state fiscal
7 year, \$8,800,000 is appropriated to the department of human services for
8 use by the office of early childhood. This appropriation is from the
9 general fund. To implement this act, the office of early childhood may use
10 this appropriation as follows:

11 (I) \$100,000 for administration, which amount is based on an
12 assumption that the office will require an additional 1.0 FTE; and

13 (II) \$8,700,000 for the employer-based child care facility grant
14 program created in section 26-6-804 (1), C.R.S.

15 (b) Any money appropriated in subsection (1) of this section not
16 expended prior to July 1, 2021, is further appropriated to the department
17 of human services for use by the office of early childhood for the 2021-22
18 state fiscal year for the same purposes.

19 (2) For the 2021-22 state fiscal year, \$320,241,576 is appropriated
20 to the department of human services for use by the office of early
21 childhood. This appropriation is from federal funds from child care
22 development funds. To implement this act, the office of early childhood
23 may use this appropriation as follows:

24 (a) \$292,700,664 for the child care sustainability grant program
25 created in section 26-6-802 (2), C.R.S., which amount is based on an
26 assumption that the office will require an additional 3.0 FTE. Any money
27 appropriated in this subsection (2)(a) not expended prior to July 1, 2022,

1 is further appropriated for use by the office of early childhood for the
2 2022-23 state fiscal year for the same purposes;

3 (b) \$16,800,000 for the community innovation and resilience for
4 care and learning equity (CIRCLE) grant program created in section
5 26-6-807 (2), C.R.S., which amount is based on an assumption that the
6 office will require an additional 1.0 FTE. Any money appropriated in this
7 subsection (2)(b) not expended prior to July 1, 2022, is further
8 appropriated for use by the office of early childhood for the 2022-23 state
9 fiscal year for the same purposes;

10 (c) \$7,200,000 for the early care and education recruitment and
11 retention grant and scholarship program created in section 26-6-805 (2),
12 C.R.S., which amount is based on an assumption that the office will
13 require an additional 4.0 FTE;

14 (d) \$3,000,000 for the child care teacher salary grant program
15 created in section 26-6-806 (2), C.R.S., which amount is based on an
16 assumption that the office will require an additional 1.0 FTE; and

17 (e) \$540,912 for the administration, monitoring, compliance, and
18 reporting requirements associated with the money appropriated in this
19 subsection (2), which amount is based on an assumption that the office
20 will require an additional 4.0 FTE.

21 (3) For the 2021-22 state fiscal year, \$58,622,936 is appropriated
22 to the department of human services for use by the office of early
23 childhood. This appropriation is from federal funds from child care
24 development funds. The office of early childhood may use this
25 appropriation as follows:

26 (a) \$23,845,252 for the child care assistance program;

27 (b) \$32,455,511 for child care grants for quality and availability

1 and federal targeted funds requirements, which amount is based on an
2 assumption that the office will require an additional 6.0 FTE;

3 (c) \$2,150,000 for the early childhood mental health consultation
4 program created in section 26-6.5-402 (1)(a), C.R.S., which amount is
5 based on an assumption that the office will require an additional 1.0 FTE;
6 and

7 (d) \$172,173 for the administration, monitoring, compliance, and
8 reporting requirements associated with the money appropriated in this
9 subsection (3), which amount is based on an assumption that the office
10 will require an additional 2.0 FTE.

11 **SECTION 7. Safety clause.** The general assembly hereby finds,
12 determines, and declares that this act is necessary for the immediate
13 preservation of the public peace, health, or safety.