



**Report to the
Colorado General Assembly**

**Early Childhood and
School Readiness
Legislative
Commission**

Prepared by

*The Colorado Legislative Council
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December 2014*

Early Childhood and School Readiness Legislative Commission

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December 2014

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December 2014

To Members of the Sixty-ninth General Assembly:

Submitted herewith is the final report of the Early Childhood and School Readiness Legislative Commission. This commission was created pursuant to Section 26-6.5-203, Colorado Revised Statutes. The purpose of this commission is to study issues related to early childhood and school readiness in order to improve the state's early childhood policies.

At its meeting on October 15, 2014, the Legislative Council reviewed the report of this commission. A motion to forward this report and the bills therein for consideration in the 2015 session was approved.

Sincerely,

/s/ Representative Mark Ferrandino
Chairman

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This report is also available on line at:

<http://colorado.gov/lcs/schoolreadinesscommission>

Commission Charge

Pursuant to state law (Section 26-6.5-203, C.R.S.), the Early Childhood and School Readiness Legislative Commission (ECSRLC) must meet at least four times per year to study issues concerning early childhood and school readiness with the goal of improving the state's early childhood policies. Topics to be studied include: health care, mental health, parental involvement, family support, child care, and early learning. The commission is required to solicit input from the public, especially from those who have expertise in early childhood and school readiness issues. The commission is also required to meet with the Early Childhood Leadership Commission, which is a group focused on improving outcomes for young children from birth to age eight, to discuss policy issues concerning early childhood and school readiness.

Commission Activities

The ECSRLC held four meetings during the 2014 interim. Presentations were made by state departments, early childhood professionals, child care providers, medical professionals, foundations, the business community, and members of the public on a wide range of subjects related to early childhood and school readiness, including:

- quality ratings and improvement for providers;
- poverty and other risk factors;
- mental, behavioral, and physical health in early childhood;
- links to the business community;
- professional development for early childhood educators; and
- family support.

The ECSRLC also divided itself into five working groups to focus on specific topics, solicit stakeholder feedback, and generate ideas for legislation. The working groups met throughout the month of August 2014, and several stakeholders participated in these discussions. The commission was divided into the following working groups:

- Quality of Early Childhood Workforce;
- Early Childhood Collaborative Funding;
- Family Support;
- Kindergarten and School Readiness; and
- Mental, Physical, and Behavioral Health.

The following subsections discuss the ECSRLC's activities during the 2014 interim.

Quality Ratings and Improvement for Providers

The commission heard testimony from representatives of the Colorado Department of Education (CDE), the Department of Human Services (DHS), and Qualistar Colorado about the Quality Ratings and Improvement System (QRIS) and the use of the system to assess the quality of early childhood care in Colorado. The new system builds upon licensure as a basic level of quality and rewards facilities with higher scores for providing smaller student-to-teacher

ratios, a more highly educated faculty, bilingual instruction for students who need it, opportunities for parental engagement, and healthier food and environments, among other factors.

Poverty and Other Risk Factors

The commission heard testimony from the DHS, nonprofit organizations, and early childhood providers on serving low-income and at-risk children. This testimony focused on assistance that low-income families may receive to access child care and how to provide services to meet the unique needs of both children and parents. Services discussed included the Nurse-Family Partnership, parent education, assistance to friend and family care providers, and Colorado Child Care Assistance Program (CCCAP). Some of the presenters discussed taking a two-generation approach to poverty and early childhood education that includes both parents and children.

Commission recommendation. During the discussion, the commission heard testimony that when families receive state support in the form of Temporary Assistance for Needy Families (TANF), child support payments the custodial parents would ordinarily receive are instead routed to county governments as repayment for the state aid. Witnesses provided testimony about the harm this does to struggling families. As a result, the commission recommends Bill A, which requires the DHS to pass through to the custodial parent the state's share of child support payments received by persons who are receiving TANF support.

Mental, Behavioral, and Physical Health in Early Childhood

A panel discussion was held that included representatives from the DHS and various health care providers and researchers who discussed the mental, behavioral, and physical health needs of children in early childhood. The commission heard about the lifelong mental and behavioral health impacts of adverse childhood experiences and how positive early interventions can be effective for many children. Testimony highlighted the experience of many children with mental and behavioral health issues who are expelled from child care settings. The commission also heard about childhood immunization efforts.

Links to the Business Community

The commission heard from business groups, including Executives Partnering to Invest in Children (EPIC) and the Colorado Forum, as well as local government officials and foundations, on ways for business and community partnerships to improve early childhood education. The presenters discussed how early childhood education helps prepare the workers of the future and the availability of child care allows many parents to remain in the workforce. Testimony focused on ways for businesses, governments, and foundations to fund initiatives and work together to support early childhood.

Support for Early Childhood Educators

Representatives of the CDE, the Colorado Community College System, and the University of Colorado – Denver briefed the commission on early childhood educators' need for greater access to high-quality professional development programs. The offices of Educator

Preparation and Early Learning and School Readiness within the CDE provided information about the current availability and structure of professional development opportunities for early childhood educators.

Commission recommendation. The commission heard testimony from child care providers that early childhood educators who choose to pursue higher education in their field do so at their own expense. As a result of the testimony and discussion of this issue, the commission recommends Bill B, which creates a new refundable income tax credit for certain early childhood education providers who hold a Colorado early childhood professional credential recognized by the CDE. Eligibility for the income tax credit depends on an individual's employment status and credential level. Under the bill, tax credits would be refundable and not limited by individuals' actual tax liability.

Family Support

Representatives from Bright Beginnings, the Colorado Parent and Child Foundation, Invest in Kids, and the State Advisory Council for Parent Involvement in Education briefed the commission on the programs in Colorado providing support for families. Information was provided on the Nurse-Family Partnership, which is a program that introduces first-time parents to child health nurses who deliver support and knowledge to new mothers on how to have a healthy pregnancy, become a responsible parent, and care for their child. Information was also provided on the Parents as Teachers program and the Home Instruction for Parents of Preschool Youngsters model. These two programs serve parents with low educational attainment.

Other Policy Areas

The commission received an update on Colorado's early childhood landscape, and accomplished its statutory duty to meet with the Early Childhood Leadership Commission.

Colorado's early childhood landscape. Representatives of the CDE, the DHS, the Colorado Children's Campaign, the Early Childhood Summit, and the Early Childhood Education Association of Colorado briefed the commission members on the landscape of early childhood care and education in Colorado. They discussed the needs of providers, teachers, and families, as well as current efforts underway by the CDE and DHS. The commission members were also provided with an update regarding the implementation of recent legislation impacting early childhood care and education.

Early Childhood Leadership Commission. The ECSRLC is required, under its statutory charge, to meet with the Early Childhood Leadership Commission (ECLC), which is a group focused on improving outcomes for young children from birth to age eight, to discuss policies concerning early childhood and school readiness. The commission fulfilled this requirement during its third meeting, on September 2, 2014. Representatives of the ECLC discussed preschool and kindergarten slots and the need to devote more slots to preschool students, and ways to improve the quality of unregulated family, friend, and neighbor care.

Commission recommendation. As a result of the testimony and discussion, the commission recommends Bill C, which provides funding to the Colorado Preschool Program to serve an additional 3,000 children as half-time or full-time preschool students.

Summary of Recommendations

As a result of commission's activities, three bills were recommended to Legislative Council for consideration in the 2015 session. At its meeting on October 15, 2014, the Legislative Council approved two of the ECSRLC's recommended bills for introduction. The bills approved for introduction are described below.

Bill A — Colorado Works Pass-through Child Support Payment

Current law requires that a recipient of assistance under the Colorado Works program assign to the Colorado Department of Human Services (DHS) his or her right to receive child support payments for the purposes of reimbursing the state for the assistance paid to the recipient. For families eligible to receive Temporary Assistance for Needy Families (TANF) support through the Colorado Works program, Bill A requires the DHS to pass-through to the recipient the current child support payments collected by the state. The DHS must annually report to the Joint Budget Committee the amount of child support passed through to recipients. In addition, the amount of child support pass-through will not be included as income in calculating the recipient's basic cash assistance payment under the Colorado Works program.

Bill C — Increasing Number of Colorado Preschool Program Students

Current law authorizes funding for 20,160 children to participate in the Colorado Preschool Program as half-time or full-time preschool students. Additionally, current law authorizes funding for 8,200 children as Colorado Preschool Program students or as full-day kindergarten students, when combined with a school district's other funding for kindergarten students. Bill C authorizes funding for an additional 3,000 children to participate in the program as either half-time or full-time preschool students only.

Resource Materials

Summaries are prepared for each meeting of the commission and contain all handouts provided to the commission members. The summaries and attachments are available at the Division of Archives, 1313 Sherman Street, Denver (303-866-2055). The listing below contains the dates of the commission meetings and the topics discussed at those meetings. Meeting summaries are also available on the ECSRLC website at:

<http://colorado.gov/lcs/schoolreadinesscommission>

Meeting Dates and Topics Discussed

July 14, 2014

- ◆ Presentation on the landscape of early childhood in Colorado
- ◆ Presentation on quality ratings and improvement
- ◆ Presentation on the Colorado Child Care Assistance Program and poverty and risk in Colorado
- ◆ Presentation on mental and behavioral health and physical wellness
- ◆ Working group discussion

July 28, 2014

- ◆ Presentation on the implementation of early childhood legislation in Colorado
- ◆ Presentation on early childhood and the business community
- ◆ Presentation on early childhood professional development
- ◆ Presentation on family support for early childhood

August 2014

- ◆ The five commission working groups met throughout August to focus on specific topics, solicit stakeholder feedback, and generate ideas for legislation.

September 2, 2014

- ◆ Working group updates
- ◆ Testimony by the Early Childhood Leadership Commission
- ◆ Commission discussion of bill ideas and motions to draft legislation

September 22, 2014

- ◆ Discussion and approval of draft legislation

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

BILL A

Temporary storage location: S:\LCS\Policy & Research\Committees\Interim\2014\Early Childhood and School Readiness Legislative Commission\Bill Drafts\Bill A_15-0101.wpd

LLS NO. 15-0101.01 Brita Darling x2241

SENATE BILL

SENATE SPONSORSHIP

Kefalas and Marble, Todd

HOUSE SPONSORSHIP

Pettersen,

Senate Committees

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE TREATMENT OF CHILD SUPPORT FOR PURPOSES OF**
102 **THE COLORADO WORKS PROGRAM.**

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://www.leg.state.co.us/billsummaries>.)

Early Childhood and School Readiness Commission. Pursuant to the Colorado works program, while a recipient is receiving assistance, the recipient must assign to the department of human services (state department) his or her right to receive child support for purposes of

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.

DRAFT *Dashes through the words indicate deletions from existing statute.*

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reimbursing the state for the assistance paid to the recipient. The bill requires the state department to pass through to the recipient current child support collected by the state department pursuant to the assignment. The state department shall annually report to the joint budget committee the amount of child support passed through to recipients. Further, the amount of the child support pass-through will not be included in income for purposes of calculating the amount of the applicant's or participant's basic cash assistance payment.

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

2 **SECTION 1.** In Colorado Revised Statutes, 26-2-108, **amend** (1)
3 (b) as follows:

4 **26-2-108. Granting of assistance payments and social services.**

5 (1) (b) (I) In determining the amount of assistance payments to be
6 granted, due account shall be taken of any income or property available
7 to the applicant and any support, either in cash or in kind, that the
8 applicant may receive from other sources, pursuant to rules of the state
9 department. Effective July 1, 2000, THROUGH DECEMBER 31, 2015, a
10 county may pay families that are eligible for temporary assistance for
11 needy families (TANF), as defined in section 26-2-703 (19), an amount
12 that is equal to the state and county share of child support collections as
13 described in section 26-13-108 (1). Such payments shall not be
14 considered income for the purpose of grant calculation. However, such
15 income shall be considered income for purposes of determining
16 eligibility. If a county chooses to pay child support collections directly to
17 a family that is eligible for temporary assistance for needy families
18 (TANF), as defined in section 26-2-703 (19), the county shall report such
19 payments to the state department for the month in which they occur and
20 indicate the choice of this option in its performance contract for Colorado
21 works. For the purposes of determining eligibility for public assistance or

1 the amount of assistance payments, compensation received by the
2 applicant pursuant to the "Colorado Crime Victim Compensation Act",
3 part 1 of article 4.1 of title 24, C.R.S., shall not be considered as income,
4 property, or support available to such applicant.

5 (II) EFFECTIVE JANUARY 1, 2016, A COUNTY SHALL PAY FAMILIES
6 THAT ARE ELIGIBLE FOR TEMPORARY ASSISTANCE FOR NEEDY FAMILIES
7 (TANF), AS DEFINED IN SECTION 26-2-703 (19), AN AMOUNT THAT IS
8 EQUAL TO THE AMOUNT OF CURRENT CHILD SUPPORT COLLECTIONS AS
9 DESCRIBED IN SECTION 26-13-108 (1). SUCH PAYMENTS SHALL NOT BE
10 CONSIDERED INCOME FOR PURPOSES OF CALCULATING A RECIPIENT'S BASIC
11 CASH ASSISTANCE GRANT PURSUANT TO PART 7 OF THIS ARTICLE. THE
12 COUNTY SHALL REPORT THE AMOUNT OF THE CHILD SUPPORT PAYMENTS
13 TO THE STATE DEPARTMENT FOR THE MONTH IN WHICH THEY OCCUR. FOR
14 THE PURPOSES OF DETERMINING ELIGIBILITY FOR PUBLIC ASSISTANCE OR
15 THE AMOUNT OF ASSISTANCE PAYMENTS, COMPENSATION RECEIVED BY
16 THE APPLICANT PURSUANT TO THE "COLORADO CRIME VICTIM
17 COMPENSATION ACT", PART 1 OF ARTICLE 4.1 OF TITLE 24, C.R.S., SHALL
18 NOT BE CONSIDERED AS INCOME, PROPERTY, OR SUPPORT AVAILABLE TO
19 SUCH APPLICANT.

20 **SECTION 2.** In Colorado Revised Statutes, 26-2-111, **amend** (3)
21 (b); and **add** (3) (a.5) as follows:

22 **26-2-111. Eligibility for public assistance - rules - repeal.**

23 (3) **Colorado works program.** (a.5) NOTWITHSTANDING ANY
24 PROVISION OF THIS SUBSECTION (3), THE STATE DEPARTMENT SHALL PAY
25 TO THE RECIPIENT THE CURRENT CHILD SUPPORT COLLECTED PURSUANT
26 TO THE ASSIGNMENT. THE STATE DEPARTMENT SHALL DISREGARD THE
27 AMOUNT OF CHILD SUPPORT PAID TO THE RECIPIENT PURSUANT TO THIS
28 PARAGRAPH (a.5) IN CALCULATING THE AMOUNT OF THE RECIPIENT'S

1 BASIC CASH ASSISTANCE GRANT PURSUANT TO PART 7 OF THIS ARTICLE.

2 (b) The application shall contain a statement explaining this
3 assignment AND THE PAYMENT TO THE RECIPIENT OF CHILD SUPPORT
4 PURSUANT TO PARAGRAPH (a.5) OF THIS SUBSECTION (3).

5 **SECTION 3.** In Colorado Revised Statutes, 26-2-709, **amend** (1)
6 (a) (II) and (1) (a) (III); and **add** (1) (a) (IV) as follows:

7 **26-2-709. Benefits - cash assistance - programs - rules.**

8 (1) **Standard of need - basic cash assistance grant.** (a) The state
9 department shall promulgate rules determining the standard of need for
10 eligibility for a basic cash assistance grant, whether an applicant or
11 participant meets the standard of need, and the amount of the basic cash
12 assistance grant. In addition to any other rules necessary for the
13 implementation of this part 7, the state department's rules shall:

14 (II) Establish criteria for determining whether an applicant or
15 participant meets the standard of need, including but not limited to what
16 constitutes countable and excludable income for the purposes of
17 eligibility for a basic cash assistance grant; ~~and~~

18 (III) Establish the calculation for determining the amount of an
19 eligible applicant's or participant's basic cash assistance grant, which
20 calculation shall include an earned income disregard which shall be
21 applied to the gross countable earned income of an applicant or
22 participant who is employed. The earned income disregard shall promote
23 work and self-sufficiency and shall benefit the applicant or participant by
24 reducing the unintended economic consequences of becoming employed.
25 The rules promulgated by the state department pursuant to this
26 subparagraph (III) shall not establish an earned income disregard that
27 results in an applicant or participant having fewer financial resources
28 available to him or her than a similarly situated applicant or participant

1 would have had under the earned income disregard pursuant to section
2 26-2-709 as it existed on July 1, 2009; AND

3 (IV) ESTABLISH THE CALCULATION FOR DETERMINING THE
4 AMOUNT OF THE BASIC CASH ASSISTANCE GRANT, WHICH CALCULATION
5 SHALL DISREGARD CURRENT CHILD SUPPORT PAYMENTS MADE TO A
6 PARTICIPANT PURSUANT TO SECTION 26-2-111 (3) (a.5).

7 **SECTION 4.** In Colorado Revised Statutes, 26-13-108, **amend**
8 (3) as follows:

9 **26-13-108. Recovery of public assistance paid for child**
10 **support and maintenance - interest collected on support obligations**
11 **- designation in annual general appropriations act.** (3) (a) Effective
12 July 1, 2000, THROUGH DECEMBER 31, 2015, a county may pay families
13 that are eligible for temporary assistance for needy families, pursuant to
14 part 7 of article 2 of this title, an amount that is equal to the state and
15 county share of child support collections as described in subsection (1) of
16 this section. Such payments shall not be considered income for the
17 purpose of grant calculation. However, such income shall be considered
18 income for purposes of determining eligibility. If a county chooses to pay
19 child support collections directly to a family that is eligible for temporary
20 assistance for needy families, pursuant to part 7 of article 2 of this title,
21 the county shall report such payments to the state department for the
22 month in which the payments are made and shall indicate the choice of
23 this option in its performance contract for Colorado works.

24 (b) (I) EFFECTIVE JANUARY 1, 2016, A COUNTY SHALL PAY
25 FAMILIES THAT ARE ELIGIBLE FOR TEMPORARY ASSISTANCE FOR NEEDY
26 FAMILIES, PURSUANT TO PART 7 OF ARTICLE 2 OF THIS TITLE, AN AMOUNT
27 THAT IS EQUAL TO THE AMOUNT OF CURRENT CHILD SUPPORT
28 COLLECTIONS AS DESCRIBED IN SUBSECTION (1) OF THIS SECTION. SUCH

1 PAYMENTS SHALL NOT BE CONSIDERED INCOME FOR PURPOSES OF
2 CALCULATING THE BASIC CASH ASSISTANCE GRANT PURSUANT TO PART 7
3 OF ARTICLE 2 OF THIS TITLE. THE COUNTY SHALL REPORT TO THE STATE
4 DEPARTMENT THE AMOUNT OF THE CHILD SUPPORT PAYMENTS FOR THE
5 MONTH IN WHICH THE PAYMENTS ARE MADE.

6 (II) THE STATE DEPARTMENT SHALL ANNUALLY REPORT TO THE
7 JOINT BUDGET COMMITTEE THE AMOUNT OF CHILD SUPPORT COLLECTED
8 AND PAID BY THE COUNTIES TO FAMILIES THAT ARE ELIGIBLE FOR
9 TEMPORARY ASSISTANCE FOR NEEDY FAMILIES, PURSUANT TO PART 7 OF
10 ARTICLE 2 OF THIS TITLE.

11 **SECTION 5. Act subject to petition - effective date.** (1) This
12 act takes effect January 1, 2016; except that, if a referendum petition is
13 filed pursuant to section 1 (3) of article V of the state constitution against
14 this act or an item, section, or part of this act within the ninety-day period
15 after final adjournment of the general assembly, then the act, item,
16 section, or part will not take effect unless approved by the people at the
17 general election to be held in November 2016 and, in such case, will take
18 effect on January 1, 2016, or on the date of the official declaration of the
19 vote thereon by the governor, whichever is later.

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

BILL C

Temporary storage location: S:\LCS\Policy & Research\Committees\Interim\2014\Early Childhood and School Readiness Legislative Commission\Bill Drafts\Bill C_15-0104.wpd

LLS NO. 15-0104.01 Julie Pelegrin x2700

HOUSE BILL

HOUSE SPONSORSHIP

Petterson, McCann

SENATE SPONSORSHIP

Kefalas and Todd,

House Committees

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING INCREASING THE NUMBER OF STUDENTS ENROLLED IN**
102 **THE COLORADO PRESCHOOL PROGRAM AS PRESCHOOL**
103 **STUDENTS.**

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://www.leg.state.co.us/billsummaries>.)

Early Childhood and School Readiness Legislative Commission. The statute currently authorizes funding for 20,160 children to participate in the Colorado preschool program as half-time or full-time

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preschool students. In addition, the statute authorizes funding for 8,200 children as Colorado preschool program students or as full-day kindergarten students, when combined with a school district's other funding for kindergarten students. The bill funds an additional 3,000 children only as half-time or full-time preschool students.

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-28-104, **amend**
3 (2) (a) (III); and **add** (2) (a) (IV) and (2) (a) (V) as follows:

4 **22-28-104. Establishment of public preschool programs.**
5 (2) (a) (III) For the 2008-09 budget year and each budget year thereafter
6 THROUGH THE 2013-14 BUDGET YEAR, twenty thousand one hundred sixty
7 children may annually participate in the Colorado preschool program.

8 (IV) FOR THE 2013-14 AND 2014-15 BUDGET YEARS, TWENTY
9 THOUSAND ONE HUNDRED SIXTY CHILDREN, IN ADDITION TO THE NUMBER
10 OF CHILDREN AUTHORIZED IN SECTION 22-28-104.3, MAY ANNUALLY
11 PARTICIPATE IN THE COLORADO PRESCHOOL PROGRAM.

12 (V) FOR THE 2015-16 BUDGET YEAR AND EACH BUDGET YEAR
13 THEREAFTER, TWENTY-THREE THOUSAND ONE HUNDRED SIXTY CHILDREN,
14 IN ADDITION TO THE NUMBER OF CHILDREN AUTHORIZED IN SECTION
15 22-28-104.3, MAY ANNUALLY PARTICIPATE IN THE COLORADO PRESCHOOL
16 PROGRAM.

17 **SECTION 2.** In Colorado Revised Statutes, 22-28-104.3, **amend**
18 (1) (a) as follows:

19 **22-28-104.3. Early childhood at-risk enhancement (ECARE).**
20 (1) (a) ~~Notwithstanding~~ IN ADDITION TO the number of children who may
21 annually participate in the Colorado preschool program pursuant to
22 section 22-28-104 (2) (a):

23 (I) For the 2013-14 budget year, an additional three thousand two

1 hundred children may participate in the Colorado preschool program. ~~for~~
2 ~~a total of twenty-three thousand three hundred sixty children who may~~
3 ~~participate in the Colorado preschool program for the 2013-14 budget~~
4 ~~year.~~

5 (II) For the 2014-15 budget year and each budget year thereafter,
6 an additional ~~five~~ EIGHT thousand TWO HUNDRED children may annually
7 participate in the Colorado preschool program. ~~for a total of twenty-eight~~
8 ~~thousand three hundred sixty children who may annually participate in the~~
9 ~~Colorado preschool program.~~

10 **SECTION 3. Safety clause.** The general assembly hereby finds,
11 determines, and declares that this act is necessary for the immediate
12 preservation of the public peace, health, and safety.