

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

**INTRODUCED**

LLS NO. 25-0324.02 Alana Rosen x2606

**SENATE BILL 25-119**

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**SENATE SPONSORSHIP**

**Kirkmeyer,**

**HOUSE SPONSORSHIP**

**Garcia Sander and Hamrick,**

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**Senate Committees**  
Education

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING MEASURES TO MODIFY THE DEPARTMENT OF EARLY**  
102 **CHILDHOOD.**

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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>.)*

Current law authorizes the executive director of the department of early childhood (department) to adopt all rules for the administration of the department, for the execution and administration of department functions, and for the programs and services managed by the department. The bill repeals the executive director's rule-making authority and creates the state board of early childhood services (state board). The bill

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

authorizes the state board to adopt all rules for the administration of the department, for the execution and administration of department functions, and for the programs and services managed by the department.

Current law allows a local coordinating organization (LCO) to participate in the Colorado universal preschool program (program) by allocating funding to school- and community-based preschool providers (preschool providers), ensuring a mixed delivery system of preschool providers, and coordinating with preschool providers and the early childhood and family support programs and services. On June 1, 2026, LCOs will no longer participate in the program, but LCOs will continue to support families who apply for early childhood and family support programs and services, coordinate with county departments and tribal agencies, and work with early child care providers to increase recruitment and retention of individuals in the early child care workforce.

The bill requires the department to modify the unified application to grant administrative access to a preschool provider who participates in the program to help families enroll their children in the program and to assist families with their administrative needs, including with the completion of their first program application and maintaining the continued enrollment of their children who have been receiving preschool services from the preschool provider. Administrative units will also have access to the unified application to help families enroll children with disabilities in the program and to assist families with their administrative needs.

Current law requires the executive director to adopt rules for the maximum allowable educator-to-child ratios and group sizes (ratios and group sizes) in alignment with national best practices. The bill requires the state board to adopt rules for ratios and group sizes in alignment with state licensing standards. When the department adjusts ratios and group sizes, and prior to adopting rules for the preschool program, the department is required to coordinate with preschool providers to determine the ratios and group sizes.

The bill requires the department to distribute funding to preschool providers in advance of services provided throughout the school year based on enrollment data.

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

2           **SECTION 1.** In Colorado Revised Statutes, 26.5-1-103, **amend**  
3 (2); and **add** (6) as follows:

4           **26.5-1-103. Definitions.** As used in this title 26.5, unless the  
5 context otherwise requires:

1 (2) "Department rule" means a rule ~~promulgated by the executive~~  
2 ~~director~~ ADOPTED BY THE STATE BOARD as authorized in section  
3 26.5-1-105.

4 (6) "STATE BOARD OF EARLY CHILDHOOD SERVICES" OR "STATE  
5 BOARD" MEANS THE STATE BOARD OF EARLY CHILDHOOD SERVICES  
6 CREATED IN SECTION 26.5-1-105.

7 **SECTION 2.** In Colorado Revised Statutes, 26.5-1-105, **amend**  
8 (2)(h)(I), (2)(i), and (2)(j); and **repeal and reenact, with amendments,**  
9 (1) as follows:

10 **26.5-1-105. Powers and duties of the state board of early**  
11 **childhood services - rules - rules advisory council - repeal.**

12 (1) (a) (I) THE STATE BOARD OF EARLY CHILDHOOD IS CREATED IN THE  
13 DEPARTMENT. THE STATE BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN  
14 SECTION 24-1-105. THE STATE BOARD CONSISTS OF THE EXECUTIVE  
15 DIRECTOR OF THE DEPARTMENT, OR THE EXECUTIVE DIRECTOR'S DESIGNEE,  
16 AND EIGHT MEMBERS WHO ARE APPOINTED BY THE GOVERNOR AS  
17 FOLLOWS:

18 (A) ONE MEMBER REPRESENTING THE DEPARTMENT;

19 (B) TWO MEMBERS REPRESENTING COMMUNITY-BASED PRESCHOOL  
20 PROVIDERS;

21 (C) TWO MEMBERS REPRESENTING SCHOOL-BASED PRESCHOOL  
22 PROVIDERS;

23 (D) TWO MEMBERS REPRESENTING COUNTIES; AND

24 (E) ONE MEMBER WITH A PROFESSIONAL BACKGROUND IN SPECIAL  
25 EDUCATION.

26 (II) IN MAKING APPOINTMENTS, THE GOVERNOR SHALL TAKE INTO  
27 CONSIDERATION THE RECOMMENDATIONS OF THE FOLLOWING

1 ORGANIZATIONS:

2 (A) AN ASSOCIATION FOCUSED ON EARLY CHILDHOOD EDUCATION;

3 (B) A STATEWIDE ORGANIZATION THAT REPRESENTS SCHOOL  
4 EXECUTIVES;

5 (C) A STATEWIDE ORGANIZATION THAT REPRESENTS COUNTIES;

6 AND

7 (D) A CONSORTIUM OF SPECIAL EDUCATION DIRECTORS.

8 (III) NO LATER THAN AUGUST 15, 2025, THE GOVERNOR SHALL  
9 APPOINT THE MEMBERS TO THE STATE BOARD. THE MEMBERS WHO ARE  
10 FIRST APPOINTED ARE DESIGNATED TO SERVE FOR STAGGERED TERMS SO  
11 THAT THE TERM OF AT LEAST ONE MEMBER WILL EXPIRE EACH YEAR.  
12 THEREAFTER, THE TERM OF EACH MEMBER IS FOUR YEARS.

13 (IV) THE GOVERNOR MAY TAKE INTO CONSIDERATION THE  
14 GEOGRAPHIC DIVERSITY OF THE STATE IN APPOINTING MEMBERS OF THE  
15 STATE BOARD.

16 (V) IF A VACANCY ARISES FOR ANY REASON, THE GOVERNOR SHALL  
17 APPOINT A PERSON WHO MEETS THE REQUIREMENTS OF THE VACANT  
18 POSITION TO FILL THE VACANCY AS SOON AS POSSIBLE AFTER THE  
19 VACANCY OCCURS.

20 (VI) THE MEMBERS OF THE STATE BOARD SERVE WITHOUT  
21 COMPENSATION BUT MAY RECEIVE REIMBURSEMENT, WITHIN EXISTING  
22 RESOURCES, FOR NECESSARY TRAVEL EXPENSES ACTUALLY INCURRED IN  
23 SERVING ON THE STATE BOARD.

24 (VII) NO MORE THAN FIVE MEMBERS OF THE STATE BOARD MAY BE  
25 REGISTERED WITH THE SAME POLITICAL PARTY.

26 (b) NO LATER THAN SEPTEMBER 15, 2025, THE EXECUTIVE  
27 DIRECTOR SHALL CALL THE FIRST MEETING OF THE STATE BOARD, AT

1 WHICH THE MEMBERS OF THE STATE BOARD SHALL ELECT A MEMBER TO  
2 SERVE AS A CHAIR AND A MEMBER TO SERVE AS THE VICE-CHAIR OF THE  
3 STATE BOARD. THE MEMBERS OF THE STATE BOARD SHALL ELECT A CHAIR  
4 AND VICE-CHAIR ANNUALLY THEREAFTER. THE CHAIR OF THE STATE  
5 BOARD SHALL CALL MEETINGS OF THE STATE BOARD AS NECESSARY TO  
6 COMPLETE THE DUTIES OF THE STATE BOARD.

7 (c) THE STATE BOARD SHALL:

8 (I) ADOPT, IN ACCORDANCE WITH THE "STATE ADMINISTRATIVE  
9 PROCEDURE ACT", ARTICLE 4 OF TITLE 24, ALL RULES FOR THE  
10 ADMINISTRATION OF THE DEPARTMENT AND FOR THE EXECUTION AND  
11 ADMINISTRATION OF THE FUNCTIONS SPECIFIED IN SECTION 26.5-1-109  
12 AND FOR THE PROGRAMS AND SERVICES SPECIFIED IN THIS TITLE 26.5. IN  
13 ADOPTING RULES, THE STATE BOARD SHALL, TO THE GREATEST EXTENT  
14 POSSIBLE:

15 (A) REDUCE THE ADMINISTRATIVE BURDEN OF ACCESSING  
16 PROGRAMS AND SERVICES, IMPLEMENTING PROGRAMS, AND PROVIDING  
17 SERVICES TO FAMILIES AND PROVIDERS;

18 (B) DECREASE DUPLICATION AND CONFLICTS IN IMPLEMENTING  
19 PROGRAMS AND PROVIDING SERVICES;

20 (C) INCREASE EQUITY IN ACCESS TO PROGRAMS AND SERVICES AND  
21 IN CHILD AND FAMILY OUTCOMES;

22 (D) INCREASE ADMINISTRATIVE EFFICIENCY AMONG THE  
23 PROGRAMS AND SERVICES PROVIDED BY THE DEPARTMENT; AND

24 (E) ENSURE THAT THE RULES ARE COORDINATED ACROSS  
25 PROGRAMS AND SERVICES SO THAT PROGRAMS ARE IMPLEMENTED AND  
26 SERVICES ARE PROVIDED WITH IMPROVED EASE OF ACCESS, QUALITY OF  
27 FAMILY AND PROVIDER EXPERIENCE, AND EASE OF IMPLEMENTATION BY

1 STATE, LOCAL, AND TRIBAL AGENCIES;

2 (II) HOLD HEARINGS RELATING TO THE FORMULATION AND  
3 REVISION OF THE POLICIES OF THE DEPARTMENT; AND

4 (III) ADVISE THE EXECUTIVE DIRECTOR AS TO ANY MATTERS THAT  
5 THE EXECUTIVE DIRECTOR MAY BRING BEFORE THE STATE BOARD.

6 (d) THE DEPARTMENT MAY ADOPT GUIDELINES AND PROCEDURES  
7 TO ASSIST IN THE IMPLEMENTATION AND DELIVERY OF THE PROGRAMS AND  
8 SERVICES THAT THE DEPARTMENT PROVIDES PURSUANT TO THIS TITLE  
9 26.5. WHEN APPROPRIATE TO REDUCE POTENTIAL ADMINISTRATIVE  
10 BURDEN, THE DEPARTMENT MAY DIFFERENTIATE IN THE ADOPTED  
11 GUIDELINES AND PROCEDURES AMONG COMMUNITIES, INCLUDING  
12 COMMUNITIES IN RURAL AREAS, BASED ON COMMUNITY CAPACITY AND  
13 READINESS FOR IMPLEMENTING PROGRAMS AND DELIVERING SERVICES.

14 (2) (h) (I) The council shall meet as often as requested by the  
15 ~~executive director~~ STATE BOARD. Except as otherwise provided in  
16 subsection (2)(h)(II) of this section, a member of the council and a  
17 non-council member who serves on a subcommittee may receive the same  
18 per diem compensation for attendance at council or subcommittee  
19 meetings as is provided for members of boards and commissions pursuant  
20 to section 12-20-103 (6) and reimbursement for any expenses necessary  
21 to support the member's participation at a council or subcommittee  
22 meeting, including any required dependent or attendant care and, if the  
23 member resides more than fifty miles from the location of the council or  
24 subcommittee meeting, expenses incurred in traveling to and from the  
25 meeting, including any required dependent or attendant travel, food, and  
26 lodging.

27 (i) In reviewing and making recommendations concerning rules

1 and in preparing other recommendations for the ~~executive director~~ STATE  
2 BOARD, the council shall strive to develop recommendations that are  
3 detailed and measurable and consider the impacts on children, parents,  
4 families, providers, school districts, counties, and local coordinating  
5 organizations. The council must approve recommendations by a majority  
6 vote and provide those recommendations to the ~~executive director~~ STATE  
7 BOARD in writing. Members of the council voting in the minority may  
8 submit a written explanation of their opposition to the recommendations  
9 to the ~~executive director~~ STATE BOARD.

10 (j) Before ~~promulgating~~ ADOPTING a rule, the ~~executive director~~  
11 STATE BOARD shall solicit feedback from and consider the  
12 recommendations of the council. If the ~~executive director~~ STATE BOARD  
13 decides not to follow the recommendations of the council with regard to  
14 a rule, the ~~executive director~~ STATE BOARD shall provide a written  
15 explanation of the rationale for the decision.

16 **SECTION 3.** In Colorado Revised Statutes, 26.5-1-110, **amend**  
17 (2)(g) and (2)(h); and **add** (2)(i) and (2)(j) as follows:

18 **26.5-1-110. Unified application - child care, services, and**  
19 **education.** (2) At a minimum, the unified application must:

20 (g) Allow for customization as may be necessary for certain  
21 programs or services; ~~and~~

22 (h) Coordinate with other agencies and programs, as appropriate,  
23 to ensure appropriate referral AND ENROLLMENT of children and families  
24 to early childhood programs administered by other departments;

25 (i) GRANT A PRESCHOOL PROVIDER, AS DEFINED IN SECTION  
26 26.5-4-203, ADMINISTRATIVE ACCESS TO THE UNIFIED APPLICATION TO:

27 (I) HELP FAMILIES ENROLL THEIR CHILDREN IN THE UNIVERSAL

1 PRESCHOOL PROGRAM;

2 (II) ASSIST FAMILIES WITH ANY ADMINISTRATIVE NEEDS  
3 REGARDING THE UNIVERSAL PRESCHOOL PROGRAM, INCLUDING ASSISTING  
4 FAMILIES WITH THE COMPLETION OF THEIR FIRST UNIVERSAL PRESCHOOL  
5 PROGRAM APPLICATION AND MAINTAINING THE CONTINUED ENROLLMENT  
6 OF THEIR CHILDREN WHO HAVE BEEN RECEIVING PRESCHOOL SERVICES  
7 FROM THE PRESCHOOL PROVIDER; AND

8 (III) ACCESS THE UNIFIED APPLICATION WITHOUT REQUIRING THE  
9 ASSISTANCE OF THE DEPARTMENT OR A LOCAL COORDINATING  
10 ORGANIZATION; AND

11 (j) GRANT AN ADMINISTRATIVE UNIT, AS DEFINED IN SECTION  
12 22-20-103, ADMINISTRATIVE ACCESS TO THE UNIFIED APPLICATION TO:

13 (I) HELP FAMILIES ENROLL THEIR CHILDREN WITH DISABILITIES IN  
14 THE UNIVERSAL PRESCHOOL PROGRAM;

15 (II) ASSIST FAMILIES WITH ANY ADMINISTRATIVE NEEDS  
16 REGARDING THE UNIVERSAL PRESCHOOL PROGRAM, INCLUDING ASSISTING  
17 FAMILIES WITH THE COMPLETION OF THEIR FIRST UNIVERSAL PRESCHOOL  
18 PROGRAM APPLICATION AND MAINTAINING THE CONTINUED ENROLLMENT  
19 OF THEIR CHILDREN WHO HAVE BEEN RECEIVING PRESCHOOL SERVICES  
20 FROM THE PRESCHOOL PROVIDER; AND

21 (III) ACCESS THE UNIFIED APPLICATION WITHOUT REQUIRING THE  
22 ASSISTANCE OF THE DEPARTMENT OR A LOCAL COORDINATING  
23 ORGANIZATION.

24 **SECTION 4.** In Colorado Revised Statutes, 26.5-2-102, **amend**  
25 (4); and **repeal** (1), (6), (7), and (8) as follows:

26 **26.5-2-102. Definitions.** As used in this part 1, unless the context  
27 otherwise requires:



1           (1) ~~"Colorado universal preschool program" or "state preschool~~  
2 ~~program" means the Colorado universal preschool program created in part~~  
3 ~~2 of article 4 of this title 26.5.~~

4           (4) "Local and tribal agencies" means county departments of  
5 human or social services and agencies of an Indian tribe that have  
6 responsibility for funding for early childhood and family support  
7 programs and services ~~school districts, charter schools that participate in~~  
8 ~~the state preschool program,~~ and head start agencies.

9           (6) ~~"Mixed delivery system" has the same meaning as provided in~~  
10 ~~section 26.5-4-203.~~

11           (7) ~~"Preschool provider" has the same meaning as provided in~~  
12 ~~section 26.5-4-203.~~

13           (8) ~~"Preschool services" means preschool services provided~~  
14 ~~through the state preschool program in the school year preceding~~  
15 ~~kindergarten eligibility to children who are four or five years of age and~~  
16 ~~preschool services provided through the state preschool program to a~~  
17 ~~limited number of children who are three years of age or younger.~~

18           **SECTION 5.** In Colorado Revised Statutes, 26.5-2-103, **amend**  
19 **(2)(c)(V), (2)(d), and (5); and repeal (2)(c)(I), (2)(e), and (4)(b) as**  
20 **follows:**

21           **26.5-2-103. Local coordinating organization - applications -**  
22 **selection - rules.** (2) An entity that seeks to serve as a local coordinating  
23 organization must apply to the department in accordance with department  
24 rules, if any, procedures, and timelines. At a minimum, the application  
25 must include:

26           (c) The applicant's plan to coordinate with, at a minimum, the  
27 following entities within the proposed community:

1           (I) ~~Administrative units, as defined in section 22-20-103, which~~  
2 ~~remain responsible for overseeing implementation of the part B~~  
3 ~~component of the federal "Individuals with Disabilities Education Act",~~  
4 ~~20 U.S.C. sec. 1400 et seq., as amended;~~

5           (V) County departments of human or social services in providing  
6 child care services through the Colorado child care assistance program  
7 established in part 1 of article 4 of this title 26.5 and other family support  
8 programs and services; AND

9           (d) The applicant's proposed operating model for meeting the  
10 duties and responsibilities of a local coordinating organization, including,  
11 at a minimum, the applicant's personnel capacity and a proposed budget  
12 that reflects the anticipated operating and overhead costs and sources of  
13 funding. and

14           (e) ~~If the applicant is a preschool provider, the applicant's plan for~~  
15 ~~ensuring that serving as the local coordinating organization does not~~  
16 ~~result in an unfair advantage to the applicant with regard to allocations of~~  
17 ~~preschool funding generally or in coordinating with the other preschool~~  
18 ~~providers in the community to ensure the availability of a mixed delivery~~  
19 ~~system and the allocation of funding among preschool providers based on~~  
20 ~~parent choice.~~

21           (4) The department, in accordance with department rules, if any,  
22 and procedures, shall review each application received pursuant to this  
23 section and select local coordinating organizations for communities  
24 throughout the state, ensuring that, to the extent possible, every family in  
25 the state resides within a community for which a local coordinating  
26 organization is selected. In selecting local coordinating organizations  
27 from among the applications received, the department shall, at a

1 minimum, evaluate:

2 (b) ~~The applicant's capacity to equitably recruit preschool~~  
3 ~~providers to participate in the Colorado universal preschool program and~~  
4 ~~provide preschool services through a mixed delivery system that, to the~~  
5 ~~fullest extent practicable, accommodates parent choice;~~

6 (5) ~~The executive director may promulgate~~ STATE BOARD MAY  
7 ADOPT rules and the department shall adopt procedures and timelines as  
8 necessary to implement this part 1, including adopting a process for  
9 receiving and reviewing applications that results in the initial selection of  
10 local coordinating organizations as soon as practicable after April 25,  
11 2022. The department shall enter into a coordinator agreement with each  
12 local coordinating organization in accordance with section 26.5-2-105.  
13 Before the termination or conclusion of a coordinator agreement, the  
14 department shall solicit applications for a local coordinating organization  
15 for the affected community pursuant to this section and may re-select the  
16 same entity to serve as a local coordinating organization.

17 **SECTION 6.** In Colorado Revised Statutes, 26.5-2-104, **amend**  
18 (1)(a)(III), (1)(a)(V), (1)(b), (2)(d), (2)(e), (2)(g), and (3); and **repeal**  
19 (1)(a)(IV), (1)(a)(VI), (1)(a)(VIII), (2)(b), and (2)(c) as follows:

20 **26.5-2-104. Local coordinating organization - community plan**  
21 **- duties.** (1) (a) Each local coordinating organization shall adopt a  
22 community plan that fosters equitable access for families to, and robust  
23 participation by providers in, early childhood and family support  
24 programs and services by increasing access to, coordinating, and  
25 allocating funding for said programs and services within the community.  
26 The community plan must, at a minimum, address:

27 (III) The manner in which the local coordinating organization will

1 recruit and work with providers to ensure that families' needs for school-  
2 and community-based preschool providers; child care and other early  
3 childhood services within the community are met to the fullest extent  
4 possible;

5 (IV) ~~The method by which the local coordinating organization~~  
6 ~~will ensure that a mixed delivery system of school- and community-based~~  
7 ~~preschool providers, based on parental choice, is available within the~~  
8 ~~community, including identifying the existing school- and~~  
9 ~~community-based preschool providers in the community and establishing~~  
10 ~~goals and benchmarks for increasing the availability of preschool~~  
11 ~~providers as necessary to be responsive to family preferences;~~

12 (V) A plan for working with early care and education providers  
13 to increase recruitment and retention of individuals in the early care and  
14 education workforce and to increase compensation for those individuals,  
15 with the goal of providing a living wage;

16 (VI) ~~A plan for coordinating the school- and community-based~~  
17 ~~preschool providers that are available within the community with the~~  
18 ~~other available early childhood and family support programs and services~~  
19 ~~for children who enroll in the preschool providers and their families;~~

20 (VIII) ~~A plan for the allocation of funding among school- and~~  
21 ~~community-based preschool providers and other early care and education~~  
22 ~~providers in the community, with the goal of maximizing the use of~~  
23 ~~funding to meet community needs, including the need for full-day~~  
24 ~~services;~~

25 (b) ~~Notwithstanding subsection (1)(a) of this section, the initial~~  
26 ~~community plan that a local coordinating organization creates may be~~  
27 ~~limited to addressing participation in the Colorado universal preschool~~

1 ~~program and the needs for, access to, and allocation of funding for~~  
2 ~~school- and community-based preschool providers. With subsequent~~  
3 ~~revisions of the plan,~~ IN THE COMMUNITY PLANS, the local coordinating  
4 organization shall address the provision and coordination of additional  
5 early childhood and family support programs and services in the  
6 community as provided in subsection (1)(a) of this section in  
7 collaboration with local and tribal agencies.

8 (2) Each local coordinating organization shall implement the  
9 community plan and shall:

10 (b) ~~Subject to the availability and enrollment capacity of preschool~~  
11 ~~providers in the community, provide universal access, in alignment with~~  
12 ~~family choice, to high-quality school- and community-based preschool~~  
13 ~~providers within the community for children in the year before eligibility~~  
14 ~~for kindergarten;~~

15 (c) ~~Manage a mixed delivery system of preschool providers;~~

16 (d) Allocate, in coordination with local and tribal agencies, when  
17 applicable, local early childhood funding ~~and state preschool program~~  
18 ~~funding~~ to public and private providers within the community, based on  
19 the community plan, and ensure, to the greatest extent possible, that  
20 children who, pursuant to department rules adopted in accordance with  
21 section 26.5-4-204 (4)(a), are in low-income families and meet qualifying  
22 factors are prioritized, as directed by the department, to receive early  
23 childhood and family support programs and services;

24 (e) Support and ensure the availability of high-quality early  
25 childhood care ~~and education~~ for all children, including supporting access  
26 to training and support for members of the early childhood workforce;

27 (g) Increase over time the capacity of high-quality early child care

1 ~~and education~~ programs within the community to better meet family and  
2 community needs;

3 (3) Each local coordinating organization shall work with entities  
4 within the community, including, at a minimum, the entities specified in  
5 section 26.5-2-103 (2)(c), to implement the community plan, which may  
6 include subcontracting or partnering with or otherwise delegating  
7 responsibility to one or more public or private entities. The local  
8 coordinating organization remains responsible to the department for  
9 implementing the community plan, meeting the goals specified in the  
10 community plan and the coordinator agreement, and meeting any  
11 additional requirements imposed by this part 1, ~~by part 2 of article 4 of~~  
12 ~~this title 26.5 concerning the Colorado universal preschool program,~~ by  
13 department rule, or by the coordinator agreement.

14 **SECTION 7.** In Colorado Revised Statutes, 26.5-2-105, **amend**  
15 (1)(b) introductory portion, (3)(a) introductory portion, (4)(a)(I),  
16 (4)(a)(II), and (5); and **repeal** (1)(b)(II) as follows:

17 **26.5-2-105. Department duties - coordinator agreements -**  
18 **review.** (1) To support and provide oversight for the statewide system of  
19 local coordinating organizations, the department shall:

20 (b) Enter into a coordinator agreement with each local  
21 coordinating organization that is partially based on the community plan  
22 and that specifies the respective duties of the local coordinating  
23 organization and the department in implementing the community plan and  
24 in meeting the requirements specified in this part 1 ~~in part 2 of article 4~~  
25 ~~of this title 26.5 concerning the Colorado universal preschool program,~~  
26 and in department rule. The coordinator agreements are not subject to the  
27 requirements of the "Procurement Code", articles 101 to 112 of title 24.

1 The term of the initial coordinator agreement for a local coordinating  
2 organization is three years, and subsequent coordinator agreements must  
3 have terms of at least three but not more than five years, as determined by  
4 the department. The coordinator agreement, at a minimum, must include:

5 (II) ~~If the local coordinating organization is a preschool provider,~~  
6 ~~expectations that the local coordinating organization must meet in~~  
7 ~~ensuring the availability of a mixed delivery system within the community~~  
8 ~~that supports equitable parent choice and in ensuring that the organization~~  
9 ~~is not unfairly advantaged in allocating funding among preschool~~  
10 ~~providers based on parent choice;~~

11 (3) (a) The department shall implement a review process  
12 established in department rule by which the department at least annually  
13 reviews the performance of each local coordinating organization in  
14 serving its community, including implementing the approved community  
15 plan; fulfilling the duties specified in section 26.5-2-104; ~~including~~  
16 ~~providing a mixed delivery system of preschool providers;~~ and complying  
17 with the coordinator agreement. In implementing the review process, the  
18 department shall, at a minimum:

19 (4) (a) For any area within the state for which a local coordinating  
20 organization is not selected or for which the local coordinating  
21 organization is not fully capable of implementing all aspects of the  
22 community plan, the department shall work with the local coordinating  
23 organization, if any, and the families, providers, local governments, and  
24 local and tribal agencies in the area, as necessary, to oversee and  
25 coordinate the availability and provision of early childhood and family  
26 support programs and services within the area until such time as a local  
27 coordinating organization is selected or is deemed capable of

1 implementing all aspects of the community plan. At a minimum, the  
2 department shall:

3 (I) Assist families in applying for early childhood and family  
4 support programs and services and in enrolling children with early care  
5 and education providers;

6 (II) ~~Ensure, to the extent practicable, that an equitable mixed~~  
7 ~~delivery system of preschool providers is available within the area, which~~  
8 ~~may include contracting with providers for the delivery of preschool~~  
9 ~~services;~~

10 (5) The ~~executive director~~ STATE BOARD shall establish by rule a  
11 process by which an applying entity that is not selected to act as a local  
12 coordinating organization, or a local coordinating organization for which  
13 the coordinating agreement is terminated, may appeal the decision of the  
14 department.

15 **SECTION 8.** In Colorado Revised Statutes, 26.5-4-203, **repeal**  
16 (11) as follows:

17 **26.5-4-203. Definitions.** As used in this part 2, unless the context  
18 otherwise requires:

19 (11) ~~"Local coordinating organization" means the entity selected~~  
20 ~~by the department pursuant to section 26.5-2-103 to implement a~~  
21 ~~community plan for early childhood and family support programs and~~  
22 ~~services within a specified community.~~

23 **SECTION 9.** In Colorado Revised Statutes, 26.5-4-204, **amend**  
24 (2), (4)(a) introductory portion, (4)(a)(I), (4)(a)(II), and (4)(b)  
25 introductory portion as follows:

26 **26.5-4-204. Colorado universal preschool program - created**  
27 **- eligibility - workforce development plan - program funding - rules.**



1 (2) (a) For the 2023-24 school year and each school year thereafter,  
2 subject to the availability and enrollment capacity of preschool providers,  
3 parents throughout the state may enroll their children, free of charge, in  
4 ten hours per week of publicly funded preschool services for the school  
5 year preceding the school year in which the children are eligible to enroll  
6 in kindergarten. The department working with local coordinating  
7 organizations, shall identify and recruit preschool providers throughout  
8 the state to participate in the Colorado universal preschool program. In  
9 identifying and recruiting preschool providers, the department and local  
10 coordinating organizations shall, to the extent practicable, establish a  
11 mixed delivery system in communities throughout the state that enables  
12 parents to select preschool providers for their children from as broad a  
13 range as possible within their respective communities.

14 (b) THE DEPARTMENT SHALL GRANT ADMINISTRATIVE ACCESS TO  
15 THE UNIFIED APPLICATION, CREATED IN SECTION 26.5-1-110, TO A  
16 PRESCHOOL PROVIDER AND AN ADMINISTRATIVE UNIT, AS DEFINED IN  
17 SECTION 22-20-103, TO HELP FAMILIES ENROLL THEIR CHILDREN IN THE  
18 PRESCHOOL PROGRAM AND TO ASSIST FAMILIES WITH THEIR  
19 ADMINISTRATIVE NEEDS REGARDING THE PRESCHOOL PROGRAM,  
20 INCLUDING ASSISTING FAMILIES WITH THE COMPLETION OF THEIR FIRST  
21 PRESCHOOL PROGRAM APPLICATION AND MAINTAINING THE CONTINUED  
22 ENROLLMENT OF THEIR CHILDREN WHO HAVE BEEN RECEIVING PRESCHOOL  
23 SERVICES FROM THE PRESCHOOL PROVIDER OR ADMINISTRATIVE UNIT.  
24 PRESCHOOL PROVIDERS AND ADMINISTRATIVE UNITS MUST HAVE ACCESS  
25 TO THE UNIFIED APPLICATION WITHOUT REQUIRING THE ASSISTANCE OF  
26 THE DEPARTMENT OR A LOCAL COORDINATING ORGANIZATION.

27 (4) (a) The ~~executive director~~ STATE BOARD shall adopt rules to

1 implement the preschool program, which must include:

2 (I) The level of income that identifies a family as being  
3 low-income for purposes of identifying children who are three years of  
4 age or younger and are eligible for preschool services and prioritizing  
5 funding for those additional preschool services. The ~~executive director~~  
6 STATE BOARD shall, to the extent practicable, ensure that the income  
7 eligibility requirements for other publicly funded child care programs are  
8 aligned with the income level set pursuant to this subsection (4)(a)(I).

9 (II) The qualifying factors that a child must meet to be eligible to  
10 receive additional preschool services. The ~~executive director~~ STATE  
11 BOARD shall ensure that the qualifying factors are reviewed and, as  
12 necessary, revised at least every ~~five~~ THREE years. The purpose of the  
13 qualifying factors is to identify children who are at risk of entering  
14 kindergarten without being ready for school. The qualifying factors must  
15 include identification as a dual-language learner or a child with  
16 disabilities and may include such other factors as the department may  
17 identify.

18 (b) In adopting rules, the ~~executive director~~ STATE BOARD shall,  
19 to the extent possible:

20 **SECTION 10.** In Colorado Revised Statutes, 26.5-4-204, **amend**  
21 (2) as follows:

22 **26.5-4-204. Colorado universal preschool program - created**  
23 **- eligibility - workforce development plan - program funding - rules.**

24 (2) For the 2023-24 school year and each school year thereafter, subject  
25 to the availability and enrollment capacity of preschool providers, parents  
26 throughout the state may enroll their children, free of charge, in ten hours  
27 per week of publicly funded preschool services for the school year

1 preceding the school year in which the children are eligible to enroll in  
2 kindergarten. The department ~~working with local coordinating~~  
3 ~~organizations~~, shall identify and recruit preschool providers throughout  
4 the state to participate in the Colorado universal preschool program. In  
5 identifying and recruiting preschool providers, the department ~~and local~~  
6 ~~coordinating organizations~~ shall, to the extent practicable, establish a  
7 mixed delivery system in communities throughout the state that enables  
8 parents to select preschool providers for their children from as broad a  
9 range as possible within their respective communities.

10 **SECTION 11.** In Colorado Revised Statutes, 26.5-4-205, **amend**  
11 (1)(a) introductory portion and (2)(c) as follows:

12 **26.5-4-205. Quality standards - evaluation - support.**

13 (1) (a) The department shall develop, and the ~~executive director~~ STATE  
14 BOARD shall establish by rule, the quality standards that each preschool  
15 provider must meet to receive funding through the Colorado universal  
16 preschool program. The quality standards must, at a minimum, address  
17 the issues specified in this section and must reflect national and  
18 community-informed best practices with regard to school readiness,  
19 academic and cognitive development, healthy environments,  
20 social-emotional learning, and child and family outcomes. The  
21 department and the ~~executive director~~ STATE BOARD shall work with  
22 families, educators, and program administrators to review and, as  
23 necessary, revise the quality standards at least every five years to ensure  
24 the standards continue to reflect national AND COMMUNITY-INFORMED  
25 best practices and meet the other requirements specified in this section.  
26 In developing, reviewing, revising, and adopting the quality standards, the  
27 department and the ~~executive director~~ STATE BOARD shall consider, at a

1 minimum:

2 (2) At a minimum, the quality standards established in rule must  
3 include:

4 (c) (I) The maximum allowable educator-to-child ratios and group  
5 sizes, aligned with national best practices. ~~The department, by rule, may~~  
6 ~~implement a waiver process to allow a preschool provider that~~  
7 ~~implements a nationally recognized preschool program model to~~  
8 ~~implement the educator-to-child ratios and group sizes that support the~~  
9 ~~instructional practices of the model, so long as the preschool provider~~  
10 ~~meets the national standards for the model or is accredited to provide the~~  
11 ~~model~~ STATE LICENSING STANDARDS PURSUANT TO PART 3 OF ARTICLE 5  
12 OF THIS TITLE 26.5.

13 (II) THE DEPARTMENT, BY RULE, MAY IMPLEMENT A WAIVER  
14 PROCESS TO ALLOW A PRESCHOOL PROVIDER THAT IMPLEMENTS A  
15 NATIONALLY RECOGNIZED PRESCHOOL PROGRAM MODEL TO IMPLEMENT  
16 THE EDUCATOR-TO-CHILD RATIOS AND GROUP SIZES THAT SUPPORT THE  
17 INSTRUCTIONAL PRACTICES OF THE MODEL, AS LONG AS THE PRESCHOOL  
18 PROVIDER MEETS THE NATIONAL STANDARDS FOR THE MODEL OR IS  
19 ACCREDITED TO PROVIDE SERVICES THAT CONFORM TO THE MODEL.

20 **SECTION 12.** In Colorado Revised Statutes, 26.5-4-207, **amend**  
21 (3) as follows:

22 **26.5-4-207. Preschool program evaluation and improvement**  
23 **process - independent evaluator.** (3) The department shall  
24 communicate the evaluations and recommendations of the independent  
25 evaluator to families, communities, preschool providers, ~~local~~  
26 ~~coordinating organizations~~, the state board of education, and the general  
27 assembly, as appropriate, to inform and improve early childhood teaching

1 and education and policy-making related to early childhood education.

2 **SECTION 13.** In Colorado Revised Statutes, 26.5-4-208, **amend**  
3 (1)(e) and (3)(a) as follows:

4 **26.5-4-208. Preschool provider funding - per-child rates - local**  
5 **contribution - distribution and use of money - definitions.** (1) (e) In  
6 establishing the formulas and other distribution amounts, the department  
7 shall consult with the STATE BOARD, THE rules advisory council, the early  
8 childhood leadership commission, and members of the early childhood  
9 community, including parents of preschool-age children, preschool  
10 educators, preschool providers, early childhood councils, school districts,  
11 charter schools, representatives of county departments of human or social  
12 services, local coordinating organizations, and individuals with financial  
13 expertise in public and private funding sources for early childhood  
14 services.

15 (3) (a) Beginning in the 2023-24 fiscal year and for each fiscal  
16 year thereafter, the department working with local coordinating  
17 organizations as provided in each local coordinating organization's  
18 coordinator agreement with the department, shall distribute the funding  
19 appropriated to the department for preschool services from the preschool  
20 programs cash fund and any amount received pursuant to section  
21 26.5-4-209 (2). The department and local coordinating organizations, as  
22 applicable, shall base the amounts distributed on the per-child rates and  
23 any special purpose distributions established for the applicable fiscal year  
24 pursuant to subsection (1) of this section. At the start of each fiscal year,  
25 the department and local coordinating organizations, as applicable, shall  
26 distribute, IN ADVANCE OF SERVICES PROVIDED, a portion of the funding  
27 to preschool providers based on the numbers and types of eligible

1 children expected to enroll in preschool as estimated in the community  
2 plans or as estimated by the department for an area that does not have a  
3 local coordinating organization. The department and local coordinating  
4 organizations, as applicable, shall continue distributing, IN ADVANCE OF  
5 SERVICES PROVIDED, portions of the funding periodically throughout the  
6 school year and shall adjust the amounts distributed based on the actual  
7 numbers and types of eligible children enrolled by preschool providers.

8 **SECTION 14.** In Colorado Revised Statutes, 26.5-4-208, **amend**  
9 (1)(c), (1)(e), (3)(a), (3)(c)(II), and (3)(c)(IV) as follows:

10 **26.5-4-208. Preschool provider funding - per-child rates - local**  
11 **contribution - distribution and use of money - definitions.** (1) (c) In  
12 establishing the formula for additional preschool services, in addition to  
13 the considerations specified in subsection (1)(a) of this section, the  
14 department may consider the amount of local funding available to assist  
15 families within a community. ~~based on the community plan or available~~  
16 ~~within an area that does not have a local coordinating organization.~~ A  
17 preschool provider is prohibited from charging a fee for additional  
18 preschool services to a family that participates in the preschool program  
19 that exceeds the amount charged to families that do not receive additional  
20 preschool services.

21 (e) In establishing the formulas and other distribution amounts,  
22 the department shall consult with the rules advisory council, the early  
23 childhood leadership commission, and members of the early childhood  
24 community, including parents of preschool-age children, preschool  
25 educators, preschool providers, early childhood councils, school districts,  
26 charter schools, representatives of county departments of human or social  
27 services, ~~local coordinating organizations,~~ and individuals with financial

1 expertise in public and private funding sources for early childhood  
2 services.

3 (3) (a) Beginning in the 2023-24 fiscal year and for each fiscal  
4 year thereafter, the department ~~working with local coordinating~~  
5 ~~organizations as provided in each local coordinating organization's~~  
6 ~~coordinator agreement with the department,~~ shall distribute the funding  
7 appropriated to the department for preschool services from the preschool  
8 programs cash fund and any amount received pursuant to section  
9 26.5-4-209 (2). The department ~~and local coordinating organizations, as~~  
10 ~~applicable,~~ shall base the amounts distributed on the per-child rates and  
11 any special purpose distributions established for the applicable fiscal year  
12 pursuant to subsection (1) of this section. At the start of each fiscal year,  
13 the department ~~and local coordinating organizations as applicable,~~ shall  
14 distribute a portion of the funding to preschool providers based on the  
15 numbers and types of eligible children expected to enroll in preschool ~~as~~  
16 ~~estimated in the community plans or as estimated by the department. for~~  
17 ~~an area that does not have a local coordinating organization.~~ The  
18 department ~~and local coordinating organizations, as applicable,~~ shall  
19 continue distributing portions of the funding periodically throughout the  
20 school year and shall adjust the amounts distributed based on the actual  
21 numbers and types of eligible children enrolled by preschool providers.

22 (c) (II) The department ~~and local coordinating organizations, as~~  
23 ~~applicable,~~ shall distribute the funding for preschool services for children  
24 who are three years of age or younger as described in subsection  
25 (3)(c)(I)(B) of this section only to preschool providers that are school  
26 districts or charter schools for the eligible children who are three years of  
27 age and younger whom the school district or charter school enrolls in

1 accordance with the preschool program; except that, in a fiscal year in  
2 which the general assembly specifically appropriates an amount to  
3 provide preschool services for children three years of age or younger who  
4 do not have disabilities that exceeds the amount described in subsection  
5 (3)(c)(I)(B) of this section, the department may distribute ~~in accordance~~  
6 ~~with the applicable community plans~~ all or any portion of the excess  
7 appropriation amount to community-based preschool providers. A school  
8 district may distribute all or a portion of the amount received pursuant to  
9 this subsection (3)(c)(II) to a head start agency or community-based  
10 preschool provider that provides preschool services pursuant to a contract  
11 with the school district.

12 (IV) In a fiscal year in which the amount described in subsection  
13 (3)(c)(I)(B) of this section to fund preschool services for children who are  
14 three years of age or younger is less than is required to fully fund the  
15 number of said eligible children who actually enroll for preschool  
16 services, the department shall first provide funding for the eligible  
17 children with disabilities and eligible children who are in low-income  
18 families and meet at least one qualifying factor and then provide funding  
19 for the remaining eligible children who are in low-income families. If any  
20 amount of the appropriation described in subsection (3)(c)(I)(B) of this  
21 section remains, the department, working with the rules advisory council,  
22 ~~the local coordinating organizations~~, and any other interested persons,  
23 shall establish the priority for distributing the funding among the  
24 remaining eligible children.

25 **SECTION 15.** In Colorado Revised Statutes, 26.5-4-209, **repeal**  
26 (5) as follows:

27 **26.5-4-209. Preschool programs cash fund - created - use -**



1 ~~repeal. (5) The department may use money appropriated from the~~  
2 ~~preschool programs cash fund for the administrative costs of local~~  
3 ~~coordinating organizations.~~

4 **SECTION 16.** In Colorado Revised Statutes, 13-3-113, **amend**  
5 (5)(d) as follows:

6 **13-3-113. Family-friendly courts. (5) Grant applications -**  
7 **duties of judicial districts.** (d) The judicial districts that are selected by  
8 the state court administrator to provide family-friendly court services that  
9 provide child care services shall meet the licensing requirements for child  
10 care facilities set forth in part 3 of article 5 of title 26.5, and all child care  
11 licensing rules ~~promulgated by the executive director~~ ADOPTED BY THE  
12 STATE BOARD OF EARLY CHILDHOOD SERVICES of the department of early  
13 childhood.

14 **SECTION 17.** In Colorado Revised Statutes, 19-1-307, **amend**  
15 (2.5)(a) as follows:

16 **19-1-307. Dependency and neglect records and information -**  
17 **access - fee - records and reports fund - misuse of information -**  
18 **penalty - adult protective services data system check - rules.** (2.5) **Fee**  
19 **- records and reports fund - rules.** (a) Any person or agency provided  
20 information from the state department of human services or department  
21 of early childhood pursuant to subsections (2)(i), (2)(k) to (2)(o), (2)(t),  
22 and (2)(y) of this section and any child placement agency must be  
23 assessed a fee that is established and collected by the state department of  
24 human services or established and collected by the department of early  
25 childhood pursuant to parameters set forth in rule established by the state  
26 board of human services or the ~~department~~ STATE BOARD of early  
27 childhood pursuant to parameters set forth in rule established by the

1 ~~executive director~~ STATE BOARD OF EARLY CHILDHOOD SERVICES of the  
2 department of early childhood, whichever is applicable. At a minimum,  
3 the rules must include a provision requiring the state department of  
4 human services or department of early childhood, as applicable, to  
5 provide notice of the fee to interested persons and the maximum fee  
6 amount that the department shall not exceed without the express approval  
7 of the state board of human services or ~~executive director~~ STATE BOARD  
8 OF EARLY CHILDHOOD SERVICES of the department of early childhood, as  
9 applicable. The fee established must not exceed the direct and indirect  
10 costs of administering subsections (2)(i), (2)(k) to (2)(o), (2)(t), and (2)(y)  
11 of this section.

12 **SECTION 18.** In Colorado Revised Statutes, 24-1-120.5, **add** (5)  
13 as follows:

14 **24-1-120.5. Department of early childhood - creation.** (5) THE  
15 STATE BOARD OF EARLY CHILDHOOD SERVICES, CREATED IN SECTION  
16 26.5-1-105, IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND  
17 EXERCISES ITS POWERS, DUTIES, AND FUNCTIONS UNDER THE DEPARTMENT  
18 OF EARLY CHILDHOOD.

19 **SECTION 19.** In Colorado Revised Statutes, 24-34-104, **repeal**  
20 (31)(a)(XI) as follows:

21 **24-34-104. General assembly review of regulatory agencies**  
22 **and functions for repeal, continuation, or reestablishment - legislative**  
23 **declaration - repeal.** (31) (a) The following agencies, functions, or both,  
24 are scheduled for repeal on September 1, 2031:

25 (XI) ~~The rule-making function of the executive director of the~~  
26 ~~department of early childhood pursuant to section 26.5-1-105 (1);~~

27 **SECTION 20.** In Colorado Revised Statutes, 26-1-116, **amend**

1 (3) as follows:

2 **26-1-116. County boards - district boards.** (3) The county  
3 board may hold a meeting to address the public assistance and welfare  
4 duties, responsibilities, and activities of the county department in  
5 conjunction with a meeting of the board of county commissioners, upon  
6 full and timely notice given pursuant to the provisions of section  
7 24-6-402. The county board shall act in accordance with rules adopted by  
8 the state board when addressing public assistance, and welfare duties,  
9 responsibilities, and activities of the county department. The county board  
10 shall act in accordance with rules adopted by the ~~executive director~~ STATE  
11 BOARD OF EARLY CHILDHOOD SERVICES of the department of early  
12 childhood when addressing child care assistance duties, responsibilities,  
13 and activities of the county department.

14 **SECTION 21.** In Colorado Revised Statutes, 26-1-122, **amend**  
15 (6)(c) as follows:

16 **26-1-122. County appropriations and expenditures -**  
17 **advancements - procedures.** (6) (c) The state department shall establish  
18 rules concerning what constitutes administrative costs and program costs  
19 for the Colorado works program. The ~~executive director~~ STATE BOARD OF  
20 EARLY CHILDHOOD SERVICES of the department of early childhood, in  
21 coordination with county departments, shall establish rules concerning  
22 what constitutes administrative costs and program costs for the Colorado  
23 child care assistance program. The state treasurer shall make  
24 advancements to county departments for the costs of administering the  
25 Colorado works program and the Colorado child care assistance program  
26 from funds appropriated or made available for such purpose, upon  
27 authorization of the department of early childhood or the state

1 department, as applicable; except that in no event shall the department of  
2 early childhood or the state department authorize expenditures greater  
3 than the annual appropriation by the general assembly for such  
4 administrative costs of the county departments. As funds are advanced,  
5 adjustment shall be made from subsequent monthly payments for those  
6 purposes.

7 **SECTION 22.** In Colorado Revised Statutes, 26-2-703, **amend**  
8 (4) as follows:

9 **26-2-703. Definitions.** As used in this part 7, unless the context  
10 otherwise requires:

11 (4) "Colorado child care assistance program" means the state  
12 program of child care assistance implemented pursuant to the provisions  
13 of part 1 of article 4 of title 26.5 and rules of the ~~executive director~~ STATE  
14 BOARD OF EARLY CHILDHOOD SERVICES of the department of early  
15 childhood.

16 **SECTION 23.** In Colorado Revised Statutes, 26-2-706.6, **amend**  
17 (6) as follows:

18 **26-2-706.6. Payments and services under Colorado works -**  
19 **rules. (6) Child care assistance.** Subject to available appropriations and  
20 pursuant to rules ~~promulgated by the executive director~~ ADOPTED BY THE  
21 STATE BOARD OF EARLY CHILDHOOD SERVICES of the department of early  
22 childhood, a county may provide child care assistance to a participant  
23 pursuant to the provisions of part 1 of article 4 of title 26.5 and rules  
24 ~~promulgated by the executive director~~ ADOPTED BY THE STATE BOARD OF  
25 EARLY CHILDHOOD SERVICES of the department of early childhood for  
26 implementation of said part 1.

27 **SECTION 24.** In Colorado Revised Statutes, 26.5-1-106, **repeal**

1 (1)(c) as follows:

2 **26.5-1-106. Transfer of functions - employees - property -**  
3 **contracts.** (1) (c) ~~The rules pertaining to the powers, duties, functions,~~  
4 ~~and obligations transferred to the department pursuant to subsection (1)(a)~~  
5 ~~of this section that are adopted by the department of human services, the~~  
6 ~~state board of human services, or the state board of education and are in~~  
7 ~~effect as of July 1, 2022, continue in effect and apply to the department~~  
8 ~~and persons or entities licensed or providing services pursuant to this title~~  
9 ~~26.5 until replaced by rules adopted by the executive director pursuant to~~  
10 ~~section 26.5-1-105.~~

11 **SECTION 25.** In Colorado Revised Statutes, **amend** 26.5-1-107  
12 as follows:

13 **26.5-1-107. Final agency action - authority of the state board**  
14 **- rules.** Hearings conducted by an appointed administrative law judge are  
15 considered initial decisions of the department that the ~~executive director,~~  
16 ~~or an executive director's designee~~ STATE BOARD shall review. If  
17 exceptions to the initial decision are filed pursuant to section 24-4-105  
18 (14)(a)(I), the review must be in accordance with section 24-4-105 (15);  
19 except that the department may, at its discretion, permit a party to file an  
20 audio recording in lieu of a written transcript if the party cannot afford a  
21 written transcript. The ~~executive director~~ STATE BOARD may adopt rules  
22 delineating the criteria and process for filing an audio recording in lieu of  
23 a written transcript. In the absence of an exception filed pursuant to  
24 section 24-4-105 (14)(a)(I), the ~~executive director~~ STATE BOARD shall  
25 review the initial decision in accordance with a procedure adopted by the  
26 ~~executive director~~ STATE BOARD. The procedure must be consistent with  
27 federal mandates concerning the single state agency requirement. Review

1 by the ~~executive director~~ STATE BOARD in accordance with section  
2 24-4-105 (15) or the procedure adopted by the ~~executive director~~ STATE  
3 BOARD pursuant to this section constitutes final agency action.

4 **SECTION 26.** In Colorado Revised Statutes, 26.5-2-203, **amend**  
5 (4) as follows:

6 **26.5-2-203. Early childhood councils - established - rules.**

7 (4) The ~~executive director~~ STATE BOARD shall determine by rule the  
8 criteria necessary for establishing a single council for an area.

9 **SECTION 27.** In Colorado Revised Statutes, 26.5-2-204, **amend**  
10 (5) as follows:

11 **26.5-2-204. Early childhood councils - applications - rules.**

12 (5) The ~~executive director shall promulgate~~ STATE BOARD SHALL ADOPT  
13 rules to define the standards for acceptance of applications made pursuant  
14 to this section. Acceptance of an application is automatic if the  
15 application is complete, the signatures are in order, and it meets the  
16 standards set forth by the ~~executive director~~ STATE BOARD pursuant to this  
17 subsection (5).

18 **SECTION 28.** In Colorado Revised Statutes, 26.5-2-207, **amend**  
19 (2)(a) as follows:

20 **26.5-2-207. Early childhood councils - waivers - rules -**  
21 **funding - application.** (2) (a) The ~~executive director shall promulgate~~

22 STATE BOARD SHALL ADOPT rules to develop and distribute to councils the  
23 application form and application process to be used by each council  
24 seeking to receive council infrastructure, quality improvement, technical  
25 assistance, and evaluation funding from the early childhood cash fund  
26 created in section 26.5-2-209 and other funding sources appropriated for  
27 early childhood services.

1           **SECTION 29.** In Colorado Revised Statutes, 26.5-3-403, **amend**  
2 (2) and (3)(b) as follows:

3           **26.5-3-403. Early intervention services - administration -**  
4 **duties of department - rules.** (2) The ~~executive director shall~~  
5 ~~promulgate~~ STATE BOARD SHALL ADOPT rules as necessary for the  
6 implementation of this part 4 and to ensure that all IDEA timelines and  
7 requirements are met, including but not limited to administrative remedies  
8 if the timelines and requirements are not met.

9           (3) In administering early intervention services, the department  
10 shall perform the following duties:

11           (b) Develop rules, for ~~promulgation by the executive director~~  
12 ADOPTION BY THE STATE BOARD, after consultation with the state  
13 interagency coordinating council;

14           **SECTION 30.** In Colorado Revised Statutes, 26.5-3-405, **amend**  
15 (1)(b) as follows:

16           **26.5-3-405. Authorized services - conditions of funding -**  
17 **purchases of services - rules.** (1) (b) The ~~executive director shall~~  
18 ~~promulgate~~ STATE BOARD SHALL ADOPT rules as necessary, in accordance  
19 with this part 4, to implement ~~on and after July 1, 2024,~~ the purchase of  
20 early intervention services directly or through certified early intervention  
21 service brokers.

22           **SECTION 31.** In Colorado Revised Statutes, 26.5-3-504, **amend**  
23 (3) introductory portion, (4), and (5) as follows:

24           **26.5-3-504. Nurse home visitor program - created - rules.**  
25 (3) The ~~executive director shall promulgate~~ STATE BOARD SHALL ADOPT,  
26 pursuant to the provisions of article 4 of title 24, rules to implement the  
27 program. The ~~executive director~~ STATE BOARD shall base the rules

1 establishing program training requirements, program protocols, program  
2 management information systems, and program evaluation requirements  
3 on research-based model programs that have been implemented in one or  
4 more other states for a period of at least five years and have shown  
5 significant reductions in:

6 (4) Notwithstanding the provisions of subsection (3) of this  
7 section, the ~~executive director~~ STATE BOARD shall adopt rules pursuant to  
8 which a nurse home visitation program that is in operation in the state as  
9 of July 1, 1999, may qualify for participation in the program if it can  
10 demonstrate that it has been in operation in the state for a minimum of  
11 five years and that it has achieved a reduction in the occurrences specified  
12 in subsection (3) of this section. Any program so approved is exempt  
13 from the rules adopted regarding program training requirements, program  
14 protocols, program management information systems, and program  
15 evaluation requirements so long as the program continues to demonstrate  
16 a reduction in the occurrences specified in subsection (3) of this section.

17 (5) The department may propose to the ~~executive director~~ STATE  
18 BOARD rules concerning program applications pursuant to section  
19 26.5-3-506. Any such proposal must be made in consultation with the  
20 health sciences facility.

21 **SECTION 32.** In Colorado Revised Statutes, 26.5-3-603, **amend**  
22 (1) as follows:

23 **26.5-3-603. Social-emotional learning programs grant**  
24 **program - created - implementation partner - application - selection**  
25 **- funding - rules.** (1) The social-emotional learning programs grant  
26 program is created in the department. The department shall administer the  
27 grant program in collaboration with an implementation partner selected



1 pursuant to subsection (2) of this section. Subject to annual  
2 appropriations, the department shall award grants to entities that apply  
3 pursuant to subsection (3) of this section to provide social-emotional  
4 learning programs for young children and their parents in communities  
5 throughout the state. The ~~executive director~~ STATE BOARD is authorized  
6 to ~~promulgate~~ ADOPT rules as necessary to implement the grant program.

7 **SECTION 33.** In Colorado Revised Statutes, 26.5-3-702, **amend**  
8 (1)(d) as follows:

9 **26.5-3-702. Early childhood mental health consultation -**  
10 **statewide program - creation - purpose - rules.** (1) (d) The ~~executive~~  
11 ~~director may promulgate~~ STATE BOARD MAY ADOPT rules for the design,  
12 implementation, and operation of the program.

13 **SECTION 34.** In Colorado Revised Statutes, 26.5-3-805, **amend**  
14 (4) as follows:

15 **26.5-3-805. Early care and education recruitment and**  
16 **retention grant and scholarship program - created - criteria and**  
17 **eligibility - grant and scholarship awards - reports - funding - rules**  
18 **- definitions - repeal.** (4) The ~~executive director may promulgate~~ STATE  
19 BOARD MAY ADOPT rules regarding criteria, timelines, and the  
20 administration of the program pursuant to the requirements outlined in  
21 this section.

22 **SECTION 35.** In Colorado Revised Statutes, 26.5-3-903, **amend**  
23 (1) as follows:

24 **26.5-3-903. Family-strengthening grant programs - authorized**  
25 **requirements - implementation partner - rules.** (1) The department is  
26 authorized to operate grant programs to support local providers in  
27 delivering high-quality, voluntary, family-strengthening support services

1 using home visiting strategies that are designed to overcome the access  
2 barriers often created by traditional delivery strategies. The ~~executive~~  
3 ~~director may promulgate~~ STATE BOARD MAY ADOPT rules as necessary to  
4 implement grant programs as authorized in this section.

5 **SECTION 36.** In Colorado Revised Statutes, 26.5-4-106, **amend**  
6 (6) as follows:

7 **26.5-4-106. Applications for child care assistance -**  
8 **applications for child care employees - verification - award - not**  
9 **assignable - limitation - rules.** (6) The ~~executive director shall~~  
10 ~~promulgate~~ STATE BOARD SHALL ADOPT rules for the implementation of  
11 this section.

12 **SECTION 37.** In Colorado Revised Statutes, 26.5-4-111, **amend**  
13 (12)(a), (13) introductory portion, and (14) as follows:

14 **26.5-4-111. Services - eligibility - assistance provided - waiting**  
15 **lists - rules - exceptions from cooperating with child support**  
16 **establishment.** (12) Each county:

17 (a) Upon notification to counties by the department that the  
18 relevant case management systems, including the Colorado child care  
19 automated tracking system, are capable of accommodating this subsection  
20 (12)(a), and pursuant to department rules, on or before August 1, 2026,  
21 and subject to available federal appropriations, in addition to regular  
22 provider reimbursement rates, the county departments shall pay providers  
23 for care in alignment with common practices in the private market for  
24 child care, including paying providers weekly for each child based on  
25 child enrollment in advance of the provision of services. The department  
26 rules governing payment policies must allow daily reimbursement rates  
27 only for drop-in child care, back-up child care, and care that is commonly

1 paid on a daily reimbursement basis in the private child care market and  
2 must incentivize providers to promote regular program attendance. On or  
3 before August 1, 2026, and subject to available federal appropriations, the  
4 department and county departments shall utilize grants and contracts for  
5 underserved populations, including children in underserved geographic  
6 areas, infants and toddlers, children with disabilities, and families needing  
7 nontraditional-hour care, to improve equitable access for these  
8 populations. The department shall annually evaluate data regarding the  
9 numbers and percentages of underserved populations being served by  
10 CCCAP to determine if equitable access is improved or achieved. The  
11 ~~executive director shall promulgate~~ STATE BOARD SHALL ADOPT rules for  
12 the implementation of this subsection (12).

13 (13) For children who are enrolled in both CCCAP and the  
14 Colorado universal preschool program, the ~~executive director~~ STATE  
15 BOARD shall adopt rules as necessary to ensure:

16 (14) The ~~executive director shall promulgate~~ STATE BOARD SHALL  
17 ADOPT rules for the implementation of this part 1.

18 **SECTION 38.** In Colorado Revised Statutes, 26.5-4-117, **amend**  
19 (2) as follows:

20 **26.5-4-117. Locating violators - recoveries.** (2) All departments  
21 and agencies of the state and local governments shall cooperate in the  
22 location and prosecution of a person who fraudulently obtains child care  
23 assistance pursuant to this part 1, and, on request of the county or district  
24 board of human or social services, the county director, the department, or  
25 the district attorney of any judicial district in this state, shall supply all  
26 information on hand relative to the location, employment, income, and  
27 property of said persons, notwithstanding any other provision of law

1 making the information confidential, except the laws pertaining to  
2 confidentiality of tax returns filed pursuant to law with the department of  
3 revenue. The department of revenue shall furnish at no cost to inquiring  
4 departments and agencies ~~such~~ THE information as ~~may be~~ necessary to  
5 effectuate the purposes of this part 1. The ~~executive director~~ STATE  
6 BOARD shall, by rule, establish the procedures whereby this information  
7 is requested and provided. The department or county departments shall  
8 use ~~such~~ THE information only for the purposes of administering the  
9 Colorado child care assistance program pursuant to this part 1, and a  
10 district attorney shall use it only for the prosecution of persons who  
11 fraudulently obtain child care assistance pursuant to this part 1, and shall  
12 not use the information, or disclose it, for any other purpose.

13 **SECTION 39.** In Colorado Revised Statutes, 26.5-4-118, **amend**  
14 (1) as follows:

15 **26.5-4-118. Records confidential - authorization to obtain**  
16 **records of assets - release of location information to law enforcement**  
17 **agencies - outstanding felony arrest warrants.** (1) The ~~executive~~  
18 ~~director~~ STATE BOARD may establish reasonable rules to provide  
19 safeguards restricting the use or disclosure of information concerning  
20 applicants, recipients, and former and potential recipients of federally  
21 aided child care assistance to purposes directly connected with the  
22 administration of the Colorado child care assistance program and related  
23 department activities and covering the custody, use, and preservation of  
24 the records, papers, files, and communications of the department and  
25 county departments. Whenever, under provisions of law, names and  
26 addresses of applicants for, recipients of, or former and potential  
27 recipients of child care assistance are furnished to or held by another

1 agency, department of government, or an auditor conducting a financial  
2 or performance audit of a county department pursuant to section  
3 26-1-114.5, the agency, department, or auditor is required to prevent the  
4 publication of lists and uses of the lists for purposes not directly  
5 connected with the administration of the Colorado child care assistance  
6 program.

7 **SECTION 40.** In Colorado Revised Statutes, 26.5-4-119, **amend**  
8 (4) as follows:

9 **26.5-4-119. State income tax refund offset - rules.** (4) The  
10 ~~executive director shall promulgate~~ STATE BOARD SHALL ADOPT rules  
11 establishing procedures to implement this section.

12 **SECTION 41.** In Colorado Revised Statutes, 26.5-5-102, **amend**  
13 (6)(a) introductory portion as follows:

14 **26.5-5-102. School-readiness quality improvement program -**  
15 **created - rules.** (6) (a) The ~~executive director shall promulgate~~ STATE  
16 BOARD SHALL ADOPT rules for the implementation of this section,  
17 including but not limited to rules that:

18 **SECTION 42.** In Colorado Revised Statutes, 26.5-5-306, **amend**  
19 (2) as follows:

20 **26.5-5-306. Substitute child care providers - substitute**  
21 **placement agency - licensing - rules.** (2) The ~~executive director shall~~  
22 ~~promulgate~~ STATE BOARD SHALL ADOPT rules for substitute placement  
23 agencies and substitute child care providers. At a minimum, the rules  
24 must require that the substitute child care provider demonstrate that the  
25 provider has the training and certification for the child care license type  
26 and position in which the substitute child care provider is placed.  
27 Pursuant to section 26.5-5-316 (1)(a)(I)(C), each substitute child care

1 provider shall pay for and submit to a fingerprint-based criminal history  
2 record check and a review of the records and reports of child abuse or  
3 neglect maintained by the state department of human services to  
4 determine whether the substitute child care provider has been found to be  
5 responsible in a confirmed report of child abuse or neglect. When the  
6 results of a fingerprint-based criminal history record check or any other  
7 records check performed on a person pursuant to this subsection (2)  
8 reveal a record of arrest without a disposition, the department rules ~~shall~~  
9 MUST require that person to submit to a name-based judicial record check,  
10 as defined in section 22-2-119.3 (6)(d). The substitute placement agency  
11 shall not place a substitute child care provider who is convicted of any of  
12 the crimes specified in section 26.5-5-309 (4) or 26.5-5-317.

13 **SECTION 43.** In Colorado Revised Statutes, 26.5-5-307, **amend**  
14 (2)(f)(III)(B) and (2)(g)(III)(B) as follows:

15 **26.5-5-307. Application of part - guest child care facilities -**  
16 **public services short-term child care facilities - definition.** (2) A  
17 person or entity shall not operate a guest child care facility or a public  
18 services short-term child care facility unless the following requirements  
19 are met:

20 (f) (III) (B) The guest child care facility or public services  
21 short-term child care facility requests the department to obtain such  
22 information concerning the supervisory employee or applicant for a  
23 supervisory employee position from any other recognized database, if  
24 any, that is accessible on a statewide basis as set forth by rules  
25 ~~promulgated by the executive director~~ ADOPTED BY THE STATE BOARD;

26 (g) (III) (B) The guest child care facility or public services  
27 short-term child care facility requests the department to obtain such

1 information concerning the employee from any other recognized  
2 database, if any, that is accessible on a statewide basis as set forth by  
3 rules ~~promulgated by the executive director~~ ADOPTED BY THE STATE  
4 BOARD; and

5 **SECTION 44.** In Colorado Revised Statutes, 26.5-5-308, **amend**  
6 (2) as follows:

7 **26.5-5-308. Application of part - neighborhood youth**  
8 **organizations - rules - licensing - duties and responsibilities -**  
9 **definitions.** (2) The ~~executive director shall promulgate~~ STATE BOARD  
10 SHALL ADOPT rules to establish a neighborhood youth organization  
11 license, including but not limited to the fee required to apply for and  
12 obtain the license. The rules shall not concern staff-to-youth ratios.

13 **SECTION 45.** In Colorado Revised Statutes, 26.5-5-311, **amend**  
14 (1)(a) introductory portion and (1)(b) introductory portion as follows:

15 **26.5-5-311. Fees - when original applications, reapplications,**  
16 **and renewals for licensure are required - creation of child care**  
17 **licensing cash fund - rules.** (1) (a) The department is authorized to  
18 establish, pursuant to rules ~~promulgated by the executive director~~  
19 ADOPTED BY THE STATE BOARD, permanent, time-limited, and provisional  
20 license fees and fees for continuation of a license for the following types  
21 of child care arrangements:

22 (b) The department may also establish fees pursuant to rules  
23 ~~promulgated by the executive director~~ ADOPTED BY THE STATE BOARD for  
24 the following situations:

25 **SECTION 46.** In Colorado Revised Statutes, 26.5-5-313, **amend**  
26 (4) introductory portion as follows:

27 **26.5-5-313. Applications - materials waivers - appeals - rules.**

1 (4) The ~~executive director shall promulgate~~ STATE BOARD SHALL ADOPT  
2 rules for the implementation of this section, including:

3 **SECTION 47.** In Colorado Revised Statutes, 26.5-5-314, **amend**  
4 (1), (2)(n), (3)(c), (4), and (6) as follows:

5 **26.5-5-314. Standards for facilities and agencies - rules -**  
6 **definition.** (1) The department shall prescribe and publish standards for  
7 licensing. The standards must be applicable to the various types of  
8 facilities and agencies for child care regulated and licensed by this part 3.  
9 The department shall seek the advice and assistance of persons  
10 representative of the various types of child care facilities and agencies in  
11 establishing the standards, including the advice and assistance of the  
12 department of public safety and councils and associations representing  
13 fire marshals and building code officials in the promulgation of any rules  
14 related to adequate fire protection and prevention, as allowed in  
15 subsection (2)(e) of this section, in a family child care home. The  
16 standards must be established by rules ~~promulgated by the executive~~  
17 ~~director~~ ADOPTED BY THE STATE BOARD and be issued, published, and  
18 become effective only in conformity with article 4 of title 24.

19 (2) The standards prescribed by department rules are restricted to:

20 (n) Rules governing different types of family child care homes as  
21 well as any other types of family child care homes that may by necessity  
22 be established by rule of the ~~executive director~~ STATE BOARD.

23 (3) (c) If all of the requirements in section 22-1-119.5 and any  
24 additional department rules are met, a school-age child enrolled in a  
25 program on school property may possess and self-administer medication  
26 for asthma, a food allergy, or anaphylaxis. The ~~executive director~~ STATE  
27 BOARD may adopt additional rules for programs on school property



1 concerning the authority to possess and self-administer medication for  
2 asthma, a food allergy, or anaphylaxis.

3 (4) If all of the requirements in section 22-1-119.5 and any  
4 additional department rules are met, a child enrolled in a large child care  
5 center, as defined by rule ~~promulgated by the executive director~~ ADOPTED  
6 BY THE STATE BOARD, may possess and self-administer medication for  
7 asthma, a food allergy, or anaphylaxis. The ~~executive director~~ STATE  
8 BOARD may adopt additional rules concerning the authority to possess and  
9 self-administer medication for asthma, a food allergy, or anaphylaxis.

10 (6) The ~~executive director shall promulgate~~ STATE BOARD SHALL  
11 ADOPT rules concerning standards for licensing early care and education  
12 programs that facilitate the recruitment and retention of Colorado's early  
13 childhood educator workforce as described in section 26.5-6-103.

14 **SECTION 48.** In Colorado Revised Statutes, 26.5-5-315, **amend**  
15 (3) as follows:

16 **26.5-5-315. Staffing during emergency circumstances -**  
17 **definitions.** (3) During an emergency circumstance, a child care center  
18 shall maintain the staff-to-child ratio required by rule of the ~~executive~~  
19 ~~director~~ STATE BOARD.

20 **SECTION 49.** In Colorado Revised Statutes, 26.5-5-316, **amend**  
21 (1)(a)(I)(A), (1)(a)(I)(B), (1)(a)(I)(C), (1)(a)(I)(E), (1)(a)(II) introductory  
22 portion, and (1)(b)(II) as follows:

23 **26.5-5-316. Investigations and inspections - local authority -**  
24 **reports - rules.** (1) (a) (I) (A) The department shall investigate and pass  
25 on each original application for a license, each application for a  
26 permanent license following the issuance of a probationary or provisional  
27 license, and each application for renewal to operate a facility or an agency

1 prior to granting the license or renewal. As part of the investigation, the  
2 department shall require each individual, including, but not limited to, the  
3 applicant, any owner, employee, newly hired employee, licensee, and any  
4 adult who is eighteen years of age and older who resides in the licensed  
5 facility, to obtain a fingerprint-based criminal history record check by  
6 reviewing any record that is used to assist the department in ascertaining  
7 whether the person being investigated has been convicted of any of the  
8 criminal offenses specified in section 26.5-5-309 (4) or any other felony.  
9 The ~~executive director shall promulgate~~ STATE BOARD SHALL ADOPT rules  
10 that define and identify what the criminal history record check entails.

11 (B) Rules ~~promulgated by the executive director~~ ADOPTED BY THE  
12 STATE BOARD pursuant to this subsection (1)(a)(I) must allow an  
13 exemption from the fingerprint-based criminal history record check and  
14 the check of the records and reports of child abuse or neglect maintained  
15 by the state department of human services for those out-of-state  
16 employees working in Colorado at a children's resident camp in a  
17 temporary capacity for a camp that is in operation for fewer than ninety  
18 days. Each person so exempted from fingerprinting and the check of the  
19 records and reports of child abuse or neglect maintained by the state  
20 department of human services shall sign a statement that affirmatively  
21 states that the person has not been convicted of any charge of child abuse,  
22 unlawful sexual offense, or any felony. Prospective employers of  
23 exempted persons shall conduct reference checks of the prospective  
24 employees in order to verify previous work history and shall conduct  
25 personal interviews with each prospective employee.

26 (C) Rules ~~promulgated by the executive director~~ ADOPTED BY THE  
27 STATE BOARD pursuant to this subsection (1)(a)(I) must require the

1 fingerprint-based criminal history record check in all circumstances, other  
2 than those identified in subsection (1)(a)(I)(B) or (1)(a)(I)(D) of this  
3 section, to include a fingerprint-based criminal history record check  
4 utilizing the records of the Colorado bureau of investigation and the  
5 federal bureau of investigation and, for any new owner, new applicant,  
6 newly hired employee, new licensee, or individual who begins residing  
7 in the licensed facility. As part of the investigation, the records and  
8 reports of child abuse or neglect maintained by the state department of  
9 human services must be accessed to determine whether the owner,  
10 applicant, employee, newly hired employee, licensee, or individual who  
11 resides in the licensed facility being investigated has been found to be  
12 responsible in a confirmed report of child abuse or neglect. Information  
13 is made available pursuant to section 19-1-307 (2)(j) and rules  
14 promulgated by the state board of human services pursuant to section  
15 19-3-313.5 (4). Except as provided in subsection (1)(a)(I)(D) of this  
16 section, any change in ownership of a licensed facility or the addition of  
17 a new resident adult or newly hired employee to the licensed facility  
18 requires a new investigation as provided in this section.

19 (E) ~~The executive director shall promulgate~~ STATE BOARD SHALL  
20 ADOPT rules to implement this subsection (1)(a)(I).

21 (II) Rules ~~promulgated by the executive director~~ ADOPTED BY THE  
22 STATE BOARD pursuant to subsection (1)(a)(I) of this section must also  
23 include:

24 (b) (II) ~~The executive director~~ STATE BOARD shall adopt rules  
25 concerning the on-site public availability of the most recent inspection  
26 report results of child care center facilities and family child care home  
27 facilities, when requested. ~~The executive director~~ STATE BOARD shall also

1 adopt rules concerning a requirement that all facilities licensed under this  
2 part 3 post their licenses and information regarding the procedures for  
3 filing a complaint under this part 3 directly with the department, which  
4 rules must require that each such facility display its license and complaint  
5 procedures in a prominent and conspicuous location at all times during  
6 operational hours of the facility.

7 **SECTION 50.** In Colorado Revised Statutes, 26.5-5-318, **amend**  
8 (1)(c) and (2) as follows:

9 **26.5-5-318. Notice of negative licensing action - filing of**  
10 **complaints.** (1) (c) The ~~executive director shall promulgate~~ STATE  
11 BOARD SHALL ADOPT rules concerning the assessment of a fine against a  
12 licensee that is equal to the direct and indirect costs associated with the  
13 mailing of the notice described in subsection (1)(b) of this section against  
14 the facility.

15 (2) The ~~executive director shall promulgate~~ STATE BOARD SHALL  
16 ADOPT rules requiring child care center facilities and family child care  
17 home facilities to provide written notice to the parents and legal guardians  
18 of the children cared for in such facilities of the procedures by which to  
19 file a complaint against the facility or an employee of the facility with the  
20 department. The rules must specify the information the notice must  
21 contain, but must require that the notice include the current mailing  
22 address and telephone number of the appropriate division within the  
23 department.

24 **SECTION 51.** In Colorado Revised Statutes, 26.5-5-325, **amend**  
25 (1)(c) and (2) as follows:

26 **26.5-5-325. Family child care homes - administration of**  
27 **routine medications - parental direction - rules.** (1) The delegation of

1 nursing tasks by a registered nurse pursuant to section 12-255-131 is not  
2 required for the administration of routine medications by a child care  
3 provider to children cared for in family child care homes licensed  
4 pursuant to this part 3, subject to the following conditions:

5 (c) Routine medications are administered in compliance with rules  
6 ~~promulgated by the executive director~~ ADOPTED BY THE STATE BOARD  
7 pursuant to subsection (2) of this section;

8 (2) The ~~executive director shall promulgate~~ STATE BOARD SHALL  
9 ADOPT rules concerning the medically acceptable procedures and  
10 standards to be followed by child care providers administering routine  
11 medications to children cared for in family child care homes.

12 **SECTION 52.** In Colorado Revised Statutes, 26.5-5-326, **amend**  
13 (4)(a) and (6) as follows:

14 **26.5-5-326. Exempt family child care home providers -**  
15 **fingerprint-based criminal history record check - child care**  
16 **assistance program money - temporary care - rules - definitions.**

17 (4) The department or a county department shall not issue or renew a  
18 contract to provide money pursuant to the Colorado child care assistance  
19 program pursuant to part 1 of article 4 of this title 26.5 to a qualified  
20 provider if the qualified provider or a qualified adult:

21 (a) Has a pattern of misdemeanor or petty offense convictions  
22 occurring within the ten years preceding submission of the application,  
23 including petty offense convictions pursuant to section 26.5-5-321. The  
24 ~~executive director~~ STATE BOARD shall define by rule what constitutes a  
25 pattern of misdemeanor or petty offense convictions.

26 (6) The ~~executive director shall promulgate~~ STATE BOARD SHALL  
27 ADOPT rules to establish the amount of the fee to collect from a qualified

1 provider or qualified adult who is subject to an FCC pursuant to  
2 subsection (1) of this section or a name-based judicial record check  
3 pursuant to subsection (2) of this section. The department is authorized  
4 to collect the fee at the time of the FCC or name-based judicial record  
5 check.

6 **SECTION 53.** In Colorado Revised Statutes, **amend 26.5-5-327**  
7 as follows:

8 **26.5-5-327. Unique student identifying numbers - rules.** The  
9 ~~executive director shall promulgate~~ STATE BOARD SHALL ADOPT rules as  
10 necessary for the assignment of uniquely identifying numbers to children  
11 who receive early childhood services. At a minimum, the rules must  
12 include children who receive state-subsidized or federally subsidized  
13 early childhood services, including but not limited to services provided  
14 through the child care development block grant, the Colorado universal  
15 preschool program, and head start.

16 **SECTION 54.** In Colorado Revised Statutes, 26.5-5-331, **amend**  
17 (1) introductory portion as follows:

18 **26.5-5-331. Outdoor nature-based preschool programs - child**  
19 **care centers - rules - definition.** (1) No later than December 31, 2025,  
20 the ~~executive director shall promulgate~~ STATE BOARD SHALL ADOPT rules  
21 for child care centers that operate as outdoor nature-based preschool  
22 programs. Rules ~~promulgated~~ ADOPTED pursuant to this section must  
23 include, but are not limited to:

24 **SECTION 55.** In Colorado Revised Statutes, **amend 26.5-6-102**  
25 as follows:

26 **26.5-6-102. Voluntary child care credentialing system - rules.**  
27 The department shall develop and maintain a statewide voluntary child

1 care credentialing system that recognizes the training and educational  
2 achievements of persons providing early childhood care and education.  
3 The use of the voluntary child care credentialing system must include but  
4 need not be limited to the early childhood councils established pursuant  
5 to part 2 of article 2 of this title 26.5. The voluntary child care  
6 credentialing system is a multi-tiered system of graduated credentials that  
7 reflects the increased training, education, knowledge, skills, and  
8 competencies of persons working in early childhood care and education  
9 services in the various councils. The voluntary child care credentialing  
10 system must award credit for the education and training of persons  
11 working in early childhood care and education concerning the prevention  
12 of child sexual abuse. This education and training includes understanding  
13 healthy child development, creating safe environments for children,  
14 recognizing signs of abuse and problematic behaviors, and responsible  
15 methods of response to disclosures or concerns of abuse or potential  
16 abuse. ~~The executive director shall promulgate such~~ STATE BOARD SHALL  
17 ADOPT rules as are necessary for the statewide implementation of the  
18 voluntary child care credentialing system.

19 **SECTION 56.** In Colorado Revised Statutes, 26.5-6-103, **amend**  
20 (1) and (2) as follows:

21 **26.5-6-103. Pathways to the classroom and retention strategies**  
22 **for early childhood educators - standards - alignment across agencies**  
23 **- report - rules.** (1) ~~The executive director shall promulgate~~ STATE  
24 BOARD SHALL ADOPT rules establishing standards for licensing that allow  
25 an early care and education program to be licensed pursuant to part 3 of  
26 article 5 of this title 26.5 for a period of time determined by the ~~executive~~  
27 ~~director~~ STATE BOARD, if a number, as specified in department rule, of

1 aspiring early childhood educators in the program are pursuing a  
2 state-agency-approved early childhood credential and other quality,  
3 safety, and supervision conditions are met.

4 (2) ~~The executive director shall promulgate~~ STATE BOARD SHALL  
5 ADOPT rules that allow an early childhood educator to earn points toward  
6 an early childhood credential that meets child care licensing standards  
7 based on the candidate's prior experience and demonstrated competency.  
8 The licensing pathway must also include ways in which a candidate in a  
9 second career or changing careers can earn points or credits for prior  
10 experience and competencies that apply toward the qualifications for an  
11 early childhood educator credential. The standards and credential  
12 awarding process may use validated tools to award points for  
13 demonstrated competencies.

14 **SECTION 57. Effective date.** This act takes effect upon passage;  
15 except that sections 4, 5, 6, 7, 8, 10, 12, 14, and 15 of this act take effect  
16 on June 1, 2026.

17 **SECTION 58. Safety clause.** The general assembly finds,  
18 determines, and declares that this act is necessary for the immediate  
19 preservation of the public peace, health, or safety or for appropriations for  
20 the support and maintenance of the departments of the state and state  
21 institutions.