

CHAPTER 152

GOVERNMENT - LOCAL

HOUSE BILL 98-1296

BY REPRESENTATIVES George, Bacon, Chavez, Gotlieb, Grossman, Kaufman, Keller, Mace, Morrison, Nichol, Reeser, Romero, Saliman, Sullivant, Tate, Tupa, Udall, Veiga, S. Williams, and Zimmerman;
also SENATORS Wham, Bishop, Chlouber, Hernandez, Hopper, J. Johnson, Linkhart, Martinez, Matsunaka, Pascoe, Perlmutter, Phillips, Reeves, Rupert, Tanner, Thiebaut, and Weddig.

AN ACT

CONCERNING IMPLEMENTATION OF AN EARLY EDUCATION AND SCHOOL READINESS PROGRAM.

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

SECTION 1. Part 28 of article 32 of title 24, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

24-32-2804. Early education and school readiness program - repeal.
(1) **Legislative intent.** (a) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT IT IS IN THE STATE'S BEST INTEREST TO PROMOTE SCHOOL READINESS FOR AT-RISK CHILDREN BY SUPPORTING LANGUAGE SKILLS AND COGNITIVE DEVELOPMENT BEFORE CHILDREN START KINDERGARTEN. THE GENERAL ASSEMBLY'S GOAL IN PROMOTING SCHOOL READINESS IS TO IMPROVE FOURTH GRADE READING SCORES ON THE STATEWIDE ASSESSMENT ADMINISTERED PURSUANT TO SECTION 22-7-409, C.R.S. THE GENERAL ASSEMBLY ALSO FINDS THAT CHILDREN WHO PARTICIPATE IN QUALITY EARLY CHILDHOOD EDUCATIONAL PROGRAMS ARE MORE LIKELY TO ACHIEVE POSITIVE RESULTS ON SCHOOL ACHIEVEMENT TESTS AND HIGHER GRADE POINT AVERAGES AND ARE LESS LIKELY TO NEED PLACEMENT IN SPECIAL EDUCATION CLASSES OR TO REQUIRE DELINQUENCY SERVICES.

(b) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT FUNDS FOR PROGRAMS AUTHORIZED PURSUANT TO THE PROVISIONS OF THIS SECTION BE USED FOR PURPOSES DIRECTLY RELATED TO INCREASING THE READING READINESS AND LANGUAGE DEVELOPMENT OF CHILDREN AND ARE NOT INTENDED TO CREATE NEW CHILD CARE

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

OR EARLY EDUCATION PROGRAMS. THE FUNDS ARE INTENDED TO BE USED FOR:

(I) AGE-APPROPRIATE READING READINESS TUTORING WHICH MAY INCLUDE PARENTAL EDUCATION PROGRAMS TO FURTHER FAMILY INVOLVEMENT IN READING ACTIVITIES;

(II) THE PURCHASE OF AGE-APPROPRIATE READING READINESS MATERIALS TO SERVE EARLY CHILDHOOD PROGRAMS;

(III) GRANTS FOR NONPROFIT AND FOR-PROFIT EARLY CHILDHOOD AND EDUCATION CARE CENTERS AND FAMILY CHILD CARE HOMES TO BECOME ACCREDITED;

(IV) GRANTS FOR EARLY CHILDHOOD TEACHER OR CAREGIVER PROFESSIONAL DEVELOPMENT.

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

(a) "EESR PROGRAM" MEANS THE EARLY EDUCATION AND SCHOOL READINESS PROGRAM CREATED IN THIS SECTION.

(b) "JURISDICTION" MEANS A MUNICIPALITY, COUNTY, CITY AND COUNTY, OR COUNCIL OF GOVERNMENTS.

(c) "TARGET POPULATION" MEANS CHILDREN FROM BIRTH THROUGH THE THIRD GRADE.

(3) **Early education and school readiness program.** THERE IS HEREBY CREATED THE EARLY EDUCATION AND SCHOOL READINESS PROGRAM THAT, SUBJECT TO AVAILABLE APPROPRIATIONS, MAY PROVIDE FUNDING FOR PROGRAMS THAT ADVANCE COORDINATION OF EARLY EDUCATION AND SCHOOL READINESS PROGRAMS AT THE LOCAL LEVEL TO HELP TO ACHIEVE SCHOOL READINESS GOALS FOR AT-RISK CHILDREN IN THE TARGET POPULATION.

(4) **Administration.** (a) THE BOARD SHALL ADMINISTER THE EESR PROGRAM IN CONJUNCTION WITH THE DEPARTMENT OF LOCAL AFFAIRS. THE BOARD AND THE DEPARTMENT OF LOCAL AFFAIRS SHALL SEEK INPUT AND DIRECTION FROM THE CHILDREN'S CABINET IN DEVELOPING AND IMPLEMENTING THE EESR PROGRAM. THE PROVISIONS OF THIS SECTION SHALL ONLY BE IMPLEMENTED IF THE GENERAL ASSEMBLY APPROPRIATES FUNDS FOR THE EESR PROGRAM. IN ADMINISTERING THE EESR PROGRAM, THE BOARD SHALL:

(I) SELECT THOSE JURISDICTIONS THAT WILL RECEIVE GRANTS THROUGH THE EESR PROGRAM SO THAT NO MORE THAN ONE JURISDICTION IN ANY GEOGRAPHIC AREA RECEIVES A GRANT UNDER THE EESR PROGRAM;

(II) IDENTIFY THE AMOUNT OF EACH GRANT, BASED UPON THE NUMBER OF CHILDREN SERVED BY THE JURISDICTION AND THE NEEDS AND RESOURCES ASSESSMENT FOR THE JURISDICTION COMPLETED PURSUANT TO SUBPARAGRAPH (II) OF PARAGRAPH (b) OF SUBSECTION (5) OF THIS SECTION; AND

(III) ESTABLISH BENCHMARK INDICATORS FOR ASSESSING THE PROGRAMS PROVIDED BY THE JURISDICTIONS THAT RECEIVE GRANTS UNDER THE EESR PROGRAM.

(b) (I) ANY GRANT AWARDED THROUGH THE EESR PROGRAM SHALL BE PAID FROM MONEYS APPROPRIATED OUT OF THE GENERAL FUND TO THE DEPARTMENT OF LOCAL AFFAIRS FOR THE PROGRAM. SUCH MONEYS, IN ADDITION TO ANY PRIVATE DONATIONS, CONTRIBUTIONS, OR GRANTS THAT THE DEPARTMENT OF LOCAL AFFAIRS IS HEREBY AUTHORIZED TO ACCEPT, SHALL BE CREDITED TO THE "EESR FUND", WHICH FUND IS HEREBY CREATED. AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED AND UNENCUMBERED MONEYS IN THE EESR FUND SHALL REMAIN AVAILABLE FOR EXPENDITURE IN THE NEXT FISCAL YEAR WITHOUT FURTHER APPROPRIATION AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND.

(II) THE BOARD, IN ACCORDANCE WITH THE TIME LINES ADOPTED FOR THE YOUTH CRIME PREVENTION AND INTERVENTION PROGRAM PURSUANT TO SECTION 24-32-2802 (3), SHALL SUBMIT TO THE GOVERNOR FOR APPROVAL A LIST OF THE JURISDICTIONS CHOSEN TO RECEIVE GRANTS. THE GOVERNOR SHALL EITHER APPROVE OR DISAPPROVE THE ENTIRE LIST OF JURISDICTIONS BY RESPONDING TO THE BOARD WITHIN TWENTY DAYS. IF THE GOVERNOR HAS NOT RESPONDED TO THE BOARD WITHIN TWENTY DAYS AFTER RECEIPT OF THE LIST, THE LIST SHALL BE DEEMED APPROVED. NO GRANTS SHALL BE AWARDED THROUGH THE EESR PROGRAM WITHOUT THE PRIOR APPROVAL OF THE GOVERNOR.

(5) **Qualified jurisdictions.** (a) TO PARTICIPATE IN THE EESR PROGRAM, A JURISDICTION SHALL APPLY TO THE BOARD IN ACCORDANCE WITH TIME LINES AND GUIDELINES ADOPTED BY THE BOARD FOR THE YOUTH CRIME PREVENTION AND INTERVENTION PROGRAM PURSUANT TO SECTION 24-32-2802.

(b) TO QUALIFY FOR A GRANT UNDER THE EESR PROGRAM, A JURISDICTION SHALL PROVIDE THE FOLLOWING INFORMATION:

(I) A DESCRIPTION OF ITS SERVICE AREA;

(II) A NEEDS AND RESOURCES ASSESSMENT OF THE EARLY CHILDHOOD CARE AND EDUCATION PROGRAMS IN THE JURISDICTION THAT INCLUDES BUT IS NOT LIMITED TO THE PERCENTAGE OF CHILDREN AT OR BELOW ONE HUNDRED TWENTY-FIVE PERCENT OF THE FEDERAL POVERTY LEVEL, THE PERCENTAGE OF CHILDREN IN THE TARGET POPULATION, AND THE AGGREGATE SCORES FOR THE FOURTH GRADE READING ASSESSMENT ADMINISTERED IN THE JURISDICTION PURSUANT TO THE PROVISIONS OF SECTION 22-7-409, C.R.S.;

(III) A PLAN TO SERVE THE CHILDREN IN THE TARGET POPULATION AND THE SERVICES TO BE PROVIDED THAT ARE CONSISTENT WITH THE INTENT OF THE GENERAL ASSEMBLY SET FORTH IN SUBSECTION (1) OF THIS SECTION;

(IV) IDENTIFICATION OF A LOCAL COORDINATING GROUP THAT INCLUDES ONE REPRESENTATIVE FROM EACH OF THE FOLLOWING SERVICE AREA STAKEHOLDERS, IF APPLICABLE, WHO SHALL RESIDE WITHIN THE LOCAL COMMUNITY:

(A) STATE-FUNDED LOCAL CHILD CARE RESOURCE AND REFERRAL AGENCIES;

- (B) THE COLORADO PRESCHOOL PROGRAM PLANNING COUNCIL;
- (C) THE LOCAL HEAD START PROGRAM;
- (D) EARLY CHILDHOOD LEARNING CLUSTERS;
- (E) FOR-PROFIT CHILD CARE CENTERS;
- (F) NONPROFIT CHILD CARE CENTERS;
- (G) FAMILY CHILD CARE HOMES;
- (H) CHILD CARE PROVIDER ORGANIZATIONS;
- (I) COUNTY DEPARTMENT OF SOCIAL SERVICES;
- (J) THE LOCAL FAMILY DEVELOPMENT CENTER;
- (K) THE LOCAL FAMILY LITERACY PROGRAM;
- (L) TEEN PARENT PROGRAMS;

(V) IN ADDITION TO THE PERSONS SPECIFIED IN SUBPARAGRAPH (IV) OF THIS PARAGRAPH (b), A PLAN TO INCLUDE THE FOLLOWING PERSONS IN THE LOCAL COORDINATING GROUP:

- (A) A BUSINESS LEADER;
- (B) A MEDIA REPRESENTATIVE;
- (C) A REPRESENTATIVE OF THE FAITH COMMUNITY IN THE JURISDICTION;
- (D) A REPRESENTATIVE FROM THE LOCAL SCHOOL BOARD;
- (E) A REPRESENTATIVE OF LOCAL PUBLIC EARLY CHILDHOOD AND EARLY ELEMENTARY TEACHERS;
- (F) A REPRESENTATIVE OF THE PUBLIC LIBRARIES; AND
- (G) THE DIVISION OF CHILD CARE LICENSING SPECIALIST ASSIGNED TO THE JURISDICTION.

(6) **Role of the local coordinating group.** THE LOCAL COORDINATING GROUP SHALL:

- (a) MEET TO ORGANIZE ITSELF AND ELECT FROM AMONG ITS MEMBERS A CHAIRPERSON WHO SHALL SERVE A TWO-YEAR TERM AND MAY NOT SUCCEED HIMSELF OR HERSELF FOR A CONSECUTIVE TERM;
- (b) DEVELOP THE PLAN DESCRIBED IN SUBPARAGRAPH (III) OF PARAGRAPH (b) OF SUBSECTION (5) OF THIS SECTION;

(c) OVERSEE THE PLAN'S IMPLEMENTATION;

(d) ADMINISTER THE FUNDS PROVIDED TO JURISDICTIONS UNDER THIS SECTION; AND

(e) REPORT ON THE PROGRESS OF THE PROGRAMS FUNDED BY THE EESR PROGRAM TO THE DEPARTMENT OF LOCAL AFFAIRS.

(7) **Selection criteria.** THE BOARD SHALL DEVELOP AN EQUITABLE FORMULA FOR DISTRIBUTION OF GRANTS PURSUANT TO THE PROVISIONS OF THIS SECTION THAT ALLOWS A JURISDICTION TO RECEIVE A PREFERENCE IF THE JURISDICTION CAN DEMONSTRATE:

(a) COORDINATION WITH ONE OF THE TWELVE PILOT SITES FOR CONSOLIDATED CHILD CARE SERVICES CREATED PURSUANT TO ARTICLE 6.5 OF TITLE 26, C.R.S.; OR

(b) A HIGH DEGREE OF INTER-AGENCY COLLABORATION AND PROVISION OF MATCHING FUNDS OR IN-KIND SERVICES.

(8) **Repeal.** THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2001.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 21, 1998