

## CHAPTER 85

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**EDUCATION - PUBLIC SCHOOLS**

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**SENATE BILL 01-120**

BY SENATOR(S) Musgrave and Cairns;  
also REPRESENTATIVE(S) Hefley, Alexander, Bacon, Boyd, Coleman, Groff, Mace, Veiga, Vigil, and Williams S.

**AN ACT**

CONCERNING THE DEFINITION OF "SIGNIFICANT FAMILY RISK FACTORS" FOR PURPOSES OF THE COLORADO PRESCHOOL PROGRAM.

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

**SECTION 1. Legislative declaration.** The general assembly hereby finds, determines, and declares that constrained state fiscal resources make it necessary to ensure that scarce funding to assist children who are enrolled in the Colorado preschool program is prioritized to serve those children most at risk. The general assembly further finds and declares that the clarification of the term "significant family risk factors" in the "Colorado Preschool Program Act" may serve to prioritize that funding appropriately.

**SECTION 2.** 22-28-105 (2) (e.9), Colorado Revised Statutes, is amended to read:

**22-28-105. District preschool program council - duties.** (2) The district council shall:

(e.9) Define any ~~additional~~ student eligibility criteria specific to the population of the individual community THAT IS IN ADDITION TO THE CRITERIA LISTED IN SECTION 22-28-106 (1) (a);

**SECTION 3.** 22-28-106 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**22-28-106. Eligibility of children for participation in district program.** (1) (a.5) FOR PURPOSES OF THIS ARTICLE, "SIGNIFICANT FAMILY RISK FACTORS" MEANS ANY OF THE FOLLOWING:

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

(I) THE CHILD IS ELIGIBLE TO RECEIVE FREE OR REDUCED-COST LUNCH PURSUANT TO THE PROVISIONS OF THE FEDERAL "NATIONAL SCHOOL LUNCH ACT", 42 U.S.C. SEC. 1751 ET SEQ.;

(II) HOMELESSNESS OF THE CHILD'S FAMILY;

(III) AN ABUSIVE ADULT RESIDING IN THE HOME OF THE CHILD;

(IV) DRUG OR ALCOHOL ABUSE IN THE CHILD'S FAMILY;

(V) EITHER PARENT OF THE CHILD WAS LESS THAN EIGHTEEN YEARS OF AGE AND UNMARRIED AT THE TIME OF THE BIRTH OF THE CHILD;

(VI) THE CHILD'S PARENT OR GUARDIAN HAS NOT SUCCESSFULLY COMPLETED A HIGH SCHOOL EDUCATION OR ITS EQUIVALENT;

(VII) FREQUENT RELOCATION BY THE CHILD'S FAMILY TO NEW RESIDENCES; OR

(VIII) POOR SOCIAL SKILLS OF THE CHILD.

**SECTION 4. Effective date.** This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: March 28, 2001