

CHAPTER 239

HUMAN SERVICES - SOCIAL SERVICES

SENATE BILL 11-247

BY SENATOR(S) Hudak, Boyd, Newell, Steadman, Williams S.;
also REPRESENTATIVE(S) Kerr J., Conti, Fields, Labuda, Pace, Schafer S., Todd, Waller.

AN ACT

**CONCERNING THE REPEAL OF THE COLORADO EARLY CHILDHOOD COUNCIL ADVISORY TEAM, AND
MAKING AN APPROPRIATION THEREFOR.**

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

SECTION 1. Repeal. 26-6.5-105, Colorado Revised Statutes, is repealed.

SECTION 2. Repeal. Article 44.5 of title 24, Colorado Revised Statutes, is repealed.

SECTION 3. Repeal. 24-44.7-103 (3) (a), Colorado Revised Statutes, is repealed.

SECTION 4. Repeal. 26-6.5-101.5 (1), Colorado Revised Statutes, is repealed as follows:

26-6.5-101.5. Definitions. As used in this part 1, unless the context otherwise requires:

(1) ~~"Advisory team" means the Colorado early childhood council advisory team created pursuant to section 26-6.5-105.~~

SECTION 5. 26-6.5-103 (1), Colorado Revised Statutes, is amended to read:

26-6.5-103. Early childhood councils - established - rules. (1) There is hereby established a statewide integrated system of early childhood councils to improve and sustain the availability, accessibility, capacity, and quality of early childhood services for children and families throughout the state. The councils shall have consistent function and structure statewide and shall be governed by the state

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

department of human services ~~in collaboration with the advisory team~~, with input, cooperation, and support services from the departments of education and public health and environment.

SECTION 6. 26-6.5-103.3 (1) and (5), Colorado Revised Statutes, are amended to read:

26-6.5-103.3. Early childhood councils - applications - rules. (1) A newly established or newly identified council shall submit to the state department an application to become part of the statewide system of early childhood councils. The state department ~~in collaboration with the advisory team~~, shall develop and distribute the application form and criteria and an explanation of the process for joining the statewide system of early childhood councils. The state department ~~in collaboration with the advisory team~~, shall provide support for the preparation of applications.

(5) The state department ~~in collaboration with the advisory team~~, shall promulgate rules to define the standards for acceptance of applications made pursuant to this section. Acceptance of an application shall be automatic if the application is complete, the signatures are in order, and it meets the standards set forth by the state department pursuant to this subsection (5).

SECTION 7. 26-6.5-104, Colorado Revised Statutes, is amended to read:

26-6.5-104. Early childhood councils - waivers - rules - funding - application.

(1) A local council may request a waiver of any rule that would prevent a council from implementing council projects. The local council shall submit the request to the early childhood leadership commission created in article 44.7 of title 24, C.R.S. The early childhood leadership commission shall consult with the affected state agency ~~and shall work in collaboration with the advisory team~~ in reviewing the request. The state department or other affected state agency shall grant waivers upon recommendation by the commission.

(2) (a) The state department ~~in collaboration with the advisory team~~, shall promulgate rules to develop and distribute to councils the application form and application process to be used by each council seeking to receive council infrastructure, quality improvement, technical assistance, and evaluation funding from the early childhood cash fund created in section 26-6.5-109 and other funding sources appropriated for early childhood services.

(b) Applications for early childhood funding from the early childhood cash fund established in section 26-6.5-109 and other funding sources appropriated for early childhood services shall be reviewed upon receipt by the state department. ~~in collaboration with the advisory team created in section 26-6.5-105.~~

(c) The state department is authorized to enter into a sole-source contract with any council to increase and sustain the quality, accessibility, capacity, and affordability of early childhood services for young children and their parents.

SECTION 8. 26-6.5-108 (1), (2) (a), and (2) (b), Colorado Revised Statutes, are amended to read:

26-6.5-108. Evaluation. (1) No later than March 1, 2010, the state department ~~in collaboration with the advisory team~~, shall, through a request for proposals process, contract with a qualified individual or entity to prepare an independent evaluation of the system of early childhood councils to determine the effectiveness of the system in serving children and families throughout the state. The evaluation shall be completed no later than October 1, 2010, and shall be repeated every three years thereafter.

(2) The evaluation shall include the following:

(a) An aggregate evaluation of local evaluation plan data as integrated and analyzed by the state department ~~in collaboration with the advisory team~~, including an evaluation of the overall program performance and council process and effectiveness;

(b) An evaluation of state program performance, including the efficiency and effectiveness of the state department ~~in collaboration with the advisory team~~, in meeting the needs of the councils; ~~pursuant to section 26-6.5-105 (3) (d)~~;

SECTION 9. 26-6.5-110 (3), Colorado Revised Statutes, is amended to read:

26-6.5-110. Analysis of child care assistance program policies and procedures - reporting. (3) Based on the findings and conclusions identified during the performance audit conducted pursuant to this section, the office of the state auditor shall make recommendations to the state department for improving the efficiency and effectiveness of the child care assistance program. On or before December 30, 2008, the office of the state auditor shall submit the findings, conclusions, and recommendations from the performance audit in the form of a written report to the legislative audit committee, which shall hold a public hearing for the purposes of a review of the report. The report shall also be submitted to the health and human services and education committees of the house of representatives and the senate, or any successor committees. ~~and the early childhood council advisory team within the office of the lieutenant governor.~~

SECTION 10. Appropriation - adjustments in 2010 long bill. For the implementation of this act, the reappropriated funds appropriation made in the annual general appropriation act for the fiscal year beginning July 1, 2010, to the governor - lieutenant governor - state planning and budgeting, office of the lieutenant governor, for administration, is decreased by twenty-seven thousand five hundred thirty-eight dollars (\$27,538). Said sum shall be from funds received from the department of human services, division of child care, out of the appropriation for early childhood councils.

SECTION 11. Appropriation - adjustments in 2011 long bill. For the implementation of this act, the reappropriated funds appropriation made in the annual general appropriation act for the fiscal year beginning July 1, 2011, to the governor - lieutenant governor - state planning and budgeting, office of the lieutenant governor, for administration, is decreased by seventy-seven thousand five hundred thirty-eight dollars (\$77,538) and 1.0 FTE. Said sum shall be from funds received from the department of human services, division of child care, out of the appropriation for early childhood councils.

SECTION 12. 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: May 27, 2011