

CHAPTER 59

HUMAN SERVICES - SOCIAL SERVICES

HOUSE BILL 18-1141

BY REPRESENTATIVE(S) Hooton, Arndt, Thurlow, McKean, Garnett, Gray, Hamner, Herod, Pabon, Rosenthal, Salazar, Singer, Valdez;
also SENATOR(S) Zenzinger, Martinez Humenik, Moreno, Tate, Garcia, Guzman, Kefalas, Kerr, Merrifield, Todd, Williams A.

AN ACT

CONCERNING THE REMOVAL OF OUTDATED REFERENCES IN STATUTE TO "EARLY CHILDHOOD CARE AND EDUCATION COUNCILS".

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

SECTION 1. Legislative declaration. The general assembly declares that the purpose of House Bill 18-1141, enacted in 2018, is to effect a nonsubstantive change in statute to modernize the outdated term "early childhood care and education council" to the term that is currently utilized, "early childhood council". The general assembly further declares that these terminology changes do not in any way alter the scope or applicability of the statutory sections in which the terminology appears.

SECTION 2. In Colorado Revised Statutes, 22-2-134, **amend** (2) as follows:

22-2-134. Unique student identifier - early childhood education - rules.

(2) The working group shall adopt protocols by which the department of education, the department of human services, school districts, charter schools, AND the early childhood councils, as described in ~~section 26-6.5-103.3, C.R.S., and the early childhood care and education councils, as defined in section 26-6.5-101.5 (6);~~ C.R.S. PART 1 OF ARTICLE 6.5 OF TITLE 26, shall cooperate in assigning the uniquely identifying student numbers. The working group shall also consider methods by which to encourage and facilitate the assignment of uniquely identifying student numbers to students who are receiving early childhood education services that are not subsidized by state or federal funding.

SECTION 3. In Colorado Revised Statutes, 22-7-304, **amend** (1) introductory portion as follows:

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

22-7-304. Council - advisory duties - technical assistance - report. (1) The council shall inform, at a minimum, the early childhood councils ~~and the early childhood care and education councils~~ created pursuant to PART 1 OF article 6.5 of title 26, ~~C.R.S.~~, public schools, school districts, the state charter school institute, the department, the state board, the department of higher education, the Colorado commission on higher education, and the governing boards for the state institutions of higher education concerning best practices and strategies, aligned with the national standards for family-school partnerships, for increasing parent involvement in public education and promoting family and school partnerships, including but not limited to best practices and strategies in the following areas:

SECTION 4. In Colorado Revised Statutes, 22-7-1010, **amend** (1)(a)(II) as follows:

22-7-1010. State board - commission - public input - staff assistance. (1) In fulfilling their duties under this part 10, the state board and the commission, at a minimum, shall:

(a) Meet with interested persons throughout the state, including but not limited to:

(II) Representatives of early childhood councils; ~~and early childhood care and education councils;~~

SECTION 5. In Colorado Revised Statutes, 24-37.5-703.5, **amend** (1) introductory portion and (1)(f)(VII) as follows:

24-37.5-703.5. Education data subcommittee - created - duties - repeal. (1) The education data subcommittee is ~~hereby~~ created as a subcommittee of the advisory board. The education data subcommittee ~~shall consist~~ CONSISTS of the following members:

(f) At least ten members appointed by the governor with expertise in data sharing by education agencies, including at least one representative from each of the following groups:

(VII) Early childhood councils established pursuant to ~~section 26-6.5-103,~~ ~~C.R.S., and early childhood care and education councils established pursuant to section 26-6.5-106,~~ C.R.S. PART 1 OF ARTICLE 6.5 OF TITLE 26;

SECTION 6. In Colorado Revised Statutes, 26-6-121, **amend** (2) as follows:

26-6-121. Preschools - unique student identifying numbers - rules. (2) The working group shall adopt protocols by which the department of education, the department of human services, school districts, charter schools, ~~AND the early childhood councils, as described in section 26-6.5-103.3, and the early childhood care and education councils, as defined in section 26-6.5-101.5 (6)~~ PART 1 OF ARTICLE 6.5 OF THIS TITLE 26, shall cooperate in assigning the uniquely identifying student numbers. The working group shall also consider methods by which to encourage and facilitate the assignment of uniquely identifying student numbers to

students who are receiving early childhood education services that are not subsidized by state or federal funding.

SECTION 7. In Colorado Revised Statutes, 26-6.5-101.5, **amend** (2); and **repeal** (6) as follows:

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

(2) "Council" means an early childhood council identified or established locally in communities throughout the state pursuant to section 26-6.5-103 ~~OR 26-6.5-106~~ for the purpose of developing and ultimately implementing a comprehensive system of early childhood services to ensure the school readiness of children five years of age or younger in the community. ~~A council may be an early childhood care and education council so long as no more than one council exists in a given service area.~~

(6) ~~"Early childhood care and education council" means a council that represents public and private stakeholders identified or established locally in communities throughout the state pursuant to section 26-6.5-106. An early childhood care and education council shall provide school-readiness quality improvement funding to early care and education providers pursuant to section 26-6.5-106 (3) to enhance the school readiness of children five years of age or younger.~~

SECTION 8. In Colorado Revised Statutes, 26-6.5-106, **amend** (3), (3.5)(a)(I) introductory portion, (3.5)(a)(II) introductory portion, (3.5)(b), (4), (6) introductory portion, (7)(a), (8)(a), (8)(b), (9)(a) introductory portion, (9)(b), (9)(c), and (9)(d) as follows:

26-6.5-106. School-readiness quality improvement program - rules.
(3) School-readiness quality improvement program created. On and after January 1, 2003, and continuing thereafter subject to sufficient and available federal funding, there is ~~hereby~~ created the school-readiness quality improvement program, referred to in this section as the "program", pursuant to which the state department ~~of human services~~ shall award three years of school-readiness quality improvement funding to eligible early childhood ~~care and education~~ councils identified or established throughout the state pursuant to subsection (3.5) of this section. School-readiness quality improvement funding shall be awarded to improve the school readiness of children five years of age and younger who are enrolled in early care and education facilities. School-readiness quality improvement funding shall be awarded to eligible early childhood ~~care and education~~ councils based upon allocations made at the discretion of the state department and subject to available federal funding. Nothing in this section or in any rules promulgated pursuant to this section ~~shall be interpreted to create~~ **CREATES** a legal entitlement in any early childhood ~~care and education~~ council to school-readiness quality improvement funding pursuant to the program. ~~Moneys~~ **MONEY** awarded through the program shall be used to improve the school readiness of children, five years of age and younger, cared for at such facilities, who ultimately attend eligible elementary schools.

(3.5) Early childhood councils. (a) (I) Communities throughout the state that do not have a pilot site agency may identify an existing entity or establish a new

entity to serve as the early childhood ~~care and education~~ council to work toward the development and implementation of a comprehensive early childhood system to ensure the school readiness of young children in the community. A community may identify an existing entity, such as a consolidated child care pilot site agency, ~~or an~~ interagency coordinating council, or a district preschool program advisory council, to serve as its early childhood ~~care and education~~ council, or it may establish a new council. To the extent it is practical, early childhood ~~care and education~~ councils shall be representative of the various public and private stakeholders in the community, as specified in this subsection (3.5), who are committed to supporting the preparedness of young children for school. ~~Such stakeholders shall~~ STAKEHOLDERS include:

(II) In addition, each early childhood ~~care and education~~ council may include ~~but is not limited to~~, representation from any combination of the following:

(b) For purposes of this section, ~~the AN~~ early childhood ~~care and education~~ council, whether newly established in a community or newly identified to serve as such, shall work toward consolidating and coordinating funding, including school-readiness quality improvement funding, to create a seamless early childhood system of collaboration among the various public and private stakeholders for the effective delivery of early childhood care and education to young children in the community.

(4) **Application for funding.** (a) (I) An early childhood ~~care and education~~ council seeking school-readiness quality improvement funding from the state department pursuant to this section shall apply directly to the state department in the manner specified by rule of the state board. ~~of human services.~~ An early childhood ~~care and education~~ council applying for school-readiness quality improvement funding pursuant to this section shall meet the following minimum criteria:

(A) The community represented by the early childhood ~~care and education~~ council shall include one or more eligible elementary schools;

(B) The early childhood ~~care and education~~ council shall develop and submit a school-readiness plan to improve the school readiness of children in the community as described in subsection (6) of this section; and

(C) The early childhood ~~care and education~~ council shall demonstrate the commitment of the early care and education facilities identified in the school-readiness plan to cooperate with and participate in the school-readiness quality rating system described in subsection (5) of this section.

(II) An early childhood ~~care and education~~ council seeking school-readiness quality improvement funding pursuant to this section shall, in addition to the requirements set forth in ~~subparagraph (I) of this paragraph (a)~~ SUBSECTION (4)(a)(I) OF THIS SECTION, meet any additional eligibility requirements specified by rule of the state board.

(b) Early childhood ~~care and education~~ councils that receive school-readiness quality improvement funding pursuant to this section shall distribute such ~~moneys~~ MONEY to early care and education facilities identified in the school-readiness plan

described in subsection (6) of this section.

(6) **School-readiness plans.** Each early childhood ~~care and education~~ council seeking to apply for school-readiness quality improvement funding pursuant to this section shall prepare and submit to the state department a three-year school-readiness plan that outlines strategies to improve the school readiness of children who reside in neighborhoods with eligible elementary schools. The school-readiness plan, at a minimum, shall include:

(7) **Rules.** (a) The state board of ~~human services~~ shall promulgate rules for the implementation of this section, including but not limited to rules that:

(I) Specify the procedure by which an early childhood ~~care and education~~ council may apply for school-readiness quality improvement funding pursuant to the program;

(II) Specify the manner in which school-readiness quality improvement funding is distributed to early childhood ~~care and education~~ councils, ensuring an equitable distribution between rural and urban communities; and

(III) Identify any additional eligibility requirements for early childhood ~~care and education~~ councils seeking school-readiness quality improvement funding, as described in ~~subparagraph (II) of paragraph (a) of subsection (4)~~ SUBSECTION (4)(a)(II) of this section.

(8) **Funding.** (a) The school-readiness quality improvement program shall be funded using federal child care development fund ~~moneys~~ MONEY annually appropriated for the program. ~~Such moneys shall be allocated by~~ The state department SHALL ALLOCATE THE MONEY to the eligible early childhood ~~care and education~~ councils for implementation of the rating system and for distribution to early care and education providers, as provided in this section.

(b) (I) If ~~moneys are~~ MONEY IS required to match the federal child care development funds, such matching ~~moneys~~ MONEY may be from, but need not be limited to, general fund ~~moneys~~ MONEY appropriated by the general assembly, local ~~moneys~~ MONEY, or private matching ~~moneys~~ MONEY. Any state department staff that may be necessary to support the school-readiness quality improvement program shall be funded by federal child care development funds appropriated for the program and not from general funds. The FTE authorization for any staff necessary to support the school-readiness quality improvement program shall be eliminated should federal funds no longer be available for the program.

(II) Notwithstanding the provisions of ~~subparagraph (I) of this paragraph (b)~~ SUBSECTION (8)(b)(I) OF THIS SECTION, the general assembly shall not be obligated to appropriate general fund ~~moneys~~ MONEY if private matching ~~moneys are~~ MONEY IS not available or later ~~become~~ BECOMES unavailable.

(9) **Evaluation - report.** (a) Each early childhood ~~care and education~~ council shall submit to the state department a summative thirty-month report on or before January 1, 2009, and on or before January 1 every three years thereafter. The report shall address the quality improvement of the participating early care and education

facilities and the overall effectiveness of the school-readiness quality improvement program at preparing low-income children, residing in communities with eligible elementary schools, for school. ~~Such~~ THE reports, at a minimum, shall address:

(b) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), on or before April 1, 2009, and on or before April 1 every three years thereafter, the state department, or any private entity with which the state department is ~~hereby~~ authorized to contract for this purpose, shall submit a consolidated statewide report, based upon the reports prepared and submitted by the early childhood ~~care and education~~ councils, addressing the items set forth in ~~paragraph (a) of this subsection (9)~~ SUBSECTION (9)(a) OF THIS SECTION to the early childhood and school-readiness legislative commission and to the members of the education committees of the house of representatives and the senate of the general assembly, OR ANY SUCCESSOR COMMITTEES.

(c) Reporting early childhood ~~care and education~~ councils, as well as the state department or any private entity with which it may contract for reporting purposes, may draw upon the evaluations and studies prepared by a nationally recognized research firm to report on the school-readiness of children in quality-rated early care and education facilities.

(d) Each early childhood ~~care and education~~ council shall work with state and local agencies, such as school districts, to support efforts to track, through high school graduation, the future academic performance of children who receive school-readiness services from early care and education providers who receive funding pursuant to this section.

SECTION 9. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: March 22, 2018