

Early Childhood Councils Waiver Application Review Process

Per Colorado Revised Statute 26-6.5-104(1), Early Childhood Councils have the opportunity to submit a rule waiver request for a rule within CCR 2509 that creates a barrier to the Council implementing an early childhood project. Please Note: State statues cannot be waived.

1. An Early Childhood Council (ECC), in collaboration with local ECC stakeholders, will identify the need for a state rule or regulation waiver request pursuant to C.R.S 26-6.5-104(1).
2. The ECC will submit a written waiver application to the Early Childhood Leadership Commission (ECLC) citing the state rule or regulation that would prevent a council from implementing the minimum ECC duties as defined in ECC Rule 7.717.5(A).
3. The ECLC staff will notify the ECC regarding receipt of waiver application and initial steps within 7 calendar days of receiving the waiver request.
4. An ECLC Waiver Review Subcommittee meeting will be scheduled approximately 28 calendar days (4 weeks) of receipt of the waiver request.
5. The ECLC staff will consult with the Colorado Department of Human Services (CDHS) regarding the waiver application, and provide them with 7 calendar days to submit a written statement describing implications and recommendations for the waiver application to ECLC staff.
6. Once submitted, the ECLC staff will send CDHS's written statement to the ECC. *If needed* a conference call will be scheduled by ECLC staff between both parties and ECLC staff to discuss any outstanding issues or concerns within 7 days of receiving CDHS's written statement. Any additional information from the ECC or CDHS following this conference call will be submitted to the ECLC Waiver Review Subcommittee members.
7. The Waiver Review Subcommittee meeting will take place to review and discuss the waiver application, the state agencies written statement and any additional information provided by the ECC and CDHS. ECC and CDHS representatives are strongly encouraged to attend. The meeting may result in:
 - Recommendation to the ECLC to approve the waiver request.
 - Recommendation to the ECLC to not approve the waiver request.
 - Decision that a waiver is not necessary and no further action is needed.
 - Decision that a waiver is not necessary because another strategy has been developed to address the systems barrier (e.g. employ another avenue to resolve barrier, develop a pilot to better understand barrier).
8. At the next scheduled full ECLC meeting, the Commission as a whole will review and vote on any recommendations.
9. The ECLC's decision on waiver approval or denial will be sent to the Executive Director of CDHS and the requesting ECC within 7 calendar days of ECLC meeting. The ECC is responsible for providing the letter to affected programs if necessary.
10. The waiver request, whether approved or denied, is entered into a Waiver Tracking and Reporting System that is maintained by ECLC staff.
11. The waiver request decision is recorded in public record through Commission meeting minutes and made available.