

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

DRAFT  
10.12.17

**BILL 2**

LLS NO. 18-0318.01 Brita Darling x2241

**COMMITTEE BILL**

**Early Childhood and School Readiness Legislative Commission**

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**BILL TOPIC: "Align Early Childhood Quality Improvement Programs"**

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**A BILL FOR AN ACT**

101 **CONCERNING THE ALIGNMENT OF EARLY CHILDHOOD QUALITY**  
102 **IMPROVEMENT PROGRAMS WITH THE COLORADO SHINES**  
103 **QUALITY RATING AND IMPROVEMENT SYSTEM.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)*

**Early Childhood and School Readiness Legislative Commission.** The bill amends current statute to rename the school-readiness quality improvement program to the Colorado shines quality rating and improvement system (Colorado shines) and to update the application and eligibility requirements for quality improvement

*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

funding.

The bill removes obsolete references to early childhood and education councils.

The bill amends the application and eligibility requirements for the infant toddler quality and availability grant program (infant and toddler program) to align with Colorado shines to streamline the administration of the infant and toddler program.

The bill makes conforming amendments to reflect the name change to Colorado shines, to remove references to the obsolete early childhood and education councils, and to remove terms no longer used in the programs.

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

2 **SECTION 1.** In Colorado Revised Statutes, 26-6.5-101.5, **amend**  
3 **(2); repeal (5), (6), (7), and (8); and add (6.5)** as follows:

4 **26-6.5-101.5. Definitions.** As used in this part 1, unless the  
5 context otherwise requires:

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

14 (5) ~~"Early care and education provider" or "early care and~~  
15 ~~education facility" means a school district, provider, or facility that:~~

16 (a) ~~Is licensed pursuant to part 1 of article 6 of this title or that~~  
17 ~~participates in the Colorado preschool program pursuant to article 28 of~~  
18 ~~title 22, C.R.S.; and~~

19 (b) ~~Participates in local community councils.~~

1           ~~(6) "Early childhood care and education council" means a council~~  
2           ~~that represents public and private stakeholders identified or established~~  
3           ~~locally in communities throughout the state pursuant to section~~  
4           ~~26-6.5-106. An early childhood care and education council shall provide~~  
5           ~~school-readiness quality improvement funding to early care and education~~  
6           ~~providers pursuant to section 26-6.5-106 (3) to enhance the school~~  
7           ~~readiness of children five years of age or younger.~~

8           (6.5) "EARLY CHILDHOOD EDUCATION PROGRAM" MEANS A  
9           LICENSED CHILD CARE PROGRAM PURSUANT TO PART 1 OF ARTICLE 6 OF  
10          THIS TITLE 26 THAT PROVIDES CHILD CARE AND EDUCATION TO CHILDREN  
11          FIVE YEARS OF AGE OR YOUNGER.

12          (7) "Eligible elementary school" means a public elementary school  
13          that:

14           ~~(a) (I) For the school year immediately preceding submission of~~  
15           ~~the council's application for funding pursuant to section 26-6.5-106, is~~  
16           ~~required to implement a priority improvement or turnaround plan as~~  
17           ~~described in section 22-11-405 or 22-11-406, C.R.S., respectively, or is~~  
18           ~~subject to restructuring pursuant to section 22-11-210, C.R.S.; and~~

19           ~~(II) (Deleted by amendment, L. 2009, (SB 09-163), ch. 293, p.~~  
20           ~~1546, § 57, effective May 21, 2009.)~~

21           ~~(b) As of the date on which the council applies for funding~~  
22           ~~through the program, is receiving moneys pursuant to Title I of the federal~~  
23           ~~"Elementary and Secondary Education Act of 1965", 20 U.S.C. sec. 6301~~  
24           ~~et seq.~~

25          (8) "Pilot site agency" means a community consolidated child care  
26          services pilot site agency as it existed prior to May 31, 2007.

27          **SECTION 2.** In Colorado Revised Statutes, 26-6.5-103, **amend**

1 (2) as follows:

2 **26-6.5-103. Early childhood councils - established - rules.**

3 (2) The statewide system of early childhood councils shall consist of ~~the~~  
4 ~~seventeen pilot site agencies and other~~ existing early childhood councils,  
5 renamed through this part 1 as "early childhood councils", and new  
6 councils designated and convened pursuant to this part 1, subject to  
7 available appropriations. ~~from the general fund.~~

8 **SECTION 3.** In Colorado Revised Statutes, 26-6.5-103.3, **amend**  
9 (3) introductory portion as follows:

10 **26-6.5-103.3. Early childhood councils - applications - rules.**

11 (3) ~~A pilot site agency or other~~ AN existing early childhood council  
12 seeking to be newly identified as a council shall designate on its  
13 application a restatement of the following information:

14 **SECTION 4.** In Colorado Revised Statutes, 26-6.5-103.5, **amend**  
15 (2) as follows:

16 **26-6.5-103.5. Early childhood councils - membership.** (2) For  
17 the purposes of this part 1, each council, whether newly established in a  
18 community or newly identified to serve as a council, shall work toward  
19 consolidating and coordinating funding, including the ~~school-readiness~~  
20 COLORADO SHINES quality improvement funding described in section  
21 26-6.5-106. Together, the councils throughout the state shall serve to  
22 create a seamless system of early childhood services representing  
23 collaboration among the various public and private stakeholders for the  
24 effective delivery of early childhood services to children five years of age  
25 or younger in a manner that is responsive to local needs and conditions.

26 **SECTION 5.** In Colorado Revised Statutes, **amend** 26-6.5-104.5  
27 as follows:

1           **26-6.5-104.5. Quality evaluation and improvement of early**  
2 **childhood education programs - use of Colorado works money.**

3 Counties are urged to partner with for-profit or not-for-profit  
4 organizations that evaluate the quality of early childhood ~~care and~~  
5 education programs in the early childhood ~~councils~~ COUNCILS'  
6 DESIGNATED SERVICE AREAS and assign ratings thereto in an effort to  
7 assess the success of such programs and to improve the ultimate delivery  
8 of early childhood ~~care and~~ education. Counties so partnering are further  
9 encouraged to match private investments in such early childhood ~~care and~~  
10 education programs with county block grant ~~moneys~~ MONEY for Colorado  
11 works pursuant to part 7 of article 2 of this title and federal child care  
12 development funds in an effort to improve the overall quality of those  
13 programs. Counties so partnering are further encouraged to expend local  
14 funds to promote the objectives of this part 1 and improve the delivery of  
15 early childhood services, including the continuation of those funding  
16 sources developed to support ~~pilot site agency~~ EARLY CHILDHOOD CENTER  
17 activities.

18           **SECTION 6.** In Colorado Revised Statutes, 26-6.5-106, **amend**  
19 (3), (3.5), (4), (5), (6), (7), (8), and (9) as follows:

20           **26-6.5-106. Colorado shines quality rating and improvement**  
21 **system.** (3) On and after ~~January 1, 2003~~ JULY 1, 2018, and continuing  
22 thereafter subject to sufficient and available federal funding, there is  
23 hereby created the ~~school-readiness quality improvement program~~  
24 COLORADO SHINES QUALITY RATING AND IMPROVEMENT SYSTEM, referred  
25 to in this section as the "~~program~~" "COLORADO SHINES SYSTEM", pursuant  
26 to which the state department of ~~human services~~ shall award ~~three years~~  
27 ~~of school-readiness~~ COLORADO SHINES quality improvement funding to

1 eligible early childhood ~~care and education~~ councils identified or  
2 established throughout the state pursuant to ~~subsection (3.5) of this~~  
3 ~~section. School-readiness~~ SECTION 26-6.5-103. COLORADO SHINES quality  
4 improvement funding shall be awarded to improve the school readiness  
5 of children five years of age and younger who are enrolled in LICENSED  
6 early ~~care and education facilities~~ CHILDHOOD EDUCATION PROGRAMS.  
7 ~~School-readiness~~ COLORADO SHINES quality improvement funding shall  
8 be awarded to eligible early childhood ~~care and education~~ councils based  
9 upon allocations made at the discretion of the state department and  
10 subject to available ~~federal~~ funding. Nothing in this section or in any rules  
11 promulgated pursuant to this section shall be interpreted to create a legal  
12 entitlement in any early childhood ~~care and education~~ council to  
13 ~~school-readiness~~ COLORADO SHINES quality improvement funding.  
14 ~~pursuant to the program. Moneys~~ MONEY awarded ~~through the program~~  
15 ~~shall~~ MUST be used to improve the school readiness of children, five years  
16 of age and younger, cared for ~~at such facilities, who ultimately attend~~  
17 ~~eligible elementary schools~~ IN LICENSED EARLY CHILDHOOD EDUCATION  
18 PROGRAMS.

19 (3.5) (a) (I) Communities throughout the state that do not have a  
20 ~~pilot site agency~~ AN EARLY CHILDHOOD COUNCIL may identify an existing  
21 ~~entity~~ EARLY CHILDHOOD COUNCIL IN ANOTHER COMMUNITY or establish  
22 a new ~~entity to serve as the~~ early childhood ~~care and education~~ council  
23 PURSUANT TO SECTIONS 26-6.5-103.3 AND 26-6.5-103.5 to work toward  
24 the development and implementation of a comprehensive early childhood  
25 system to ensure the school readiness of young children in the  
26 community. ~~A community may identify an existing entity, such as a~~  
27 ~~consolidated child care pilot site agency or an interagency coordinating~~

1 ~~council or a district preschool program advisory council, to serve as its~~  
2 ~~early childhood care and education council, or it may establish a new~~  
3 ~~council. To the extent it is practical, early childhood care and education~~  
4 ~~councils shall be representative of the various public and private~~  
5 ~~stakeholders in the community, as specified in this subsection (3.5), who~~  
6 ~~are committed to supporting the preparedness of young children for~~  
7 ~~school. Such stakeholders shall include:~~

- 8 ~~(A) School districts;~~
- 9 ~~(B) The county department;~~
- 10 ~~(C) Private for-profit and nonprofit licensed child care providers~~  
11 ~~representing child care centers, family child care homes, and preschools;~~
- 12 ~~(D) Local resource and referral agency or agencies;~~
- 13 ~~(E) County, district, or municipal public health agencies; and~~
- 14 ~~(F) Local mental health community or communities.~~

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

- 18 ~~(A) The board of county commissioners;~~
- 19 ~~(B) The local head start grantee;~~
- 20 ~~(C) The Colorado preschool program established in article 28 of~~  
21 ~~title 22, C.R.S.;~~
- 22 ~~(D) Child care associations;~~
- 23 ~~(E) Other local governmental entities;~~
- 24 ~~(F) Parents or other consumers of early childhood care and~~  
25 ~~education services; and~~
- 26 ~~(G) Faith-based organizations.~~

27 ~~(b) For purposes of this section, the early childhood care and~~

1 ~~education council, whether newly established in a community or newly~~  
2 ~~identified to serve as such, shall work toward consolidating and~~  
3 ~~coordinating funding, including school-readiness quality improvement~~  
4 ~~funding, to create a seamless early childhood system of collaboration~~  
5 ~~among the various public and private stakeholders for the effective~~  
6 ~~delivery of early childhood care and education to young children in the~~  
7 ~~community.~~

8 (4) **Application for funding.** ~~(a) (f)~~ An early childhood care and  
9 education council seeking ~~school-readiness~~ COLORADO SHINES quality  
10 improvement funding from the state department pursuant to this section  
11 shall apply directly to the state department in the manner specified by rule  
12 of the state board of human services. An early childhood care and  
13 education council applying for ~~school-readiness~~ COLORADO SHINES  
14 quality improvement funding pursuant to this section shall ~~meet the~~  
15 ~~following minimum criteria:~~ DEVELOP AND SUBMIT A SCHOOL-READINESS  
16 PLAN TO IMPROVE THE SCHOOL READINESS OF CHILDREN IN THE  
17 COMMUNITY AS DESCRIBED IN SUBSECTION (6) OF THIS SECTION AND  
18 SHALL MEET ANY ADDITIONAL ELIGIBILITY REQUIREMENTS SPECIFIED BY  
19 RULE OF THE STATE BOARD.

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

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

26 ~~(C) The early childhood care and education council shall~~  
27 ~~demonstrate the commitment of the early care and education facilities~~



1 identified in the school-readiness plan to cooperate with and participate  
2 in the school-readiness quality rating system. described in subsection (5)  
3 of this section.

4 (H) ~~An early childhood care and education council seeking~~  
5 ~~school-readiness quality improvement funding pursuant to this section~~  
6 ~~shall, in addition to the requirements set forth in subparagraph (F) of this~~  
7 ~~paragraph (a), meet any additional eligibility requirements specified by~~  
8 ~~rule of the state board.~~

9 (b) Early childhood ~~care and education~~ councils that receive  
10 school-readiness COLORADO SHINES quality improvement funding  
11 pursuant to this section shall ~~distribute such moneys~~ PRIORITIZE THE  
12 DISTRIBUTION OF THE MONEY TO PARTICIPATING early ~~care and~~ CHILDHOOD  
13 education facilities ~~identified in the school-readiness plan described in~~  
14 ~~subsection (6) of this section~~ PROGRAMS THAT SERVE CHILDREN FIVE  
15 YEARS OF AGE OR YOUNGER WITH RISK FACTORS ASSOCIATED WITH NOT  
16 BEING SCHOOL READY, INCLUDING CHILDREN LIVING IN POVERTY, AS  
17 SPECIFIED BY RULE OF THE STATE BOARD.

18 (5) **Colorado shines quality rating and improvement system.**  
19 ~~The early childhood and school-readiness legislative commission created~~  
20 ~~in section 26-6.5-203 shall adopt a voluntary school-readiness quality~~  
21 ~~rating system. The rating system~~ THE COLORADO SHINES SYSTEM shall  
22 measure the level of preparedness of and quality of services provided by  
23 an early ~~care and~~ CHILDHOOD education ~~provider~~ PROGRAM to prepare  
24 children to enter elementary school. The ~~school-readiness quality rating~~  
25 COLORADO SHINES system shall:

26 (a) Measure ~~such~~ THE elements of quality of an early ~~care and~~  
27 CHILDHOOD education ~~facility as~~ PROGRAM, INCLUDING:

1 (I) ~~The quality of the learning environment~~ WORKFORCE  
2 QUALIFICATIONS AND PROFESSIONAL DEVELOPMENT;

3 (II) ~~The quality of adult-child interactions~~ FAMILY PARTNERSHIPS;

4 (III) ~~Adult-to-child ratios~~ LEADERSHIP, MANAGEMENT, AND  
5 ADMINISTRATION;

6 (IV) ~~Provider training and education, including recognized~~  
7 ~~credentials through the state department's voluntary credentialing system~~  
8 ~~developed pursuant to section 26-6.5-107~~ LEARNING ENVIRONMENT; and

9 (V) ~~Parent-involvement activities at the early care and education~~  
10 ~~facility~~ CHILD HEALTH;

11 (b) Be variable to inform parents, counties, and other purchasers  
12 of early childhood ~~care and~~ education about the level of quality at an early  
13 ~~care and~~ CHILDHOOD education ~~facility~~ PROGRAM in a simple and  
14 easy-to-understand manner;

15 (c) Be supported by statistically valid research as a reliable  
16 measure of quality of an early ~~care and~~ CHILDHOOD education ~~facility~~  
17 PROGRAM;

18 (d) Include a quality improvement plan that ~~informs quality-rated~~  
19 ~~early care and education providers of their strengths and weaknesses and~~  
20 ~~that provides such providers with strategies to improve the quality of their~~  
21 ~~services~~ FACILITATES GOAL SETTING AND PLANNING RELATED TO  
22 IMPROVING PROGRAM QUALITY OVER TIME; and

23 (e) Have demonstrated effectiveness at improving the level of  
24 quality of ~~early care and~~ EARLY CHILDHOOD education ~~providers~~  
25 PROGRAMS in geographically diverse Colorado communities.

26 (6) **School-readiness plans.** Each early childhood ~~care and~~  
27 ~~education~~ council seeking to apply for ~~school-readiness~~ COLORADO

1 SHINES quality improvement funding pursuant to this section shall prepare  
2 and submit to the state department a three-year school-readiness plan that  
3 outlines strategies to improve the school readiness of children. ~~who reside~~  
4 ~~in neighborhoods with eligible elementary schools.~~ The school-readiness  
5 plan, at a minimum, ~~shall~~ MUST include:

6 (a) ~~The number and location of eligible elementary schools in the~~  
7 ~~community~~ A NARRATIVE THAT DEMONSTRATES THE NEED TO IMPROVE  
8 QUALITY AND INCREASE THE CAPACITY FOR EARLY CHILDHOOD  
9 EDUCATION PROGRAMS IN ITS SERVICE AREA;

10 (b) ~~The number and location of early care and education providers~~  
11 ~~that will voluntarily participate in the school-readiness quality~~  
12 ~~improvement program;~~ A PLAN THAT DESCRIBES HOW THE EARLY  
13 CHILDHOOD COUNCIL WILL TARGET AND RECRUIT PROGRAMS THAT ARE  
14 RATED IN THE COLORADO SHINES SYSTEM AT A LEVEL TWO OR HIGHER  
15 AND THAT HAVE A FISCAL AGREEMENT WITH THE COLORADO CHILD CARE  
16 ASSISTANCE PROGRAM, CREATED IN PART 8 OF ARTICLE 2 OF THIS TITLE 26;  
17 AND

18 (c) ~~A commitment that the early care and education providers~~  
19 ~~identified in the school-readiness plan will cooperate with and participate~~  
20 ~~in the school-readiness quality rating system; described in subsection (5)~~  
21 ~~of this section;~~ and STRATEGIES DEVELOPED JOINTLY WITH COMMUNITY  
22 PARTNERS TO INCLUDE, AT A MINIMUM, COUNTY DEPARTMENTS OF HUMAN  
23 OR SOCIAL SERVICES TO TARGET COLORADO SHINES QUALITY  
24 IMPROVEMENT FUNDING TO IMPROVE THE LEVEL OF QUALITY AT  
25 PARTICIPATING EARLY CHILDHOOD EDUCATION PROGRAMS.

26 (d) ~~Community strategies to target school-readiness quality~~  
27 ~~improvement funding to improve the level of quality at participating early~~

1 ~~care and education providers.~~

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

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

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

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

16 (b) At a minimum, the rules promulgated pursuant to this  
17 subsection (7) ~~shall~~ MUST identify a specific and measurable level of  
18 improvement in the ~~school-readiness quality rating~~ COLORADO SHINES  
19 SYSTEM that an early ~~care and~~ CHILDHOOD education ~~provider~~ PROGRAM  
20 must achieve ~~over the course of the funding distribution period after~~  
21 ~~receiving an initial funding distribution through the program~~ in order for  
22 ~~the provider~~ to continue receiving ~~school-readiness~~ COLORADO SHINES  
23 quality improvement funding, as well as the eligibility criteria for  
24 continued participation in the program.

25 (8) **Funding.** (a) The ~~school-readiness quality improvement~~  
26 ~~program~~ COLORADO SHINES SYSTEM shall be funded using federal child  
27 care development fund ~~moneys~~ MONEY OR OTHER FEDERAL MONEY

1 annually appropriated for the program. ~~Such moneys~~ THE MONEY shall be  
2 allocated by the state department to the eligible early childhood ~~care and~~  
3 ~~education~~ councils for ~~implementation of the rating system and for~~  
4 distribution to early ~~care and~~ CHILDHOOD education ~~providers~~ PROGRAMS,  
5 as provided in this section.

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

16 ~~(H)~~ Notwithstanding the provisions of subparagraph ~~(f)~~ of this  
17 ~~paragraph (b)~~, The general assembly ~~shall~~ IS not be obligated to  
18 appropriate general fund ~~moneys~~ MONEY if private matching ~~moneys are~~  
19 MONEY IS not available or later ~~become~~ BECOMES unavailable.

20 (c) The state department ~~shall be~~ IS authorized to enter into a  
21 sole-source contract with an organization to provide the following:

22 (I) ~~Ratings of child care~~ QUALITY RATING ASSESSMENTS;

23 (II) Technical assistance for ~~child care providers~~ EARLY  
24 CHILDHOOD EDUCATION PROGRAMS;

25 (III) Community infrastructure and resource development for  
26 improving the quality of ~~child care~~ EARLY CHILDHOOD EDUCATION; AND

27 (IV) Parent and consumer education on the IMPORTANCE OF

1 ~~quality of child care providers in the community~~ EARLY CHILDHOOD  
2 EDUCATION.

3 (9) **Evaluation - report.** (a) Each early childhood ~~care and~~  
4 ~~education~~ council shall submit A REPORT to the state department a  
5 ~~summative thirty-month report~~ on or before ~~January 1, 2009~~ AUGUST 15,  
6 2019, and on or before ~~January 1 every three years~~ AUGUST 15 EACH  
7 YEAR thereafter. The report ~~shall~~ MUST address the quality improvement  
8 of the participating early ~~care and education facilities~~ CHILDHOOD  
9 EDUCATION PROGRAMS and the overall effectiveness of the  
10 ~~school-readiness quality improvement program~~ COLORADO SHINES  
11 SYSTEM at preparing ~~low-income children residing in communities with~~  
12 ~~eligible elementary schools~~; CHILDREN WITH IDENTIFIED RISK FACTORS for  
13 school. ~~Such reports~~; At a minimum, ~~shall~~ THE REPORT MUST address:

14 (I) The number of early ~~care and~~ CHILDHOOD education ~~facilities~~  
15 PROGRAMS and children who participated in the ~~school-readiness quality~~  
16 ~~improvement program~~ COLORADO SHINES SYSTEM, INCLUDING THE  
17 NUMBER OF CHILDREN FIVE YEARS OF AGE OR YOUNGER SERVED AS A  
18 RESULT OF THE COLORADO SHINES QUALITY IMPROVEMENT FUNDING IN  
19 HOME-BASED PROGRAMS AND IN CENTER-BASED PROGRAMS;

20 (II) The baseline quality ratings of each participating early ~~care~~  
21 ~~and~~ CHILDHOOD education ~~provider~~ PROGRAM during each year of  
22 participation;

23 (III) An analysis and explanation of the quality improvement  
24 strategies undertaken at each early ~~care and~~ CHILDHOOD education ~~facility~~  
25 PROGRAM; ~~and~~

26 (IV) The barriers to quality improvement that were encountered;

27 (V) A DESCRIPTION OF HOW THE EARLY CHILDHOOD EDUCATION

1 PROGRAM MET THE OUTCOMES STATED IN THE PROGRAM'S QUALITY  
2 IMPROVEMENT PLAN; AND

3 (VI) ANY OTHER DATA REQUIRED BY THE STATE DEPARTMENT.

4 (b) (I) On or before ~~April 1, 2009~~ DECEMBER 1, 2019, and on or  
5 before ~~April 1~~ DECEMBER 1 every three years thereafter, the state  
6 department, or any private entity with which the state department is  
7 ~~hereby~~ authorized to contract for this purpose, shall submit a consolidated  
8 statewide report, based upon the reports prepared and submitted by the  
9 early childhood ~~care and education~~ councils, addressing the items set  
10 forth in ~~paragraph (a) of this subsection~~ SUBSECTION (9)(a) OF THIS  
11 SECTION to the early childhood and school readiness legislative  
12 commission and to the members of the education committees of the house  
13 of representatives and the senate of the general assembly, OR ANY  
14 SUCCESSOR COMMITTEE.

15 (II) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REPORT  
16 REQUIRED IN SUBSECTION (9)(b)(I) OF THIS SECTION CONTINUES  
17 INDEFINITELY.

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

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

1 ~~care and~~ CHILDHOOD education providers who PROGRAMS THAT receive  
2 funding pursuant to this section.

3 **SECTION 7.** In Colorado Revised Statutes, 26-6.7-102, **amend**  
4 the introductory portion, (1), and (4); **repeal** (6); and **add** (1.3) as  
5 follows:

6 **26-6.7-102. Definitions.** As used in this ~~article~~ ARTICLE 6.7,  
7 unless the context otherwise requires:

8 (1) "Colorado child care assistance program" or "CCCAP" means  
9 the Colorado child care assistance program ~~in the state department~~  
10 CREATED IN PART 8 OF ARTICLE 2 OF THIS TITLE 26.

11 (1.3) "COLORADO SHINES SYSTEM" MEANS THE COLORADO SHINES  
12 QUALITY RATING AND IMPROVEMENT SYSTEM CREATED IN SECTION  
13 26-6.5-106.

14 (4) "Early childhood EDUCATION program" means a ~~school~~  
15 ~~district, provider, head start program, or facility that provides child care~~  
16 ~~and education to low-income infants and toddlers, has a contract as a~~  
17 ~~provider through the Colorado child care assistance program, and is either~~  
18 licensed CHILD CARE PROGRAM pursuant to part 1 of article 6 of this title  
19 ~~or participates in the Colorado preschool program pursuant to article 28~~  
20 ~~of title 22, C.R.S.~~ TITLE 26 THAT PROVIDES CHILD CARE AND EDUCATION  
21 TO INFANTS AND TODDLERS LIVING IN POVERTY.

22 (6) "~~Tiered reimbursement~~" means a pay structure that reflects an  
23 ~~increased rate of reimbursement for early childhood programs that receive~~  
24 ~~moneys through CCCAP.~~

25 **SECTION 8.** In Colorado Revised Statutes, **amend** 26-6.7-103  
26 as follows:

27 **26-6.7-103. Colorado infant and toddler quality and**



1 **availability grant program - creation.** Subject to available  
2 appropriations, there is hereby created in the state department the  
3 Colorado infant and toddler quality and availability grant program. ~~The~~  
4 ~~goal of the grant program is to improve quality in infant and toddler care,~~  
5 ~~provide tiered reimbursement to high-quality early childhood programs,~~  
6 GRANTS ARE AWARDED THROUGH THE COLORADO SHINES SYSTEM TO  
7 IMPROVE QUALITY IN LICENSED INFANT AND TODDLER CARE and increase  
8 the number of ~~low-income~~ infants and toddlers LIVING IN POVERTY served  
9 through high-quality early childhood EDUCATION programs, as well as  
10 promote voluntary ~~parental involvement~~ FAMILY PARTNERSHIPS, AS  
11 DETERMINED FOR THE COLORADO SHINES SYSTEM. A program is  
12 considered "high-quality" if it is RATED in the top ~~two ratings~~ THREE  
13 LEVELS of the state's ~~quality rating and improvement~~ COLORADO SHINES  
14 system or ~~is accredited by a state department-approved accrediting body,~~  
15 ~~or is an early head start program meeting federal standards~~ HAS ACHIEVED  
16 A HIGH-QUALITY RATING THROUGH A STATE DEPARTMENT-APPROVED  
17 ALTERNATIVE PATHWAY. Early childhood councils ~~and county~~  
18 ~~departments must jointly~~ MAY apply for ~~moneys~~ MONEY through the ~~grant~~  
19 ~~program~~ STATE DEPARTMENT, which ~~will be administered by the state~~  
20 ~~department~~ ADMINISTERS THE PROGRAM AS PART OF THE COLORADO  
21 SHINES SYSTEM. AN early childhood EDUCATION ~~programs that are~~  
22 PROGRAM THAT IS within the service area of an early childhood council  
23 ~~and within the county jointly applying for the grant~~ may apply to the early  
24 childhood council for ~~moneys~~ MONEY that would allow ~~them to achieve~~  
25 ~~one of the objectives of the grant program~~ THE PROGRAM TO INCREASE  
26 THE NUMBER OF INFANTS AND TODDLERS LIVING IN POVERTY SERVED  
27 THROUGH HIGH-QUALITY EARLY CHILDHOOD EDUCATION PROGRAMS.

1           **SECTION 9.** In Colorado Revised Statutes, **amend** 26-6.7-104  
2 as follows:

3           **26-6.7-104. Eligibility for grants - applications - deadlines.**

4           (1) The state department shall develop an application process and issue  
5 a request for proposals for the grant program, including notification of  
6 available ~~moneys~~ MONEY to early childhood councils, ~~and county~~  
7 ~~departments~~, eligibility criteria, proposal requirements, and award criteria.

8           (2) An applicant to the grant program is eligible for a grant award  
9 pursuant to this ~~article~~ ARTICLE 6.7 if:

10           (a) The application is made ~~jointly between~~ BY an early childhood  
11 council AND INCLUDES STRATEGIES DEVELOPED JOINTLY WITH  
12 COMMUNITY PARTNERS, INCLUDING, AT A MINIMUM, COUNTY  
13 DEPARTMENTS OF HUMAN OR SOCIAL SERVICES. ~~and a county department.~~  
14 If an early childhood council serves more than one county, it may submit  
15 a single application ~~that combines multiple counties in its~~ FOR THE  
16 COUNTIES THAT MAKE UP ITS DESIGNATED service area.

17           (b) The early childhood EDUCATION programs to which the grant  
18 ~~moneys~~ MONEY will be distributed have ~~contracts~~ ACHIEVED A QUALITY  
19 RATING PURSUANT TO THE COLORADO SHINES SYSTEM OF AT LEAST A  
20 LEVEL TWO AND HAVE FISCAL AGREEMENTS with CCCAP;

21           (c) The ~~application~~ EARLY CHILDHOOD COUNCIL demonstrates a  
22 need and provides a plan to improve quality and increase the capacity for  
23 LICENSED early childhood EDUCATION programs THAT SERVE INFANTS  
24 AND TODDLERS THREE YEARS OF AGE OR YOUNGER in its DESIGNATED  
25 service area. ~~The goal of the grant program is to increase the number of~~  
26 ~~infants and toddlers served through high-quality early childhood~~  
27 ~~programs.~~ The LICENSED early childhood EDUCATION programs may be

1 home-based or center-based.

2 (d) ~~It provides a plan detailing how it will provide tiered~~  
3 ~~reimbursement, and~~ THE APPLICANT MEETS ANY OTHER CRITERIA SET  
4 FORTH IN THE APPLICATION PROCESS DEVELOPED PURSUANT TO THIS  
5 SECTION.

6 (e) ~~It meets any other criteria set forth in the application process~~  
7 ~~developed pursuant to this section.~~

8 (3) (a) ~~In fiscal year 2013-14, grant applications must be received~~  
9 ~~by the state department on or before July 31, 2013~~ SUBJECT TO  
10 AVAILABLE APPROPRIATIONS, the state department shall review  
11 applications and determine which applicants will receive grants and the  
12 amount of each grant. ~~Grant awards must be made on or before~~  
13 ~~September 1, 2013, through the fund.~~

14 (b) ~~For each fiscal year thereafter, subject to available~~  
15 ~~appropriations, grant applications must be received by the state~~  
16 ~~department on or before June 30 of the prior fiscal year. The state~~  
17 ~~department shall review applications and determine which applicants will~~  
18 ~~receive grants and the amount of each grant. Grant awards must be made~~  
19 ~~on or before August 1 through the fund.~~

20 (c) ~~If in any fiscal year the full appropriation by the general~~  
21 ~~assembly for the grant program is not dispersed as specified in paragraphs~~  
22 ~~(a) and (b) of this subsection (3), the state department shall review~~  
23 ~~proposals and award grants as the applications are received and not~~  
24 ~~require the applications to be held until the next grant cycle.~~

25 **SECTION 10.** In Colorado Revised Statutes, 26-6.7-105, **amend**  
26 (1) introductory portion and (1)(a) as follows:

27 **26-6.7-105. Reporting requirements.** (1) No later than four

1 ~~months after the conclusion of a grant, the~~ AUGUST 15 EACH YEAR, AN  
2 early childhood council that received the grant shall provide the state  
3 department with an annual report concerning the outcomes of the grant.

4 The report must include, at a minimum:

5 (a) A summary of data received from early childhood EDUCATION  
6 programs that received grant ~~moneys~~ MONEY;

7 **SECTION 11.** In Colorado Revised Statutes, 22-2-134, **amend**  
8 (2) as follows:

9 **22-2-134. Unique student identifier - early childhood**  
10 **education - rules.** (2) The working group shall adopt protocols by which  
11 the department of education, the department of human services, school  
12 districts, charter schools, AND the early childhood councils, as described  
13 in section 26-6.5-103.3, ~~C.R.S., and the early childhood care and~~  
14 ~~education councils, as defined in section 26-6.5-101.5 (6), C.R.S.,~~ shall  
15 cooperate in assigning the uniquely identifying student numbers. The  
16 working group shall also consider methods by which to encourage and  
17 facilitate the assignment of uniquely identifying student numbers to  
18 students who are receiving early childhood education services that are not  
19 subsidized by state or federal funding.

20 **SECTION 12.** In Colorado Revised Statutes, 22-7-304, **amend**  
21 (1) introductory portion as follows:

22 **22-7-304. Council - advisory duties - technical assistance -**  
23 **report.** (1) The council shall inform, at a minimum, the early childhood  
24 councils, ~~and the early childhood care and education councils created~~  
25 ~~pursuant to article 6.5 of title 26, C.R.S.,~~ public schools, school districts,  
26 the state charter school institute, the department, the state board, the  
27 department of higher education, the Colorado commission on higher

1 education, and the governing boards for the state institutions of higher  
2 education concerning best practices and strategies, aligned with the  
3 national standards for family-school partnerships, for increasing parent  
4 involvement in public education and promoting family and school  
5 partnerships, including but not limited to best practices and strategies in  
6 the following areas:

7 **SECTION 13.** In Colorado Revised Statutes, 22-7-1010, **amend**  
8 (1) introductory portion and (1)(a)(II) as follows:

9 **22-7-1010. State board - commission - public input - staff**  
10 **assistance.** (1) In fulfilling their duties ~~under~~ PURSUANT TO this part 10,  
11 the state board and the commission, at a minimum, shall:

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

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

16 **SECTION 14.** In Colorado Revised Statutes, 22-11-305, **amend**  
17 (4)(b) as follows:

18 **22-11-305. Accredited with priority improvement plan - school**  
19 **district or institute - plan contents - adoption.** (4) An early childhood  
20 learning needs assessment must determine the extent to which:

21 (b) Children are enrolled in publicly funded early ~~learning and~~  
22 ~~development~~ CHILDHOOD EDUCATION programs within the school district  
23 or in private early learning and development programs that participate in  
24 the ~~school readiness~~ COLORADO SHINES quality RATING AND improvement  
25 ~~program~~ SYSTEM created in section 26-6.5-106;

26 **SECTION 15.** In Colorado Revised Statutes, 22-11-405, **amend**  
27 (4.5)(b) as follows:

1           **22-11-405. School priority improvement plan - contents.**

2           (4.5) An early childhood learning needs assessment must determine the  
3           extent to which:

4           (b) Children are enrolled in publicly funded early learning and  
5           development programs within the neighborhood of the public school or  
6           in private early ~~learning and development~~ CHILDHOOD EDUCATION  
7           programs that participate in the ~~school readiness~~ COLORADO SHINES  
8           quality RATING AND improvement ~~program~~ SYSTEM created in section  
9           26-6.5-106 and are located within the neighborhood of the public school;  
10          except that a public school must include this information in the early  
11          childhood learning needs assessment only if the information is readily  
12          available to the public school;

13          **SECTION 16.** In Colorado Revised Statutes, 22-11-406, **amend**  
14          (3)(d)(VI.5) as follows:

15          **22-11-406. School turnaround plan - contents.** (3) A school  
16          turnaround plan must be designed to ensure that the public school  
17          improves its performance to the extent that, following completion of the  
18          public school's next annual performance review, the public school attains  
19          a higher accreditation category. At a minimum, a school turnaround plan  
20          must:

21          (d) Identify specific, research-based strategies that are appropriate  
22          in scope, intensity, and type to address the needs and issues identified  
23          pursuant to subsection (3)(c) of this section, which strategies shall, at a  
24          minimum, include one or more of the following:

25          (VI.5) For a public school that serves students enrolled in  
26          kindergarten or any of grades one through three, that the public school  
27          invest in research-based strategies focused on early learning and

1 development to address any deficiencies identified in the early childhood  
2 learning needs assessment completed for the public school pursuant to  
3 subsection (3)(c) of this section if the cause of the public school's low  
4 performance is directly related to lack of school readiness and access to  
5 quality early learning opportunities, as demonstrated by student  
6 achievement data for the early elementary grades, and the public school  
7 has not successfully implemented these strategies in the preceding school  
8 years. Research-based early learning and development strategies include  
9 increasing the quality and availability of early ~~learning and development~~  
10 CHILDHOOD EDUCATION programs for students who reside within the  
11 neighborhood of the public school and increasing the resources available  
12 in kindergarten through third grade to improve school readiness and early  
13 learning. A public school may implement strategies focused on early  
14 learning and development as described in this subsection (3)(d)(VI.5)  
15 only in combination with at least one other research-based strategy  
16 specified in this subsection (3)(d).

17 **SECTION 17.** In Colorado Revised Statutes, 24-37.5-703.5,  
18 **amend** (1) introductory portion and (1)(f)(VII) as follows:

19 **24-37.5-703.5. Education data subcommittee - created - duties**  
20 **- repeal.** (1) The education data subcommittee is hereby created as a  
21 subcommittee of the advisory board. The education data subcommittee  
22 ~~shall consist~~ CONSISTS of the following members:

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

26 (VII) Early childhood councils established pursuant to section  
27 26-6.5-103; ~~C.R.S., and early childhood care and education councils~~

1 ~~established pursuant to section 26-6.5-106, C.R.S.;~~

2           **SECTION 18.** In Colorado Revised Statutes, 26-6-121, **amend**  
3 (2) as follows:

4           **26-6-121. Preschools - unique student identifying numbers -**  
5 **rules.** (2) The working group shall adopt protocols by which the  
6 department of education, the department of human services, school  
7 districts, charter schools, AND the early childhood councils, as described  
8 in section 26-6.5-103.3, ~~and the early childhood care and education~~  
9 ~~councils, as defined in section 26-6.5-101.5 (6),~~ shall cooperate in  
10 assigning the uniquely identifying student numbers. The working group  
11 shall also consider methods by which to encourage and facilitate the  
12 assignment of uniquely identifying student numbers to students who are  
13 receiving early childhood education services that are not subsidized by  
14 state or federal funding.

15           **SECTION 19. Act subject to petition - effective date.** This act  
16 takes effect at 12:01 a.m. on the day following the expiration of the  
17 ninety-day period after final adjournment of the general assembly (August  
18 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a  
19 referendum petition is filed pursuant to section 1 (3) of article V of the  
20 state constitution against this act or an item, section, or part of this act  
21 within such period, then the act, item, section, or part will not take effect  
22 unless approved by the people at the general election to be held in  
23 November 2018 and, in such case, will take effect on the date of the  
24 official declaration of the vote thereon by the governor.