

**Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 18-0419.01 Jane Ritter x4342

HOUSE BILL 18-1141

HOUSE SPONSORSHIP

Hooton, Arndt, Thurlow, McKean

SENATE SPONSORSHIP

Zenzinger, Martinez Humenik, Moreno, Tate

House Committees
Education

Senate Committees
Judiciary

A BILL FOR AN ACT

101 **CONCERNING THE REMOVAL OF OUTDATED REFERENCES IN STATUTE**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

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/>.)

Statutory Revision Committee. The bill removes outdated references in statute to "early childhood care and education councils". The term is no longer used. Instead, these entities are referred to as "early childhood councils".

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
3rd Reading Unamended
March 8, 2018

SENATE
2nd Reading Unamended
March 5, 2018

HOUSE
3rd Reading Unamended
February 9, 2018

HOUSE
Amended 2nd Reading
February 8, 2018

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

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4 effect a nonsubstantive change in statute to modernize the outdated term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

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

11 **22-2-134. Unique student identifier - early childhood**
12 **education - rules.** (2) The working group shall adopt protocols by which
13 the department of education, the department of human services, school
14 districts, charter schools, AND the early childhood councils, as described
15 in ~~section 26-6.5-103.3, C.R.S., and the early childhood care and~~
16 ~~education councils, as defined in section 26-6.5-101.5 (6), C.R.S.~~ PART
17 1 OF ARTICLE 6.5 OF TITLE 26, shall cooperate in assigning the uniquely
18 identifying student numbers. The working group shall also consider
19 methods by which to encourage and facilitate the assignment of uniquely
20 identifying student numbers to students who are receiving early childhood
21 education services that are not subsidized by state or federal funding.

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

24 **22-7-304. Council - advisory duties - technical assistance -**
25 **report.** (1) The council shall inform, at a minimum, the early childhood
26 councils ~~and the early childhood care and education councils~~ created
27 pursuant to PART 1 OF article 6.5 of title 26, ~~C.R.S.~~, public schools, school

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

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

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

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

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

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

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

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

27 (VII) Early childhood councils established pursuant to ~~section~~

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

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

6 **26-6-121. Preschools - unique student identifying numbers -**
7 **rules.** (2) The working group shall adopt protocols by which the
8 department of education, the department of human services, school
9 districts, charter schools, AND the early childhood councils, as described
10 in ~~section 26-6.5-103.3, and the early childhood care and education~~
11 ~~councils, as defined in section 26-6.5-101.5 (6)~~ PART 1 OF ARTICLE 6.5 OF
12 TITLE 26, shall cooperate in assigning the uniquely identifying student
13 numbers. The working group shall also consider methods by which to
14 encourage and facilitate the assignment of uniquely identifying student
15 numbers to students who are receiving early childhood education services
16 that are not subsidized by state or federal funding.

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

19 **26-6.5-101.5. Definitions.** As used in this part 1, unless the
20 context otherwise requires:

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

1 ~~service area.~~

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

9 **SECTION 8.** In Colorado Revised Statutes, 26-6.5-106, **amend**
10 (3), (3.5)(a)(I) introductory portion, (3.5)(a)(II) introductory portion,
11 (3.5)(b), (4), (6) introductory portion, (7)(a), (8)(a), (8)(b), (9)(a)
12 introductory portion, (9)(b), (9)(c), and (9)(d) as follows:

13 **26-6.5-106. School-readiness quality improvement program -**
14 **rules. (3) School-readiness quality improvement program created.**
15 On and after January 1, 2003, and continuing thereafter subject to
16 sufficient and available federal funding, there is ~~hereby~~ created the
17 school-readiness quality improvement program, referred to in this section
18 as the "program", pursuant to which the state department ~~of human~~
19 ~~services~~ shall award three years of school-readiness quality improvement
20 funding to eligible early childhood ~~care and education~~ councils identified
21 or established throughout the state pursuant to subsection (3.5) of this
22 section. School-readiness quality improvement funding shall be awarded
23 to improve the school readiness of children five years of age and younger
24 who are enrolled in early care and education facilities. School-readiness
25 quality improvement funding shall be awarded to eligible early childhood
26 ~~care and education~~ councils based upon allocations made at the discretion
27 of the state department and subject to available federal funding. Nothing

1 in this section or in any rules promulgated pursuant to this section ~~shall~~
2 ~~be interpreted to create~~ CREATES a legal entitlement in any early
3 childhood ~~care and education~~ council to school-readiness quality
4 improvement funding pursuant to the program. ~~Moneys~~ MONEY awarded
5 through the program shall be used to improve the school readiness of
6 children, five years of age and younger, cared for at such facilities, who
7 ultimately attend eligible elementary schools.

8 (3.5) **Early childhood councils.** (a) (I) Communities throughout
9 the state that do not have a pilot site agency may identify an existing
10 entity or establish a new entity to serve as the early childhood ~~care and~~
11 ~~education~~ council to work toward the development and implementation
12 of a comprehensive early childhood system to ensure the school readiness
13 of young children in the community. A community may identify an
14 existing entity, such as a consolidated child care pilot site agency, ~~or~~ an
15 interagency coordinating council, or a district preschool program advisory
16 council, to serve as its early childhood ~~care and education~~ council, or it
17 may establish a new council. To the extent it is practical, early childhood
18 ~~care and education~~ councils shall be representative of the various public
19 and private stakeholders in the community, as specified in this subsection
20 (3.5), who are committed to supporting the preparedness of young
21 children for school. ~~Such stakeholders shall~~ STAKEHOLDERS include:

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

25 (b) For purposes of this section, ~~the~~ AN early childhood ~~care and~~
26 ~~education~~ council, whether newly established in a community or newly
27 identified to serve as such, shall work toward consolidating and

1 coordinating funding, including school-readiness quality improvement
2 funding, to create a seamless early childhood system of collaboration
3 among the various public and private stakeholders for the effective
4 delivery of early childhood care and education to young children in the
5 community.

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

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

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

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

24 (II) An early childhood ~~care and education~~ council seeking
25 school-readiness quality improvement funding pursuant to this section
26 shall, in addition to the requirements set forth in ~~subparagraph (I) of this~~
27 ~~paragraph (a)~~ SUBSECTION (4)(a)(I) OF THIS SECTION, meet any additional

1 eligibility requirements specified by rule of the state board.

2 (b) Early childhood ~~care and education~~ councils that receive
3 school-readiness quality improvement funding pursuant to this section
4 shall distribute such ~~moneys~~ MONEY to early care and education facilities
5 identified in the school-readiness plan described in subsection (6) of this
6 section.

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

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

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

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

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

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

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

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

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

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

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

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

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

1 **SECTION 9. Act subject to petition - effective date.** This act
2 takes effect at 12:01 a.m. on the day following the expiration of the
3 ninety-day period after final adjournment of the general assembly (August
4 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a
5 referendum petition is filed pursuant to section 1 (3) of article V of the
6 state constitution against this act or an item, section, or part of this act
7 within such period, then the act, item, section, or part will not take effect
8 unless approved by the people at the general election to be held in
9 November 2018 and, in such case, will take effect on the date of the
10 official declaration of the vote thereon by the governor.