

## CHAPTER 243

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**HUMAN SERVICES - SOCIAL SERVICES**


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**SENATE BILL 21-236**

BY SENATOR(S) Story and Sonnenberg, Bridges, Buckner, Cooke, Danielson, Donovan, Fenberg, Fields, Ginal, Gonzales, Hansen, Hisey, Jaquez Lewis, Kolker, Lee, Moreno, Pettersen, Priola, Rodriguez, Scott, Smallwood, Winter, Woodward, Zenzinger, Garcia;

also REPRESENTATIVE(S) Tipper and Van Beber, Amabile, Bacon, Bernett, Boesenecker, Cutter, Esgar, Exum, Gonzales-Gutierrez, Gray, Herod, Hooton, Jackson, Jodeh, Kipp, Lontine, McCluskie, McLachlan, Michaelson Jenet, Mullica, Ortiz, Ricks, Sirota, Snyder, Titone, Valdez A., Valdez D., Woodrow, Young, Garnett.

**AN ACT**

**CONCERNING INCREASING THE CAPACITY OF QUALITY EARLY CHILDHOOD EDUCATION THROUGH GRANT PROGRAMS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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

**SECTION 1.** In Colorado Revised Statutes, 26-6-801, **amend** (2)(a) as follows:

**26-6-801. Legislative declaration.** (2) (a) Therefore, the general assembly finds it is a matter of statewide concern that we take immediate action to save and protect our child care ~~infrastructure. Doing so~~ INFRASTRUCTURE, INCLUDING OFFERING A WIDE RANGE OF CHILD CARE OPTIONS, INCLUDING BUT NOT LIMITED TO PUBLIC AND PRIVATE CHILD CARE CENTERS, DAY CARE CENTERS, SCHOOL-AGE CHILD CARE CENTERS, BEFORE- AND AFTER-SCHOOL PROGRAMS, NURSERY SCHOOLS, KINDERGARTENS, PRESCHOOLS, CHURCH DAY CARE CENTERS, DAY CAMPS, SUMMER CAMPS, FACILITIES FOR CHILDREN WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES, AND OTHER FACILITIES DESCRIBED IN SECTION 26-6-102 (5). SUPPORTING THIS MIXED DELIVERY OF CHILD CARE enables the state to invest in its children's futures, advance gender equity in the home and the workplace, and rebuild an economy that works for all Coloradans. When Colorado families have access to child care, everyone benefits.

**SECTION 2.** In Colorado Revised Statutes, 26-6-802, **amend** (4)(a) and (5); and **repeal** (6) as follows:

**26-6-802. Child care sustainability grant program - created - timeline and**

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

**criteria - grant awards - definitions.** (4) (a) The state department shall develop a formula to allocate money from the grant program to all eligible entities. The key criteria for a grant award to an eligible entity is the eligible entity's licensed child care capacity. In determining grant awards, the department shall also take into consideration the criteria set forth in subsection (4)(b) of this section. The state department is responsible for communicating important dates and the criteria for grant awards to eligible entities in the state. ~~Grant awards must range from at least five hundred dollars to no more than thirty-five thousand dollars.~~

(5) The department shall determine grant award amounts for eligible entities as soon as possible. ~~but no later than January 31, 2021, and distribute the money for grant awards no later than February 28, 2021.~~

(6) ~~This section is repealed, effective June 30, 2023.~~

**SECTION 3.** In Colorado Revised Statutes, 26-6-803, **amend** (4)(b); and **repeal** (6) as follows:

**26-6-803. Emerging and expanding child care grant program - created - timeline and criteria - grant awards - definitions.** (4) (b) A grant award must range from at least three thousand dollars to no more than ~~fifty~~ TWO HUNDRED thousand dollars. In awarding a grant, the state department shall use the applicant's existing or proposed licensed child care capacity, as well as the applicant's need, as key criteria in determining the amount of the grant award AND SHALL PRIORITIZE MAKING MULTIPLE SMALLER GRANT AWARDS.

(6) ~~This section is repealed, effective June 30, 2023.~~

**SECTION 4.** In Colorado Revised Statutes, **add** 26-6-804, 26-6-805, 26-6-806, and 26-6-807 as follows:

**26-6-804. Employer-based child care facility grant program - created - timeline and criteria - eligibility - grant awards - reports - definitions - repeal.**

(1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "CHILD CARE CENTER" HAS THE SAME MEANING AS SET FORTH IN SECTION 26-6-102.

(b) "CHILD CARE DESERT" MEANS A COMMUNITY OR AREA IN THE STATE WHERE THERE ARE MORE THAN THREE CHILDREN LESS THAN FIVE YEARS OF AGE FOR EACH AVAILABLE CHILD CARE SLOT.

(c) "ELIGIBLE ENTITY" MEANS A COLORADO EMPLOYER OR MULTIPLE EMPLOYERS.

(d) "GRANT PROGRAM" MEANS THE EMPLOYER-BASED CHILD CARE FACILITY GRANT PROGRAM CREATED IN SUBSECTION (2) OF THIS SECTION.

(2) THERE IS CREATED IN THE DEPARTMENT THE EMPLOYER-BASED CHILD CARE FACILITY GRANT PROGRAM. THE PURPOSE OF THE GRANT PROGRAM IS TO PROVIDE ELIGIBLE ENTITIES WITH MONEY TO CONSTRUCT, REMODEL, RENOVATE, OR RETROFIT A CHILD CARE CENTER ON THE SITE OR NEAR TO THE SITE OF THE ELIGIBLE ENTITY'S

PROPERTY TO PROVIDE LICENSED CHILD CARE SERVICES TO THE ELIGIBLE ENTITY'S EMPLOYEES, THUS SUPPORTING THE ELIGIBLE ENTITY'S WORKFORCE PARTICIPATION AND PROVIDING SAFE, STABLE, AND QUALITY CARE FOR THE ELIGIBLE ENTITY'S EMPLOYEES' CHILDREN.

(3) THE DEPARTMENT SHALL SOLICIT AND REVIEW GRANT APPLICATIONS FROM ELIGIBLE ENTITIES BEGINNING ON OR BEFORE JUNE 30, 2021, AND BEGIN TO AWARD GRANTS NO LATER THAN SEPTEMBER 1, 2021. EACH APPLICATION MUST INCLUDE, AT A MINIMUM:

(a) A BUSINESS PLAN THAT INCLUDES:

(I) A DESCRIPTION OF THE CONSTRUCTION, RENOVATION, REMODELING, OR RETROFITTING OF A CHILD CARE CENTER ON-SITE OR NEAR TO THE SITE OF THE ELIGIBLE ENTITY;

(II) A COMMITMENT TO PROVIDE A FINANCIAL MATCH, AS DESCRIBED IN SUBSECTION (4) OF THIS SECTION;

(III) A DESCRIPTION OF HOW THE ELIGIBLE ENTITY WILL ADDRESS THE PARTICULAR CHILD CARE NEEDS AMONG THE ELIGIBLE ENTITY'S EMPLOYEES, SUCH AS NONTRADITIONAL-HOUR CARE OR INFANT AND TODDLER CARE;

(IV) A DESCRIPTION OF HOW THE ELIGIBLE ENTITY WILL FINANCIALLY SUSTAIN THE CHILD CARE CENTER BEYOND THE GRANT PERIOD;

(V) THE ESTIMATED TOTAL COST AND BUDGET FOR THE CONSTRUCTION, RENOVATION, REMODELING, OR RETROFITTING OF THE CHILD CARE CENTER;

(VI) IF THE ELIGIBLE ENTITY LEASES THE SPACE TO BE RENOVATED, REMODELED, RETROFITTED, OR HAVE A NEW FACILITY CONSTRUCTED ON THE PROPERTY, A COPY OF A CURRENT, VALID LEASE THAT CONTAINS SPECIFIC AUTHORIZATIONS FROM THE PROPERTY OWNER TO MAKE THE REQUESTED ALTERATIONS TO THE PROPERTY OR A WRITTEN STATEMENT FROM THE LANDLORD EXPRESSING CONSENT TO THE REQUESTED ALTERATIONS;

(VII) WRITTEN ASSURANCE THAT THE ELIGIBLE ENTITY WILL CONNECT ITS EMPLOYEES TO RESOURCES DESCRIBING AVAILABLE PUBLIC EARLY CHILDHOOD CARE AND EDUCATION ASSISTANCE; AND

(VIII) ANY OTHER COMPONENTS THE DEPARTMENT REQUIRES TO ADEQUATELY ASSESS THE GRANT APPLICATION, INCLUDING A COMMITMENT REGARDING THE DURATION OF TIME THE ELIGIBLE ENTITY SEEKS TO OCCUPY THE SPACE TO BE RENOVATED, REMODELED, RETROFITTED, OR CONSTRUCTED;

(b) WRITTEN ASSURANCE THAT THE ELIGIBLE ENTITY WILL OBTAIN A CHILD CARE LICENSE PURSUANT TO PART 1 OF THIS ARTICLE 6; AND

(c) WRITTEN ASSURANCE THAT THE EMPLOYEES OF THE ELIGIBLE ENTITY WILL HAVE FIRST PRIORITY FOR OPEN SLOTS AT THE CHILD CARE CENTER BEFORE THOSE SLOTS ARE OFFERED TO NONEMPLOYEES.

(4) ELIGIBLE ENTITIES MUST PROVIDE A FINANCIAL MATCH TO A GRANT AWARD AS FOLLOWS:

(a) A FOR-PROFIT EMPLOYER SHALL PROVIDE A FIFTY PERCENT MATCH; AND

(b) A NONPROFIT OR GOVERNMENT EMPLOYER SHALL PROVIDE A TWENTY-FIVE PERCENT MATCH.

(5) IN DETERMINING GRANT AWARDS FOR THE GRANT PROGRAM, THE DEPARTMENT SHALL CONSIDER APPLICANTS THAT MIGHT REQUIRE WAIVER OF CHILD CARE LICENSING RULES IN THE FOLLOWING AREAS:

(a) A LOCATION THAT PREVENTS THE APPLICANT FROM OFFERING CHILD CARE PROGRAMS ON THE GROUND FLOOR; AND

(b) A LOCATION THAT PREVENTS THE APPLICANT FROM PROVIDING AN OUTDOOR SPACE.

(6) IN DETERMINING GRANT AWARDS FOR THE GRANT PROGRAM, THE DEPARTMENT SHALL PRIORITIZE:

(a) APPLICANTS THAT SERVE A HIGH PERCENTAGE OF EMPLOYEES WITH WAGES BELOW THE AREA'S MEDIAN INCOME;

(b) APPLICATIONS WITH PLANS TO MEET THE LEVEL FOUR STANDARD OF THE COLORADO SHINES QUALITY RATING AND IMPROVEMENT SYSTEM, PURSUANT TO SECTION 26-6.5-106 (5);

(c) APPLICATIONS WITH A STATED COMMITMENT TO AND A BUSINESS PLAN FOR A WELL-COMPENSATED CHILD CARE STAFF;

(d) APPLICATIONS WITH A PLAN FOR INNOVATIVE MODELS, SUCH AS CO-OPS, HUBS, OR MICROCENTERS;

(e) APPLICANTS WITH A PLAN TO SERVE CHILDREN IN CHILD CARE DESERTS OR IN REGIONS WITH LOW CHILD CARE CAPACITY;

(f) APPLICANTS WITH STAFF THAT REPRESENT OR REFLECT THE LINGUISTIC AND CULTURAL DIVERSITY OF THE FAMILIES LIVING OR WORKING IN THEIR COMMUNITY, INCLUDING DUAL LANGUAGE LEARNERS; AND

(g) APPLICANTS WHOSE PRIMARY INDUSTRY AND AREA OF BUSINESS IS OTHER THAN CHILD CARE.

(7) THE DEPARTMENT SHALL PROVIDE GRANTEEES WITH INFORMATION AND REFERRALS TO SERVICES THAT SUPPORT IMPLEMENTATION OF QUALITY CARE, INCLUDING:

(a) TRAINING FOR TEACHERS AND DIRECTORS ON QUALITY CHILD CARE, INCLUDING LINGUISTICALLY AND CULTURALLY COMPETENT CARE, CHILD DEVELOPMENT, AND PROGRAM IMPROVEMENT; AND

(b) PUBLIC EARLY CHILDHOOD ASSISTANCE PROGRAMS FOR FAMILIES, INCLUDING, BUT NOT LIMITED TO:

(I) CHILD CARE SUBSIDIES;

(II) PRESCHOOL AND EARLY CHILDHOOD EDUCATION ASSISTANCE; AND

(III) CHILD NUTRITION PROGRAMS.

(8) ON OR BEFORE JANUARY 30, 2023, AND ON OR BEFORE JANUARY 30, 2024, THE DEPARTMENT SHALL REPORT PROGRESS ON THE GRANT PROGRAM AS PART OF ITS "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT" HEARING REQUIRED BY SECTION 2-7-203. AT A MINIMUM, THE REPORT MUST INCLUDE:

(a) THE NUMBER OF ELIGIBLE ENTITIES THAT RECEIVED A GRANT THROUGH THE GRANT PROGRAM;

(b) THE NUMBER OF CHILDREN AND FAMILIES THAT RECEIVED CHILD CARE SERVICES AS A RESULT OF THE GRANTS, REPORTED IN AGGREGATE AND BY GRANTEE;

(c) THE NUMBER OF EARLY CHILDHOOD EDUCATORS AND STAFF HIRED AS A RESULT OF THE GRANT PROGRAM;

(d) THE COLORADO SHINES QUALITY RATING OF EACH GRANTEE;

(e) ANY INNOVATIVE APPROACHES THAT WERE USED AS A RESULT OF THE GRANT PROGRAM THAT MAY BE REPLICATED BY OTHER EMPLOYERS; AND

(f) ANY OTHER RELEVANT INFORMATION ABOUT THE GRANT PROGRAM, INCLUDING THE INDUSTRY TYPE OF THE ENTITY AND GEOGRAPHIC REGION SERVED BY THE ENTITY.

(9) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2024.

**26-6-805. Early care and education recruitment and retention grant and scholarship program - created - criteria and eligibility - grant and scholarship awards - reports - rules - definitions.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "EARLY CHILDHOOD EDUCATOR" MEANS AN INDIVIDUAL WHO HOLDS AN EARLY CHILDHOOD PROFESSIONAL CREDENTIAL OR QUALIFICATION.

(b) "ELIGIBLE ENTITY" IS ANY ENTITY DESCRIBED IN SUBSECTION (3) OF THIS SECTION.

(c) "PROGRAM" MEANS THE EARLY CARE AND EDUCATION RECRUITMENT AND RETENTION GRANT AND SCHOLARSHIP PROGRAM CREATED IN SUBSECTION (2) OF THIS SECTION.

(2) THERE IS CREATED IN THE DEPARTMENT THE EARLY CARE AND EDUCATION

RECRUITMENT AND RETENTION GRANT AND SCHOLARSHIP PROGRAM. THE DEPARTMENT SHALL ADMINISTER, DIRECTLY OR BY CONTRACT, THE PROGRAM. THE PURPOSES OF THE PROGRAM ARE TO:

(a) INCREASE THE NUMBER OF INDIVIDUALS THROUGHOUT THE STATE WHO ARE QUALIFIED TO SERVE AS EARLY CHILDHOOD EDUCATORS, INCLUDING QUALIFIED MULTILINGUAL AND CULTURALLY COMPETENT EDUCATORS, IN PROGRAMS LICENSED BY THE DEPARTMENT PURSUANT TO PART 1 OF THIS ARTICLE 6 THAT SERVE CHILDREN FIVE YEARS OF AGE OR YOUNGER; AND

(b) RETAIN EARLY CHILDHOOD EDUCATORS WHO ARE WORKING IN PROGRAMS LICENSED BY THE DEPARTMENT THAT SERVE CHILDREN FIVE YEARS OF AGE OR YOUNGER.

(3) THE DEPARTMENT SHALL ESTABLISH A PROCESS FOR ELIGIBLE ENTITIES TO APPLY FOR A GRANT THAT ALIGNS WITH THE PURPOSES OF THE PROGRAM. ENTITIES THAT ARE ELIGIBLE TO APPLY FOR A GRANT FROM THE PROGRAM INCLUDE, BUT ARE NOT LIMITED TO:

(a) NONPROFIT ENTITIES THAT ADMINISTER OR PLAN TO ADMINISTER SCHOLARSHIP PROGRAMS THAT ARE ALIGNED WITH THE PURPOSES OF THE PROGRAM;

(b) EARLY CHILD CARE AND EDUCATION PROGRAMS LICENSED BY THE DEPARTMENT PURSUANT TO PART 1 OF THIS ARTICLE 6 AND THAT ARE SERVING CHILDREN FIVE YEARS OF AGE OR YOUNGER; AND

(c) INSTITUTIONS OF HIGHER EDUCATION THAT ADMINISTER SCHOLARSHIP PROGRAMS THAT ARE ALIGNED WITH THE PURPOSES OF THE PROGRAM.

(4) THE DEPARTMENT SHALL PROMULGATE RULES REGARDING CRITERIA, TIMELINES, AND THE ADMINISTRATION OF THE PROGRAM PURSUANT TO THE REQUIREMENTS OUTLINED IN THIS SECTION.

(5) THE DEPARTMENT SHALL SEEK AND ACCEPT APPLICATIONS FROM ELIGIBLE ENTITIES TO AWARD PROGRAM GRANT MONEY FOR ELIGIBLE PURPOSES. THE DEPARTMENT SHALL COORDINATE WITH THE DEPARTMENT OF HIGHER EDUCATION TO ENSURE EFFECTIVE ADMINISTRATION OF PROGRAM GRANT MONEY AWARDED TO STATE PUBLIC INSTITUTIONS OF HIGHER EDUCATION. ELIGIBLE EXPENDITURES OF GRANT OR SCHOLARSHIP MONEY BY RECIPIENTS INCLUDE:

(a) ADMINISTRATION BY A NONPROFIT ENTITY OF A SCHOLARSHIP PROGRAM UP TO A FIXED DOLLAR AMOUNT OR PERCENTAGE OF GRANT PROCEEDS, AS DETERMINED AND PUBLISHED BY THE DEPARTMENT;

(b) PAYMENT OF TUITION, FEES, AND MATERIALS, INCLUDING BOOKS AND ANY OTHER MATERIALS AS DETERMINED BY THE DEPARTMENT, FOR COURSES THAT LEAD TO A DEGREE OR CREDENTIAL OR FOR OTHER FORMAL TRAINING, ANY OF WHICH RESULTS IN A RECIPIENT WHO WAS NOT QUALIFIED TO BECOME QUALIFIED AS AN EARLY CHILDHOOD EDUCATOR IN A CHILD CARE PROGRAM LICENSED PURSUANT TO PART 1 OF THIS ARTICLE 6 THAT SERVES CHILDREN FIVE YEARS OF AGE OR YOUNGER;

(c) PAYMENT OF TUITION, FEES, AND MATERIALS, INCLUDING BOOKS AND ANY OTHER MATERIALS AS DETERMINED BY THE DEPARTMENT, FOR A RECIPIENT WHO IS ALREADY CREDENTIALLED AS AN EARLY CHILDHOOD EDUCATOR FOR COURSES THAT LEAD TO A DEGREE OR A HIGHER LEVEL CREDENTIAL OR FOR OTHER FORMAL TRAINING, ANY OF WHICH RESULTS IN THE RECIPIENT BEING ELIGIBLE FOR A HIGHER LEVEL CREDENTIAL IN THE DEPARTMENT'S PROFESSIONAL DEVELOPMENT INFORMATION SYSTEM OR A HIGHER DEGREE OR QUALIFICATION THAT RESULTS IN LONGER RETENTION OF THE RECIPIENT IN A CHILD CARE PROGRAM LICENSED PURSUANT TO PART 1 OF THIS ARTICLE 6 THAT SERVES CHILDREN FIVE YEARS OF AGE OR YOUNGER;

(d) PAYMENT FOR COSTS ASSOCIATED WITH A CREDENTIALLED EARLY CHILDHOOD EDUCATOR EARNING A COACHING, FORMAL TRAINER, MENTORSHIP, OR PROFESSIONAL DEVELOPMENT CERTIFICATION THAT ALLOWS THE EARLY CHILDHOOD EDUCATOR TO SERVE AS A TRAINER OR MENTOR OF OTHER CURRENT OR POTENTIAL EARLY CHILDHOOD EDUCATORS PURSUING PROGRAMMING THAT LEADS TO A CREDENTIAL;

(e) PAYMENTS TO LICENSED PROVIDERS TO COVER PAID RELEASE TIME FOR INDIVIDUALS, SUBSTITUTES, AND PROGRAM COSTS TO ALLOW ELIGIBLE INDIVIDUALS TO PURSUE PROGRAMS, COURSE WORK, CREDENTIALS, DEGREES, AND OTHER FORMAL TRAINING THAT INCREASES THE NUMBER OF QUALIFIED EARLY CHILDHOOD EDUCATORS OR RETAINS CURRENT EARLY CHILDHOOD EDUCATORS IN CHILD CARE PROGRAMS LICENSED BY THE DEPARTMENT PURSUANT TO PART 1 OF THIS ARTICLE 6;

(f) PAYMENTS TO LICENSED PROVIDERS, SCHOOLS, COMMUNITY COLLEGES, INSTITUTIONS OF HIGHER EDUCATION, EARLY CHILDHOOD COUNCILS, OR OTHER LOCAL NONPROFIT ENTITIES TO COVER THE COSTS OF "GROW-YOUR-OWN" PROGRAMS THAT SUPPORT CURRENT PARENTS, STAFF, OR LOCAL COMMUNITY MEMBERS TO MEET QUALIFICATIONS TO SERVE AS AN EARLY CHILDHOOD EDUCATOR TO COMPLETE APPROPRIATE PROGRAMS, CERTIFICATIONS, OR TRAINING THAT RESULTS IN PARTICIPANTS BEING ABLE TO SERVE AS QUALIFIED EARLY CHILDHOOD EDUCATORS IN CHILD CARE PROGRAMS LICENSED BY THE DEPARTMENT PURSUANT TO PART 1 OF THIS ARTICLE 6;

(g) PAYMENTS TO LICENSED PROVIDERS TO COVER THE COSTS OF PROMOTING TEACHERS TO COACHING AND MENTORSHIP ROLES WITH THE INTENT OF INCREASING ACCESS TO COACHING AND PROFESSIONAL LEARNING COMMUNITIES AND TO PROVIDE FLEXIBILITY IN SCHEDULING FOR EARLY CHILDHOOD EDUCATORS;

(h) RAISES, BONUSES, AND OTHER FINANCIAL INCENTIVES, INCLUDING LOAN FORGIVENESS PROVIDED BY LICENSED EARLY CHILDHOOD EDUCATOR PROGRAMS OR THROUGH SCHOLARSHIP PROGRAMS, FOR CURRENT OR POTENTIAL EARLY CHILDHOOD EDUCATORS TO REWARD PROGRESS TOWARD QUALIFICATIONS THAT ALLOW THE INDIVIDUAL TO SERVE AS AN EARLY CHILDHOOD EDUCATOR IN AN EARLY CHILD CARE AND EDUCATION PROGRAM LICENSED BY THE DEPARTMENT PURSUANT TO PART 1 OF THIS ARTICLE 6, OR TO IMPROVE RETENTION OF EARLY CHILDHOOD EDUCATORS IN EARLY CHILD CARE AND EDUCATION PROGRAMS LICENSED BY THE DEPARTMENT PURSUANT TO PART 1 OF THIS ARTICLE 6; AND

(i) PAYMENTS FOR REGISTERED APPRENTICESHIPS FOR WORK-BASED LEARNING OPPORTUNITIES FOR INDIVIDUALS INTERESTED IN ENTERING THE FIELD OF EARLY CHILD CARE AND EDUCATION, SERVING CHILDREN FIVE YEARS OF AGE OR YOUNGER, SO THAT THEY CAN RECEIVE ON-THE-JOB TRAINING, CLASSROOM INSTRUCTION, AND FINANCIAL REWARDS FOR GAINS IN SKILLS AND EARN CREDENTIALS, CREDITS, OR HIGHER EDUCATION DEGREES. ANY SUCH APPRENTICESHIP PROGRAM MUST CREATE PATHWAYS INTO THE EARLY CHILD CARE AND EDUCATION PROFESSION. THE DEPARTMENT, IN CONSULTATION WITH THE DEPARTMENT OF LABOR AND EMPLOYMENT, THE DEPARTMENT OF HIGHER EDUCATION, AND THE DEPARTMENT OF EDUCATION, SHALL:

(I) DEFINE AND ESTABLISH ELIGIBILITY CRITERIA FOR ELIGIBLE ENTITIES TO RECEIVE MONEY TO IMPLEMENT APPRENTICESHIPS;

(II) ESTABLISH PROGRAM STANDARDS FOR FORMALLY RECOGNIZED EARLY CHILDHOOD APPRENTICESHIP PROGRAMS. THESE STANDARDS MUST ADDRESS EXPECTATIONS FOR EMPLOYER INVOLVEMENT; ON-THE-JOB TRAINING, CREDIT, AND CREDENTIAL ATTAINMENT; ENSURING THE AVAILABILITY OF RELEVANT TRAINING AND CLASSROOM INSTRUCTION; REWARDS FOR SKILLS GAINS; AND SUPPORT FOR LOCAL IMPLEMENTATION; AND

(III) ADD MONETARY AWARDS FOR THE FOLLOWING USES OF EARLY CHILDHOOD APPRENTICESHIPS, AS APPROPRIATE:

(A) SUPPORTING EXISTING APPRENTICESHIP PROGRAMS OR THE CREATION OF NEW APPRENTICESHIP PROGRAMS BY MAKING MONEY AVAILABLE TO ELIGIBLE ENTITIES;

(B) SUPPORTING EXISTING APPRENTICESHIP PROGRAMS BY EXPANDING THEIR REACH TO SERVE MORE APPRENTICES;

(C) TECHNICAL ASSISTANCE RELATING TO ESTABLISHING THE PARTNERSHIPS NECESSARY TO CREATE APPRENTICESHIPS;

(D) MONEY FOR THE RECRUITMENT OF MENTOR TEACHERS;

(E) INCENTIVES FOR PROGRAM PARTICIPANTS;

(F) FINANCIAL REWARDS FOR SKILLS GAINED IN THE APPRENTICESHIP PROGRAM;

(G) INCENTIVES FOR DEPARTMENT-LICENSED PROVIDERS TO PARTICIPATE IN APPRENTICESHIPS;

(H) MONEY TO COVER THE COSTS OF CLASSROOM TRAINING AND INSTRUCTION;

(I) MONEY TO COVER THE COSTS OF EARNING A CREDENTIAL; AND

(J) MONEY TO SUPPORT ON-THE-JOB TRAINING.

(6) (a) AS PART OF PARTICIPATING IN THE PROGRAM, THE DEPARTMENT SHALL REQUIRE EACH ELIGIBLE ENTITY, AS DESCRIBED IN SUBSECTION (3) OF THIS SECTION, THAT RECEIVES GRANT PROGRAM MONEY TO REPORT PROGRAM OUTCOMES TO THE



DEPARTMENT, AS APPLICABLE, INCLUDING, BUT NOT LIMITED TO, THE INCREASE, AS A RESULT OF THE PROGRAM, IN THE NUMBER OF INDIVIDUALS CREDENTIALLED TO TEACH OR WHO RECEIVE A HIGHER LEVEL CREDENTIAL TO TEACH AT EARLY CHILD CARE AND EDUCATION PROGRAMS LICENSED BY THE DEPARTMENT PURSUANT TO PART 1 OF THIS ARTICLE 6 THAT SERVE CHILDREN FIVE YEARS OF AGE OR YOUNGER, AS WELL AS INFORMATION RELATING TO RETENTION OF EARLY CHILDHOOD EDUCATORS AS A RESULT OF THE PROGRAM.

(b) SO LONG AS THE DEPARTMENT IS AWARDED GRANT AND SCHOLARSHIP MONEY PURSUANT TO THIS PART 8, THE DEPARTMENT SHALL SUMMARIZE AND POST, AT LEAST EVERY TWO YEARS, THE INFORMATION DESCRIBED IN SUBSECTION (6)(a) OF THIS SECTION ON THE PORTION OF THE DEPARTMENT'S WEBSITE RELATING TO EARLY CHILDHOOD EDUCATION.

**26-6-806. Child care teacher salary grant program - created - timeline - criteria and eligibility - grant awards - reports - definitions.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "CCCAP" MEANS THE COLORADO CHILD CARE ASSISTANCE PROGRAM CREATED IN PART 8 OF ARTICLE 2 OF THIS TITLE 26.

(b) "CHILD CARE CENTER" HAS THE SAME MEANING AS SET FORTH IN SECTION 26-6-102.

(c) "ELIGIBLE ENTITY" MEANS A CHILD CARE CENTER LICENSED PURSUANT TO PART 1 OF THIS ARTICLE 6 OR A FAMILY CHILD CARE HOME THAT HAS THE FOLLOWING COMPONENTS:

(I) AUTHORIZATION TO SERVE FAMILIES PURSUANT TO CCCAP; AND

(II) A QUALITY RATING OF AT LEAST A LEVEL THREE PURSUANT TO THE COLORADO SHINES QUALITY RATING AND IMPROVEMENT SYSTEM ESTABLISHED IN SECTION 26-6.5-106.

(d) "FAMILY CHILD CARE HOME" HAS THE SAME MEANING AS SET FORTH IN SECTION 26-6-102.

(e) "GRANT PROGRAM" MEANS THE CHILD CARE TEACHER SALARY GRANT PROGRAM CREATED IN SUBSECTION (2) OF THIS SECTION.

(2) THERE IS CREATED IN THE DEPARTMENT THE CHILD CARE TEACHER SALARY GRANT PROGRAM. THE PURPOSE OF THE GRANT PROGRAM IS TO ALLOW ELIGIBLE ENTITIES TO APPLY FOR A GRANT TO INCREASE THE SALARIES OF ITS EARLY CHILDHOOD EDUCATORS.

(3) THE DEPARTMENT SHALL SOLICIT AND REVIEW APPLICATIONS FROM ELIGIBLE ENTITIES. EACH APPLICATION MUST, AT A MINIMUM, INCLUDE:

(a) A DESCRIPTION OF THE NUMBER OF EARLY CHILDHOOD EDUCATORS PROPOSED TO RECEIVE A SALARY INCREASE;

(b) VERIFICATION THAT THE ELIGIBLE ENTITY HAS HAD A QUALITY RATING OF AT LEAST LEVEL THREE UNDER THE COLORADO SHINES QUALITY RATING AND IMPROVEMENT SYSTEM DURING THE PAST TWELVE MONTHS AND SPECIFICATION OF THAT QUALITY RATING LEVEL;

(c) VERIFICATION THAT THE ELIGIBLE ENTITY IS AUTHORIZED TO ADMINISTER SUBSIDIES UNDER CCCAP;

(d) VERIFICATION THAT THE ELIGIBLE ENTITY IS ACTIVELY SERVING FAMILIES THAT ARE SUBSIDIZED THROUGH CCCAP; AND

(e) WRITTEN ATTESTATION THE MONEY RECEIVED FROM THE GRANT PROGRAM WILL ONLY BE USED TO INCREASE SALARIES OF EARLY CHILDHOOD EDUCATORS, AS SPECIFIED IN SUBSECTION (4) OF THIS SECTION.

(4) THE DEPARTMENT SHALL ESTABLISH THE PERCENTAGE OF SALARY INCREASE FOR EACH EARLY CHILDHOOD EDUCATOR, BASED ON THE NUMBER OF APPLICATIONS AND AVAILABLE APPROPRIATIONS.

**26-6-807. Community innovation and resilience for care and learning equity (CIRCLE) grant program - created - criteria - definitions.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "CHILD CARE CENTER" HAS THE SAME MEANING AS SET FORTH IN SECTION 26-6-102.

(b) "ELIGIBLE ENTITY" INCLUDES ANY ONE OF THE FOLLOWING:

(I) A CHILD CARE CENTER OR FAMILY CHILD CARE HOME THAT IS ELIGIBLE TO RECEIVE FEDERAL CHILD CARE AND DEVELOPMENT BLOCK GRANT FUNDING PURSUANT TO 42 U.S.C. SEC. 9858;

(II) A LOCAL EARLY CHILDHOOD COUNCIL, AS DEFINED IN SECTION 26-6.5-101.5;  
OR

(III) ANY OTHER COMMUNITY-BASED OR EDUCATION-BASED ENTITY OR GOVERNMENT AGENCY APPROVED BY THE DEPARTMENT AND THAT PROPOSES GRANT ACTIVITIES DESCRIBED IN SUBSECTION (2) OF THIS SECTION.

(c) "FAMILY CHILD CARE HOME" HAS THE SAME MEANING AS SET FORTH IN SECTION 26-6-102.

(d) "GRANT PROGRAM" MEANS THE COMMUNITY INNOVATION AND RESILIENCE FOR CARE AND LEARNING EQUITY (CIRCLE) GRANT PROGRAM CREATED IN SUBSECTION (2) OF THIS SECTION.

(2) THERE IS CREATED IN THE DEPARTMENT THE COMMUNITY INNOVATION AND RESILIENCE FOR CARE AND LEARNING EQUITY (CIRCLE) GRANT PROGRAM. THE PURPOSE OF THE GRANT PROGRAM IS TO ADDRESS SYSTEMIC CHALLENGES FOR EARLY CARE AND LEARNING PROVIDERS THAT HAVE WORSENERD AS A RESULT OF THE ECONOMIC, SOCIAL, AND HEALTH IMPACTS OF THE COVID-19 PUBLIC HEALTH

EMERGENCY AND TO PROMOTE INNOVATION TO IMPROVE OUTCOMES FOR CHILDREN AND FAMILIES.

(3) AN ELIGIBLE ENTITY MAY APPLY FOR A GRANT FROM THE GRANT PROGRAM FOR THE FOLLOWING PURPOSES:

(a) IMPROVING THE AFFORDABILITY OF CHILD CARE FOR FAMILIES WHOSE CHILDREN ARE NOT SERVED BY THE COLORADO CHILD CARE ASSISTANCE PROGRAM, CREATED IN PART 8 OF ARTICLE 2 OF THIS TITLE 26, INCLUDING, BUT NOT LIMITED TO, ANY OF THE FOLLOWING APPROACHES:

(I) TUITION SUBSIDIES OR SCHOLARSHIPS;

(II) DEVELOPING PUBLIC-PRIVATE PARTNERSHIPS; OR

(III) EMPLOYER-BASED COST-SHARING APPROACHES;

(b) INCREASING ACCESS TO CHILD CARE FOR CHILDREN FROM BIRTH TO THREE YEARS OF AGE;

(c) STRENGTHENING BUSINESS PRACTICES OF CHILD CARE PROGRAMS;

(d) ENSURING EQUITABLE ACCESS FOR CHILDREN, INCLUDING CHILDREN WITH SPECIAL NEEDS AND DUAL LANGUAGE LEARNER CHILDREN; OR

(e) OTHER APPROACHES TO IMPROVE EARLY CHILDHOOD TRANSITIONS, WORKFORCE PREPARATION, AFFORDABILITY, OUTCOMES, OR INNOVATIVE PRACTICES.

(4) THE DEPARTMENT SHALL SOLICIT AND REVIEW APPLICATIONS FROM ELIGIBLE ENTITIES. EACH APPLICATION MUST INCLUDE, AT A MINIMUM:

(a) A DESCRIPTION OF THE ACTIVITIES FOR WHICH THE ELIGIBLE ENTITY WILL USE THE GRANT MONEY;

(b) A DESCRIPTION OF ANY PARTNERSHIPS THAT AN ELIGIBLE ENTITY INTENDS TO ESTABLISH TO CARRY OUT ITS GRANT ACTIVITIES;

(c) A DESCRIPTION OF HOW THE ACTIVITIES LISTED IN SUBSECTION (4)(a) OF THIS SECTION WILL ACHIEVE THE PURPOSES OF THE GRANT PROGRAM; AND

(d) A DETAILED BUDGET TO CARRY OUT THE ACTIVITIES LISTED IN SUBSECTION (4)(a) OF THIS SECTION.

**SECTION 5.** In Session Laws of Colorado 2020, First Extraordinary Session, **amend** section 2 of chapter 10 as follows:

Section 2. **Appropriation.** (1) For the 2020-21 state fiscal year, \$45,016,340 is appropriated to the department of human services for use by the office of early childhood. This appropriation is from the general fund. To implement this act, the office of early childhood may use this appropriation as follows:

(a) \$432,961 for administration, which amount is based on an assumption that the office will require an additional 1.2 FTE. Money appropriated in this subsection (1)(a) not expended prior to July 1, 2021, is further appropriated to the department of human services for use by the office of early childhood for the 2021-22 state fiscal year for the same purpose.

(b) (I) \$34,806,917 for the child care sustainability grant program created in section 26-6-802, C.R.S.

(II) Up to \$300,000 of any appropriation made pursuant to subsection (1)(b)(I) of this section for state fiscal year 2020-21 for the child care sustainability grant program created in section 26-6-802, C.R.S., must be made available to neighborhood youth organizations.

(c) \$8,751,329 for the emerging and expanding child care grant program created in section 26-6-803, C.R.S. Money appropriated in this subsection (1)(c) not expended prior to July 1, 2021, is further appropriated to the department of human services for use by the office of early childhood for the 2021-22 state fiscal year for the same purpose.

(d) \$875,133 for early childhood councils, as defined in section 26-6.5-101.5 (2), C.R.S., in support of the emerging and expanding child care grant program created in section 26-6-803, C.R.S. Money appropriated in this subsection (1)(d) not expended prior to July 1, 2021, is further appropriated to the department of human services for use by the office of early childhood for the 2021-22 state fiscal year for the same purpose.

(e) \$150,000 for linguistic and culturally competent outreach and technical application assistance in support of the emerging and expanding child care grant program created in section 26-6-803, C.R.S. MONEY APPROPRIATED IN THIS SUBSECTION (1)(e) NOT EXPENDED PRIOR TO JULY 1, 2021, IS FURTHER APPROPRIATED TO THE DEPARTMENT OF HUMAN SERVICES FOR USE BY THE OFFICE OF EARLY CHILDHOOD FOR THE 2021-22 STATE FISCAL YEAR FOR THE SAME PURPOSE.

**SECTION 6. Appropriation.** (1) (a) For the 2020-21 state fiscal year, \$8,800,000 is appropriated to the department of human services for use by the office of early childhood. This appropriation is from the general fund. To implement this act, the office of early childhood may use this appropriation as follows:

(I) \$100,000 for administration, which amount is based on an assumption that the office will require an additional 1.0 FTE; and

(II) \$8,700,000 for the employer-based child care facility grant program created in section 26-6-804 (1), C.R.S.

(b) Any money appropriated in subsection (1) of this section not expended prior to July 1, 2021, is further appropriated to the department of human services for use by the office of early childhood for the 2021-22 state fiscal year for the same purposes.

(2) For the 2021-22 state fiscal year, \$320,241,576 is appropriated to the

department of human services for use by the office of early childhood. This appropriation is from federal funds from child care development funds. To implement this act, the office of early childhood may use this appropriation as follows:

(a) \$292,700,664 for the child care sustainability grant program created in section 26-6-802 (2), C.R.S., which amount is based on an assumption that the office will require an additional 3.0 FTE. Any money appropriated in this subsection (2)(a) not expended prior to July 1, 2022, is further appropriated for use by the office of early childhood for the 2022-23 state fiscal year for the same purposes;

(b) \$16,800,000 for the community innovation and resilience for care and learning equity (CIRCLE) grant program created in section 26-6-807 (2), C.R.S., which amount is based on an assumption that the office will require an additional 1.0 FTE. Any money appropriated in this subsection (2)(b) not expended prior to July 1, 2022, is further appropriated for use by the office of early childhood for the 2022-23 state fiscal year for the same purposes;

(c) \$7,200,000 for the early care and education recruitment and retention grant and scholarship program created in section 26-6-805 (2), C.R.S., which amount is based on an assumption that the office will require an additional 4.0 FTE;

(d) \$3,000,000 for the child care teacher salary grant program created in section 26-6-806 (2), C.R.S., which amount is based on an assumption that the office will require an additional 1.0 FTE; and

(e) \$540,912 for the administration, monitoring, compliance, and reporting requirements associated with the money appropriated in this subsection (2), which amount is based on an assumption that the office will require an additional 4.0 FTE.

(3) For the 2021-22 state fiscal year, \$58,622,936 is appropriated to the department of human services for use by the office of early childhood. This appropriation is from federal funds from child care development funds. The office of early childhood may use this appropriation as follows:

(a) \$23,845,252 for the child care assistance program;

(b) \$32,455,511 for child care grants for quality and availability and federal targeted funds requirements, which amount is based on an assumption that the office will require an additional 6.0 FTE;

(c) \$2,150,000 for the early childhood mental health consultation program created in section 26-6.5-402 (1)(a), C.R.S., which amount is based on an assumption that the office will require an additional 1.0 FTE; and

(d) \$172,173 for the administration, monitoring, compliance, and reporting requirements associated with the money appropriated in this subsection (3), which amount is based on an assumption that the office will require an additional 2.0 FTE.

**SECTION 7. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Approved: June 16, 2021