

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 14-0147.01 Jane Ritter x4342

HOUSE BILL 14-1076

HOUSE SPONSORSHIP

Peniston and Duran, Schafer

SENATE SPONSORSHIP

Zenzinger, Newell

House Committees

Education
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF THE EARLY CHILDHOOD QUALITY**
102 **INCENTIVE PROGRAM FOR ENHANCING EARLY CHILDHOOD**
103 **EDUCATION.**

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://www.leg.state.co.us/billsummaries>.)

Early Childhood and School Readiness Legislative Commission. The bill creates, in the department of education (department) and within the Colorado preschool program (CPP), the early childhood quality incentive program (program). Through the program, an

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

eligible school district may apply to the department for a grant to cover the cost of a school-readiness quality rating for the its preschool program and, based on the quality ratings that the district's preschool program achieves, receive a quality improvement grant that the district must use to enhance the quality of the district's preschool program.

Once every 2 years, school districts, based on the recommendation of the school district's preschool program advisory council, may apply to the department to participate in the program. A school district is eligible to participate in the program only if it has established a preschool program through the CPP that is in compliance with the requirements of the CPP and is licensed by the department of human services. School districts that contract out all or any portion of the school district's preschool program to a head start or child care agency must allow the head start or child care agency to participate in the program.

A preschool program site that is rated at level one, 2, or 3 will receive a quality improvement grant for 2 years to be used in furtherance of the district's quality improvement plan generated by the quality improvement rating. A preschool program site that is rated at level 4 is eligible to receive an additional per child reimbursement that is 10% of the base per pupil revenue established for the CPP. A preschool program site that is rated at level 5 is eligible to receive an additional per child reimbursement that is 20% of the base per pupil revenue established for the CPP.

Each district that participates in the program must report specified information to the department after the second year in which the district receives the quality improvement grant. In addition, the department must include certain information about the program in its annual report to the general assembly regarding the CPP. The state board of education must promulgate rules to implement and operate the program.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 22-28-115 as
3 follows:

4 **22-28-115. Early childhood quality incentive program -**
5 **legislative declaration - definitions - eligibility - grants - rules.**

6 (1) THE GENERAL ASSEMBLY FINDS THAT:

7 (a) QUALITY PRESCHOOL PROGRAMS ARE VITAL TO THE HEALTH
8 AND WELL-BEING OF THE CHILDREN IN COLORADO;

1 (b) THE HUMAN CAPACITY TO DEVELOP AND CHANGE IS GREATEST
2 FROM BIRTH TO FIVE YEARS, WHEN THE BRAIN IS MOST MALLEABLE AND
3 ABLE TO CHANGE IN RESPONSE TO EDUCATION AND STIMULATION;

4 (c) THE INVESTMENT MADE IN QUALITY PRESCHOOL BENEFITS
5 CHILDREN, PARENTS, AND THE COMMUNITY IN THE LONG TERM;

6 (d) CHILDREN WHO PARTICIPATE IN THE COLORADO PRESCHOOL
7 PROGRAM ARE LESS LIKELY TO REPEAT A GRADE OR REQUIRE SPECIAL
8 EDUCATION SERVICES AND MORE LIKELY TO SHOW DESIRABLE ACADEMIC
9 GROWTH AND ACHIEVEMENT;

10 (e) HIGH-QUALITY PRESCHOOL PROGRAMS ARE KNOWN TO RESULT
11 IN GREATER KINDERGARTEN READINESS AND ACADEMIC ACHIEVEMENT;
12 AND

13 (f) GRANTS TO IMPROVE PRESCHOOL PROGRAMS RECOGNIZE AND
14 SUPPORT THE COST OF PROVIDING HIGH-QUALITY EARLY LEARNING,
15 ENSURE PRESCHOOL PROGRAM SUSTAINABILITY, AND RESULT IN A BETTER
16 RETURN ON THE MONEY INVESTED IN THE PRESCHOOL PROGRAM.

17 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
18 REQUIRES:

19 (a) "PER PUPIL REVENUE" MEANS THE SCHOOL DISTRICT PER PUPIL
20 FUNDING RATE ESTABLISHED UNDER THE "PUBLIC SCHOOL FINANCE ACT
21 OF 1994", ARTICLE 54 OF THIS TITLE. ■■■

22 (b) "PRESCHOOL CLASSROOM" MEANS A DISTRICT OR
23 COMMUNITY-BASED CLASSROOM THAT SERVES ONE OR MORE
24 PRESCHOOL-AGE CHILDREN WHO ARE ELIGIBLE FOR THE COLORADO
25 PRESCHOOL PROGRAM OR PRESCHOOL SPECIAL EDUCATION SERVICES.

26 (c) "PRESCHOOL PROGRAM" MEANS A PRESCHOOL PROGRAM
27 ADMINISTERED BY A SCHOOL DISTRICT AND THAT OPERATES ACROSS A

1 VARIETY OF EARLY CHILDHOOD SETTINGS THAT SERVE CHILDREN WHO ARE
2 ELIGIBLE FOR THE COLORADO PRESCHOOL PROGRAM OR PRESCHOOL
3 SPECIAL EDUCATION SERVICES.

4 (d) "PRESCHOOL PROGRAM SITE" MEANS A DISTRICT OR
5 COMMUNITY-BASED PRESCHOOL SITE THAT SERVES ONE OR MORE
6 PRESCHOOL-AGE CHILDREN WHO ARE ELIGIBLE FOR THE COLORADO
7 PRESCHOOL PROGRAM OR PRESCHOOL SPECIAL EDUCATION SERVICES.

8 (3) THERE IS CREATED IN THE DEPARTMENT WITHIN THE
9 COLORADO PRESCHOOL PROGRAM THE EARLY CHILDHOOD QUALITY
10 INCENTIVE PROGRAM, REFERRED TO IN THIS SECTION AS THE "PROGRAM".
11 A SCHOOL DISTRICT IS AN ELIGIBLE SCHOOL DISTRICT FOR PURPOSES OF
12 THIS SECTION IF IT HAS ESTABLISHED A PRESCHOOL PROGRAM THROUGH
13 THIS ARTICLE THAT IS IN COMPLIANCE WITH THE REQUIREMENTS OF THE
14 COLORADO PRESCHOOL PROGRAM AND IS LICENSED BY THE DEPARTMENT
15 OF HUMAN SERVICES PURSUANT TO ARTICLE 6 OF TITLE 26, C.R.S. AN
16 ELIGIBLE SCHOOL DISTRICT MAY APPLY TO THE DEPARTMENT TO RECEIVE
17 AN INITIAL GRANT TO PAY THE COST OF OBTAINING A SCHOOL-READINESS
18 QUALITY RATING PURSUANT TO SECTION 26-6.5-106 (5), C.R.S., FOR THE
19 DISTRICT'S PRESCHOOL PROGRAM SITES AND, BASED ON THE QUALITY
20 RATING THAT THE DISTRICT'S PRESCHOOL PROGRAM SITES ACHIEVE, TO
21 RECEIVE A QUALITY IMPROVEMENT GRANT THAT THE DISTRICT MUST USE
22 TO ENHANCE THE QUALITY OF THE DISTRICT'S PRESCHOOL PROGRAM.

23 (4) (a) THE SCHOOL DISTRICT'S PRESCHOOL PROGRAM ADVISORY
24 COUNCIL SHALL ASSESS THE SCHOOL DISTRICT'S NEED TO PARTICIPATE IN
25 THE PROGRAM AND RECOMMEND TO THE BOARD OF EDUCATION WHETHER
26 IT WOULD BE BENEFICIAL FOR THE SCHOOL DISTRICT TO APPLY TO THE
27 DEPARTMENT TO PARTICIPATE IN THE PROGRAM. FOR THE 2014-15 BUDGET

1 YEAR AND EVERY SECOND BUDGET YEAR THEREAFTER, AN ELIGIBLE
2 SCHOOL DISTRICT MAY, UPON RECOMMENDATION OF THE SCHOOL DISTRICT
3 PRESCHOOL PROGRAM ADVISORY COUNCIL, APPLY TO THE DEPARTMENT TO
4 PARTICIPATE IN THE PROGRAM. ONLY THE PRESCHOOL PROGRAM SITES
5 WITHIN THE SCHOOL DISTRICT'S PRESCHOOL PROGRAM IN WHICH ONE OR
6 MORE STUDENTS ARE ENROLLED THROUGH THE COLORADO PRESCHOOL
7 PROGRAM MAY PARTICIPATE IN THE PROGRAM.

8 (b) IF, PURSUANT TO SECTION 22-28-109, A SCHOOL DISTRICT
9 CONTRACTS OUT ALL OR ANY PORTION OF THE SCHOOL DISTRICT'S
10 PRESCHOOL PROGRAM TO A HEAD START AGENCY OR TO ONE OR MORE
11 CHILD CARE AGENCIES, THE SCHOOL DISTRICT SHALL ALLOW THE HEAD
12 START AGENCY OR CHILD CARE AGENCIES TO PARTICIPATE IN THE
13 PROGRAM THROUGH THE SCHOOL DISTRICT. A SCHOOL DISTRICT THAT
14 PARTICIPATES IN THE PROGRAM SHALL ENSURE THAT THE PROPORTION OF
15 TOTAL CHILD CARE AGENCIES AND HEAD START PRESCHOOL CLASSROOMS
16 WITH WHICH THE SCHOOL DISTRICT CONTRACTS IS EQUAL TO THE
17 PROPORTION OF TOTAL PRESCHOOL CLASSROOMS IN THE SCHOOL DISTRICT
18 THAT PARTICIPATE IN THE PROGRAM.

19 (5) (a) THE DEPARTMENT SHALL OPERATE THE PROGRAM ON A
20 TWO-YEAR BUDGET CYCLE. IN THE FIRST BUDGET YEAR, AN ELIGIBLE
21 SCHOOL DISTRICT MAY APPLY TO THE PROGRAM AND RECEIVE A GRANT TO
22 COVER THE COST OF RECEIVING SCHOOL READINESS QUALITY RATINGS FOR
23 ITS PRESCHOOL PROGRAM SITES AS PROVIDED IN SECTION 26-6.5-106,
24 C.R.S. A PRESCHOOL PROGRAM SITE THAT IS RATED AT LEVEL ONE, TWO,
25 OR THREE MAY RECEIVE A QUALITY IMPROVEMENT GRANT IN THE FIRST OR
26 SECOND BUDGET YEARS OF THE CYCLE IN AN AMOUNT EQUAL TO THREE
27 THOUSAND DOLLARS PER PRESCHOOL CLASSROOM AT THE PROGRAM SITE.

1 THE DISTRICT MUST USE A GRANT RECEIVED PURSUANT TO THIS
2 SUBSECTION (5) EITHER TO RECEIVE A SCHOOL-READINESS QUALITY
3 RATING OR IN FURTHERANCE OF THE PRESCHOOL PROGRAM SITE'S QUALITY
4 IMPROVEMENT PLAN BASED UPON THE QUALITY IMPROVEMENT RATING.
5 INVESTMENTS IN ELEMENTS OF QUALITY MAY INCLUDE, BUT NEED NOT BE
6 LIMITED TO, COVERING TEACHER TRAINING AND EDUCATION COSTS,
7 IMPROVING QUALITY OF THE LEARNING ENVIRONMENT, UTILIZING MENTAL
8 HEALTH CONSULTATION, SUPPORTING SOCIAL EMOTIONAL DEVELOPMENT,
9 PROMOTING EFFECTIVE TEACHER-CHILD INTERACTIONS, AND PROMOTING
10 PARENT INVOLVEMENT ACTIVITIES.

11 (b) A PRESCHOOL PROGRAM SITE THAT IS RATED AT LEVEL FOUR IS
12 ELIGIBLE TO RECEIVE AN ADDITIONAL PER CHILD REIMBURSEMENT EQUAL
13 TO TEN PERCENT OF THE PER PUPIL REVENUE THAT A SCHOOL DISTRICT
14 RECEIVES FOR EACH CHILD ENROLLED IN THE COLORADO PRESCHOOL
15 PROGRAM. A PRESCHOOL PROGRAM SITE THAT IS RATED AT LEVEL FIVE IS
16 ELIGIBLE TO RECEIVE AN ADDITIONAL PER CHILD REIMBURSEMENT EQUAL
17 TO TWENTY PERCENT OF THE PER PUPIL REVENUE THE SCHOOL DISTRICT
18 RECEIVES FOR EACH CHILD ENROLLED IN THE COLORADO PRESCHOOL
19 PROGRAM. THE PER CHILD REIMBURSEMENT MUST BE DISTRIBUTED BASED
20 UPON THE NUMBER OF PRESCHOOL PROGRAM STUDENTS ENROLLED AT THE
21 PRESCHOOL PROGRAM SITE.

22 (c) A SCHOOL DISTRICT PRESCHOOL PROGRAM CLASSROOM THAT
23 IS OPERATED BY A HEAD START OR CHILD CARE AGENCY PURSUANT TO
24 SECTION 22-28-109 AND THAT RECEIVES A QUALITY IMPROVEMENT GRANT
25 PURSUANT TO THE PROGRAM MUST RECEIVE ONE HUNDRED PERCENT OF
26 THE GRANT ALLOWED IN EACH YEAR OF THE PROGRAM.

27 (6) AT THE CONCLUSION OF THE SECOND BUDGET YEAR IN WHICH

1 A DISTRICT RECEIVES A QUALITY IMPROVEMENT GRANT PURSUANT TO THIS
2 SECTION, THE DISTRICT SHALL SUBMIT A REPORT TO THE DEPARTMENT
3 THAT INCLUDES THE FOLLOWING INFORMATION:

4 (a) THE NUMBER OF PRESCHOOL PROGRAM SITES FOR WHICH THE
5 SCHOOL DISTRICT RECEIVED QUALITY IMPROVEMENT GRANTS PURSUANT
6 TO THE PROGRAM;

7 (b) THE PURPOSES FOR WHICH THE DISTRICTS USED THE QUALITY
8 IMPROVEMENT GRANTS; AND

9 (c) THE PROGRESS MADE BY THE SCHOOL DISTRICT IN INCREASING
10 THE QUALITY OF THE SCHOOL DISTRICT'S PRESCHOOL PROGRAM AS A
11 RESULT OF THE QUALITY IMPROVEMENT GRANTS.

12 (7) IN ITS ANNUAL REPORT TO THE GENERAL ASSEMBLY
13 REGARDING THE COLORADO PRESCHOOL PROGRAM, THE DEPARTMENT
14 SHALL INCLUDE THE FOLLOWING INFORMATION ABOUT THE EARLY
15 QUALITY INCENTIVE PROGRAM:

16 (a) THE NUMBER OF DISTRICTS THAT APPLIED TO PARTICIPATE IN
17 THE PROGRAM AND THE NUMBER OF DISTRICTS THAT WERE APPROVED TO
18 PARTICIPATE IN THE PROGRAM;

19 (b) THE NUMBER OF PRESCHOOL PROGRAM SITES THAT ACHIEVED
20 A QUALITY RATING AS A RESULT OF THE PROGRAM AND THE QUALITY
21 LEVELS OF THE PRESCHOOL PROGRAM SITES THAT WERE RATED;

22 (c) THE NUMBER OF QUALITY IMPROVEMENT GRANTS THAT WERE
23 AWARDED; AND

24 (d) BASED ON THE INFORMATION PROVIDED IN THE DISTRICTS'
25 REPORTS TO THE DEPARTMENT PURSUANT TO SUBSECTION (6) OF THIS
26 SECTION, THE WAYS IN WHICH THE DISTRICTS USED THE QUALITY
27 IMPROVEMENT GRANTS TO IMPROVE QUALITY IN THEIR PRESCHOOL

1 PROGRAMS.

2 (8) THE STATE BOARD SHALL PROMULGATE RULES FOR THE
3 IMPLEMENTATION OF THIS SECTION. THE RULES MUST BE PROMULGATED
4 IN ACCORDANCE WITH THE "STATE ADMINISTRATIVE PROCEDURE ACT",
5 ARTICLE 4 OF TITLE 24, C.R.S., AND MUST ESTABLISH THE FOLLOWING:

6 (a) AN APPLICATION PROCESS THROUGH WHICH AN ELIGIBLE
7 SCHOOL DISTRICT MAY APPLY TO THE PROGRAM, WHICH PROCESS IS
8 CREATED IN CONJUNCTION WITH THE COLORADO DEPARTMENT OF HUMAN
9 SERVICES AND COMPLIES WITH COLORADO PRESCHOOL PROGRAM
10 REQUIREMENTS, STATE LICENCING REQUIREMENTS, AND THE STATE'S
11 QUALITY RATING AND IMPROVEMENT SYSTEM REQUIREMENTS;

12 (b) AN APPLICATION TIMELINE TO ENSURE THAT ALL ELIGIBLE
13 SCHOOL DISTRICTS THAT CHOOSE TO PARTICIPATE IN THE PROGRAM APPLY
14 IN THE FIRST YEAR OF THE PROGRAM'S TWO-YEAR CYCLE AND RECEIVE A
15 QUALITY RATING IN THE FIRST YEAR;

16 (c) THE DEADLINE BY WHICH EACH SCHOOL DISTRICT THAT
17 PARTICIPATES IN THE PROGRAM MUST SUBMIT A REPORT TO THE
18 DEPARTMENT AS REQUIRED IN SUBSECTION (6) OF THIS SECTION;

19 (d) A PROCESS AND CRITERIA FOR SELECTING SCHOOL DISTRICTS
20 TO PARTICIPATE IN THE PROGRAM IF THE NUMBER OF SCHOOL DISTRICTS
21 THAT APPLY TO THE PROGRAM EXCEEDS THE NUMBER OF SCHOOL
22 DISTRICTS THAT MAY PARTICIPATE IN THE PROGRAM BASED ON THE
23 AVAILABLE FUNDING AND RESOURCES FOR THE PROGRAM; AND

24 (e) ANY OTHER RULES DEEMED NECESSARY TO IMPLEMENT AND
25 OPERATE THE PROGRAM.

26 (9) (a) FOR THE 2014-15 BUDGET YEAR AND EACH BUDGET YEAR
27 THEREAFTER, THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE

1 MONEYS FROM THE STATE EDUCATION FUND OR ANY OTHER SOURCE TO
2 THE DEPARTMENT FOR THE PURPOSES OF THIS SECTION.

3 (b) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT,
4 FOR THE PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE
5 CONSTITUTION, THE EARLY CHILDHOOD QUALITY INCENTIVE PROGRAM
6 WITHIN THE COLORADO PRESCHOOL PROGRAM IS A PROGRAM FOR
7 ACCOUNTABLE EDUCATION REFORM AND MAY THEREFORE RECEIVE
8 FUNDING FROM THE STATE EDUCATION FUND CREATED IN SECTION 17 (4)
9 OF ARTICLE IX OF THE STATE CONSTITUTION.

10 **SECTION 2. Safety clause.** The general assembly hereby finds,
11 determines, and declares that this act is necessary for the immediate
12 preservation of the public peace, health, and safety.