

First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 11-0065.01 Jane Ritter

HOUSE BILL 11-1027

HOUSE SPONSORSHIP

Looper,

SENATE SPONSORSHIP

Newell,

House Committees
State, Veterans, & Military Affairs

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF THE DEPARTMENT OF DEFENSE**
102 **QUALITY CHILD CARE STANDARDS PILOT PROGRAM.**

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>.)

The bill creates the department of defense quality child care standards pilot program (program) in the state department of human services (state department). The objective of the program is to allow military personnel to access and be reimbursed for off-base child care that meets the quality standards established by the federal department of

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.

HOUSE
3rd Reading Unamended
February 15, 2011

HOUSE
Amended 2nd Reading
February 14, 2011

defense. Minimum program requirements are outlined, including possible additional inspections per year for child care pilot facilities. The state department is authorized to promulgate rules for the remaining components of the program, including charging a fee for additional inspections or services. The program is repealed, effective June 30, 2015.

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

2 **SECTION 1.** Article 6 of title 26, Colorado Revised Statutes, is
3 amended BY THE ADDITION OF A NEW PART to read:

4 PART 6

5 DEPARTMENT OF DEFENSE QUALITY CHILD CARE

6 STANDARDS PILOT PROGRAM

7 **26-6-601. Short title.** THIS PART 6 SHALL BE KNOWN AND MAY BE
8 CITED AS THE "DEPARTMENT OF DEFENSE QUALITY CHILD CARE
9 STANDARDS PILOT PROGRAM".

10 **26-6-602. Legislative declaration.** (1) THE GENERAL ASSEMBLY
11 HEREBY FINDS AND DETERMINES THAT:

12 (a) PROVIDING QUALITY CHILD CARE IS VITAL TO THE HEALTH AND
13 WELL-BEING OF THE CHILDREN OF COLORADO;

14 (b) THE HUMAN CAPACITY TO DEVELOP AND CHANGE IS GREATEST
15 FROM BIRTH TO FIVE YEARS OF AGE WHEN THE BRAIN IS MOST MALLEABLE
16 AND ABLE TO CHANGE IN RESPONSE TO EDUCATION AND STIMULATION;

17 (c) THE INVESTMENT MADE IN EARLY CHILDHOOD CARE BENEFITS
18 CHILDREN, PARENTS, AND THE COMMUNITY IN THE LONG TERM.

19 STATISTICS CONSISTENTLY SHOW THAT INVESTMENT IN EARLY CHILDHOOD
20 EDUCATION AND PROGRAMS PREVENTS SOME CHILDREN FROM ENTERING
21 THE CRIMINAL JUSTICE SYSTEM, WHICH, IN TURN, DIMINISHES JAIL OR
22 PRISON COSTS. CHILDREN WHO WERE ENROLLED IN PRE-KINDERGARTEN
23 PROGRAMS ARE ALSO MORE LIKELY TO HAVE BETTER EMPLOYMENT AND

1 HIGHER WAGES OVER THEIR LIFETIMES;

2 (d) AS A RESULT, THERE IS A GREAT DEMAND FOR EXPENSIVE
3 REMEDIAL PROGRAMS TO ADDRESS LEARNING AND BEHAVIOR PROBLEMS
4 IN LATER YEARS WHEN CHANGE IS FAR MORE DIFFICULT TO ACHIEVE; AND

5 (e) IMPLEMENTING STRATEGIES SO THAT CHILDREN BECOME
6 SUCCESSFUL EARLY LEARNERS HELPS REDUCE THE NEED FOR EXPENSIVE
7 LATER REMEDIATION PROGRAMS.

8 (2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT:

9 (a) THE PROVISION OF CHILD CARE ENABLES PARENTS TO WORK,
10 THUS GENERATING EXTRA DOLLARS FOR LOCAL AND STATE ECONOMIES;

11 (b) MILITARY FACILITIES CURRENTLY DO NOT HAVE ENOUGH
12 SPACES TO CARE FOR ALL THE CHILDREN WHO NEED CHILD CARE AND
13 EARLY LEARNING ENVIRONMENTS, YET PROVIDING EARLY LEARNING
14 PROGRAMS TO CHILDREN OF THE MILITARY IS ESPECIALLY IMPORTANT
15 DURING TIMES OF STRESS RELATED TO DEPLOYMENT OF THEIR PARENTS;
16 AND

17 (c) FEDERAL DOLLARS SHALL BE AVAILABLE TO MILITARY
18 FAMILIES TO SUBSIDIZE OFF-BASE CHILD CARE, PROVIDED THE CHILD CARE
19 FACILITY MEETS HIGH QUALITY STANDARDS.

20 (3) THE GENERAL ASSEMBLY THEREFORE CONCLUDES THAT IT IS
21 IN THE BEST INTEREST OF OUR STATE'S MILITARY FAMILIES AND CHILDREN
22 TO CREATE A PILOT PROGRAM THAT ALLOWS MILITARY FAMILIES TO USE
23 THEIR FEDERAL CHILD CARE STIPENDS TO OBTAIN OFF-BASE CHILD CARE IN
24 FACILITIES THAT MEET THE HIGH QUALITY STANDARDS ESTABLISHED BY
25 THE FEDERAL DEPARTMENT OF DEFENSE.

26 **26-6-603. Definitions.** AS USED IN THIS PART 6, UNLESS THE
27 CONTEXT OTHERWISE REQUIRES:

1 (1) "PROGRAM" MEANS THE DEPARTMENT OF DEFENSE QUALITY
2 CHILD CARE STANDARDS PILOT PROGRAM CREATED PURSUANT TO SECTION
3 26-6-604.

4 (2) "STATE DEPARTMENT" MEANS THE DEPARTMENT OF HUMAN
5 SERVICES CREATED AND EXISTING PURSUANT TO SECTION 24-1-120, C.R.S.

6 **26-6-604. Department of defense quality child care standards**
7 **pilot program - creation - program scope - reporting requirements -**
8 **rules.** (1) THERE IS HEREBY CREATED IN THE STATE DEPARTMENT THE
9 DEPARTMENT OF DEFENSE QUALITY CHILD CARE STANDARDS PILOT
10 PROGRAM. THE OBJECTIVE OF THE PROGRAM IS TO ALLOW MILITARY
11 PERSONNEL TO USE THEIR FEDERAL CHILD CARE BENEFITS AND ANY OTHER
12 STIPENDS TO ACCESS OFF-BASE CHILD CARE FACILITIES THAT MEET THE
13 QUALITY STANDARDS ESTABLISHED BY THE FEDERAL DEPARTMENT OF
14 DEFENSE. THE STATE DEPARTMENT SHALL ADMINISTER THE PROGRAM IN
15 ACCORDANCE WITH THE PROVISIONS OF THIS PART 6.

16 (2) PILOT SITES MAY APPLY TO THE STATE DEPARTMENT TO BE
17 CONSIDERED FOR INCLUSION IN THE PROGRAM. THE STATE DEPARTMENT,
18 WITH INPUT FROM THE LOCAL PUBLIC HEALTH AGENCY, LOCAL COUNTY
19 RESOURCE AND REFERRAL AGENCIES, AND EARLY CHILDHOOD COUNCILS
20 OF IMPACTED COUNTIES, SHALL DESIGNATE PILOT SITE FACILITIES TO
21 SERVE MILITARY FAMILIES. DESIGNATION OF PILOT SITES SHALL BE
22 DEPENDENT UPON FUNDING FROM THE FEDERAL DEPARTMENT OF DEFENSE
23 AS CHILD CARE STIPENDS TO MILITARY FAMILIES AND FUNDING OF THE
24 PILOT SITE LICENSING UNIT THROUGH FEES COLLECTED PURSUANT TO
25 SUBSECTION (7) OF THIS SECTION. THE DESIGNATED CHILD CARE
26 FACILITIES SHALL PROVIDE CHILD CARE TO MILITARY FAMILIES, PROVIDED
27 THE FACILITY MEETS THE QUALITY CHILD CARE STANDARDS ADOPTED BY

1 RULE OF THE STATE DEPARTMENT.

2 (3) THE PILOT SITE FACILITIES SHALL HAVE, AT A MINIMUM, THE
3 FOLLOWING PROGRAM COMPONENTS:

4 (a) FULL COMPLIANCE WITH RULES PROMULGATED PURSUANT TO
5 THIS PART 6, INCLUDING DEPARTMENT OF DEFENSE CHILD CARE
6 STANDARDS;

7 (b) SPECIAL NEEDS SERVICES;

8 (c) STAFF DEVELOPMENT AND TRAINING;

9 (d) FAMILY SUPPORT SERVICES; AND

10 (e) A STATE DEPARTMENT-APPROVED QUALITY RATING AND
11 IMPROVEMENT SYSTEM.

12 (4) THE STATE DEPARTMENT SHALL IDENTIFY, DEVELOP, AND
13 IMPLEMENT AN EARLY CHILDHOOD TRAINING PLAN BASED UPON THE
14 NEEDS OF EACH PILOT SITE FACILITY. THE TRAINING SHALL INCLUDE THE
15 PRINCIPAL ELEMENTS OF THE RULES PROMULGATED PURSUANT TO THIS
16 PART 6, THE DEPARTMENT OF DEFENSE QUALITY CHILD CARE STANDARDS,
17 AND THE ELEMENTS OF THE QUALITY RATING AND IMPROVEMENT SYSTEM.

18 (5) ON OR BEFORE DECEMBER 30, 2013, THE STATE DEPARTMENT
19 SHALL DEVELOP A QUALITY RATING AND IMPROVEMENT SYSTEM THAT IS
20 INCLUSIVE, ACCESSIBLE, AVAILABLE TO ALL CHILD CARE PROVIDERS,
21 EMBEDDED IN LICENSING, AND REFLECTIVE OF EVIDENCE-BASED
22 PRACTICES FOR SUCCESSFUL OUTCOMES FOR ALL CHILDREN AND FAMILIES,
23 TO BE USED IN THE PROGRAM TO EVALUATE THE IMPLEMENTATION OF THE
24 DEPARTMENT OF DEFENSE STANDARDS.

25 (6) ON OR BEFORE JUNE 30, 2012, THE STATE DEPARTMENT AND
26 THE LOCAL PUBLIC HEALTH AGENCY SHALL PROMULGATE RULES FOR THE
27 IMPLEMENTATION OF THIS PART 6. THE RULES SHALL INCLUDE, AT A

1 MINIMUM:

2 (a) PILOT SITE COMPLIANCE WITH DEPARTMENT OF DEFENSE
3 QUALITY CHILD CARE STANDARDS;

4 (b) A REQUIREMENT FOR COMPLIANCE WITH EXISTING STATE AND
5 FEDERAL REGULATIONS; AND

6 (c) A PROCEDURE TO ESTABLISH A FEE FOR AND CHARGE PILOT SITE
7 FACILITIES FOR ANY ADDITIONAL INSPECTIONS AND SERVICES REQUIRED TO
8 IMPLEMENT THE ENHANCED DEPARTMENT OF DEFENSE QUALITY CHILD
9 CARE STANDARDS.

10 (7) THE STATE DEPARTMENT AND THE LOCAL PUBLIC HEALTH
11 AGENCY ARE HEREBY GRANTED THE AUTHORITY TO CHARGE PILOT SITE
12 FACILITIES FOR ANY ADDITIONAL INSPECTIONS AND SERVICES REQUIRED BY
13 THE DEPARTMENT OF DEFENSE QUALITY CHILD CARE STANDARDS.

14 (8) NO LATER THAN MARCH 1, 2015, THE STATE DEPARTMENT
15 SHALL REPORT ON THE OUTCOMES OF THE PROGRAM, INCLUDING AN
16 EVALUATION OF THE HIGHER STANDARDS AND THE QUALITY RATING AND
17 IMPROVEMENT SYSTEM FOR LICENSURE, MONITORING, AND PROVIDER
18 SUPPORT TO THE STATE, VETERANS, AND MILITARY AFFAIRS COMMITTEES
19 OF THE SENATE AND HOUSE OF REPRESENTATIVES AND THE HEALTH AND
20 HUMAN SERVICES COMMITTEES OF THE SENATE AND HOUSE OF
21 REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES. THE STATE
22 DEPARTMENT SHALL DETERMINE IF THE MODEL FOR THE PROGRAM
23 REPRESENTS THE BEST PRACTICES TO BE IMPLEMENTED STATEWIDE.

24 **26-6-605. Department of defense quality child care standards**
25 **pilot program - funding.** IT IS THE INTENT OF THE GENERAL ASSEMBLY
26 THAT THE PILOT PROGRAM SHALL BE FUNDED BY GIFTS, GRANTS, AND
27 DONATIONS; FEDERAL MONEYS; AND ANY FEES COLLECTED PURSUANT TO

1 SECTION 26-6-604 (7). PAYMENT FOR CHILD CARE SERVICES FOR A CHILD
2 OF A MEMBER OF THE MILITARY SHALL BE MADE BY THE FAMILY AND
3 SHALL INCLUDE ANY CHILD CARE BENEFIT OR STIPEND RECEIVED BY THE
4 CHILD CARE FACILITY FROM THE FEDERAL DEPARTMENT OF DEFENSE. THE
5 STATE DEPARTMENT AND THE LOCAL PUBLIC HEALTH AGENCY MAY
6 ACCESS OTHER ALREADY APPROPRIATED STATE FUNDS TO ENHANCE THE
7 QUALITY OF CARE AND EDUCATION OF CHILDREN IN THE IMPLEMENTATION
8 OF THE QUALITY RATING AND IMPROVEMENT SYSTEM. MONEYS FROM FEES
9 COLLECTED PURSUANT TO SECTION 26-6-604 (7) MAY BE USED TO
10 ADMINISTER A PILOT SITE LICENSING UNIT. THE STATE DEPARTMENT AND
11 THE LOCAL PUBLIC HEALTH AGENCY SHALL NOT BE OBLIGATED TO
12 IMPLEMENT THE PROVISIONS OF SECTION 26-6-604 UNTIL SUCH TIME AS
13 SUFFICIENT FUNDS ARE AVAILABLE.

14 **26-6-606. Repeal of part.** THIS PART 6 IS REPEALED, EFFECTIVE
15 JUNE 30, 2015.

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