

First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

REREVISED

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

LLS NO. 13-0965.01 Jane Ritter x4342

HOUSE BILL 13-1291

HOUSE SPONSORSHIP

Duran,

SENATE SPONSORSHIP

Kefalas,

House Committees

Public Health Care & Human Services
Appropriations

Senate Committees

Health & Human Services
Appropriations

A BILL FOR AN ACT

101 **CONCERNING EARLY CHILDHOOD PROGRAMS IN COLORADO, AND, IN**
102 **CONNECTION THEREWITH, EXPANDING THE CAPACITY AND**
103 **IMPROVING THE QUALITY OF THE PROGRAMS THROUGH THE**
104 **CREATION OF THE COLORADO INFANT AND TODDLER QUALITY**
105 **AND AVAILABILITY GRANT PROGRAM AND MAKING AN**
106 **APPROPRIATION.**

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>.)

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.*

SENATE
3rd Reading Unamended
May 7, 2013

SENATE
Amended 2nd Reading
May 6, 2013

HOUSE
3rd Reading Unamended
April 22, 2013

HOUSE
Amended 2nd Reading
April 19, 2013

The bill creates the Colorado early head start grant program (grant program) in the office of early childhood programs in the department of human services (office). Eligibility for the grant program is limited to current grantees of the federal early head start program, and the goal is to increase the number of infants, toddlers under 3 years of age, and pregnant women served through qualified early head start programs. The office is directed to administer the grant program with the director of head start programs (director). The director shall establish an application process, including guidelines and award criteria for the grant program. In fiscal year 2013-14, grant proposals must be received on or before July 31, 2013, and grant awards must be made on or before September 1, 2013. For each subsequent fiscal year, subject to available appropriations, the proposal deadline is June 30, and grant awards are to be made on or before August 1. Grantees and the director are required to provide annual reports concerning the use of grant moneys. The Colorado early head start grant program fund is created.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds and declares that:

4 (a) The first three years of life are a period of dynamic and
5 unparalleled brain development in which children acquire the ability to
6 think, speak, learn, and reason. During these first three years, children
7 need good health, strong families, and positive early learning experiences
8 to lay the foundation for future school success.

9 (b) Young children living in poverty are more likely to face
10 challenges that can negatively impact their development and create
11 disparities in their cognitive and social abilities long before they enter
12 school;

13 (c) In 2011, an estimated twenty-one percent of all Colorado
14 children, or nearly forty-two thousand children, under three years of age
15 lived in poverty. Since 2000, the number of infants and toddlers living in
16 poverty in Colorado has more than doubled, increasing by more than one

1 hundred thirty percent.

2 (d) In an effort to ensure that all young children have the same
3 opportunities to succeed in school and life, high quality early childhood
4 education programs have been created to support the healthy development
5 of low-income infants and toddlers;

6 (e) Research shows that high quality early childhood programs
7 make a positive difference in areas associated with children's success in
8 school, family self-sufficiency, and parental support of child
9 development; and

10 (f) In Colorado in 2011, licensed child care center homes had the
11 capacity to care for only nine percent of the infants in the state.

12 (2) The general assembly, therefore, declares that it is in the best
13 interests of the children and people of the state of Colorado to provide
14 state funding to expand and enhance high quality early childhood
15 programs and services to meet the needs of more of our low-income
16 infants and toddlers.

17 **SECTION 2.** In Colorado Revised Statutes, **add** article 6.7 to title
18 26 as follows:

19 **ARTICLE 6.7**

20 **Colorado Infant and Toddler Quality**
21 **and Availability Grant Program**

22 **26-6.7-101. Short title.** THIS ARTICLE SHALL BE KNOWN AND MAY
23 BE CITED AS THE "COLORADO INFANT AND TODDLER QUALITY AND
24 AVAILABILITY GRANT PROGRAM".

25 **26-6.7-102. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
26 CONTEXT OTHERWISE REQUIRES:

27 (1) "COLORADO CHILD CARE ASSISTANCE PROGRAM" OR "CCCAP"

1 MEANS THE COLORADO CHILD CARE ASSISTANCE PROGRAM IN THE STATE
2 DEPARTMENT.

3 (2) "COUNTY DEPARTMENT" MEANS A COUNTY OR DISTRICT
4 DEPARTMENT OF SOCIAL SERVICES.

5 (3) "EARLY CHILDHOOD COUNCIL" MEANS AN EARLY CHILDHOOD
6 COUNCIL ESTABLISHED PURSUANT TO PART 1 OF ARTICLE 6.5 OF THIS
7 TITLE.

8 (4) "EARLY CHILDHOOD PROGRAM" MEANS A SCHOOL DISTRICT,
9 PROVIDER, HEAD START PROGRAM, OR FACILITY THAT PROVIDES CHILD
10 CARE AND EDUCATION TO LOW-INCOME INFANTS AND TODDLERS, HAS A
11 CONTRACT AS A PROVIDER THROUGH THE COLORADO CHILD CARE
12 ASSISTANCE PROGRAM, AND IS EITHER LICENSED PURSUANT TO PART 1 OF
13 ARTICLE 6 OF THIS TITLE OR PARTICIPATES IN THE COLORADO PRESCHOOL
14 PROGRAM PURSUANT TO ARTICLE 28 OF TITLE 22, C.R.S.

15 ==

16 (5) "GRANT PROGRAM" MEANS THE COLORADO INFANT AND
17 TODDLER QUALITY AND AVAILABILITY GRANT PROGRAM CREATED IN
18 SECTION 26-6.7-103.

19 (6) "TIERED REIMBURSEMENT" MEANS A PAY STRUCTURE THAT
20 REFLECTS AN INCREASED RATE OF REIMBURSEMENT FOR EARLY
21 CHILDHOOD PROGRAMS THAT RECEIVE MONEYS THROUGH CCCAP.

22 **26-6.7-103. Colorado infant and toddler quality and**
23 **availability grant program - creation.** SUBJECT TO AVAILABLE
24 APPROPRIATIONS, THERE IS HEREBY CREATED IN THE STATE DEPARTMENT
25 THE COLORADO INFANT AND TODDLER QUALITY AND AVAILABILITY GRANT
26 PROGRAM. THE GOAL OF THE GRANT PROGRAM IS TO IMPROVE QUALITY IN
27 INFANT AND TODDLER CARE, PROVIDE TIERED REIMBURSEMENT TO

1 HIGH-QUALITY EARLY CHILDHOOD PROGRAMS, AND INCREASE THE
2 NUMBER OF LOW-INCOME INFANTS AND TODDLERS SERVED THROUGH
3 HIGH-QUALITY EARLY CHILDHOOD PROGRAMS, AS WELL AS PROMOTE
4 VOLUNTARY PARENTAL INVOLVEMENT. A PROGRAM IS CONSIDERED
5 "HIGH-QUALITY" IF IT IS IN THE TOP TWO RATINGS OF THE STATE'S QUALITY
6 RATING AND IMPROVEMENT SYSTEM, OR IS ACCREDITED BY A STATE
7 DEPARTMENT-APPROVED ACCREDITING BODY, == OR IS AN EARLY HEAD
8 START PROGRAM MEETING FEDERAL STANDARDS. EARLY CHILDHOOD
9 COUNCILS AND COUNTY DEPARTMENTS MUST JOINTLY APPLY FOR MONEYS
10 THROUGH THE GRANT PROGRAM, WHICH WILL BE ADMINISTERED BY THE
11 STATE DEPARTMENT. EARLY CHILDHOOD PROGRAMS THAT ARE WITHIN
12 THE SERVICE AREA OF AN EARLY CHILDHOOD COUNCIL AND WITHIN THE
13 COUNTY JOINTLY APPLYING FOR THE GRANT MAY APPLY TO THE EARLY
14 CHILDHOOD COUNCIL FOR MONEYS THAT WOULD ALLOW THEM TO ACHIEVE
15 ONE OF THE OBJECTIVES OF THE GRANT PROGRAM.

16 **26-6.7-104. Eligibility for grants - applications - deadlines.**

17 (1) THE STATE DEPARTMENT SHALL DEVELOP AN APPLICATION PROCESS
18 AND ISSUE A REQUEST FOR PROPOSALS FOR THE GRANT PROGRAM,
19 INCLUDING NOTIFICATION OF AVAILABLE MONEYS TO EARLY CHILDHOOD
20 COUNCILS AND COUNTY DEPARTMENTS, ELIGIBILITY CRITERIA, PROPOSAL
21 REQUIREMENTS, AND AWARD CRITERIA.

22 (2) AN APPLICANT TO THE GRANT PROGRAM IS ELIGIBLE FOR A
23 GRANT AWARD PURSUANT TO THIS ARTICLE IF:

24 (a) THE APPLICATION IS MADE JOINTLY BETWEEN AN EARLY
25 CHILDHOOD COUNCIL AND A COUNTY DEPARTMENT. IF AN EARLY
26 CHILDHOOD COUNCIL SERVES MORE THAN ONE COUNTY, IT MAY SUBMIT A
27 SINGLE APPLICATION THAT COMBINES MULTIPLE COUNTIES IN ITS SERVICE

1 AREA.

2 (b) THE EARLY CHILDHOOD PROGRAMS TO WHICH THE GRANT
3 MONEYS WILL BE DISTRIBUTED HAVE CONTRACTS WITH CCCAP;

4 (c) THE APPLICATION DEMONSTRATES A NEED AND PROVIDES A
5 PLAN TO IMPROVE QUALITY AND INCREASE THE CAPACITY FOR EARLY
6 CHILDHOOD PROGRAMS IN ITS SERVICE AREA. THE GOAL OF THE GRANT
7 PROGRAM IS TO INCREASE THE NUMBER OF INFANTS AND TODDLERS
8 SERVED THROUGH HIGH-QUALITY EARLY CHILDHOOD PROGRAMS. THE
9 EARLY CHILDHOOD PROGRAMS MAY BE HOME-BASED OR CENTER-BASED;

10 (d) IT PROVIDES A PLAN DETAILING HOW IT WILL PROVIDE TIERED
11 REIMBURSEMENT; AND

12 (e) IT MEETS ANY OTHER CRITERIA SET FORTH IN THE APPLICATION
13 PROCESS DEVELOPED PURSUANT TO THIS SECTION.

14 (3) (a) IN FISCAL YEAR 2013-14, GRANT APPLICATIONS MUST BE
15 RECEIVED BY THE STATE DEPARTMENT ON OR BEFORE JULY 31, 2013. THE
16 STATE DEPARTMENT SHALL REVIEW APPLICATIONS AND DETERMINE WHICH
17 APPLICANTS WILL RECEIVE GRANTS AND THE AMOUNT OF EACH GRANT.
18 GRANT AWARDS MUST BE MADE ON OR BEFORE SEPTEMBER 1, 2013,
19 THROUGH THE FUND.

20 (b) FOR EACH FISCAL YEAR THEREAFTER, SUBJECT TO AVAILABLE
21 APPROPRIATIONS, GRANT APPLICATIONS MUST BE RECEIVED BY THE STATE
22 DEPARTMENT ON OR BEFORE JUNE 30 OF THE PRIOR FISCAL YEAR. THE
23 STATE DEPARTMENT SHALL REVIEW APPLICATIONS AND DETERMINE WHICH
24 APPLICANTS WILL RECEIVE GRANTS AND THE AMOUNT OF EACH GRANT.
25 GRANT AWARDS MUST BE MADE ON OR BEFORE AUGUST 1 THROUGH THE
26 FUND.

27 (c) IF IN ANY FISCAL YEAR THE FULL APPROPRIATION BY THE

1 GENERAL ASSEMBLY FOR THE GRANT PROGRAM IS NOT DISPERSED AS
2 SPECIFIED IN PARAGRAPHS (a) AND (b) OF THIS SUBSECTION (3), THE STATE
3 DEPARTMENT SHALL REVIEW PROPOSALS AND AWARD GRANTS AS THE
4 APPLICATIONS ARE RECEIVED AND NOT REQUIRE THE APPLICATIONS TO BE
5 HELD UNTIL THE NEXT GRANT CYCLE.

6

7 **26-6.7-105. Reporting requirements.** (1) NO LATER THAN FOUR
8 MONTHS AFTER THE CONCLUSION OF A GRANT, THE EARLY CHILDHOOD
9 COUNCIL THAT RECEIVED THE GRANT SHALL PROVIDE THE STATE
10 DEPARTMENT WITH AN ANNUAL REPORT CONCERNING THE OUTCOMES OF
11 THE GRANT. THE REPORT MUST INCLUDE, AT A MINIMUM:

12 (a) A SUMMARY OF DATA RECEIVED FROM EARLY CHILDHOOD
13 PROGRAMS THAT RECEIVED GRANT MONEYS;

14 (b) THE NUMBER OF INFANTS AND TODDLERS UNDER THREE YEARS
15 OF AGE SERVED BECAUSE OF THE GRANT PROGRAM IN HOME-BASED
16 PROGRAMS AND THE NUMBER SERVED IN CENTER-BASED PROGRAMS;

17 (c) THE LENGTH OF TIME SERVICES WERE PROVIDED;

18 (d) A DETAILED DESCRIPTION OF QUALITY IMPROVEMENTS MADE
19 USING GRANT MONEYS;

20 (e) A DESCRIPTION OF HOW THE GRANTEE'S PROGRAM MET THE
21 STATED OUTCOMES IN ITS APPLICATION;

22 (f) A SUMMARY OF THE NUMBER OF JOBS CREATED THROUGH THE
23 GRANT PROGRAM; AND

24 (g) ANY OTHER DATA REQUIRED BY THE STATE DEPARTMENT.

25 (2) ON OR BEFORE DECEMBER 1, 2014, AND EACH DECEMBER 1
26 THEREAFTER, THE STATE DEPARTMENT SHALL PROVIDE A WRITTEN REPORT
27 ON THE GRANT PROGRAM TO THE PUBLIC HEALTH CARE AND HUMAN

1 SERVICES COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE
2 HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE, OR ANY
3 SUCCESSOR COMMITTEES. THE REPORT MUST INCLUDE A SUMMARY OF THE
4 DATA RECEIVED PURSUANT TO SUBSECTION (1) OF THIS SECTION, THE
5 TOTAL AMOUNT OF GRANTS AND GRANT MONEYS AWARDED, AND THE
6 TOTAL INCREASE IN THE NUMBER OF INFANTS AND TODDLERS UNDER
7 THREE YEARS OF AGE SERVED BY THE GRANT PROGRAM.

8 **SECTION 3. Appropriation.** In addition to any other
9 appropriation, there is hereby appropriated, out of any moneys in the
10 general fund not otherwise appropriated, to the department of human
11 services, for the fiscal year beginning July 1, 2013, the sum of \$3,000,000
12 and 1.0 FTE, or so much thereof as may be necessary, for allocation to the
13 office of early childhood for the Colorado infant and toddler quality and
14 availability grant program created by this act.

15 **SECTION 4. Appropriation.** In addition to any other
16 appropriation, there is hereby appropriated, out of any moneys in the
17 general fund not otherwise appropriated, to the department of human
18 services, for the fiscal year beginning July 1, 2013, the sum of \$3,000,000
19 and 1.0 FTE, or so much thereof as may be necessary, for allocation to the
20 division of child care for the Colorado infant and toddler quality and
21 availability grant program created by this act. ____

22 **SECTION 5. Effective date.** (1) Except as otherwise provided
23 in this section, this act takes effect July 1, 2013.

24 (2) Section 3 of this act takes effect only if House Bill 13-1117
25 becomes law and takes effect either upon the effective date of this act or
26 House Bill 13-1117, whichever is later.

27 (3) Section 4 of this act takes effect only if House Bill 13-1117

1 does not become law.

2 **SECTION 6. Safety clause.** The general assembly hereby finds,
3 determines, and declares that this act is necessary for the immediate
4 preservation of the public peace, health, and safety.