

First Regular Session
Seventy-third General Assembly
STATE OF COLORADO

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LLS NO. 21-0478.03 Julie Pelegrin x2700

HOUSE BILL

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Fenberg and Buckner,

BILL TOPIC: "Early Childhood System"

DEADLINES: File by: 5/6/2021

A BILL FOR AN ACT

101 CONCERNING MEASURES TO ESTABLISH A UNIFIED EARLY CHILDHOOD
102 SYSTEM IN COLORADO, AND, IN CONNECTION THEREWITH,
103 CREATING THE DEPARTMENT OF EARLY CHILDHOOD.

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>.)

Effective July 1, 2022, the bill creates the department of early childhood (new department) to:

- Provide early childhood opportunities;
- Coordinate the availability of early childhood programs and services throughout Colorado;

*Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

- Establish state and community partnerships for a mixed delivery of child care and early childhood programs through school- and community-based providers;
- Prioritize the interests and input of children, parents, providers, and the community in designing and delivering early childhood services and programs;
- Prioritize the equitable delivery of resources and supports for early childhood; and
- Unify the administration of early childhood programs and services.

The bill moves the early childhood leadership commission (commission) to the new department, effective July 1, 2022.

The bill creates a transition working group (working group) consisting of the co-chairs of the commission and representatives of certain state agencies and the governor's office, and directs the co-chairs of the commission to convene a transition advisory group (advisory group). The bill directs the working group, working with a consultant and with the advice of the advisory group, to develop a transition plan (plan) for the coordination and administration of early childhood services and programs by the new department and the departments of education, human services, and public health and environment, including, to the extent necessary, the transition of existing programs and services to the new department. The bill includes specific requirements for the plan. The governor's office must submit the plan to the joint budget committee as part of the governor's 2022 budget request, and the working group must submit the plan to the commission for approval. As soon as practicable after the plan is approved, the governor's office must submit the approved plan to the joint budget committee with any necessary budget request amendments. The working group must submit the approved plan to other committees of the general assembly by November 15, 2021, and must meet with the early childhood and school readiness legislative commission by December 1, 2021, to present the plan.

The bill also directs the working group, working with the consultant and with the advice of the advisory group, to develop recommendations for a new voluntary, universal preschool program (recommendations) to be funded partially by the recently increased sales tax on tobacco and operated by the new department beginning in the 2023-24 school year. The bill specifies requirements that the new preschool program must meet. The working group must submit the recommendations to the commission for approval and must then submit the recommendations to the joint budget committee and other committees of the general assembly by January 15, 2022.

The bill requires the governor's office to contract with one or more private entities to consult with the working group in developing and implementing the plan and in developing the recommendations and to

1 ENVIRONMENT, THE DEPARTMENT OF EDUCATION, AND ANY OTHER
2 RELEVANT AGENCY IDENTIFIED IN CREATING THE TRANSITION PLAN.

3 (4) "HEAD START AGENCY" MEANS A LOCAL PUBLIC OR PRIVATE
4 NONPROFIT AGENCY DESIGNATED BY THE FEDERAL DEPARTMENT OF
5 HEALTH AND HUMAN SERVICES TO OPERATE A HEAD START PROGRAM
6 UNDER THE PROVISIONS OF TITLE V OF THE FEDERAL "ECONOMIC
7 OPPORTUNITY ACT OF 1964", AS AMENDED.

8 (5) "PRESCHOOL PROGRAMS CASH FUND" MEANS THE PRESCHOOL
9 PROGRAMS CASH FUND CREATED IN SECTION 24-22-118 (3).

10 (6) "NEW DEPARTMENT" MEANS THE DEPARTMENT OF EARLY
11 CHILDHOOD CREATED IN TITLE 26.5, EFFECTIVE JULY 1, 2022.

12 (7) "TRANSITION ADVISORY GROUP" MEANS THE GROUP CONVENED
13 BY THE CO-CHAIRS OF THE COMMISSION PURSUANT TO SECTION 26-6.2-303
14 (2) TO ADVISE THE TRANSITION WORKING GROUP IN DEVELOPING THE
15 TRANSITION PLAN AND RECOMMENDATIONS FOR THE NEW PRESCHOOL
16 PROGRAM.

17 (8) "TRANSITION PLAN" MEANS THE PLAN DESCRIBED IN SECTION
18 26-6.2-304 FOR THE COORDINATION AND ADMINISTRATION OF EARLY
19 CHILDHOOD SERVICES AND PROGRAMS BY THE NEW DEPARTMENT AND THE
20 EXISTING DEPARTMENTS.

21 (9) "TRANSITION WORKING GROUP" MEANS THE GROUP CREATED
22 IN SECTION 26-6.2-303 (1) THAT CREATES THE TRANSITION PLAN AND THE
23 RECOMMENDATIONS FOR THE NEW PRESCHOOL PROGRAM AS PROVIDED IN
24 THIS PART 3.

25 **26-6.2-303. Early childhood services transition - transition**
26 **working group - creation - transition advisory group - consultant -**
27 **transition plan - new preschool program recommendations - reports.**

1 (1) (a) THERE IS CREATED A TRANSITION WORKING GROUP CONSISTING OF
2 THE CO-CHAIRS OF THE COMMISSION AND REPRESENTATIVES OF THE
3 EXISTING DEPARTMENTS AND THE GOVERNOR'S OFFICE. IN LIEU OF
4 SERVING ON THE TRANSITION WORKING GROUP, EACH OF THE CO-CHAIRS
5 OF THE COMMISSION MAY APPOINT A DESIGNEE FROM THE COMMISSION
6 MEMBERSHIP TO SERVE ON THE TRANSITION WORKING GROUP. THE
7 TRANSITION WORKING GROUP, WORKING WITH THE CONSULTANT AND WITH
8 THE ADVICE OF THE TRANSITION ADVISORY GROUP, SHALL DEVELOP A
9 TRANSITION PLAN, AS DESCRIBED IN SECTION 26-6.2-304, AND DEVELOP
10 RECOMMENDATIONS FOR A NEW STATEWIDE, UNIVERSAL, VOLUNTARY
11 PRESCHOOL PROGRAM, AS DESCRIBED IN SECTION 26-6.2-305.

12 (b) THE COMMISSION STAFF, THE GOVERNOR'S OFFICE, AND THE
13 EXISTING DEPARTMENTS SHALL PROVIDE STAFF ASSISTANCE AND
14 RESOURCES, AS NECESSARY, TO ASSIST IN COMPLETING THE DUTIES OF THE
15 TRANSITION WORKING GROUP IDENTIFIED IN THIS PART 3.

16 (2) (a) THE CO-CHAIRS OF THE COMMISSION SHALL CONVENE A
17 TRANSITION ADVISORY GROUP TO ADVISE THE TRANSITION WORKING
18 GROUP IN DEVELOPING THE TRANSITION PLAN AND THE NEW PRESCHOOL
19 PROGRAM RECOMMENDATIONS AND TO SUPPORT THE CREATION OF
20 POLICIES AND PROCEDURES FOR THE NEW DEPARTMENT AND THE NEW
21 PRESCHOOL PROGRAM THAT ELIMINATES REDUNDANCIES AND HELPS
22 ENSURE THAT THE NEW DEPARTMENT AND THE NEW PRESCHOOL PROGRAM
23 ARE CHILD AND FAMILY CENTERED. THE TRANSITION ADVISORY GROUP
24 MUST PRIORITIZE CONSIDERATION OF THE CHILD AND FAMILY EXPERIENCE
25 IN ACCESSING AND USING EARLY CHILDHOOD PROGRAMS AND SERVICES IN
26 ADVISING THE TRANSITION WORKING GROUP ON THE DESIGN OF THE NEW
27 DEPARTMENT AND IMPLEMENTATION OF THE NEW PRESCHOOL PROGRAM.

1 THE TRANSITION ADVISORY GROUP, AT A MINIMUM, SHALL ADVISE THE
2 TRANSITION WORKING GROUP CONCERNING PRIORITIZATION OF THE
3 TRANSITION ACTIVITIES FOR THE NEW DEPARTMENT AND THE SCOPE AND
4 SEQUENCE OF THE STAKEHOLDER PROCESSES FOR DEVELOPING THE PLAN
5 AND RECOMMENDATIONS AND SHALL PROVIDE TIMELY INPUT INTO THE
6 SUBSTANTIVE DECISIONS THAT ARISE IN DEVELOPING THE TRANSITION
7 PLAN AND THE NEW PRESCHOOL PROGRAM RECOMMENDATIONS.

8 (b) THE CO-CHAIRS OF THE COMMISSION SHALL DETERMINE THE
9 APPROPRIATE SIZE AND SPECIFIC MEMBERSHIP OF THE TRANSITION
10 ADVISORY GROUP TO ENSURE THAT THE REPRESENTATION OF
11 PERSPECTIVES ON THE TRANSITION ADVISORY GROUP IS SUFFICIENTLY
12 BROAD AND DIVERSE TO ADEQUATELY INFORM THE TRANSITION WORKING
13 GROUP CONCERNING THE FULL SPECTRUM OF EARLY CHILDHOOD
14 PROGRAMS AND ISSUES. IN SELECTING MEMBERS OF THE TRANSITION
15 ADVISORY GROUP, THE CO-CHAIRS OF THE COMMISSION SHALL ENSURE
16 THAT, TO THE EXTENT PRACTICABLE, THE TRANSITION ADVISORY GROUP
17 AT A MINIMUM INCLUDES:

18 (I) PARENTS OF CHILDREN WHO ARE ENROLLED IN A VARIETY OF
19 PUBLIC AND PRIVATE EARLY CHILDHOOD PROGRAMS; MEMBERS OF THE
20 EARLY CHILDHOOD WORKFORCE, INCLUDING COMMUNITY- AND
21 SCHOOL-BASED EDUCATORS; AND REPRESENTATIVES OF GEOGRAPHICALLY
22 AND PROGRAMMATICALLY DIVERSE COMMUNITY- AND SCHOOL-BASED
23 PUBLIC AND PRIVATE EARLY CHILDHOOD PROGRAM PROVIDERS. TO THE
24 EXTENT PRACTICABLE, THE CO-CHAIRS SHALL ENSURE THAT THE PERSONS
25 DESCRIBED IN THIS SUBSECTION (2)(b)(I) CONSTITUTE A MAJORITY OF THE
26 MEMBERS OF THE TRANSITION ADVISORY GROUP.

27 (II) REPRESENTATIVES OF COUNTY HUMAN SERVICES

1 DEPARTMENTS, SPECIAL EDUCATION DIRECTORS, THE EARLY CHILDHOOD
2 COUNCILS, MEMBERS OF THE BUSINESS COMMUNITY, REPRESENTATIVES OF
3 PRIVATE NONPROFIT ENTITIES, REPRESENTATIVES OF EARLY CHILDHOOD
4 AND EDUCATION ADVOCACY ORGANIZATIONS, AND PERSONS WITH
5 EXPERTISE IN EARLY CHILDHOOD AND BUSINESS PRACTICES.

6 (c) IN SELECTING MEMBERS OF THE TRANSITION ADVISORY GROUP
7 PURSUANT TO SUBSECTION (2)(b) OF THIS SECTION, THE CO-CHAIRS OF THE
8 COMMISSION SHALL:

9 (I) TO THE EXTENT PRACTICABLE, ENSURE THAT PERSONS FROM
10 UNDER-RESOURCED AND UNDER-REPRESENTED COMMUNITIES CONSTITUTE
11 AT LEAST ONE-THIRD OF THE MEMBERS OF THE TRANSITION ADVISORY
12 GROUP; AND

13 (II) TAKE INTO CONSIDERATION ANY RECOMMENDATIONS
14 RECEIVED FROM THE STATEWIDE ASSOCIATIONS THAT REPRESENT THE
15 GROUPS DESCRIBED IN SUBSECTION (2)(b) OF THIS SECTION.

16 (d) MEMBERS OF THE TRANSITION ADVISORY GROUP MAY RECEIVE
17 PER DIEM COMPENSATION FOR ATTENDANCE AT MEETINGS OF THE
18 TRANSITION ADVISORY GROUP IN THE SAME AMOUNT PAID TO
19 LEGISLATORS PURSUANT TO SECTION 2-2-307 (3)(a). MEMBERS OF THE
20 TRANSITION ADVISORY GROUP ARE ALSO ENTITLED TO REIMBURSEMENT
21 FOR ALL ACTUAL AND NECESSARY TRAVEL AND SUBSISTENCE EXPENSES
22 DIRECTLY RELATED TO THEIR SERVICE ON THE ADVISORY GROUP.

23 (3) AS SOON AS PRACTICABLE AFTER THE EFFECTIVE DATE OF THIS
24 SECTION, THE GOVERNOR'S OFFICE SHALL CONTRACT WITH ONE OR MORE
25 PRIVATE ENTITIES TO CONSULT WITH AND ASSIST THE TRANSITION
26 WORKING GROUP IN DEVELOPING AND IMPLEMENTING A TRANSITION PLAN
27 AS DESCRIBED IN SECTION 26-6.2-304 AND IN DEVELOPING

1 RECOMMENDATIONS FOR A NEW STATEWIDE, UNIVERSAL, VOLUNTARY
2 PRESCHOOL PROGRAM, AS DESCRIBED IN SECTION 26-6.2-305. AN INITIAL
3 CONTRACT WITH A CONSULTANT PURSUANT TO THIS SUBSECTION (3) MUST
4 NOT EXCEED TWENTY-FIVE THOUSAND DOLLARS OR MUST PROVIDE THAT
5 THE CONSULTING SERVICES ARE PROVIDED AS AN IN-KIND DONATION OF
6 SERVICES. THE GOVERNOR'S OFFICE MAY ENTER INTO SUBSEQUENT
7 CONTRACTS IN ACCORDANCE WITH THE "PROCUREMENT CODE", ARTICLES
8 101 TO 112 OF TITLE 24, WITH ONE OR MORE CONSULTANTS FOR THE
9 SERVICES DESCRIBED IN THIS SUBSECTION (3). A CONSULTANT WITH WHICH
10 THE GOVERNOR'S OFFICE CONTRACTS PURSUANT TO THIS SUBSECTION (3)
11 MUST AT A MINIMUM HAVE EXPERTISE IN EARLY CHILDHOOD SYSTEMS,
12 PROGRAM ADMINISTRATION, AND INFORMATION TECHNOLOGY. THE
13 GOVERNOR'S OFFICE SHALL ENSURE THAT A CONSULTANT WITH WHICH IT
14 CONTRACTS PURSUANT TO THIS SUBSECTION (3) DOES NOT HAVE A
15 FINANCIAL INTEREST IN ANY ASPECT OF THE EARLY CHILDHOOD SYSTEM
16 AND THAT A MEMBER OF THE COMMISSION DOES NOT HAVE A FINANCIAL
17 INTEREST IN THE CONSULTANT.

18 (4) IN DEVELOPING THE TRANSITION PLAN AND THE NEW
19 PRESCHOOL PROGRAM RECOMMENDATIONS, THE TRANSITION WORKING
20 GROUP AND THE TRANSITION ADVISORY GROUP SHALL ENGAGE TO THE
21 GREATEST EXTENT PRACTICABLE WITH INTERESTED AND AFFECTED
22 INDIVIDUALS IN ALL AREAS OF THE STATE, INCLUDING URBAN, SUBURBAN,
23 AND RURAL AREAS, AND ACROSS A WIDE VARIETY OF PROGRAM TYPES AND
24 SHALL ACTIVELY SEEK THE INPUT AND GUIDANCE OF PARENTS AND LEGAL
25 GUARDIANS, FORMAL AND INFORMAL EARLY CHILDHOOD PROVIDERS AND
26 EXPERTS, EARLY CHILDHOOD EDUCATORS, SCHOOLS, SCHOOL DISTRICTS,
27 SCHOOL DISTRICT SPECIAL EDUCATION DIRECTORS, EARLY CHILDHOOD

1 COUNCILS, INFANT AND EARLY CHILDHOOD HEALTH AND MENTAL HEALTH
2 PROFESSIONALS, COUNTY HUMAN SERVICES PROFESSIONALS, INDIAN
3 TRIBES, CHILDREN'S ADVOCACY GROUPS, MEMBERS OF MIGRANT SEASONAL
4 POPULATIONS AND COMMUNITIES, COMMUNITY ORGANIZATIONS,
5 REPRESENTATIVES FROM THE BUSINESS COMMUNITY, AND OTHER
6 INTERESTED AND AFFECTED COMMUNITY MEMBERS. TO FACILITATE THIS
7 ENGAGEMENT, THE TRANSITION WORKING GROUP SHALL ENGAGE
8 STAKEHOLDERS THROUGH A VARIETY OF OPPORTUNITIES SUCH AS PUBLIC
9 MEETINGS, WORKING SESSIONS, WRITTEN COMMENT, AND DESIGN
10 OPPORTUNITIES WITH PARENTS AND PROVIDERS. THE TRANSITION
11 WORKING GROUP SHALL ENSURE THAT ALL INPUT RECEIVED IS
12 DOCUMENTED AND MADE AVAILABLE TO THE PUBLIC. TO INCREASE
13 EFFICIENCY AND MEET WITH AS MANY STAKEHOLDERS AS POSSIBLE, THE
14 TRANSITION WORKING GROUP MAY DIVIDE INTO SUBGROUPS FOR MEETINGS
15 AND MAY MEET WITH STAKEHOLDERS USING ELECTRONIC OR DIGITAL
16 PLATFORMS OR FORMATS. THE TRANSITION WORKING GROUP SHALL ALSO
17 CONSIDER ANY AVAILABLE FINDINGS AND RECOMMENDATIONS FROM
18 PREVIOUS STUDIES, REVIEWS, PUBLIC FORUM DISCUSSIONS, AND OTHER
19 FORMAL AND INFORMAL CONSIDERATIONS OF THE PROVISION OF EARLY
20 CHILDHOOD SERVICES IN COLORADO.

21 (5) (a) BY NOVEMBER 1, 2021, THE GOVERNOR'S OFFICE, ON
22 BEHALF OF THE TRANSITION WORKING GROUP, SHALL SUBMIT THE
23 TRANSITION PLAN TO THE JOINT BUDGET COMMITTEE WITH THE
24 GOVERNOR'S BUDGET REQUEST, IN ACCORDANCE WITH SECTION 2-3-208
25 (2)(a), AND THE TRANSITION WORKING GROUP SHALL SUBMIT THE
26 TRANSITION PLAN TO THE COMMISSION FOR APPROVAL. THE TRANSITION
27 WORKING GROUP SHALL WORK WITH THE COMMISSION REGARDING ANY

1 CHANGES THE COMMISSION MAY REQUEST BEFORE APPROVING THE PLAN.
2 THE COMMISSION SHALL APPROVE THE TRANSITION PLAN WITHIN
3 FOURTEEN DAYS AFTER RECEIVING THE PLAN. IF THERE ARE CHANGES
4 MADE TO THE TRANSITION PLAN BEFORE APPROVAL BY THE COMMISSION,
5 THE GOVERNOR'S OFFICE, AS SOON AS PRACTICABLE AFTER THE
6 COMMISSION APPROVES THE TRANSITION PLAN, SHALL RESUBMIT THE
7 APPROVED TRANSITION PLAN TO THE JOINT BUDGET COMMITTEE AND
8 SHALL SUBMIT TO THE JOINT BUDGET COMMITTEE AN AMENDED BUDGET
9 REQUEST IF NECESSARY TO REFLECT THE CHANGES TO THE TRANSITION
10 PLAN AS APPROVED BY THE COMMISSION.

11 (b) ON OR BEFORE NOVEMBER 15, 2021, THE TRANSITION
12 WORKING GROUP SHALL SUBMIT THE TRANSITION PLAN, AS APPROVED BY
13 THE COMMISSION, TO THE PUBLIC AND BEHAVIORAL HEALTH AND HUMAN
14 SERVICES COMMITTEE AND THE EDUCATION COMMITTEE OF THE HOUSE OF
15 REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, AND THE HEALTH
16 AND HUMAN SERVICES COMMITTEE AND THE EDUCATION COMMITTEE OF
17 THE SENATE, OR ANY SUCCESSOR COMMITTEES.

18 (c) ON OR BEFORE DECEMBER 1, 2021, THE TRANSITION WORKING
19 GROUP SHALL MEET WITH THE EARLY CHILDHOOD AND SCHOOL READINESS
20 LEGISLATIVE COMMISSION CREATED IN SECTION 26-6.5-203 TO PRESENT
21 THE TRANSITION PLAN, AS APPROVED BY THE COMMISSION.

22 (6) BY JANUARY 1, 2022, THE TRANSITION WORKING GROUP SHALL
23 SUBMIT THE NEW PRESCHOOL PROGRAM RECOMMENDATIONS TO THE
24 COMMISSION FOR APPROVAL AND SHALL WORK WITH THE COMMISSION
25 REGARDING ANY CHANGES THE COMMISSION MAY REQUEST BEFORE
26 APPROVING THE RECOMMENDATIONS. THE COMMISSION SHALL APPROVE
27 THE RECOMMENDATIONS WITHIN FOURTEEN DAYS AFTER RECEIVING THEM.

1 ON OR BEFORE JANUARY 15, 2022, THE TRANSITION WORKING GROUP
2 SHALL SUBMIT THE REPORT OF RECOMMENDATIONS FOR THE NEW
3 PRESCHOOL PROGRAM, AS APPROVED BY THE COMMISSION, TO THE JOINT
4 BUDGET COMMITTEE OF THE GENERAL ASSEMBLY; THE PUBLIC AND
5 BEHAVIORAL HEALTH AND HUMAN SERVICES COMMITTEE AND THE
6 EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES, OR ANY
7 SUCCESSOR COMMITTEES; AND THE HEALTH AND HUMAN SERVICES
8 COMMITTEE AND THE EDUCATION COMMITTEE OF THE SENATE, OR ANY
9 SUCCESSOR COMMITTEES.

10 (7) IN ADDITION TO OTHER ASSISTANCE PROVIDED BY THE
11 CONSULTANT, THE TRANSITION WORKING GROUP SHALL WORK WITH THE
12 CONSULTANT TO ANALYZE THE CURRENT USE OF EXISTING EARLY
13 CHILDHOOD PROGRAMS AND SERVICES IN THE STATE. THE TRANSITION
14 WORKING GROUP SHALL USE THE RESULTS OF THE ANALYSIS IN
15 DEVELOPING THE TRANSITION PLAN AND THE NEW PRESCHOOL PROGRAM
16 RECOMMENDATIONS. AT A MINIMUM, THE ANALYSIS MUST:

17 (a) ADDRESS THE EXTENT TO WHICH EXISTING EARLY CHILDHOOD
18 PROGRAMS AND SERVICES ARE AVAILABLE TO AND USED BY THE CHILD
19 AND FAMILY POPULATIONS THEY ARE DESIGNED TO SERVE;

20 (b) IDENTIFY THE GROUPS OF CHILDREN AND FAMILIES, BASED ON
21 LOCATION WITHIN THE STATE AND ON FAMILY DEMOGRAPHICS, INCLUDING
22 SOCIO-ECONOMIC STATUS, RACE, ETHNICITY, GENDER, LANGUAGE, AND
23 DISABILITY, WHO ARE ACCESSING THE EXISTING EARLY CHILDHOOD
24 PROGRAMS AND SERVICES; AND

25 (c) PROVIDE SPECIFIC INFORMATION CONCERNING GROUPS OF
26 CHILDREN THAT HAVE HISTORICALLY ENCOUNTERED BARRIERS TO SCHOOL
27 READINESS.

1 **26-6.2-304. Transition plan - contents.** (1) THE TRANSITION
2 WORKING GROUP, WORKING WITH THE CONSULTANT AND WITH THE ADVICE
3 OF THE TRANSITION ADVISORY GROUP, SHALL DEVELOP A TRANSITION
4 PLAN FOR THE COORDINATION AND ADMINISTRATION OF EARLY
5 CHILDHOOD PROGRAMS AND SERVICES BY THE NEW DEPARTMENT AND THE
6 EXISTING DEPARTMENTS, INCLUDING, TO THE EXTENT NECESSARY, THE
7 TRANSITION OF EXISTING SERVICES AND PROGRAMS TO THE NEW
8 DEPARTMENT. AT A MINIMUM, THE TRANSITION PLAN MUST ADDRESS THE
9 FOLLOWING ITEMS, INCLUDING RECOMMENDATIONS FOR LEGISLATIVE,
10 REGULATORY, AND BUDGETARY CHANGES RELATED TO THE FOLLOWING
11 ITEMS:

12 (a) THE GOVERNANCE AND STRUCTURE OF THE NEW DEPARTMENT,
13 INCLUDING RECOMMENDATIONS REGARDING A STATE BOARD OF EARLY
14 CHILDHOOD;

15 (b) MISSION AND VISION STATEMENTS AND GUIDING VALUES AND
16 PRINCIPLES, CONSISTENT WITH THE GOALS STATED IN SECTION 26.5-1-102,
17 FOR THE COORDINATION AND ADMINISTRATION OF EARLY CHILDHOOD
18 PROGRAMS AND SERVICES BY THE NEW DEPARTMENT, THE EXISTING
19 DEPARTMENTS, AND LOCAL AGENCIES;

20 (c) THE FISCAL STRUCTURE FOR THE NEW DEPARTMENT AND THE
21 SERVICES PROVIDED AND PROGRAMS ADMINISTERED BY THE NEW
22 DEPARTMENT, INCLUDING THE NECESSARY ADMINISTRATIVE AND
23 OPERATIONAL INFRASTRUCTURE;

24 (d) ALIGNING AND COMBINING FUNDING SOURCES FOR EARLY
25 CHILDHOOD SERVICES AND PROGRAMS TO SUPPORT THE GOALS SPECIFIED
26 IN SECTION 26.5-1-102, TAKING INTO CONSIDERATION THE MANNER IN
27 WHICH LOCAL COMMUNITIES, COUNTIES, AND SCHOOL DISTRICTS HAVE

1 PREVIOUSLY SUCCESSFULLY SUPPORTED STREAMLINED AND IMPROVED
2 ACCESS TO EARLY CHILDHOOD PROGRAMS AND SERVICES;

3 (e) THE TIMELINE FOR COMPLETING KEY TRANSITION ACTIVITIES
4 FOR THE NEW DEPARTMENT, INCLUDING MOVING SERVICES AND PROGRAMS
5 FROM THE EXISTING DEPARTMENTS TO THE NEW DEPARTMENT, AND
6 CONSIDERATION OF A PHASED TRANSITION APPROACH TO ENSURE ONGOING
7 ALIGNMENT OF EARLY CHILDHOOD PROGRAMS AND SERVICES WITH OTHER
8 PROGRAMS AND SERVICES THAT EXTEND BEYOND EARLY CHILDHOOD TO
9 THE FUNCTIONS OF OTHER STATE AGENCIES;

10 (f) THE TECHNOLOGY REQUIRED TO ACHIEVE THE GOAL SPECIFIED
11 IN SECTION 26.5-1-102 (1)(g), TO SUPPORT PARENTS AND OTHER
12 CAREGIVERS IN IDENTIFYING LOCAL, APPROPRIATE, AND AVAILABLE EARLY
13 CHILDHOOD PROGRAM AND SERVICE OPTIONS, AND TO SUPPORT THE
14 UNIFICATION OF EXISTING CHILD CARE ELIGIBILITY AND PAYMENT
15 SYSTEMS;

16 (g) STRATEGIES TO SUPPORT:

17 (I) ELIMINATION OF THE DUPLICATIVE OVERSIGHT AND
18 REGULATION OF EARLY CHILDHOOD CARE AND LEARNING PROGRAMS AND
19 OTHER RELEVANT EARLY CHILDHOOD PROGRAMS, WHICH PROMOTES
20 ADMINISTRATIVE EFFICIENCY;

21 (II) CONTINUING EFFORTS TO ALIGN THE INCREASINGLY UNIFIED
22 EARLY CHILDHOOD SYSTEM WITH THE ELEMENTARY AND SECONDARY
23 PUBLIC EDUCATION SYSTEM, ESPECIALLY KINDERGARTEN AND GRADES
24 ONE THROUGH THREE AND THE EARLY LITERACY INITIATIVES
25 IMPLEMENTED AT THESE LEVELS, INCLUDING STRATEGIES TO REDUCE
26 BUREAUCRACY AND ENSURE ALIGNMENT WITH PROGRAMS THAT ARE NOT
27 UNIFIED UNDER THE NEW DEPARTMENT;

1 (III) CONTINUING EFFORTS TO ALIGN THE EARLY CHILDHOOD
2 SYSTEM WITH THE CHILD WELFARE SYSTEM AND CHILD MALTREATMENT
3 PREVENTION INITIATIVES, INCLUDING EFFORTS TO ENSURE ALIGNMENT
4 WITH PREVENTION SERVICES UNDER THE FEDERAL "FAMILY FIRST
5 PREVENTION SERVICES ACT OF 2018", AS DEFINED IN SECTION 26-5-101
6 (4.5);

7 (IV) PROGRAM AND SERVICE ALIGNMENT AMONG THE NEW
8 DEPARTMENT AND THE EXISTING DEPARTMENTS, INCLUDING ENTERING
9 INTO MEMORANDA OF UNDERSTANDING AND SHARED INITIATIVES THAT
10 ACHIEVE ALIGNMENT ACROSS PROGRAMS AND SERVICES;

11 (V) ALIGNMENT WITH MULTI-GENERATION STRATEGIES USED BY
12 THE NEW DEPARTMENT AND THE EXISTING DEPARTMENTS TO SUPPORT
13 CHILD AND PARENT OUTCOMES THAT IMPROVE OVERALL FAMILY
14 WELL-BEING;

15 (VI) COORDINATION AND COLLABORATION WITH STATE AGENCIES
16 THAT OVERSEE OR OPERATE PROGRAMS THAT ARE NOT MOVED TO THE
17 NEW DEPARTMENT TO MAXIMIZE THE EFFECTIVENESS OF THE NEW
18 DEPARTMENT'S EARLY CHILDHOOD SERVICES AND PROGRAMS;

19 (VII) ROBUST STAKEHOLDER INVOLVEMENT IN DEVELOPING AND
20 IMPLEMENTING EARLY CHILDHOOD POLICIES, WHICH MUST INCLUDE
21 INVOLVEMENT OF PARENTS AND LEGAL GUARDIANS IN DEVELOPING
22 POLICIES AND PROGRAM DECISIONS THAT AFFECT THEM AND THEIR
23 CHILDREN; AND

24 (VIII) EDUCATION AND TRAINING REGARDING HOW TO IDENTIFY
25 AND ADDRESS CHILD AND FAMILY TRAUMA AND SUPPORT A
26 TRAUMA-INFORMED APPROACH TO EARLY CHILDHOOD; AND

27 (h) EARLY CHILDHOOD DATA SYSTEM STRATEGIES TO INFORM

1 PLANNING, LEVERAGE RESOURCE ALLOCATIONS, MAXIMIZE CHILDREN'S
2 ACCESS TO PROGRAMS, AND SUPPORT DATA-DRIVEN DECISION-MAKING.

3 **26-6.2-305. Universal, voluntary preschool program -**
4 **recommendations - report.** (1) THE TRANSITION WORKING GROUP,
5 WORKING WITH THE CONSULTANT AND WITH THE ADVICE OF THE
6 TRANSITION ADVISORY GROUP, SHALL DEVELOP RECOMMENDATIONS FOR
7 A NEW STATEWIDE, UNIVERSAL, VOLUNTARY PRESCHOOL PROGRAM TO
8 BEGIN OPERATING IN THE 2023-24 SCHOOL YEAR THAT IS ADMINISTERED
9 BY THE NEW DEPARTMENT AND MEETS THE REQUIREMENTS SPECIFIED IN
10 THIS SECTION. THE TRANSITION WORKING GROUP SHALL ENSURE THAT THE
11 RECOMMENDATIONS FOR THE NEW PRESCHOOL PROGRAM ARE ALIGNED
12 AND COORDINATED WITH THE RECOMMENDATIONS IN THE TRANSITION
13 PLAN. THE NEW PRESCHOOL PROGRAM AT A MINIMUM MUST:

14 (a) ALIGN EXISTING FUNDING FOR THE EXISTING COLORADO
15 PRESCHOOL PROGRAM CREATED IN ARTICLE 28 OF TITLE 22 AND
16 ANTICIPATED PRESCHOOL FUNDING FROM THE PRESCHOOL PROGRAMS
17 CASH FUND AND INCORPORATE THE EXISTING PRESCHOOL PROGRAM INTO
18 THE NEW PRESCHOOL PROGRAM TO OPERATE AS A SINGLE STATE-LEVEL
19 PRESCHOOL PROGRAM AND ALIGN WITH OTHER RELEVANT EARLY
20 CHILDHOOD PROGRAMS OPERATED BY THE EXISTING DEPARTMENTS TO
21 ACHIEVE A STREAMLINED PRESCHOOL EXPERIENCE FOR CHILDREN,
22 FAMILIES, AND EARLY CHILDHOOD CARE AND LEARNING PROVIDERS; AND

23 (b) BE DESIGNED TO MEET THE USE REQUIREMENTS SPECIFIED IN
24 SECTION 24-22-118 (3)(b) AND (3)(d) FOR THE MONEY IN THE PRESCHOOL
25 PROGRAMS CASH FUND AND THE PROGRAM REQUIREMENTS SPECIFIED IN
26 SECTION 24-22-118 (3)(c) FOR THE NEW PRESCHOOL PROGRAM.

27 (2) THE RECOMMENDATIONS FOR THE NEW PRESCHOOL PROGRAM

1 MUST BE INFORMED BY THE ANALYSIS OF THE USE OF EXISTING EARLY
2 CHILDHOOD PROGRAMS AND SERVICES CONDUCTED PURSUANT TO SECTION
3 26-6.2-303 (7) AND DESIGNED TO ENSURE THAT THE NEW PRESCHOOL
4 PROGRAM OPERATES WITHIN THE FOLLOWING PARAMETERS:

5 (a) THE MONEY FROM THE PRESCHOOL PROGRAMS CASH FUND
6 MUST BE DISTRIBUTED THROUGH THE NEW STATE-LEVEL PRESCHOOL
7 PROGRAM TO SUPPORT HIGH-QUALITY PRESCHOOL PROGRAMS THAT
8 IMPLEMENT DEVELOPMENTALLY AND CULTURALLY APPROPRIATE
9 WHOLE-CHILD, QUALITY LEARNING EXPERIENCES THAT SUPPORT THE
10 LEARNING AND DEVELOPMENT OF ALL CHILDREN, INCLUDING STRATEGIES
11 THAT SUPPORT THE NEEDS OF CHILDREN WHO ARE DUAL LANGUAGE
12 LEARNERS AND CHILDREN WHO ARE MEMBERS OF GROUPS THAT HAVE
13 HISTORICALLY FACED BARRIERS TO ACCESSING QUALITY PRESCHOOL
14 PROGRAMMING;

15 (b) THE MONEY THAT IS DISTRIBUTED THROUGH THE NEW
16 PRESCHOOL PROGRAM MUST BE ALLOCATED TO BOTH SCHOOL-BASED AND
17 COMMUNITY-BASED PRESCHOOL PROGRAM PROVIDERS, INCLUDING HEAD
18 START AGENCIES;

19 (c) THE ADMINISTRATION OF THE NEW PRESCHOOL PROGRAM MUST
20 ENSURE THAT SCHOOL-BASED AND COMMUNITY-BASED PRESCHOOL
21 PROGRAM PROVIDERS MEET STANDARDS FOR FISCAL ACCOUNTABILITY AND
22 COMPLY WITH NONDISCRIMINATION LAWS;

23 (d) MONEY THAT IS ALLOCATED FOR CHILD CARE AND FOR
24 PRESCHOOL PROGRAMMING MUST BE BLENDED, AND WHEN APPLICABLE
25 ALSO BLENDED WITH MONEY FOR PROGRAMS PROVIDED BY HEAD START
26 AGENCIES, TO ENABLE COMMUNITIES TO SUPPORT A FULL DAY OF CHILD
27 CARE AND EARLY LEARNING SERVICES FOR WORKING FAMILIES;

1 (e) THE NEW STATE-LEVEL PRESCHOOL PROGRAM MUST ENSURE
2 ALIGNMENT WITH STATE AND FEDERAL REQUIREMENTS UNDER THE
3 "EXCEPTIONAL CHILDREN'S EDUCATIONAL ACT", PART 1 OF ARTICLE 20
4 OF TITLE 22, AND PART B AND PART C OF THE FEDERAL "INDIVIDUALS
5 WITH DISABILITIES EDUCATION ACT", 20 U.S.C. SEC. 1400 ET SEQ., AS
6 AMENDED;

7 (f) THE DESIGN OF THE NEW STATE-LEVEL PRESCHOOL PROGRAM
8 MUST FOCUS ON CHILDREN, FAMILIES, AND CHILD CARE AND LEARNING
9 PROVIDERS TO ALLOW EASY ACCESS FOR FAMILIES TO CHOOSE THE
10 PRESCHOOL PROGRAMS, AND ADDITIONAL CHILD CARE PROGRAMS, THAT
11 ARE MOST APPROPRIATE FOR THEIR CHILDREN AND THEIR CIRCUMSTANCES;

12 (g) THE STATE-LEVEL PRESCHOOL PROGRAM MUST ESTABLISH
13 PROGRAM STANDARDS FOR LOCAL PRESCHOOL PROGRAM QUALITY THAT
14 ARE DESIGNED TO SUPPORT CHILD DEVELOPMENT AND THE SUCCESSFUL
15 TRANSITION OF CHILDREN AND FAMILIES TO SCHOOL AND THAT ARE
16 ALIGNED AND INTEGRATED WITH STANDARDS FROM OTHER EARLY
17 CHILDHOOD CARE AND LEARNING PROGRAMS IN THE STATE;

18 (h) THE NEW PRESCHOOL PROGRAM MUST INTEGRATE WITH THE
19 LOCAL INFRASTRUCTURE FOR EARLY CHILDHOOD, INCLUDING THE EARLY
20 CHILDHOOD COUNCILS OR OTHER LOCALLY DESIGNATED STRUCTURES, TO
21 SUPPORT COORDINATION OF EARLY CHILDHOOD PROGRAMS AT THE LOCAL
22 LEVEL, CONTINUOUS QUALITY IMPROVEMENT, RECRUITMENT AND
23 RETENTION OF THE EARLY CHILDHOOD WORKFORCE, AND CHILDREN'S AND
24 FAMILIES' ACCESS TO COMPREHENSIVE SERVICES; AND

25 (i) THE NEW PRESCHOOL PROGRAM MUST BE SUBJECT TO A
26 PROGRAM EVALUATION THAT INCLUDES THE PROGRAM'S EFFECTS ON
27 CHILD AND FAMILY OUTCOMES.

1 (3) (a) IN ADDRESSING THE ALLOCATION AND DISTRIBUTION OF
2 MONEY TO LOCAL PRESCHOOL PROGRAM PROVIDERS, THE
3 RECOMMENDATIONS FOR THE NEW PRESCHOOL PROGRAM, AT A MINIMUM,
4 MUST ADDRESS THE PROCESS FOR CALCULATING FUNDING RATES AND HOW
5 THE RATES ARE DESIGNED TO SUPPORT QUALITY PRESCHOOL PROGRAMS
6 AND THE PROCESS FOR DISTRIBUTING MONEY THROUGH THE NEW
7 PRESCHOOL PROGRAM.

8 (b) WITH REGARD TO THE REQUIREMENT THAT THE NEW
9 PRESCHOOL PROGRAM ALIGN WITH FEDERAL AND STATE REQUIREMENTS
10 FOR SERVING CHILDREN WITH DISABILITIES, THE RECOMMENDATIONS FOR
11 THE NEW PRESCHOOL PROGRAM MUST ADDRESS, AT A MINIMUM, THE
12 COMPONENTS OF AN INTERAGENCY AGREEMENT AND OTHER STRATEGIES
13 TO DEFINE THE ROLES AND RESPONSIBILITIES OF THE NEW DEPARTMENT,
14 THE DEPARTMENT OF EDUCATION, LOCAL EDUCATION AGENCIES, AND
15 PRESCHOOL PROVIDERS REGARDING:

16 (I) HOW THE NEW PRESCHOOL PROGRAM, AS IMPLEMENTED IN
17 CONJUNCTION WITH PRESCHOOL SPECIAL EDUCATION, WILL MAINTAIN
18 ALIGNMENT WITH FEDERAL REQUIREMENTS AND PROTECTIONS FOR
19 CHILDREN WITH DISABILITIES AND THE ROLES OF THE NEW DEPARTMENT
20 AND THE DEPARTMENT OF EDUCATION;

21 (II) ACCOUNTABILITY AND OVERSIGHT OF SCHOOL- AND
22 COMMUNITY-BASED PRESCHOOL PROGRAM PROVIDERS WITH REGARD TO
23 FEDERAL REQUIREMENTS FOR PRESCHOOL CHILDREN WITH DISABILITIES,
24 INCLUDING HOW THE NEW PRESCHOOL PROGRAM AND THE NEW
25 DEPARTMENT WILL COORDINATE WITH THE DEPARTMENT OF EDUCATION
26 IN ITS ROLE AS THE LEAD AGENCY RESPONSIBLE FOR COMPLIANCE WITH
27 THE FEDERAL "INDIVIDUALS WITH DISABILITIES EDUCATION ACT", 20

1 U.S.C. SEC. 1400 ET SEQ., AS AMENDED, AND THE "EXCEPTIONAL
2 CHILDREN'S EDUCATIONAL ACT", PART 1 OF ARTICLE 20 OF TITLE 22;

3 (III) HOW PRESCHOOL SPECIAL EDUCATION SERVICES MUST BE
4 DELIVERED AND HOW PRESCHOOL PROGRAM PROVIDERS WILL BE HELD
5 ACCOUNTABLE FOR PROVIDING ACCESS AND NECESSARY SUPPORTS IN
6 IMPLEMENTING A MIXED-DELIVERY PRESCHOOL PROGRAM;

7 (IV) HOW THE NEW PRESCHOOL PROGRAM WILL BE INTEGRATED
8 WITH THE EXISTING REQUIREMENTS IMPOSED ON LOCAL EDUCATION
9 AGENCIES RELATED TO THE PROVISION OF PRESCHOOL SPECIAL EDUCATION
10 SERVICES, INCLUDING, BUT NOT LIMITED TO, STAFF QUALIFICATIONS AND
11 IDENTIFYING, EVALUATING, DETERMINING THE ELIGIBILITY OF, AND
12 PROVIDING SERVICES TO CHILDREN WITH DISABILITIES; AND

13 (V) HOW THE NEW PRESCHOOL PROGRAM WILL REDUCE
14 DUPLICATIVE OVERSIGHT AND REGULATION OF SCHOOL- AND
15 COMMUNITY-BASED PRESCHOOL PROGRAMS IMPLEMENTING SERVICES FOR
16 PRESCHOOL CHILDREN WITH DISABILITIES.

17 **26-6.2-306. Repeal of part.** THIS PART 3 IS REPEALED, EFFECTIVE
18 JULY 1, 2024.

19 **SECTION 2.** In Colorado Revised Statutes, 24-1-110, **amend** (1)
20 introductory portion; and **add** (1)(y) as follows:

21 **24-1-110. Principal departments.** (1) In accordance with the
22 provisions of section 22 of article IV of the state constitution, all
23 executive and administrative offices, agencies, and instrumentalities of
24 the executive department of the state government and their respective
25 functions, powers, and duties, except as otherwise provided by law, are
26 allocated among and within the following principal departments created
27 by this ~~article~~ ARTICLE 1:

1 (y) DEPARTMENT OF EARLY CHILDHOOD.

2 **SECTION 3.** In Colorado Revised Statutes, **add** 24-1-120.5 as
3 follows:

4 **24-1-120.5. Department of early childhood - creation.**

5 (1) THERE IS CREATED THE DEPARTMENT OF EARLY CHILDHOOD, THE
6 HEAD OF WHICH IS THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
7 EARLY CHILDHOOD, WHICH OFFICE IS CREATED. THE GOVERNOR SHALL
8 APPOINT THE EXECUTIVE DIRECTOR, WITH THE CONSENT OF THE SENATE,
9 AND THE EXECUTIVE DIRECTOR SERVES AT THE PLEASURE OF THE
10 GOVERNOR. THE REAPPOINTMENT OF AN EXECUTIVE DIRECTOR AFTER AN
11 INITIAL ELECTION OF A GOVERNOR IS SUBJECT TO THE PROVISIONS OF
12 SECTION 24-20-109.

13 (2) THE EARLY CHILDHOOD LEADERSHIP COMMISSION CREATED IN
14 PART 3 OF ARTICLE 1 OF TITLE 26.5 AND ITS POWERS, DUTIES, AND
15 FUNCTIONS ARE TRANSFERRED BY A **TYPE 2** TRANSFER TO THE
16 DEPARTMENT OF EARLY CHILDHOOD.

17 **SECTION 4.** In Colorado Revised Statutes, **add, with amended**
18 **and relocated provisions**, title 26.5 as follows:

19 **TITLE 26.5**

20 **EARLY CHILDHOOD PROGRAMS AND SERVICES**

21 **ARTICLE 1**

22 **Early Childhood Programs and Services**

23 **PART 1**

24 **DEPARTMENT OF EARLY CHILDHOOD**

25 **26.5-1-101. Short title.** THE SHORT TITLE OF THIS TITLE 26.5 IS
26 THE "ANNA JO GARCIA HAYNES EARLY CHILDHOOD ACT".

27 **26.5-1-102. Legislative intent.** (1) IT IS THE INTENT OF THE

1 GENERAL ASSEMBLY THAT THE DEPARTMENT OF EARLY CHILDHOOD SHALL
2 WORK WITH OTHER STATE AND LOCAL AGENCIES, PUBLIC AND PRIVATE
3 EARLY CHILDHOOD PROVIDERS, HEAD START AGENCIES, NONPROFIT
4 ORGANIZATIONS, AND PARENTS AND FAMILIES TO:

5 (a) PROVIDE HIGH-QUALITY, VOLUNTARY, AFFORDABLE EARLY
6 CHILDHOOD OPPORTUNITIES FOR ALL CHILDREN IN COLORADO;

7 (b) COORDINATE THE AVAILABILITY OF EARLY CHILDHOOD
8 PROGRAMS AND SERVICES IN COLORADO TO MEET THE NEEDS OF ALL
9 FAMILIES;

10 (c) ESTABLISH STATE AND COMMUNITY PARTNERSHIPS THAT
11 PROVIDE FOR A MIXED DELIVERY OF CHILD CARE AND EARLY CHILDHOOD
12 PROGRAMS THROUGH SCHOOL-BASED AND COMMUNITY-BASED
13 PROVIDERS;

14 (d) ENSURE THAT PARENT AND COMMUNITY INPUT ARE
15 PRIORITIZED IN THE CONTINUING DESIGN AND IMPLEMENTATION OF
16 PROGRAMS AND POLICIES AFFECTING CHILDREN AND FAMILIES;

17 (e) MAXIMIZE THE EFFICIENT USE OF RESOURCES TO ENSURE THAT
18 PARENTS, CHILDREN, AND EARLY CHILDHOOD PROGRAM AND SERVICE
19 PROVIDERS ARE PRIORITIZED AND RECEIVE THE GREATEST LEVEL OF
20 INVESTMENT AND FINANCIAL SUPPORT WITH THE LOWEST POSSIBLE
21 ADMINISTRATIVE BURDEN;

22 (f) PRIORITIZE THE EQUITABLE DELIVERY OF RESOURCES AND
23 SUPPORTS FOR EARLY CHILDHOOD;

24 (g) UNIFY WITHIN THE DEPARTMENT THE ADMINISTRATION OF
25 CHILD CARE AND EARLY LEARNING PROGRAMS TO EFFECTIVELY AND
26 EFFICIENTLY SUPPORT A STREAMLINED PARENT AND PROVIDER
27 EXPERIENCE AND TO SUPPORT A DIVERSE ARRAY OF PROVIDERS OF EARLY

1 CHILDHOOD CARE AND LEARNING SERVICES. UNIFICATION OF THE
2 PROGRAMS MUST INCLUDE:

3 (I) DEVELOPMENT OF A COMMON PROGRAM APPLICATION PROCESS,
4 WHICH, TO THE EXTENT PRACTICABLE, IS ACCESSIBLE IN FAMILIES'
5 PREFERRED LANGUAGES, TO STREAMLINE THE ELIGIBILITY AND
6 ENROLLMENT EXPERIENCE FOR FAMILIES;

7 (II) QUALITY PROGRAM STANDARDS THAT SUPPORT CHILD
8 DEVELOPMENT AND SUCCESSFUL TRANSITIONS TO ELEMENTARY
9 EDUCATION AND ARE ALIGNED AND INTEGRATED WITH STANDARDS FROM
10 OTHER EARLY CARE AND LEARNING PROGRAMS; AND

11 (III) FOCUS ON RECRUITMENT AND RETENTION STRATEGIES,
12 INCLUDING STRATEGIES DESIGNED TO RECRUIT AND RETAIN INDIVIDUALS
13 FROM DIFFERENT CULTURAL BACKGROUNDS, AND COMPENSATION
14 STRATEGIES FOR THE EARLY CARE AND LEARNING WORKFORCE TO
15 ELEVATE AND SUPPORT THE WORKFORCE ACROSS ALL CARE AND LEARNING
16 SETTINGS; AND

17 (h) IMPROVE OUTCOMES FOR CHILDREN AND FAMILIES THROUGH:

18 (I) STRATEGIES THAT SUPPORT RECRUITMENT, TRAINING, AND
19 COMPENSATION OF THE EARLY CHILDHOOD WORKFORCE, INCLUDING
20 STRATEGIES DESIGNED TO RECRUIT AND RETAIN INDIVIDUALS FROM
21 DIFFERENT CULTURAL BACKGROUNDS;

22 (II) IMPLEMENTATION OF EVIDENCE- AND PRACTICE-BASED BEST
23 PRACTICES IN EDUCATION, FAMILY SUPPORT, AND CHILD DEVELOPMENT
24 WITH A FOCUS ON CONTINUOUS IMPROVEMENT AND INNOVATION;

25 (III) PROGRAM EVALUATION FOR CONTINUOUS IMPROVEMENT,
26 INCLUDING MONITORING METRICS THAT PROMOTE TRANSPARENCY AND
27 EFFICIENCY OF ADMINISTRATION, PROGRAM QUALITY ASSESSMENT, AND

1 CHILD AND FAMILY OUTCOMES AND ACCOUNTABILITY, WHICH ARE
2 REPORTED ANNUALLY AND MUST ADDRESS REMOVAL OR REDUCTION OF
3 ACCESS BARRIERS, REALIZATION OF ADMINISTRATIVE OR FINANCIAL
4 EFFICIENCIES, AND PROGRESS TOWARD ACHIEVING THE DEPARTMENT'S
5 MISSION;

6 (IV) ALIGNMENT WITH STATE AND FEDERAL REQUIREMENTS
7 UNDER THE STATE "EXCEPTIONAL CHILDREN'S EDUCATIONAL ACT", PART
8 1 OF ARTICLE 20 OF TITLE 22, AND PART B AND PART C OF THE FEDERAL
9 "INDIVIDUALS WITH DISABILITIES EDUCATION ACT", 20 U.S.C. SEC. 1400
10 ET SEQ., AS AMENDED; AND

11 (V) EDUCATION AND TRAINING REGARDING HOW TO IDENTIFY AND
12 ADDRESS CHILD AND FAMILY TRAUMA AND SUPPORT A TRAUMA-INFORMED
13 APPROACH TO EARLY CHILDHOOD.

14 **26.5-1-103. Definitions.** AS USED IN THIS TITLE 26.5, UNLESS THE
15 CONTEXT OTHERWISE REQUIRES:

16 (1) "DEPARTMENT" MEANS THE DEPARTMENT OF EARLY
17 CHILDHOOD CREATED IN SECTION 26.5-1-104.

18 (2) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF
19 THE DEPARTMENT OF EARLY CHILDHOOD.

20 **26.5-1-104. Department of early childhood - created -**
21 **executive director - powers, duties, and functions.** (1) THERE IS
22 CREATED THE DEPARTMENT OF EARLY CHILDHOOD, THE HEAD OF WHICH
23 IS THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF EARLY CHILDHOOD,
24 WHICH OFFICE IS CREATED. THE GOVERNOR SHALL APPOINT THE
25 EXECUTIVE DIRECTOR, WITH THE CONSENT OF THE SENATE, AND THE
26 EXECUTIVE DIRECTOR SERVES AT THE PLEASURE OF THE GOVERNOR. THE
27 REAPPOINTMENT OF AN EXECUTIVE DIRECTOR AFTER AN INITIAL ELECTION

1 OF A GOVERNOR IS SUBJECT TO THE PROVISIONS OF SECTION 24-20-109. IN
2 APPOINTING AN EXECUTIVE DIRECTOR, THE GOVERNOR SHALL MAKE
3 CONCERTED EFFORTS TO IDENTIFY QUALIFIED INDIVIDUALS WHO ARE
4 REPRESENTATIVE OF THE DIVERSE POPULATIONS OF CHILDREN AND
5 FAMILIES RESIDING IN COLORADO. THE EXECUTIVE DIRECTOR HAS THOSE
6 POWERS, DUTIES, AND FUNCTIONS PRESCRIBED FOR THE HEADS OF
7 PRINCIPAL DEPARTMENTS IN THE "ADMINISTRATIVE ORGANIZATION ACT
8 OF 1968", ARTICLE 1 OF TITLE 24, AND ANY POWERS, DUTIES, AND
9 FUNCTIONS SET FORTH IN THIS TITLE 26.5.

10 (2) THE DEPARTMENT OF EARLY CHILDHOOD CONSISTS OF AN
11 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF EARLY CHILDHOOD AND
12 SUCH DIVISIONS, SECTIONS, OTHER UNITS, AND ADVISORY BOARDS AS THE
13 EXECUTIVE DIRECTOR MAY ESTABLISH PURSUANT TO SUBSECTION (3) OF
14 THIS SECTION AND AS MAY BE SPECIFIED IN THIS TITLE 26.5.

15 (3) THE EXECUTIVE DIRECTOR MAY ESTABLISH SUCH DIVISIONS,
16 SECTIONS, OTHER UNITS, AND ADVISORY BOARDS WITHIN THE
17 DEPARTMENT AS ARE NECESSARY FOR THE PROPER AND EFFICIENT
18 DISCHARGE OF THE POWERS, DUTIES, AND FUNCTIONS OF THE
19 DEPARTMENT.

20 (4) THE DEPARTMENT OF EARLY CHILDHOOD IS RESPONSIBLE FOR
21 ADMINISTERING THE FUNCTIONS AND PROGRAMS AS SET FORTH IN THIS
22 TITLE 26.5.

23 PART 2

24 (Reserved)

25 PART 3

26 EARLY CHILDHOOD LEADERSHIP COMMISSION

27 **26.5-1-301. [Formerly 26-6.2-101] Legislative declaration.**

1 (1) The general assembly hereby finds that:

2 (a) Public investments for pregnant women and young children
3 from birth to eight years of age and their families fall behind investments
4 for older Colorado children and lag behind national trends;

5 (b) For the state's early childhood system to operate effectively,
6 the efforts of the public and private agencies that compose the system
7 must be efficiently coordinated, aligned to state and federal standards, and
8 made accountable across state systems; and

9 (c) While there are several planning efforts related to early
10 childhood services and collaborative bodies within state and local
11 governments, there is no single venue to allow high-level
12 decision-making among policy makers, to collectively study
13 recommendations, to facilitate cross-agency collaboration among state
14 agencies, and to make joint policy and funding recommendations.

15 (2) The general assembly further finds that:

16 (a) A commission to assist in coordinating services and supports
17 for pregnant women and young children from birth to eight years of age
18 and their families will improve the delivery of those services and improve
19 the educational, health, emotional and mental health, child welfare, and
20 employment outcomes for these children and their families; and

21 (b) A commission to assist in coordinating the delivery of services
22 and supports for pregnant women and young children and their families
23 will also significantly improve Colorado's workforce and economic
24 development by:

25 (I) Helping to ensure a healthy, well-educated workforce far into
26 the future;

27 (II) Supporting those persons who currently provide early

1 childhood services and supports and creating additional employment
2 opportunities;

3 (III) Supporting parents of young children who need dependable,
4 high-quality child care and supportive services in order to be fully
5 engaged and productive in their jobs; and

6 (IV) Supporting the market in early childhood services and
7 products as a vibrant element of the state's economy.

8 (3) The general assembly finds, therefore, that it is essential to
9 create a high-level, interagency, public-private leadership commission to
10 identify opportunities for, and address barriers to, the coordination of
11 federal and state early childhood policies and procedures in order to
12 promote access to programs and services that affect the health and
13 well-being of Colorado's children.

14 **26.5-1-302. [Formerly 26-6.2-103] Early childhood leadership**
15 **commission - created - mission - funding.** (1) There is created in the
16 state department the early childhood leadership commission, REFERRED
17 TO IN THIS PART 3 AS THE "COMMISSION". The purpose of the commission
18 is to ensure and advance a comprehensive service delivery system for
19 pregnant women and children from birth to eight years of age using data
20 to improve decision-making, alignment, and coordination among
21 federally funded and state-funded services and programs for pregnant
22 women and young children and their families. At a minimum, the
23 comprehensive service delivery system for pregnant women and children
24 and their families must include services in the areas of prenatal health,
25 child health, child mental health, early care and education, and family
26 support and parent education.

27 (2) The commission ~~shall consist~~ CONSISTS of up to ~~twenty~~

1 TWENTY-ONE members as follows:

2 (a) The executive directors of each of the following agencies or
3 their designees:

4 (I) The state department of human services;

5 (II) The department of public health and environment;

6 (III) The department of health care policy and financing; ~~and~~

7 (IV) The department of higher education; AND

8 (V) THE DEPARTMENT OF EARLY CHILDHOOD;

9 (b) The commissioner of education or ~~his or her~~ THE
10 COMMISSIONER'S designee;

11 (c) The head start ~~state~~ collaboration OFFICE director for Colorado;
12 and

13 (d) No more than fourteen persons appointed by the governor,
14 which persons collectively have the following expertise, affiliations, or
15 backgrounds:

16 (I) Representatives of local government groups;

17 (II) Representatives of school districts;

18 (III) Providers of early childhood supports and services;

19 (IV) REPRESENTATIVES OF HEAD START AGENCIES;

20 ~~(V)~~ (V) Persons whose families receive early childhood supports
21 or services;

22 ~~(VI)~~ (VI) Representatives of statewide foundations and nonprofit
23 organizations involved in early childhood issues;

24 ~~(VII)~~ (VII) Members of the business community; and

25 ~~(VIII)~~ (VIII) Representatives of the local public health community.

26 (3) (a) In appointing persons to the commission, the governor
27 shall ensure that the appointed persons reflect the gender balance and

1 ethnic diversity in the state and provide representation from throughout
2 the state and that the commission includes representation of persons with
3 disabilities AND THOSE WHO REPRESENT LANGUAGE DIVERSITY OR
4 SUPPORT FAMILIES AND CHILDREN WHO ARE DUAL LANGUAGE LEARNERS.

5 (b) The persons appointed to the commission pursuant to
6 subsection (2)(d) of this section: ~~shall:~~

7 (I) Serve at the pleasure of the governor; and

8 (II) Serve without compensation but may receive reimbursement
9 for reasonable expenses incurred in fulfilling their duties on the
10 commission. ~~subject to the availability of federal funds or gifts, grants, or~~
11 ~~donations.~~

12 (c) If a vacancy occurs in the positions appointed pursuant to
13 ~~paragraph (d) of subsection (2)~~ SUBSECTION (2)(d) of this section, the
14 governor shall appoint a person to fill the vacancy.

15 (4) The governor shall appoint three persons from among the
16 members of the commission, one representing business interests, one
17 representing private, nonprofit entities, and one representing public
18 entities, to serve as co-chairs of the commission. The commission shall
19 meet regularly at the direction of the co-chairs and as often as necessary
20 to fulfill its duties. The co-chairs may appoint working groups and
21 subcommittees to assist the commission in its work or to address specific
22 issues. The working groups and subcommittees, at the discretion of the
23 co-chairs, may consist of any combination of members of the commission
24 and other persons from the community.

25 (5) The commission, in collaboration with the executive director
26 of the ~~state~~ department, may appoint a director to assist the commission
27 in fulfilling its duties pursuant to this ~~article 6.2~~ PART 3. The director may

1 appoint such additional persons as may be necessary to assist the
2 commission. ~~The director and any other persons appointed pursuant to~~
3 ~~this subsection (5) shall be compensated with federal funds or gifts,~~
4 ~~grants, and donations, and not with money from the general fund.~~

5 (6) The governor's office, the state department, and the other
6 agencies represented on the commission may, at the request of the
7 commission and within existing appropriations, provide necessary support
8 to the commission, including but not limited to administrative support,
9 data, and other analytical information. In addition, the commission may
10 seek, accept, and expend gifts, grants, or donations from public or private
11 sources to the extent necessary to cover the expenses of the commission.
12 ~~Money from the general fund shall not be appropriated for the~~
13 ~~commission or for administrative or other expenses of the commission.~~

14 **26.5-1-303. [Formerly 26-6.2-104] Early childhood leadership**
15 **commission - duties.** (1) In addition to any other duties specified in law,
16 the commission has the following duties:

17 (a) To identify opportunities for, and barriers to, the alignment of
18 standards, rules, policies, and procedures across programs and agencies
19 that support young children and to recommend to the appropriate
20 committees of reference of the general assembly pursuant to part 2 of
21 article 7 of title 2 and to government and nonprofit agencies and policy
22 boards changes to enhance the alignment and provision of services and
23 supports for pregnant women and young children and their families;

24 (b) To advise and make recommendations to the state department
25 and to other relevant early childhood entities concerning implementation
26 of the early childhood Colorado framework;

27 (c) To assist public and private agencies in coordinating efforts on

1 behalf of pregnant women and children and their families, including
2 securing funding and additional investments for services, programs, and
3 access to these services and programs for children and their families;

4 (d) To consider and recommend waivers from state regulations on
5 behalf of early childhood councils as provided in section 26-6.5-104 (1);

6 (e) To monitor the ongoing development, promotion, and
7 implementation of:

8 (I) A quality, cohesive professional development and career
9 advancement system;

10 (II) High-quality, comprehensive early learning standards; and

11 (III) The sharing and use of common data for planning and
12 accountability among early childhood programs;

13 (f) To develop strategies and monitor efforts concerning:

14 (I) Increasing children's school readiness;

15 (II) Increasing participation in and access to child care and early
16 education programs; and

17 (III) Promoting family and community engagement in children's
18 early education and development.

19 (2) In fulfilling its duties, the commission shall collaborate, at a
20 minimum, with:

21 (a) Members of the early childhood councils established pursuant
22 to section 26-6.5-103; and

23 (b) Any other boards, commissions, and councils that address
24 services and supports for pregnant women and young children.

25 **26.5-1-304. [Formerly 26-6.2-106] Repeal of part.** This article
26 ~~6.2~~ PART 3 is repealed, effective September 1, 2023. Before its repeal, the
27 commission is subject to review in accordance with section 2-3-1203.

PART 4

EARLY CHILDHOOD AND SCHOOL READINESS

LEGISLATIVE COMMISSION

26.5-1-401. [Formerly 26-6.5-201] Short title. ~~This part 2 shall be known and may be cited as~~ THE SHORT TITLE OF THIS PART 4 IS the "Early Childhood and School Readiness Legislative Commission Act".

26.5-1-402. [Formerly 26-6.5-202] Legislative declaration.

(1) The general assembly finds that:

(a) The most economically efficient time to develop children's skills and social abilities is in the very early years when developmental education across all of the four domains of early learning, family support and education, health care, social-emotional health, and mental health, can have the most effect;

(b) Children, families, and society benefit from quality investments in early childhood development and learning. Comprehensive early childhood development provides children and their families with the resources they need for early nurturing and for early language development and learning experiences and the physical health supports they need to help them arrive at school thriving and ready to learn.

(c) High-quality early childhood care and ~~education~~ LEARNING during the crucial growth years from birth to five years of age is necessary to enable children to succeed when they start kindergarten and as they continue their education;

(d) Research demonstrates that parental support and involvement, combined with a high-quality preschool education program, increases students' school readiness and achievement in kindergarten and significantly contributes to overcoming the effects of students' varying

1 socioeconomic circumstances; and

2 (e) Research further shows that improving educational
3 performance through improved school readiness costs much less than
4 special education, remediation, and grade retention.

5 (2) The general assembly concludes therefore that it is in the best
6 interests of the state to create a legislative commission to meet on a
7 regular basis throughout the year to study issues and recommend
8 legislation concerning early childhood and school readiness, including
9 health care, mental health, parental involvement, family support, child
10 care, and early learning.

11 **26.5-1-403. [Formerly 26-6.5-203] Early childhood and school**
12 **readiness legislative commission - creation - membership - duties -**
13 **funding.** (1) (a) There is created a legislative commission for policy
14 improvement related to early childhood and school readiness, including
15 the areas of health, mental health, parental involvement, family support,
16 child care, and early learning, referred to in this ~~article~~ PART 4 as the
17 "commission".

18 (b) The commission consists of six members, appointed for terms
19 of three years; except that, of the members first appointed, two members
20 shall be appointed for one-year terms, two members shall be appointed
21 for two-year terms, and two members shall be appointed for three-year
22 terms. The appointing authorities shall jointly determine which
23 commission members serve reduced terms. Each commission member
24 serves at the pleasure of the applicable appointing authority. Vacancies
25 shall be filled by appointment of the original appointing authority for the
26 remainder of the unexpired term. Initial appointments to the commission
27 shall be made on or before July 1, 2013, as follows:

1 (I) The president of the senate shall appoint two senators to serve
2 on the commission, one of whom serves on the senate education
3 committee, or any successor committee, and one of whom serves on the
4 senate health and human services committee, or any successor committee;

5 (II) The minority leader of the senate shall appoint one senator to
6 serve on the commission who also serves on the senate education
7 committee, or any successor committee;

8 (III) The speaker of the house of representatives shall appoint two
9 representatives to serve on the commission, one of whom serves on the
10 education committee of the house of representatives, or any successor
11 committee, and one of whom serves on the public health care and human
12 services committee of the house of representatives, or any successor
13 committee; and

14 (IV) The minority leader of the house of representatives shall
15 appoint one representative to serve on the commission who also serves on
16 the education committee of the house of representatives, or any successor
17 committee.

18 (c) The president of the senate shall select the first chair of the
19 commission, and the speaker of the house of representatives shall select
20 the first vice-chair. The chair and vice-chair ~~shall~~ MUST alternate annually
21 thereafter between the two houses. The chair and vice-chair of the
22 commission may establish such organizational and procedural rules as are
23 necessary for the operation of the commission.

24 (d) The members of the commission ~~shall~~ MUST receive
25 compensation and reimbursement for expenses incurred in fulfilling the
26 duties of the commission as provided in section 2-2-326. ~~C.R.S.~~

27 (2) (a) ~~(†)~~ The commission may meet up to four times annually.

1 The director of research of the legislative council and the director of the
2 office of legislative legal services shall provide staff assistance to the
3 commission. The commission shall study issues concerning early
4 childhood and school readiness, including but not limited to health care,
5 mental health, parental involvement, family support, child care, and early
6 learning. The commission shall solicit input from members of the public,
7 especially those individuals with expertise related to early childhood and
8 school readiness issues, to aid the commission in its work. The
9 commission shall consult with the early childhood leadership
10 commission, created in ~~section 26-6.2-103~~ SECTION 26.5-1-302, with
11 regard to policies concerning early childhood and school readiness.

12 ~~(H) (A) Notwithstanding subsection (2)(a)(I) of this section, the~~
13 ~~commission shall not meet during the 2020 interim.~~

14 ~~(B) This subsection (2)(a)(II) is repealed, effective July 1, 2021.~~

15 (b) The commission may accept in-kind donations in the form of
16 administrative support from one or more nonprofit organizations.

17 (c) ~~(f)~~ The commission shall report to the legislative council by
18 the date specified in ~~joint~~ rule 24 (b)(1)(D) OF THE JOINT RULES OF THE
19 SENATE AND HOUSE OF REPRESENTATIVES. The report may include
20 recommendations for legislation, including but not limited to legislation
21 continuing the commission and an explanation of the additional time and
22 procedures that the commission may require to achieve the commission's
23 study goals. Legislation that the commission recommends ~~shall be~~ IS
24 treated as legislation recommended by an interim committee for the
25 purposes of the introduction deadlines and bill limitations imposed by the
26 joint rules of the senate and house of representatives.

27 ~~(H) (A) Notwithstanding subsection (2)(c)(I) of this section, the~~

1 ~~commission shall neither report to the legislative council nor recommend~~
2 ~~legislation during the 2020 interim.~~

3 ~~(B) This subsection (2)(c)(II) is repealed, effective July 1, 2021.~~

4 **26.5-1-404. [Formerly 26-6.5-204] Repeal of part.** This ~~part 2~~
5 PART 4 is repealed, effective July 1, 2023.

6 **SECTION 5.** In Colorado Revised Statutes, **repeal** part 1 of
7 article 6.2 of title 26 and part 2 of article 6.5 of title 26.

8 **SECTION 6.** In Colorado Revised Statutes, 2-3-1203, **amend**
9 (14)(a)(V) as follows:

10 **2-3-1203. Sunset review of advisory committees - legislative**
11 **declaration - definition - repeal.** (14) (a) The following statutory
12 authorizations for the designated advisory committees are scheduled for
13 repeal on September 1, 2023:

14 (V) The early childhood leadership commission created in ~~section~~
15 ~~26-6.2-103~~ SECTION 26.5-1-302;

16 **SECTION 7.** In Colorado Revised Statutes, 24-1-120, **amend**
17 (5)(m) as follows:

18 **24-1-120. Department of human services - creation.** (5) The
19 department of human services shall include the following:

20 (m) The early childhood leadership commission created by ~~article~~
21 ~~6.2 of title 26, C.R.S.~~ PART 3 OF ARTICLE 1 OF TITLE 26.5.

22 **SECTION 8.** In Colorado Revised Statutes, 26-2-803, **amend** (1)
23 as follows:

24 **26-2-803. Provider rates - rules.** (1) The state department, in
25 consultation with the counties, shall contract annually for a market rate
26 study of provider rates that account for quality of care, age group, and
27 type of care for each county as recommended by the early childhood

1 leadership commission created in ~~section 26-6.2-103~~ SECTION 26.5-1-302.
2 Notwithstanding the provisions of section 24-1-136 (11)(a)(I), copies of
3 the study must be provided to the joint budget committee on or before
4 January 2, 2019, and on or before each January 2 thereafter.

5 **SECTION 9.** In Colorado Revised Statutes, 26-6.5-104, **amend**
6 (1) as follows:

7 **26-6.5-104. Early childhood councils - waivers - rules -**
8 **funding - application.** (1) A local council may request a waiver of any
9 rule that would prevent a council from implementing council projects.
10 The local council shall submit the request to the early childhood
11 leadership commission created in ~~article 6.2 of this title~~ ARTICLE 1 OF
12 TITLE 26.5. The early childhood leadership commission shall consult with
13 the affected state agency in reviewing the request. The state department
14 or other affected state agency shall grant waivers upon recommendation
15 by the commission.

16 **SECTION 10. Effective date.** This act takes effect upon passage;
17 except that sections 2 to 9 of this act take effect July 1, 2022.

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