

Title of Proposed Rule: School Readiness Quality Improvement Program

CDHS Tracking #: 18-06-08-1

Office, Division, & Program:
OEC/Early Care and Learning

Rule Author: Stacey Kennedy

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RULEMAKING PACKET

Type of Rule: *(complete a and b, below)*

a. Board Executive Director

b. Regular Emergency

This package is submitted to State Board Administration as: *(check all that apply)*

AG Initial Review

Initial Board Reading

AG 2nd Review

Second Board Reading / Adoption

This package contains the following types of rules: *(check all that apply)*

Number

7.716.12 CCR
2509-8

Amended Rules

New Rules

Repealed Rules

Reviewed Rules

What month is being requested for this rule to first go before the State Board?	December 7, 2018
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What date is being requested for this rule to be effective?	March 2, 2019
Is this date legislatively required?	No

I hereby certify that I am aware of this rule-making and that any necessary consultation with the Executive Director's Office, Budget and Policy Unit, and Office of Information Technology has occurred.

Office Director Approval: _____ **Date:** _____

REVIEW TO BE COMPLETED BY STATE BOARD ADMINISTRATION

Comments:

Estimated Dates:	1st Board _____	2nd Board _____	Effective Date _____
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STATEMENT OF BASIS AND PURPOSE

Summary of the basis and purpose for new rule or rule change.

*Explain why the rule or rule change is necessary and what the program hopes to accomplish through this rule. **1500 Char max***

The purpose of the Colorado School Readiness Quality Improvement Program is to improve the school readiness of children, five (5) years of age or younger, who are cared for at early childhood education programs pursuant to Section 26-6.5-106, C.R.S. With the recent passing of SB18-099 *Concerning the Alignment of Early Childhood Quality Improvement Programs with the Colorado Shines Quality Rating and Improvement System*, a rule revision is required for the School Readiness Quality Improvement Program rules (7.716 12 CCR 2509-8).

An emergency rule-making (which waives the initial Administrative Procedure Act noticing requirements) is necessary:

to comply with state/federal law and/or

to preserve public health, safety and welfare

Justification for emergency:

N/A

State Board Authority for Rule:

Code	Description
26-1-107, C.R.S. (2015)	State Board to promulgate rules
26-1-109, C.R.S. (2015)	State department rules to coordinate with federal programs
26-1-111, C.R.S. (2015)	State department to promulgate rules for public assistance and welfare activities.

Program Authority for Rule: *Give federal and/or state citations and a summary of the language authorizing the rule-making function AND authority.*

Code	Description
§26-6.5-106 (7), C.R.S.	Rules. (a) The state board shall promulgate rules for the implementation of this section, including but not limited to rules that: (I) Specify the procedure by which an early childhood council may apply for school readiness quality funding pursuant to the program; AND (II) Specify the manner in which school readiness quality improvement funding is distributed to early childhood councils, ensuring an equitable distribution between rural and urban communities; and (III) Identify any additional eligibility requirements for early childhood councils seeking school readiness quality improvement funding. (b) At a minimum, the rules promulgated pursuant to this subsection (7) must identify a specific and measurable level of improvement in the Colorado Shines System that an early childhood education program must achieve within each Colorado Shines rating cycle in order to continue receiving school readiness quality improvement funding, as well as the eligibility criteria for continued participation in the program.

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Does the rule incorporate material by reference?

Yes

No

Does this rule repeat language found in statute?

Yes

No

If yes, please explain.

The proposed rule language provides information that is organized in a more user friendly manner and provides language that is consistent with statute.

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REGULATORY ANALYSIS

1. List of groups impacted by this rule.

Which groups of persons will benefit, bear the burdens or be adversely impacted by this rule?

Early Childhood Councils, Early Childhood Education Programs, and the children and families attending the Early Childhood Education Programs receiving quality improvement funding through the School Readiness Quality Improvement Program will benefit from this rule package.

2. Describe the qualitative and quantitative impact.

How will this rule-making impact those groups listed above? How many people will be impacted? What are the short-term and long-term consequences of this rule?

Generally, the rule revision process removes obsolete language from existing rule and proposes revisions to update the rule to align with statutory provisions concerning the School Readiness Quality Rating and Improvement Program and Early Childhood Councils.

Specifically, this rule package outlines mandatory provisions concerning the process for Early Childhood Councils to apply for funding, early childhood education program eligibility criteria, the Colorado Shines Quality Rating and Improvement System, requirements for program improvement in rating in order to maintain eligibility and requirements for public access to ratings, and the dispute resolution process in cases where a program disagrees with the rating assigned as a result of the Colorado Shines rating assessment process.

These changes have the following impact for the following groups:

Early Childhood Councils – There are currently 34 Early Childhood Councils that cover 62 of the 64 counties. This rule updates the application requirements for Early Childhood Councils applying for quality improvement funding. School Readiness Quality Improvement Program funding available to all Early Childhood Councils for communities throughout the state. The rule also allows the Colorado Department of Human Services to contract with an existing Early Childhood Council to implement the School Readiness Quality Improvement Program in cases where county is not covered by an Early Childhood Council or an Early Childhood Council that covers a particular area of the state did not apply for the funding.

Early Childhood Education Programs - This rule provides updated information for the Colorado Shines Quality Rating and Improvement System and revises language to update processes defined within this statewide rating system regarding program eligibility and expectations regarding demonstrated progress needed in order for a program to continue to receive quality improvement grant funding to support continuous ongoing quality improvement activities and goals as defined within the Colorado Shines framework.

Children and families attending early childhood education programs receiving quality improvement grants through this program – children and families attending Early Childhood Education Programs will see an increase in quality, which is correlated to improving the school readiness for children entering kindergarten. This will be measured through the Colorado Shines rating system.

3. Fiscal Impact

For each of the categories listed below explain the distribution of dollars; please identify the costs, revenues, matches or any changes in the distribution of funds even if such change has a total zero effect for any entity that falls within the category. If this rule-making requires one of the categories listed below

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*to devote resources without receiving additional funding, please explain why the rule-making is required and what consultation has occurred with those who will need to devote resources. **Answer should NEVER be just “no impact” answer should include “no impact because....”***

State Fiscal Impact (Identify all state agencies with a fiscal impact, including any Colorado Benefits Management System (CBMS) change request costs required to implement this rule change)

There is no direct fiscal impact to the State; however, this rule package increases workload in the Colorado Department of Human Services, Office of Early Childhood by a minimal amount. The rule package updates the measures used by Colorado Shines to track the level of preparedness and quality of services of Early Childhood Councils, and updates the application procedures for grant funding. These changes will result in a minimal increase of workload for the Office of Early Childhood and can be accomplished with existing appropriations.

County Fiscal Impact

There is no direct fiscal impact to county governments as they are not the recipients of the funding or subject to the rule.

Federal Fiscal Impact

This rule package presents no fiscal impact federally because the funding for the School Readiness Quality Improvement Program was established in 2003 with federal funding from the Child Care Development Fund and there is no change in funding levels.

Other Fiscal Impact (such as providers, local governments, etc.)

This rule package increases workload for newly applying early childhood education programs pursuing quality improvement grants through the Colorado Shines, School Readiness Quality Improvement Program to comply with eligibility and application requirements. Workload will also increase for early childhood education programs to sustain quality and pursue higher quality levels within the Colorado Shines Quality Rating and Improvement System. The workload impact to early childhood education program will be minimal.

This rule package has minimal workload impact to Early Childhood Councils participating in this funding opportunity to comply with the reporting requirements.

4. Data Description

List and explain any data, such as studies, federal announcements, or questionnaires, which were relied upon when developing this rule?

No formal studies were used or referenced as the rule package was based on statutory requirements. Definitions for Children with identified risk factors was derived using existing definitions from the Colorado Department of Education website along with definitions provided through the federal Race to the Top Early Learning Challenge grant.

5. Alternatives to this Rule-making

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Describe any alternatives that were seriously considered. Are there any less costly or less intrusive ways to accomplish the purpose(s) of this rule? Explain why the program chose this rule-making rather than taking no action or using another alternative. Answer should NEVER be just “no alternative” answer should include “no alternative because...”

There are no alternatives to this rule-making because the statute calls for promulgation of rule for application for funding.

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OVERVIEW OF PROPOSED RULE

Compare and/or contrast the content of the current regulation and the proposed change.

Rule section Number	Issue	Old Language	New Language or Response	Reason / Example / Best Practice	Public Comment No / Detail
Throughout rule package	Align to state statute	Early care and education facilities	Early Childhood Education programs	Align to state statute	No
Throughout rule package	Align to state statute	Early Childhood Care and Education Council	Early Childhood Council	Align to state statute	No
Throughout rule package	Align to state statute	Child Care Center	Early Childhood Education program	Align to state statute	No
7.716	Align to state statute	The purpose of the program is to improve the school readiness of children, five (5) years of age or younger, who are cared for at early care and education facilities located in neighborhoods with eligible elementary schools pursuant to Section 26-6.5-106, C.R.S.	The Colorado School Readiness Quality Improvement Program is part of the Colorado Shines Quality Rating and Improvement System. The purpose of the program is to improve the school readiness of children, five (5) years of age or younger, who are cared for at early childhood education programs pursuant to Section 26-6.5-106, C.R.S.	Align to state statute	Yes, see public comment response table
7.716.1	Align to state statute Align with Early Childhood Council rules Technical updates	Definitions were outdated and did not include statutorily required definitions. The definition for “Child” remains unchanged. Removed definitions include: <ul style="list-style-type: none"> Family Child Care Home – the early childhood definition encompasses this definition Family Support – technical update Guidance – technical update Participates in an Early Childhood Council – technical update 	Updated definitions to align with state statute, including adding definitions as required by statute. Technically updated definitions include: <ul style="list-style-type: none"> Council or Early Childhood Council Early childhood education program New definitions include: <ul style="list-style-type: none"> Children with identified risk factors ; Colorado Shines Quality Rating and Improvement System referred to as Colorado Shines System High quality rating Intentional misrepresentation 	Align to state statute Align with Early Childhood Council rules Technical Updates	Yes, see public comment response table

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		<ul style="list-style-type: none"> Provisional – technical update to align with Colorado Shines Quality Rating and Improvement System 	<ul style="list-style-type: none"> State Department or State means the Colorado Department of Human Services 		
7.716.2A	Align to state statute	Eligible Early Childhood Councils	An Early Childhood Council seeking School Readiness Quality Improvement Program funds shall apply directly to the state department through a formal procurement process.	Align to state statute	No
7.716.2A1	Technical Cleanup	Refers to Early Childhood Council as representing a community	7.716.B1 Clarifies Early Childhood Councils apply on behalf the designated service area it represents	Technical Cleanup	No
7.716.2A2	Align to state statute Align to Early Childhood Council Rules	Details how communities not under the purview of an Early Childhood Council can establish a new council	7.716.B2 Strikes previous language as Early Childhood Council governance is defined in the Early Childhood Council rules and replaces with language defining statutorily defined three year school readiness plan	Align to state statute Align to Early Childhood Council Rules	No
7.716.2A3	Align to Early Childhood Council Rules State Proposed Change	Defines additional stakeholder groups for representation as related to Early Childhood Council governance structure	7.716.B3 Provides the definition of how an Early Childhood Council demonstrates commitment by an early childhood education program by executing a memorandum of understanding with each participating program	Align to Early Childhood Council Rules State Proposed Change	Yes, see public comment response table
7.716.2A4	Align to state statute Technical Cleanup	Describes school readiness plan to improve readiness of children in the Council's community	7.716.B4 Strikes original language, moving the school readiness plan definition to 7.716.2B2 and replaces with language requiring Early Childhood Councils prioritizing distributing funding to programs that serve children with identified risk factors	Align to state statute; technical cleanup	Yes, see public comment response table
7.716.2A5-9	Technical Cleanup	Strikes original language describing school readiness plan minimum requirements, memorandum of understanding requirements, distribution of funds		Technical Cleanup	Yes, see public comment response table

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		based on the school readiness plan, describes voluntary rating system and defines eligible providers as the topics are addressed in other parts of the rule package			
7.716.2 (B) (1-4)	Align to State Statute	Outlines Eligible Care and Education Providers	<p>Section replaced and eligibility for early childhood education programs is addressed in 7.716.3</p> <p>Replacement language: To be eligible to receive funding through the Colorado Shines System, an early childhood council must:</p> <ul style="list-style-type: none"> A. Apply on behalf of the designated service area it represents B. Prepare and submit to the state department a three year school readiness plan that includes, at a minimum: <ul style="list-style-type: none"> 1. A narrative that demonstrates need and strategies developed in partnership with, at a minimum, counties to target and recruit programs to increase access to high quality child care for children participating in the Child Care Assistance Program, 2. Target quality improvement funding to improve the quality level of programs, and to promote family involvement. 3. Early Childhood Education programs must demonstrate a commitment to engage in the Colorado Shines System and 	Align to State Statute	Yes, see public comment response table

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			<p>improve quality by executing a Memorandum of Understanding with the Council.</p> <p>4. The Council must make provisions to prioritize the distribution of quality improvement funding to early education programs that serve children with identified risk factors</p>		
7.716.2C	State Proposed Change		<p>The state department may contract with an existing Early Childhood Council to implement the School Readiness Quality Improvement Program:</p> <ol style="list-style-type: none"> 1. In areas of the state that are not covered by an Early Childhood Council; and, 2. In cases where the Early Childhood Council that covers a particular area of the state that did not apply. 	State Proposed Change	No
7.716.3 Title	Technical Cleanup	Application Process	Early Childhood Education Program Eligibility Criteria	Technical cleanup	No
7.716.3A	Align with State Statute	Request for Proposals will be produced by the State Department	Early childhood education programs are eligible for quality improvement funding if participating in the Colorado Shines Quality Rating and Improvement System	Align with state statute	No
7.716.3B	Align with state statute State proposed change	Early Childhood Council school readiness application process to access funds	<p>Eligibility criteria process: (Reformat #1 to #2 and #2 to #1)</p> <ol style="list-style-type: none"> 1. Rated in the Colorado Shines System at a Level two (2) or higher with an active fiscal agreement with the Colorado Child Care Assistance Program, created in Part 8 of Article 2 of Title 26 at a quality Level 2 or higher and meets the Colorado Shines quality improvement eligibility criteria, as defined within the business rules of the current early 	Align with state statute State proposed change	Yes

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			<p>childhood council contract with the state; or,</p> <ol style="list-style-type: none"> Rating in the Colorado Shines System at a quality Level 1 with a demonstrated hardship that requires additional resources in order to reach a Quality Level 2; and Execute a memorandum of understanding with the early childhood council serving the early childhood education program. 		
7.716.3D	State proposed change		Criteria for participating early childhood education programs becoming ineligible	State proposed change	No
7.716.4 Title	Align with state statute	Improvement in Ratings [Rev. eff. 5/1/10]	<p>Strike and move Improvement of Ratings to 7.716.5</p> <p>Replace with Colorado Shines Quality Rating and Improvement System</p>	Align with state statute	No
7.716.4A	Align with state statute	Ratings must be translated into quality levels that are easily understood by parents and gives an overview of the rating system prior to Colorado Shines	<p>The Colorado Shines System measures the level of preparedness of and quality services provided by an early childhood education program in the following five standard areas:</p> <ol style="list-style-type: none"> Workforce qualifications and professional development; Family partnership; Leadership, management, and administration; Learning environment; and, Child Health 	Align with state statute	No
7.716.45B	Align with State Statute	To maintain eligibility for funding, early care and education facilities must achieve specific and measurable gains in their rating	<p>Strike language and address in 7.716.45B</p> <p>Replace language with Colorado Shines System requirements:</p> <ol style="list-style-type: none"> Measure elements of quality at an early childhood education program; 	Align with State Statute	No

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			<ol style="list-style-type: none"> 2. Be supported by statistically valid research as a reliable measure of quality of an early childhood education program; 3. Include a quality improvement plan that informs participating early childhood programs of their strengths and opportunities and provides early childhood education programs with strategies to improve quality of their services; and, 4. Demonstrate effectiveness at improving the level of quality of providers in geographically diverse Colorado communities; And 5. Be variable to inform parents, counties, and other purchasers of early childhood Care and Education about the level of quality at an early childhood education program in a simple and easy-to-understand manner. 		
7.716.45C	Align with State Statute	At all quality levels, the ratio to adults to children must meet minimum licensing requirements	Strike language	Align with State Statute	No
7.716.5	Technical cleanup	Public Access to Ratings	<p>Strikes original language and moves this to 7.716.6</p> <p>Replaces with: Improvement in Ratings</p>	Technical cleanup	No
7.716.5A	Align with State Statute		Early childhood education programs are required to participate in the Colorado Shines Quality Rating System with the goal to earn and maintain a high quality rating	Align with State Statute	No
7.716.5B	Align with state statute Technical Cleanup		To maintain eligibility for funding, participating programs, must demonstrating specific and measurable gains at the conclusion of each consecutive Colorado Shines rating cycle and a description of how to demonstrate the gains, broken down by rating level; requirements to remain eligible if gains are not met	Align with state statute and technical cleanup	Yes

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7.716.6AB	Technical cleanup	Dispute Resolution [Rev.eff. 5/1/10]	Strikes Dispute resolution language as this language will be updated in 7.716.7 Replace with: Public Access to Ratings Updated language to reflect information provided Colorado Shines website using plain language, including rating and licensing reports of inspection	Technical cleanup	Yes
7.716.7	Technical cleanup		Dispute resolution Updated language to align with the Colorado Shines Quality Rating and Improvement System	Technical cleanup	No

STAKEHOLDER COMMENT SUMMARY

Development

The following individuals and/or entities were included in the development of these proposed rules (such as other Program Areas, Legislative Liaison, and Sub-PAC):

A rule rewrite group was created by the Office of Early Childhood to
 Denver's Early Childhood Council
 Early Childhood Council Leadership Alliance
 Early Childhood Education Association of Colorado

Early Childhood Partnership of Adams County
 Office of Early Childhood Child Care Licensing Unit
 Qualistar Colorado
 Rocky Mountain Early Childhood Council

This Rule-Making Package

The following individuals and/or entities were contacted and informed that this rule-making was proposed for consideration by the State Board of Human Services:

Feedback was received through a 30 day public review and comment period (See detailed Public Comment Response Table.). Notice regarding the public review and comment period were sent through the Office of Early Childhood Stakeholder Distribution List serve which includes 10,694 subscribers representing a wide range of early childhood stakeholders, including families, early childhood service providers / professionals, advocates, and the general public. The Office of Early Childhood newsletter and Colorado Shines newsletter were also used to send notices for the public review and comment period.

The rule package was reviewed during the Early Childhood Leadership Commission, Program Quality and Alignment Committee on May 11, 2018. It is scheduled to be presented and reviewed by the Colorado Department of Human Services Policy Advisory Committee (PAC), Early Childhood Sub-PAC in October.

Other State Agencies

Are other State Agencies (such as HCPF or CDPHE) impacted by these rules? If so, have they been contacted and provided input on the proposed rules?

Yes No

If yes, who was contacted and what was their input?

Sub-PAC

Have these rules been reviewed by the appropriate Sub-PAC Committee?

Yes No

Name of Sub-PAC	Early Childhood Sub-PAC		
Date presented	October 4, 2018		
What issues were raised?			
Vote Count	<i>For</i>	<i>Against</i>	<i>Abstain</i>
	Unanimous		
If not presented, explain why.			

PAC

Have these rules been approved by PAC?

Yes No

Date presented	October 4, 2018		
What issues were raised?			
Vote Count	<i>For</i>	<i>Against</i>	<i>Abstain</i>
	Unanimous		
If not presented, explain why.			

Other Comments

Comments were received from stakeholders on the proposed rules:

Yes No

If "yes" to any of the above questions, summarize and/or attach the feedback received, including requests made by the State Board of Human Services, by specifying the section and including the Department/Office/Division response. Provide proof of agreement or ongoing issues with a letter or public testimony by the stakeholder.

Please see attached table

DEPARTMENT OF HUMAN SERVICES

Social Services Rules

CHILD CARE FACILITY LICENSING

12 CCR 2509-8

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

7.716 COLORADO SCHOOL READINESS QUALITY IMPROVEMENT PROGRAM

The COLORADO SCHOOL READINESS QUALITY IMPROVEMENT PROGRAM IS PART OF THE COLORADO SHINES QUALITY RATING AND IMPROVEMENT SYSTEM. THE purpose of the program is to improve the school readiness of children, five (5) years of age or younger, who are cared for at early CHILDHOOD care and education facilities-PROGRAMS pursuant to Section 26-6.5-106, C.R.S.

7.716.1 DEFINITIONS [~~REV. EFF. 1/1/11~~]

“Child” means a child five (5) years of age or younger.

“CHILDREN WITH IDENTIFIED RISK FACTORS” MEANS CHILDREN WHO HAVE RISKS THAT AFFECT THEIR OVERALL LEARNING ABILITY AND KINDERGARTEN READINESS, RISKS INCLUDE, BUT ARE NOT LIMITED TO:

- A. A CHILD WITH A DISABILITY OR DEVELOPMENTAL DELAY UNDER AGE FIVE WHO HAS AN INDIVIDUAL FAMILY SERVICE PLAN (IFSP), AN INDIVIDUALIZED EDUCATION PROGRAM (IEP) OR MEDICAL CARE PLAN;
- B. A CHILD WHO HAS A HOME LANGUAGE OTHER THAN ENGLISH (ENGLISH LANGUAGE LEARNER);
- C. A CHILD FROM A HOUSEHOLD MEETING INCOME ELIGIBILITY CRITERIA FOR COLORADO CHILD CARE ASSISTANCE PROGRAM;
- D. A CHILD WHO IS MIGRANT AND MEETS THE DEFINITION OF “MIGRATORY CHILD” IN ELEMENTARY AND SECONDARY EDUCATION ACT (ESEA) SECTION 1309(2);
- E. A CHILD WHO RESIDES ON INDIAN LANDS;
- F. A CHILD WHO IS IN FOSTER CARE, KINSHIP CARE OR RECEIVING SERVICES THROUGH THE CHILD WELFARE SYSTEM;
- G. A CHILD WHO IS ELIGIBLE TO RECEIVE FREE OR REDUCED-COST MEALS PURSUANT TO THE PROVISIONS OF THE FEDERAL NATIONAL SCHOOL LUNCH ACT;
- H. A CHILD WHO IS EXPERIENCING HOMELESSNESS OR FREQUENT RELOCATIONS TO NEW RESIDENCES BY THE CHILD’S FAMILY;
- I. DRUG OR ALCOHOL ABUSE IN THE CHILD’S FAMILY;
- J. A CHILD LIVING IN THE HOME WITH AN ABUSIVE ADULT; OR,
- K. EITHER PARENT OF THE CHILD WAS LESS THAN EIGHTEEN YEARS OF AGE AT THE TIME OF THE BIRTH OF THE CHILD.

"COLORADO SHINES QUALITY RATING AND IMPROVEMENT SYSTEM" REFERRED TO AS THE "COLORADO SHINES SYSTEM" shall MEASURE THE LEVEL OF PREPAREDNESS OF, AND QUALITY SERVICES PROVIDED BY, AN EARLY CHILDHOOD EDUCATION PROGRAM to prepare children to enter elementary school.

~~"Early Childhood Care and Education Council" COUNCIL~~ or ~~"Early Childhood Council"~~ means a AN EARLY CHILDHOOD council ~~that represents public and private stakeholders identified or established locally in communities throughout the state, PURSUANT TO SECTION 26-6.5-103 OR 26-6.5-106~~ An ~~Early Childhood Care and Education Council shall provide School Readiness Quality Improvement funding to early care and CHILDHOOD education providers PROGRAMS pursuant to Section 26-6.5-106(3), C.R.S.~~ for the purpose of developing and ultimately implementing a comprehensive SYSTEM OF early childhood SERVICES TO ENSURE ~~system to enhance~~ the school readiness of children five years of age or younger IN THE COMMUNITY..~~"Child Care Center"~~

"EARLY CHILDHOOD EDUCATION PROGRAM" means a facility, by whatever name known, that is maintained for whole or part of a day for the care of five or more children who are eighteen years of age or younger and who are not related to the owner, operator, or manager thereof, whether the facility is operated with or without compensation for such care and with or without stated educational purposes pursuant to Section 26-6-102(1.5), C.R.S. LICENSED CHILD CARE PROGRAM PURSUANT TO PART 1 OF ARTICLE 6 OF THIS TITLE 26 THAT PROVIDES CHILD CARE AND EDUCATION TO CHILDREN FIVE YEARS OF AGE OR YOUNGER.

~~"Early Care and Education Provider" or "Early Care and Education Facility"~~ means a school district, provider, or facility that:

- A. ~~Is licensed pursuant to the Child Care Licensing Act as found in Section 26-6-101, et seq., C.R.S., or that participates in the Colorado Preschool Program pursuant to Article 28 of Title 22, C.R.S.; and,~~
- B. ~~Participates in local community councils.~~

~~"Early Childhood Care and Education Council" or "Early Childhood Council"~~ means a council that represents public and private stakeholders identified or established locally in communities throughout the state pursuant to Section 26-6.5-106, C.R.S. An ~~Early Childhood Care and Education Council shall provide School Readiness Quality Improvement funding to early care and education providers pursuant to Section 26-6.5-106(3), C.R.S.~~ for the purpose of developing and ultimately implementing a comprehensive early childhood system to enhance the school readiness of children five years of age or younger. ~~"Eligible Elementary School"~~ means a public elementary school that:

- A. ~~For the school year immediately preceding submission of the Council's application for funding pursuant to Section 26-6.5-106, C.R.S., is required to implement a priority improvement or turnaround plan as described in Section 22-11-405 or 22-11-406, C.R.S., respectively, or is subject to restructuring pursuant to Section 22-11-210, C.R.S.; and,~~
- B. ~~As of the date on which the Council applies for funding through the Program, is receiving moneys pursuant to Title I of the Federal "Elementary and Secondary Education Act of 1965", 20 U.S.C. Section 6301, et seq., as re-authorized in 2002 as the "No Child Left Behind Act of 2001." No later editions or amendments are included. Copies may be obtained or examined by contacting the Child Care Administrator, Colorado Department of Human Services, Division of Child Care, 1575 Sherman Street, Denver, Colorado 80203; or any State Publications Depository Library; also available at: <http://www2.ed.gov/policy/elsec/leg/esea02/index.html>.~~

~~"Family Child Care Home"~~ means a facility for child care in a place of residence of a family or person for the purpose of providing less than twenty-four hour care for children under the age of eighteen years who are not related to the head of such home pursuant to Section 26-6-102(4), C.R.S.

~~"Family support"~~ means home visitation programs, family resource centers, income assistance programs, and other programs or resources to support family self-sufficiency.

~~“Guidance” means a way of teaching that empowers children to make decisions that are ethical, intelligent, and socially responsible.~~

~~“Participates in an Early Childhood Council” means to be a member of a council or to work with a council in any manner.~~

~~“Provisional” means the rating designation for early care and education facilities that earn zero through nine (0-9) points or receive a learning environment score of zero, and do not achieve at least a 1 star rating.~~

~~“HIGH QUALITY RATING” MEANS A QUALITY RATING LEVEL OF THREE (3), FOUR (4), OR FIVE (5) WITHIN THE COLORADO SHINES SYSTEM.~~

~~“INTENTIONAL MISREPRESENTATION” MEANS A DELIBERATE AND WILLFUL FALSE REPRESENTATION BY SUBMISSION OR OMISSION FROM AN INDIVIDUAL OR EARLY CHILDHOOD EDUCATION PROGRAM IN AN ATTEMPT TO DECEIVE IN ORDER TO RECEIVE A HIGHER COLORADO SHINES QUALITY RATING LEVEL. THIS INCLUDES BUT IS NOT LIMITED TO THE FOLLOWING:~~

- ~~A. A FALSE STATEMENT OF MATERIAL FACT;~~
- ~~B. KNOWLEDGE ON THE PART OF THE INDIVIDUAL THAT THE STATEMENT AND/OR SUBMITTED DOCUMENT IS UNTRUE; OR,~~
- ~~C. INTENT OF THE APPLICANT TO DECEIVE THE STATE AND ALL OTHER AGENTS WORKING ON BEHALF OF THE STATE.~~

~~The “State Department” or “State” means the Colorado Department of Human Services, which is the agency responsible for overseeing the program.~~

~~7.716.2 ELIGIBILITY APPLICATION FOR FUNDING [REV. EFF. 1/1/11]~~

~~A. Eligible Early Childhood Councils—AN EARLY CHILDHOOD COUNCIL SEEKING SCHOOL READINESS QUALITY IMPROVEMENT PROGRAM FUNDS MUST APPLY DIRECTLY TO THE STATE DEPARTMENT THROUGH A FORMAL PROCUREMENT PROCESS THAT ENSURES AN EQUITABLE DISTRIBUTION BETWEEN RURAL AND URBAN COMMUNITIES.~~

~~B. TO BE ELIGIBLE TO RECEIVE SCHOOL READINESS QUALITY IMPROVEMENT PROGRAM FUNDS THROUGH THE COLORADO SHINES SYSTEM, AN EARLY CHILDHOOD COUNCIL MUST:~~

- ~~1. An Early Childhood Council must a Apply for School Readiness—on behalf of the community DESIGNATED SERVICE AREA it represents.~~
- ~~2. Communities that are not under the purview an Early Childhood Council may identify an existing entity to serve as the Early Childhood Council, such as an interagency coordinating council or a Colorado Preschool Program advisory council, or may establish a new council. Early Childhood Council membership shall include representatives from the public and private stakeholders from early care and education, family support, health, and mental health programs to reflect local needs and cultural diversity. The membership of each Early Childhood Council shall represent the geographic diversity within the county or counties involved in the council. Each council shall include, but not be limited to, each of the following stakeholder groups within the Council's services area:
 - ~~a. Local government including, but not limited to, local county departments of human services;~~~~

- b. ~~Early care and education stakeholders including, but not limited to, licensed and legally exempt child care providers, head start grantees, district preschool and kindergarten programs, and school districts;~~
 - c. ~~Health care including, but not limited to, local public health agencies and health care providers;~~
 - d. ~~Parent(s)/guardian(s) of a child/children five years of age or younger;~~
 - e. ~~Mental health care including, but not limited to, community health centers and local mental health care providers;~~
 - f. ~~Child care resource and referral agencies;~~
 - g. ~~Family support programs that reflect local needs, conditions, and cultural diversity.~~
3. ~~In addition to stakeholder groups referred to in Section 7.716.2, A, 2, a-g, stakeholder representation may include any combination of the following groups:~~
- a. ~~Child care associations;~~
 - b. ~~Parent organizations;~~
 - c. ~~Head Start policy councils;~~
 - d. ~~A chamber or chambers of commerce;~~
 - e. ~~Local businesses;~~
 - f. ~~Faith-based, private for profit, and nonprofit organizations;~~
 - g. ~~Higher education institutions; and,~~
 - h. ~~Libraries.~~
2. 4. ~~The Council must PREPARE AND submit TO THE STATE DEPARTMENT a THREE YEAR school readiness SCHOOL READINESS plan THAT INCLUDES, AT MINIMUM: to improve the readiness of children in the Council's community. The Council's school-readiness plan must:~~
- a. A NARRATIVE THAT DEMONSTRATES THE NEED TO IMPROVE QUALITY AND INCREASE THE CAPACITY OF EARLY CHILDHOOD EDUCATION PROGRAMS IN ITS SERVICE AREA ~~Be for a three-year period;~~ and,
 - b. STRATEGIES DEVELOPED IN PARTNERSHIP WITH COMMUNITY PARTNERS TO INCLUDE, AT MINIMUM, COUNTY DEPARTMENTS OF HUMAN OR SOCIAL SERVICES, FOR HOW THE EARLY CHILDHOOD COUNCIL WILL TARGET AND RECRUIT EARLY CHILDHOOD EDUCATION PROGRAMS THAT ARE RATED IN THE COLORADO SHINES SYSTEM AT A LEVEL TWO OR HIGHER OR THAT ARE LICENSED PROGRAMS WITH DEMONSTRATED HARDSHIP THAT ARE ACTIVELY WORKING TOWARD ACHIEVING A COLORADO SHINES SYSTEM LEVEL TWO RATING TO:
 - i. INCREASE THE ACCESS AND AVAILABILITY OF HIGH QUALITY CHILD CARE FOR CHILDREN PARTICIPATING IN THE COLORADO CHILD CARE ASSISTANCE PROGRAM CREATED IN PART 8 OF

~~ARTICLE 2 OF TITLE 26; Contain strategies for improving the school readiness of children who will ultimately attend eligible elementary schools in the Council's community.~~

- ii. TARGET QUALITY IMPROVEMENT FUNDING TO IMPROVE THE LEVEL OF QUALITY AT PARTICIPATING EARLY CHILDHOOD EDUCATION PROGRAMS; AND,
- iii. PROMOTE FAMILY INVOLVEMENT AS ALIGNED TO THE FAMILY ENGAGEMENT QUALITY INDICATOR WITHIN THE COLORADO SHINES QUALITY RATING AND IMPROVEMENT SYSTEM FRAMEWORK.

~~5. Each Council's school-readiness plan must include, at a minimum, the following:~~

- a. ~~The number and location of "eligible elementary schools" in the Council's community, as defined in Section 7.716.1, Definitions".~~
- b. ~~The number and location of early care and education providers that will voluntarily participate in the program.~~
- c. ~~A commitment that the providers identified in the school-readiness plan will cooperate with and participate in the school-readiness rating system identified in the plan.~~
- d. ~~Community strategies to target school-readiness funds shall engage young children, providers, schools, families, and/or local communities. Community strategies shall be determined by the level of quality demonstrated by participating early care and education providers upon application to the School-Readiness Quality Improvement Program. All community strategies shall be implemented at an intensity level, to be determined by the local Early Childhood Council, over the course of a funding cycle. Community strategies shall place an emphasis on improving the following:~~
 - 1) ~~The quality of learning environment;~~
 - 2) ~~The quality of adult-child interactions;~~
 - 3) ~~The quality of child guidance techniques and practices;~~
 - 4) ~~The health and safety of children;~~
 - 5) ~~Parent and family engagement;~~
 - 6) ~~Professional development and education;~~
 - 7) ~~Management and leadership;~~
 - 8) ~~Business practices including, but not limited to, administering an Early Childhood Care and Education Program;~~
 - 9) ~~Special needs services; and,~~
 - 10) ~~Mental health services.~~
- e. ~~A methodology for equitably distributing school-readiness funds to eligible early care and education providers within their Council's community;~~

~~f. Evidence that the voluntary school readiness rating system is included in the school readiness plan.~~

36. ~~The EARLY CHILDHOOD Council must demonstrate the commitment of the ECE facilities EXECUTE A MEMORANDUM OF UNDERSTANDING WITH PARTICIPATING EARLY CHILDHOOD EDUCATION PROGRAMS TO SECURE THE PROGRAM'S COMMITMENT TO ENGAGE IN THE COLORADO SHINES SYSTEM AND IMPROVE QUALITY identified in the Council's school readiness plan to cooperate with and participate in the school readiness rating system.~~

~~Each participating provider shall sign a memorandum of understanding to participate in the School Readiness Quality Improvement Program. The memorandum of understanding shall:~~

- ~~a. Obligate sites that have never been through a quality rating process before, or those that have been rated in the year immediately prior to entering the program and have scored 0–2 stars, to be rated on an annual basis throughout the funding cycle; or,~~
- ~~b. Obligate sites that have been rated in the year immediately prior to entering the program and that have earned 3 or 4 stars to be rated annually for the first two years of the funding cycle. Early care and education providers that have maintained a rating of 3 or 4 stars during the first two years of the funding cycle will enter the maintenance phase of the program.~~

47. THE EARLY CHILDHOOD COUNCIL MUST MAKE PROVISIONS TO PRIORITIZE THE DISTRIBUTION OF QUALITY IMPROVEMENT FUNDING TO EARLY CHILDHOOD EDUCATION PROGRAMS THAT SERVE CHILDREN WITH IDENTIFIED RISK FACTORS.

C. THE STATE DEPARTMENT SHALL CONTRACT WITH AN EXISTING EARLY CHILDHOOD COUNCIL TO IMPLEMENT THE SCHOOL READINESS QUALITY IMPROVEMENT PROGRAM:

1. IN AREAS OF THE STATE THAT ARE NOT COVERED BY AN EARLY CHILDHOOD COUNCIL; AND,
2. IN CASES WHERE THE EARLY CHILDHOOD COUNCIL THAT COVERS A PARTICULAR AREA OF THE STATE DID NOT APPLY.

~~Councils that receive funds must distribute, or otherwise make provisions to distribute, those funds to ECE in a timely fashion per their school readiness plan as described in Section 7.716.2, A, 4-5~~

- ~~8. Administrative costs associated with project budgets must not exceed five percent (5%) of the total amount requested from the State.~~
9. The voluntary school readiness, rating system shall:
 - ~~a. Measure elements of quality at an facility such as:
 - 1) Quality of the learning environment.
 - 2) Quality of adult-child interactions.
 - 3) Adult to-child ratios.
 - 4) Provider credentials including recognized credentials through the State Department's voluntary credentialing system or equivalent.~~

~~5) Parent involvement activities at the facility.~~

~~b. Inform parents, counties, and other purchasers of early care and education about the level of quality of an facility in a simple and easy to understand manner.~~

~~c. Be supported by statistically valid research as a reliable measure of quality of an facility;~~

~~d. Include a quality improvement plan that informs rated providers of their strengths and weaknesses and that provides such providers with strategies to improve the quality of their services; and,~~

~~e. Have demonstrated effectiveness at improving the level of quality of providers in geographically diverse Colorado communities.~~

~~B. Eligible Care and Education Providers:~~

~~1. Early care and education providers must participate in a local community Early Childhood Council.~~

~~2. Early Childhood Councils may work with any licensed ECE provider located within the Council's community.~~

7.716.3 APPLICATION PROCESS EARLY CHILDHOOD EDUCATION PROGRAM ELIGIBILITY CRITERIA-[REV. EFF. 1/1/11]

A. ~~Requests for Proposals (RFPs) will be produced by the State Department.~~ EARLY CHILDHOOD EDUCATION PROGRAMS ARE ELIGIBLE FOR QUALITY IMPROVEMENT FUNDING IF PARTICIPATING IN THE COLORADO SHINES QUALITY RATING AND IMPROVEMENT SYSTEM.

B. QUALITY IMPROVEMENT FUNDS SHALL ONLY BE AWARDED TO EARLY CHILDHOOD EDUCATION PROGRAMS THAT MEET THE FOLLOWING CRITERIA:

1. RATED IN THE COLORADO SHINES SYSTEM AT A QUALITY LEVEL 2 OR HIGHER AND MEETS THE COLORADO SHINES QUALITY IMPROVEMENT ELIGIBILITY CRITERIA, AS DEFINED WITHIN THE BUSINESS RULES OF THE CURRENT EARLY CHILDHOOD COUNCIL CONTRACT WITH THE STATE; OR,
2. RATED IN THE COLORADO SHINES SYSTEM AT A QUALITY LEVEL ONE (1) WITH A DEMONSTRATED HARDSHIP THAT REQUIRES ADDITIONAL RESOURCES IN ORDER TO REACH A QUALITY LEVEL TWO (2); AND,
3. UPON AWARD, EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE EARLY CHILDHOOD COUNCIL SERVING THE EARLY CHILDHOOD EDUCATION PROGRAM.

C. PARTICIPATING EARLY CHILDHOOD EDUCATION PROGRAMS WILL BECOME INELIGIBLE IF THEY ARE:

1. IN RECEIPT OF A NOTICE OF CHILD CARE LICENSE REVOCATION OR SUSPENSION;
2. UNDER REVIEW OR DETERMINED TO HAVE COMMITTED INTENTIONAL MISREPRESENTATION AS DEFINED IN 7.716.1;

3. NOT COMPLIANT WITH MEMORANDUM OF UNDERSTANDING EXECUTED BETWEEN THE EARLY CHILDHOOD COUNCIL AND THE EARLY CHILDHOOD EDUCATION PROGRAM; OR,
4. NOT COMPLIANT WITH IMPROVEMENT IN RATINGS SECTION 7.716.45.

~~B. Each Early Childhood Council may submit only one school readiness application for the community it represents.~~

~~C. A review committee comprised of a minimum of five (5) individuals shall be convened to evaluate the applications submitted by the eligible councils. Funds shall be distributed equitably among rural and urban communities. To ensure equitable distribution, the review committee shall consider, at a minimum, the following elements for each application:~~

- ~~1. Community demographic information.~~
- ~~2. Completeness of response to application questions.~~
- ~~3. Viability of the school readiness plan submitted with applications.~~
- ~~4. Demonstrated ability of the community to achieve the planned goals.~~

7.716.4 COLORADO SHINES QUALITY RATING AND IMPROVEMENT SYSTEM

A. THE COLORADO SHINES QUALITY RATING AND IMPROVEMENT SYSTEM MEASURES THE LEVEL OF PREPAREDNESS OF AND QUALITY SERVICES PROVIDED BY AN EARLY CHILDHOOD EDUCATION PROGRAM IN THE FOLLOWING FIVE STANDARD AREAS:

1. WORKFORCE QUALIFICATIONS AND PROFESSIONAL DEVELOPMENT;
2. FAMILY PARTNERSHIP;
3. LEADERSHIP, MANAGEMENT, AND ADMINISTRATION;
4. LEARNING ENVIRONMENT; AND,
5. CHILD HEALTH.

B. THE COLORADO SHINES SYSTEM SHALL:

1. MEASURE ELEMENTS OF QUALITY AT AN EARLY CHILDHOOD EDUCATION PROGRAM;
2. BE SUPPORTED BY STATISTICALLY VALID RESEARCH AS A RELIABLE MEASURE OF QUALITY OF AN EARLY CHILDHOOD EDUCATION PROGRAM;
3. INCLUDE A QUALITY IMPROVEMENT PLAN THAT INFORMS PARTICIPATING EARLY CHILDHOOD EDUCATION PROGRAMS OF THEIR STRENGTHS AND OPPORTUNITIES AND PROVIDES EARLY CHILDHOOD EDUCATION PROGRAMS WITH STRATEGIES TO IMPROVE THE QUALITY OF THEIR SERVICES;
4. DEMONSTRATE EFFECTIVENESS AT IMPROVING THE LEVEL OF QUALITY OF PROVIDERS IN GEOGRAPHICALLY DIVERSE COLORADO COMMUNITIES; AND,
5. BE VARIABLE TO INFORM PARENTS, COUNTIES, AND OTHER PURCHASERS OF EARLY CHILDHOOD CARE AND EDUCATION ABOUT THE LEVEL OF QUALITY AT

AN EARLY CHILDHOOD EDUCATION PROGRAM IN A SIMPLE AND EASY-TO-UNDERSTAND MANNER.

7.716.45 IMPROVEMENT IN RATINGS [~~REV. EFF. 5/1/10~~]

~~A. Ratings must be translated into quality levels that are easily understood by parents.~~

~~For both child care centers and family child care homes:~~

A. TO BE ELIGIBLE FOR QUALITY IMPROVEMENT FUNDS, EARLY CHILDHOOD EDUCATION PROGRAMS ARE REQUIRED TO PARTICIPATE IN THE COLORADO SHINES QUALITY RATING SYSTEM WITH THE GOAL TO EARN AND/OR MAINTAIN A HIGH QUALITY RATING.

~~1. Provisional – 0-9 points or learning environment score of 0~~

~~2. Star 1 = 10-17 points~~

~~3. Star 2 = 18-25 points~~

~~4. Star 3 = 26-33 points~~

~~5. Star 4 = 34-42 points~~

~~[Note: The above number of points for the approved levels are incorporated by reference from the "Qualistar Rating Criteria", July 2008. No later editions or amendments are included. Copies may be obtained or examined by contacting the Child Care Programs Administrator, Colorado Department of Human Services, Division of Child Care, 1575 Sherman Street, Denver, Colorado 80203; or any State Publications Depository Library.]~~

B. To maintain eligibility for funding, PARTICIPATING early CHILDHOOD care and education PROGRAMS facilities must achieve MUST DEMONSTRATE specific and measurable gains in AT THE CONCLUSION OF EACH CONSECUTIVE COLORADO SHINES RATING CYCLE their rating, as established by the rating organization and referred to in Section 7.716.4, A, as follows:

1. EARLY CHILDHOOD EDUCATION PROGRAMS THAT COMPLETE AN ONSITE COLORADO SHINES ASSESSMENT AND DO NOT ACHIEVE A HIGH QUALITY RATING MUST RE-RATE WITHIN AN EIGHTEEN (18) MONTH TIME PERIOD.
2. EARLY CHILDHOOD EDUCATION PROGRAMS THAT EARN A QUALITY RATING LEVEL THREE (3) MUST MEET ONE OF THE FOLLOWING CRITERIA TO MAINTAIN ELIGIBILITY FOR FUNDING:
 - a. INCREASE THEIR AVERAGE ENVIRONMENT RATING SCALE SCORE;
 - b. INCREASE THEIR TOTAL QUALITY POINTS EARNED; OR,
 - c. EARN A QUALITY RATING LEVEL FOUR (4) OR FIVE (5).
3. EARLY CHILDHOOD EDUCATION PROGRAMS THAT EARN A QUALITY RATING LEVEL FOUR (4) OR FIVE (5) MUST MAINTAIN EITHER A LEVEL FOUR (4) OR LEVEL FIVE (5).
4. EARLY CHILDHOOD EDUCATION PROGRAMS THAT DO NOT MAINTAIN A HIGH QUALITY RATING LEVEL DURING A RATING CYCLE, MUST RE-RATE WITHIN AN EIGHTEEN (18) MONTH TIME PERIOD IN ORDER TO REMAIN ELIGIBLE.

- ~~1. ECE facilities with a quality rating of zero (0) to two (2) stars must increase their rating points by at least four (4) points within twelve (12) months following each rating; and if their score in the learning environment subcategory is less than six (6) points, they must also earn at least two (2) of these additional points in this category.~~
- ~~2. Facilities that have maintained a rating of three (3) or four (4) stars for the first two years of the funding cycle will move into the maintenance phase of the program during which they will be rated every two years (biennially). After the facility has earned three (3) or four (4) stars for two consecutive biennial ratings, the facility shall no longer be eligible to participate in the School Readiness Quality Improvement Program.~~
- ~~3. Sites that fall below a three (3) or four (4) star rating at any time during the funding cycle must enter into the dispute resolution review process in order to remain eligible to participate in the program.~~
- ~~4. Regardless of star level, no early care and education provider shall participate in the School Readiness Quality Improvement program for more than six (6) years; however, when there are extenuating circumstances beyond the control of the early care and education facility or provider consideration will be given using the waiver process pursuant to Section 7.701.13. This provision shall be applied in the next funding cycle and thereafter.~~

~~C. At all quality levels, the ratio of adults to children must meet minimum licensing requirements.~~

7.716.56 PUBLIC ACCESS TO RATINGS

~~School readiness ratings for any participating early care and education provider shall not be published without the provider's signed authorization until the participating provider has participated in the School Readiness Quality Improvement Program for a minimum of 12 months in order to give participating providers an equitable opportunity to improve their scores. Ratings will be publicly accessible sixty (60) calendar days following the determination of subsequent ratings or following the issuance of a finalized rating after a dispute.~~

- A. ~~ONCE FINAL, THE STATE DEPARTMENT PUBLISHES THE EARLY CHILDHOOD EDUCATION PROGRAM'S QUALITY RATING INFORMATION ON THE COLORADO SHINES QUALITY RATING AND IMPROVEMENT SYSTEM WEBSITE.~~
- B. ~~QUALITY RATING INFORMATION IS PROVIDED IN PLAIN LANGUAGE AND INCLUDES THE CHILD CARE LICENSING REPORTS OF INSPECTION FOR EACH EARLY CHILDHOOD EDUCATION PROGRAM.~~

7.716.67 DISPUTE RESOLUTION ~~[REV. EFF. 5/1/10]~~

- A. ~~The State Department, through the Division of EARLY CARE AND LEARNING-Child Care, shall provide for an informal dispute resolution process TO INCLUDE A CONSULTATION AND APPEAL PROCESS, THROUGH THE COLORADO SHINES SYSTEM to resolve disputes between the rating organization and a participating provider concerning the ratings which the provider receives, and to resolve disputes arising when a provider's follow-up rating does not meet the criteria for continued eligibility as per Section 7.716.4, B.~~
- B. ~~Participating providers-EARLY CHILDHOOD EDUCATION PROGRAMS shall be notified of the dispute resolution process by the COLORADO SHINES SYSTEM RATING ADMINISTRATOR WHEN PARTICIPATING IN THE POST-RATING ASSESSMENT CONSULTATION, INFORMATION IS ADDITIONALLY LOCATED WITHIN THE ONLINE PROGRAM PORTAL-local council when the providers begin their program participation and by the rating organization as part of the post-rating consultation.~~

- C. EARLY CHILDHOOD EDUCATION PROGRAMS MUST REQUEST A POST-RATING ASSESSMENT CONSULTATION WITHIN THIRTY CALENDAR (30) DAYS OF RECEIVING THEIR ASSESSMENT RESULTS AND PRIOR TO SUBMITTING AN APPEAL. ~~The Division of Child Care will convene a dispute resolution panel familiar with the rating system. The panel will consist of one person representing the Division of Child Care, one person representing the Colorado Department of Education, and one person certified as a rater in the approved rating system who is not an employee of the rating organization and who does not otherwise have an interest in the decision of the dispute resolution panel.~~
- D. EARLY CHILDHOOD EDUCATION PROGRAMS MUST SUBMIT A WRITTEN FORMAL REQUEST FOR AN APPEAL AND ALL RELEVANT DOCUMENTATION WITHIN TEN (10) CALENDAR DAYS OF RECEIVING ITS POST-RATING ASSESSMENT CONSULTATION. ~~The dispute resolution panel will make decisions by a simple majority vote of the panelists.~~
- E. THE FORMAL APPEAL OF THE EARLY CHILDHOOD EDUCATION PROGRAM'S ASSESSMENT WILL BE REVIEWED BY THE COLORADO SHINES ASSESSMENT ADVISORY COMMITTEE, WHICH DETERMINES WHETHER OR NOT ERRORS HAVE OCCURRED AND WILL ADJUST PROGRAM SCORES, IF WARRANTED. ~~Requests for dispute resolution by a provider must be submitted in writing to the Division of Child Care within thirty (30) calendar days of the day the provider receives the rating consultation from the rating organization. Requests must include, at a minimum, the name and address of the provider, the provider's license number, the rating in dispute, and the provider's reasons for disputing the rating.~~
- F. IN CASES WHERE AN EARLY CHILDHOOD EDUCATION PROGRAM REQUESTS A FORMAL APPEAL OF THE EARLY CHILDHOOD EDUCATION PROGRAM'S ASSESSMENT, ALL CALCULATIONS WILL BE BASED ON THE INFORMATION GATHERED DURING THE RATING WINDOW. ~~The panel will review all information submitted by the provider, the provider's council, the State Department, or the rating organization that is pertinent to the dispute.~~
1. EARLY CHILDHOOD EDUCATION PROGRAMS ARE RESPONSIBLE FOR SUBMITTING ANY RELEVANT DATA TO THE COLORADO SHINES SYSTEM RATING ADMINISTRATOR WITHIN TEN (10) CALENDAR DAYS OF THE POST-RATING ASSESSMENT CONSULTATION.
 2. CHANGES IN THE EARLY CHILDHOOD EDUCATION PROGRAM, SUCH AS THE HIRING OF NEW STAFF THAT HAPPENED AFTER THE CLOSE OF THE RATING WINDOW, WILL NOT BE CONSIDERED IN THE RESCORING PROCESS.
- G. THE COLORADO SHINES ASSESSMENT ADVISORY COMMITTEE SHALL NOTIFY EARLY CHILDHOOD EDUCATION PROGRAMS OF ITS DECISIONS WITHIN TEN (10) BUSINESS DAYS OF THE MEETING AT WHICH THE REQUEST FOR REVIEW WAS CONDUCTED. ~~The dispute resolution panel will be able to conduct, at its discretion, face-to-face interviews or telephone conferences to hear arguments from the provider and/or the rating organization.~~
- H. ~~The dispute resolution panel will require the rating organization to issue a new rating if the panel determines that the original rating was in error.~~
- I. ~~In a dispute about a provider's continued eligibility in the program, the panel may give the provider a probationary period of up to six (6) months in which to improve in specified areas. At the end of the probationary period, the panel will reconvene to determine whether the provider satisfactorily met the terms of its probation.~~
- J. ~~The cost of meeting the terms of probation may be partially or wholly borne by the provider as determined by the dispute resolution panel.~~
- K. ~~The dispute resolution panel will have additional sixty (60) calendar days from receipt of the provider's request to issue a final decision to the provider in writing.~~

Editor's Notes

History

Sections 7.702; 7.707; 7.712 eff. 05/01/2007.

Sections 7.705, 7.711, 7.712, 7.719 eff. 06/01/2007.

Sections 7.701.2; 7.701.3; 7.708; 7.709; 7.710 eff. 07/30/2007.

Sections 7.701.32-33, 7.710.56.A-J.5 emer. rule eff. 08/03/2007.

Sections 7.710.33.L-M, 7.710.36.A eff. 09/01/2007.

Sections 7.701.32-33; 7.710.56 eff. 10/30/2007.

Sections 7.710.52, 7.710.56 emer. rule eff. 12/07/2007.

Sections 7.710.52; 7.710.56 eff. 01/30/2008.

Section 7.710.32 eff. 04/01/2008.

Sections B&P, 7.701.4, 7.707.42, 7.712.33, eff. 09/01/2008.

Sections 7.709, 7.710.34, 7.710.36 eff. 11/01/2008.

Section 7.707 eff. 01/01/2010.

Sections 7.702.52-7.702.54, 7.702.55.D-7.702.56.A(5), 7.710.1-7.710.25, 7.710.33.A, J, L(6), M, 7.710.34-7.710.42, 7.710.45-7.710.98, 7.716.4-7.716.6.B eff. 05/01/2010.

Section 7.701.33.A emer. rule eff. 09/10/2010.

Section 7.701.33.A eff. 12/01/2010.

Sections 7.716.1, 7.716.2.A.7, 7.716.3 eff. 01/01/2011.

Section 7.710.12 eff. 03/02/2011.

Sections 7.700, 7.701.11, 7.701.2, 7.701.33.A, 7.701.4, 7.720 eff. 04/01/2011.

Section 7.701.33.A-D.1, 7.701.33.H-I emer. rule eff. 08/10/2011.

Sections 7.701.33.A-D.1, 7.701.33.H-I eff. 11/01/2011.

Sections 7.705.9-7.705.96 repealed eff. 01/01/2012; Sections 7.701.2, 7.705.1, 7.705.33, 7.705.42, 7.705.43, 7.714, 7.714.4, 7.714.932 eff. 01/01/2012.

Section 7.17 repealed eff. 02/01/2012.

Section 7.708 eff. 04/01/2012.

Sections 7.701.2, 7.701.31, 7.701.33, 7.701.4, 7.701.9, 7.702.2, 7.702.43, 7.702.91, 7.705, 7.705.22, 7.705.33, 7.705.55, 7.705.6, 7.705.82, 7.705.84, 7.705.100, 7.706, 7.706.1, 7.706.15 - 17, 7.706.19, 7.707.1, 7.707.22, 7.707.31, 7.707.71, 7.707.923, 7.708.11, 7.708.31, 7.708.34-35, 7.708.36, 7.708.61, 7.708.65, 7.709.2, 7.709.21, 7.709.24, 7.710, 7.710.11, 7.710.2, 7.710.21-22, 7.710.24-25, 7.710.33-34, 7.710.36, 7.710.41-42, 7.710.44-45, 7.710.52-53, 7.710.55-56, 7.710.92-93, 7.711.1, 7.712.41-42, 7.712.74, 7.713, 7.713.1, 7.713.21, 7.713.23-25, 7.713.31, 7.713.41, 7.713.56, 7.713.65, 7.714, 7.714.1-2, 7.714.4-5, 7.714.52-53, 7.714.92, 7.714.933, 7.715.11, 7.715.46, 7.715.82, 7.715.84.H, 7.720.41, 7.720.73 eff. 06/01/2012. Sections 7.702.1, 7.705.7, 7.707.32.B.7, 7.710.26, 7.711.75.W, 7.712.1, 7.712.33, 7.718 repealed eff. 06/01/2012.

Sections 7.702.44, 7.708.39.A, 7.709.29.E eff. 07/01/2012.

Section 7.708.11 emer. rule eff. 09/07/2012.

Sections 7.701.21, 7.705.81-82, 7.708.1.B, 7.710.1, 7.710.33.A-J, 7.715.1, 7.715.33, 7.715.43.F-K, 7.715.71.A, 7.721 eff. 09/15/2012.

Sections 7.708.11, 7.708.7 eff. 12/01/2012.

Sections 7.701.2.D, 7.711.1 eff. 04/01/2013.

Sections 7.701.13, 7.701.33 eff. 02/01/2014.

Sections 7.708.21, 7.708.21.I, 7.721.3, 7.721.3.G eff. 07/01/2014.

Section 7.701.35 eff. 08/01/2014.

Sections 7.701.100, 7.702.42, 7.702.64, 7.702.73, 7.706.19, 7.707.6, 7.707.75, 7.711.76, 7.712.32, 7.712.74 eff. 04/01/2015. Section 7.702.93 repealed eff. 04/01/2015.

Sections 7.701.2, 7.701.4, 7.706.1 eff. 10/01/2015.

Sections 7.701.200, 7.705.22.A, 7.705.83, 7.708.39, 7.708.39, 7.708.61, 7.708.61.K, 7.708.65, 7.709.22, 7.709.22.I, 7.709.25, 7.709.25.E, 7.710.43, 7.710.43.H-I eff. 11/01/2015.

Sections 7.701.2, 7.701.32, 7.701.33, 7.701.34, 7.701.56, 7.708, 7.708.1, 7.708.11, 7.708.2-7.708.21-7.708.26, 7.708.3-7.708.31, 7.708.33, 7.708.34, 7.708.35, 7.708.36, 7.708.37, 7.708.38, 7.708.39, 7.708.41, 7.708.42, 7.708.43,-7.708.46, 7.708.51, 7.708.52, 7.708.61, 7.708.62, 7.708.63, 7.708.64, 7.708.65, 7.708.67, 7.708.7, 7.708.71, 7.708.72, 7.708.74, 7.710, 7.710.1, 7.710.3-7.710.31, 7.710.33, 7.710.34, 7.710.36, 7.710.52 eff. 01/01/2016.

Sections 7.702-7.702.94 eff. 02/01/2016.

Sections 7.701, 7.702, 7.707, 7.712 eff. 10/01/2016.

Section 7.717 eff. 04/01/2017.

Sections 7.701.200, 7.708.42, 7.710-7.710.56, 7.710.91-7.710.98, 7.721.921 eff. 10/01/2017.

Please note: Comments are pasted directly as submitted unless they are long. If they are too long to contain in the table, they are summarized.

Public Comment Response Table			
Section(s)	Public Comment	Description of Change	Revised Rule (Blank = no revision)
7.716.1	A family may meet income eligibility but not choose to be served by CCCAP. There are other funding streams that serve low-income children with quality early childhood experiences. Quality is something every child deserves. Why limit it to only sites/programs who fit within the restriction of accepting CCCAP.	No Change in language. Concern over the CCCAP fiscal agreement is addressed by the Office of Early Childhood in 7.716.3. this section is addressing definitions to align with state statute.	
7.716.1	The definition of "children with identified risk factors" is to be commended for the broad conception of the many research-based risks that could place a child in a set of circumstances that jeopardize their school readiness. The inclusiveness of the categories is appreciated.	No change in language	
7.716.1	<p>Comment after section M. Needs clarification around demonstrated hardship. Does not make sense to state Currently Level 1, working toward achieving a Colorado Shines Level 2 rating or has not secured a county fiscal agreement. Can the hardship include a program that is Level 2 and has not yet secured a county fiscal agreement due to events such as those listed in A-D.</p> <p>Would be good to add an "E" event to the A-D list that says "an event approved by the Office of Early Childhood" to allow for approval of other hardship circumstances that are not listed.</p>	No Change in language. Concern over the CCCAP fiscal agreement is addressed by the Office of Early Childhood in 7.716.3.	

7.716.2	<p>We know having a CCAP agreement is not the only way to support at-risk children and families. By dictating that this is the only way leaves out a large number of providers and creates needless paperwork to have to force programs to put in place a CCAP contract that won't have active enrollment just to jump through a hoop. While we will always support expanding the number of programs who accept CCAP, we should also advocate for other options that would also make programs eligible and continue to support programs who support at-risk children. Head Start programs, CPP and medicaid waivers are examples of other ways programs support at-risk children and our Council feels strongly that these should also be ways to qualify for CCCAP funding. Without more than one way to qualify, this creates boundaries for many programs across the state. These programs should be able to access funds to continue to improve quality. The overall goal is to improve quality of all programs throughout the state while also supporting programs who serve at-risk children.</p>	<p>No Change in language. Concern over the CCCAP fiscal agreement is addressed by the Office of Early Childhood in 7.716.3.</p>	
7.712.2B	<p>Section 4: Suggest flipping the language to say "The Early Childhood Council must execute a memorandum of understanding with participating programs to secure the programs commitment to engage in the Colorado Shines Quality Rating and Improvement System and to improve quality."</p>	<p>The Office of Early Childhood thinks the commentors meant 7.716.2B3 Accepted suggested language change</p>	<p>The EARLY CHILDHOOD Council must demonstrate the commitment of the ECE-facilities EXECUTE A MEMORANDUM OF UNDERSTANDING WITH PARTICIPATING EARLY CHILDHOOD EDUCATION PROGRAMS TO SECURE THE PROGRAM'S COMMITMENT TO ENGAGE IN THE COLORADO SHINES SYSTEM AND IMPROVE QUALITY identified in the Council's school-readiness plan to cooperate with and participate in the school-readiness rating system.</p>
7.712.2B	<p>Section 5: Does the statement that "Early Childhood Councils must make provisions to prioritize the distribution of school readiness quality improvement funds.....to serve children with risk factors...." mean that councils will be able to adjust funding to meet program needs? The current system is formula driven and does not allow achievement of equity for these programs serving highest risk children.</p>	<p>The Office of Early Childhood thinks the commentors meant 7.716.2B4 No change in language. Funding levels and distribution of funds will be addressed via the contracting process with Early Childhood Councils.</p>	

7.716.3	An active fiscal agreement with CCAP is mentioned, however would it be possible to also add an active agreement as a community provider with the Colorado Preschool Program?	The Office of Early Childhood removed the CCCAP fiscal agreement requirement from the rules and will address funding requirement through The Colorado Shines Business Rules and contracting process with Early Childhood Councils.	QUALITY IMPROVEMENT FUNDS SHALL ONLY BE AWARDED TO EARLY CHILDHOOD EDUCATION PROGRAMS THAT MEET THE FOLLOWING CRITERIA: 1. RATED IN THE COLORADO SHINES SYSTEM AT A MINIMUM QUALITY LEVEL 2 AND MEETS THE COLORADO SHINES QUALITY IMPROVEMENT ELIGIBILITY CRITERIA, AS DEFINED WITHIN THE BUSINESS RULES OF THE CURRENT EARLY CHILDHOOD COUNCIL CONTRACT WITH THE STATE; OR, 2. RATED IN THE COLORADO SHINES SYSTEM AT A QUALITY LEVEL ONE (1) WITH A DEMONSTRATED HARDSHIP THAT REQUIRES ADDITIONAL RESOURCES IN ORDER TO REACH A QUALITY LEVEL TWO (2).
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7.716.3	<p>I feel the stipulation that the Early Childhood Program must have a CCAP Fiscal agreement has limiting possibilities. A program should have the ability to not function within the regulatory system and choose to help families that just miss the eligibility requirements by a few dollars without penalty. Some programs do not need to accept CCAP and may not want to accept CCAP clients due to previous experiences that were not favorable. I believe they should remove that requirement.</p>	<p>The Office of Early Childhood removed the CCCAP fiscal agreement requirement from the rules and will address funding requirement through The Colorado Shines Business Rules and contracting process with Early Childhood Councils.</p>	<p>QUALITY IMPROVEMENT FUNDS SHALL ONLY BE AWARDED TO EARLY CHILDHOOD EDUCATION PROGRAMS THAT MEET THE FOLLOWING CRITERIA:</p> <ol style="list-style-type: none"> 1. RATED IN THE COLORADO SHINES SYSTEM AT A MINIMUM QUALITY LEVEL 2 AND MEETS THE COLORADO SHINES QUALITY IMPROVEMENT ELIGIBILITY CRITERIA, AS DEFINED WITHIN THE BUSINESS RULES OF THE CURRENT EARLY CHILDHOOD COUNCIL CONTRACT WITH THE STATE; OR, 2. RATED IN THE COLORADO SHINES SYSTEM AT A QUALITY LEVEL ONE (1) WITH A DEMONSTRATED HARDSHIP THAT REQUIRES ADDITIONAL RESOURCES IN ORDER TO REACH A QUALITY LEVEL TWO (2).
7.716.3B	<p>In Weld County, many children that meet the eligibility requirements attend CPP or Headstart programs. Because of the requirement of having an active CCCAP agreement to secure grant funding these programs are left out of quality improvement funds. Some rural CPP programs do not have needed financial support from the school district they reside in.</p>	<p>The Office of Early Childhood removed the CCCAP fiscal agreement requirement from the rules and will address funding requirement through The Colorado Shines Business Rules and contracting process with Early Childhood Councils.</p>	<p>QUALITY IMPROVEMENT FUNDS SHALL ONLY BE AWARDED TO EARLY CHILDHOOD EDUCATION PROGRAMS THAT MEET THE FOLLOWING CRITERIA:</p> <ol style="list-style-type: none"> 1. RATED IN THE COLORADO SHINES SYSTEM AT A MINIMUM QUALITY LEVEL 2 AND MEETS THE COLORADO SHINES QUALITY IMPROVEMENT ELIGIBILITY CRITERIA, AS DEFINED WITHIN THE BUSINESS RULES OF THE CURRENT EARLY CHILDHOOD COUNCIL CONTRACT WITH THE STATE; OR, 2. RATED IN THE COLORADO SHINES SYSTEM AT A QUALITY LEVEL ONE (1) WITH A DEMONSTRATED HARDSHIP THAT REQUIRES ADDITIONAL RESOURCES IN ORDER TO REACH A QUALITY LEVEL TWO (2).

7.716.3B	<p>To our knowledge, neither the federal audit or CCDF plan would require a CCCAP fiscal agreement for SRQIP. In fact, the State’s response to 4.4.1 (a) in the CCDF State Plan states, “In any given month, approximately 40% of licensed providers have a fiscal agreement with the Colorado Child Care Assistance Program (CCCAP) and thus participate at some level, though the extent to which these providers participate varies wildly. There are a variety of barriers to both more extensive participation of those providers that have a fiscal agreement, and to establishing a fiscal agreement in the first place (participating at all). In addition to providing competitive rates, some providers cite the additional administrative burden that accompanies CCCAP as a barrier to providing care for children participating in CCCAP. Finally, there is insufficient funding at the State and Federal levels to fully cover the cost of high quality care provided with continuity for all interested eligible families.” The current data shows a 56% decrease in child care provider participation between Race to the Top (2017) and CSQI (2018). While there has been a decrease in the number of overall programs – we certainly did not decrease by that many programs overall. This is a drastic difference and the CCCAP fiscal agreement is the single difference in eligibility criteria. The original intent of the legislation was messaged as a “clean-up bill.” It is our position that the proposed promulgated rules add “re-write” language that is not aligned with the legislation’s original intent.</p>	<p>The Office of Early Childhood removed the CCCAP fiscal agreement requirement from the rules and will address funding requirement through The Colorado Shines Business Rules and contracting process with Early Childhood Councils.</p>	<p>QUALITY IMPROVEMENT FUNDS SHALL ONLY BE AWARDED TO EARLY CHILDHOOD EDUCATION PROGRAMS THAT MEET THE FOLLOWING CRITERIA: 1. RATED IN THE COLORADO SHINES SYSTEM AT A MINIMUM QUALITY LEVEL 2 AND MEETS THE COLORADO SHINES QUALITY IMPROVEMENT ELIGIBILITY CRITERIA, AS DEFINED WITHIN THE BUSINESS RULES OF THE CURRENT EARLY CHILDHOOD COUNCIL CONTRACT WITH THE STATE; OR, 2. RATED IN THE COLORADO SHINES SYSTEM AT A QUALITY LEVEL ONE (1) WITH A DEMONSTRATED HARDSHIP THAT REQUIRES ADDITIONAL RESOURCES IN ORDER TO REACH A QUALITY LEVEL TWO (2).</p>
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7.716.3B	<p>We support efforts to encourage equal access for all children but respectfully request a hardship element aligning with a CCCAP Fiscal agreement be added to the 7.716.3 eligibility criteria. We are concerned the requirement for an active CCCAP fiscal agreement will reduce the number of quality early childhood programs eligible to receive SRQIP funds and reduce overall access for young children with high needs. The current data shows a 56% decrease in participation between Race to the Top (2017) and CSQI (2018) of ECE programs that participated in Quality Improvement work this past year, mainly due to the CCCAP fiscal agreement requirement state-wide. In El Paso County which has approximately 470 ECE programs – the highest number of ECE programs in one County – 200 ECE programs were served in 2017 (42%). In 2018 with the requirement of a CCCAP fiscal agreement, only 40 ECE programs participated in QI – 9%. Only 25% of all ECE programs will be eligible for SRQIP under this proposed change. While we agree that all children need equal access especially to high quality programs, there are circumstances which warrant difficulty in holding a CCCAP contract, even though children of high need are being served by an ECE program. One example of a hardship for smaller FCCPs is the substantial cost of insurance mandated in order to hold a CCCAP contract. Additionally, EL Paso County has more FCCPs than any other County in the state. Furthermore, we have a substantial number of ECE programs required to be re-rated this year. Some of these ECE programs do not hold CCCAP contracts for various reasons including insurance costs - the number of high quality ECE programs in El Paso County may be greatly reduced if QI supports are not available to them. Once again, we support efforts to encourage equal access for all children but respectfully request a hardship element aligning with a CCCAP Fiscal agreement be added to the 7.716.3 eligibility criteria.</p>	<p>The Office of Early Childhood removed the CCCAP fiscal agreement requirement from the rules and will address funding requirement through The Colorado Shines Business Rules and contracting process with Early Childhood Councils.</p>	<p>QUALITY IMPROVEMENT FUNDS SHALL ONLY BE AWARDED TO EARLY CHILDHOOD EDUCATION PROGRAMS THAT MEET THE FOLLOWING CRITERIA:</p> <ol style="list-style-type: none"> 1. RATED IN THE COLORADO SHINES SYSTEM AT A MINIMUM QUALITY LEVEL 2 AND MEETS THE COLORADO SHINES QUALITY IMPROVEMENT ELIGIBILITY CRITERIA, AS DEFINED WITHIN THE BUSINESS RULES OF THE CURRENT EARLY CHILDHOOD COUNCIL CONTRACT WITH THE STATE; OR, 2. RATED IN THE COLORADO SHINES SYSTEM AT A QUALITY LEVEL ONE (1) WITH A DEMONSTRATED HARDSHIP THAT REQUIRES ADDITIONAL RESOURCES IN ORDER TO REACH A QUALITY LEVEL TWO (2).
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<p>7.716.3</p>	<p>Denver's EarlyChildhood Council's concerns and recommendations include:</p> <ul style="list-style-type: none"> -Including a 9 month minimum timeframe for a hardship site to achieve a Level 2 and receive funding -Remove the requirements for any participating child care programs to have an active fiscal agreement with the Colorado Child Care Assistance Program and replace with a requirement for the participating programs to be serving children with identified risk factors as defined in 7.716.1 -CCCAP does not have sufficient fund and resources to support all eligible families and child care programs serving them. Reimbursement rates are not aligned with market rates. A lack of administrative capacity and/or English language skills leads to an inability for programs to participate. -Quality initiative participation levels have dropped from 292 participating programs during Race to the Top to 92 with Colorado Shines QI (92% drop) -Council staff estimate there are well over 80 child care homes and centers in Denver serving populations of children with identified risk factors that are unable to access funding with the current eligiblity criteria. . Hundreds of early childhood professionals working in these programs are also unable to access professional development, coaching and other resources critical to the quality of their teaching and interactions with children. 	<p>The Office of Early Childhood removed the CCCAP fiscal agreement requirement from the rules and will address funding requirement through The Colorado Shines Business Rules and contracting process with Early Childhood Councils.</p>	<p>QUALITY IMPROVEMENT FUNDS SHALL ONLY BE AWARDED TO EARLY CHILDHOOD EDUCATION PROGRAMS THAT MEET THE FOLLOWING CRITERIA:</p> <ol style="list-style-type: none"> 1. RATED IN THE COLORADO SHINES SYSTEM AT A MINIMUM QUALITY LEVEL 2 AND MEETS THE COLORADO SHINES QUALITY IMPROVEMENT ELIGIBILITY CRITERIA, AS DEFINED WITHIN THE BUSINESS RULES OF THE CURRENT EARLY CHILDHOOD COUNCIL CONTRACT WITH THE STATE; OR, 2. RATED IN THE COLORADO SHINES SYSTEM AT A QUALITY LEVEL ONE (1) WITH A DEMONSTRATED HARDSHIP THAT REQUIRES ADDITIONAL RESOURCES IN ORDER TO REACH A QUALITY LEVEL TWO (2).
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7.716.3	<p>I feel the stipulation that the Early Childhood Program must have a CCAP Fiscal agreement has limiting possibilities. A program should have the ability to not function within the regulatory system and choose to help families that just miss the eligibility requirements by a few dollars without penalty. Some programs do not need to accept CCAP and may not want to accept CCAP clients due to previous experiences that were not favorable. I believe they should remove that requirement.</p>	<p>The Office of Early Childhood removed the CCCAP fiscal agreement requirement from the rules and will address funding requirement through The Colorado Shines Business Rules and contracting process with Early Childhood Councils.</p>	<p>QUALITY IMPROVEMENT FUNDS SHALL ONLY BE AWARDED TO EARLY CHILDHOOD EDUCATION PROGRAMS THAT MEET THE FOLLOWING CRITERIA:</p> <ol style="list-style-type: none"> 1. RATED IN THE COLORADO SHINES SYSTEM AT A MINIMUM QUALITY LEVEL 2 AND MEETS THE COLORADO SHINES QUALITY IMPROVEMENT ELIGIBILITY CRITERIA, AS DEFINED WITHIN THE BUSINESS RULES OF THE CURRENT EARLY CHILDHOOD COUNCIL CONTRACT WITH THE STATE; OR, 2. RATED IN THE COLORADO SHINES SYSTEM AT A QUALITY LEVEL ONE (1) WITH A DEMONSTRATED HARDSHIP THAT REQUIRES ADDITIONAL RESOURCES IN ORDER TO REACH A QUALITY LEVEL TWO (2).
7.716.3B	<p>Requiring an active fiscal agreement with CCCAP does not take into account that there are many programs serving low-income children with other funding streams such as HeadStart, Colorado Preschool Program, private scholarships, and sliding scale fees. Many of these programs are half-day or 2-3 days a week and do not meet the needs of adults who need full-time, full-year care. Low-income families across Colorado rely on being able to choose this type of program. Colorado's low-income families rely on other federal and state funding to serve their families. Colorado's current federal funding allocation for CCCAP is only enough to serve less than 15% of the families eligible for CCCAP.</p>	<p>The Office of Early Childhood removed the CCCAP fiscal agreement requirement from the rules and will address funding requirement through The Colorado Shines Business Rules and contracting process with Early Childhood Councils.</p>	<p>QUALITY IMPROVEMENT FUNDS SHALL ONLY BE AWARDED TO EARLY CHILDHOOD EDUCATION PROGRAMS THAT MEET THE FOLLOWING CRITERIA:</p> <ol style="list-style-type: none"> 1. RATED IN THE COLORADO SHINES SYSTEM AT A MINIMUM QUALITY LEVEL 2 AND MEETS THE COLORADO SHINES QUALITY IMPROVEMENT ELIGIBILITY CRITERIA, AS DEFINED WITHIN THE BUSINESS RULES OF THE CURRENT EARLY CHILDHOOD COUNCIL CONTRACT WITH THE STATE; OR, 2. RATED IN THE COLORADO SHINES SYSTEM AT A QUALITY LEVEL ONE (1) WITH A DEMONSTRATED HARDSHIP THAT REQUIRES ADDITIONAL RESOURCES IN ORDER TO REACH A QUALITY LEVEL TWO (2).

7.716.5	<p>Section B.1. Confusing language. Consider stating: "Early Childhood Education Programs that HAVE a rating level of 2 must be willing to submit an application to seek a higher rating within an 18 month period."</p> <p>The words "earn a rating level 2" are confusing. Are these programs that have been rated and received a level 2, or are these programs that have achieved a level 2 through completing level 2 requirements or an alternative pathway? Programs that have achieved a level 2 are not being re-rated.</p> <p>Section B.2. and B.3. The level of detail of sub-bullets is unrealistic. Who is verifying this level of detail? Where is this being tracked? Items such as ERS, CLASS and point scores are not 100% verifiable until a program is rated.</p> <p>These two parts could be combined to say "Early Childhood Programs that HAVE a rating level of 3, 4 or 5 must maintain their rating and keep their quality improvement plans current to demonstrate their quality improvement commitment and progress. Programs must apply to be re-rated prior to expiration of their current rating."</p>	<p>No change in language.</p> <p>Section B1 is related to programs that went through an onsite Level 3-5 rating assessment and earned a Level 2 in that process. These programs must go through an onsite Level 3-5 rating assessment within 18 months.</p> <p>Sections B2 & B3 are part of every onsite Colorado Shines rating assessment, which is available online in the QRIS</p>	
7.716.5	<p>Section A. Add the words "or MAINTAIN" after the word EARN in the third line (....with the goal to earn or maintain a high quality rating)</p>	<p>Updated language to clarify that programs who already are high quality maintain the high quality rating.</p>	<p>EARLY CHILDHOOD PROGRAMS ARE REQUIRED TO PARTICIPATE IN THE COLORADO SHINES QUALITY RATING SYSTEM WITH THE GOAL TO EARN AND/OR MAINTAIN A HIGH QUALITY RATING</p>

7.716.5	<p>With the issue of qualified teacher shortages in most areas of state, getting prepared for a rating takes a extreme amount of time. Especially for a smaller center that does not have an admin staff. Many of our centers have directors that work in a classroom part time. Home providers preparing for a higher level rating have no time during the work day to prepare, causing this prep to be done on weekends spending time away from their own families. What can we do to improve the incentive (coaching, tool kits, webinars) so providers in these situations want to apply for grants and complete the ratings? We keep narrowing the pool by requiring a rating at 18 months and an active CCCAP contract.</p>	<p>No Change in language. Concern over the CCCAP fiscal agreement is addressed by the Office of Early Childhood in 7.716.3.</p>	
7.716.6	<p>All licensed homes and centers in Colorado are listed on the Colorado Shines Quality Rating and Improvement System website by virtue of having a license. However, all licensed homes and centers can not access support in Colorado Shines through their local Early Childhood Council due to the barrier of requiring a fiscal agreement for CCCAP.</p>	<p>No Change in language. Concern over the CCCAP fiscal agreement is addressed by the Office of Early Childhood in 7.716.3.</p>	