

DEPARTMENT OF EDUCATION

Colorado State Board of Education

RULES FOR THE ADMINISTRATION OF THE COLORADO PRESCHOOL PROGRAM ACT

1 CCR 301-32

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

2404-R-1.00 Declaratory Orders Procedures

2228-R 1.00 Purpose of the Colorado Preschool Program

- 1.01 The primary purpose of these rules and regulations amended on March 6, 2003, is to assist districts in the implementation of the Colorado Preschool Program, Section 22-28-101 Colorado Revised Statute. The Colorado General Assembly and State Board of Education recognize that without the benefit of high quality early care and education support, there are children who are at risk of early school failure. The Colorado General Assembly, along with the Colorado State Board of Education, further recognize that such these services must be implemented in partnership with families and other community resources that serve families.
- 1.02 These rules and regulations are adopted by authority granted to the State Board of Education in Section 22-2-107(1)(c). Rule making authority is also granted in Sections 22-28-106, 22-28-107(2), and 22-28-108(1)(a) and (1)(b) C.R.S. All previous rules and regulations governing the Colorado Preschool Program are repealed upon adoption of these rules and regulations.

2228-R 2.00 Criteria for determining which school districts shall be eligible for participation in the Colorado Preschool Program

- 2.01 In order to determine which districts shall be eligible for participation in the Colorado Preschool Program the Colorado Department of Education shall consider those LEAs which provide the following information by September 15th of each year.
- (1) The number of eligible children to be served by the district preschool program.
 - (2) The role of the District Council in identifying the need for the Colorado Preschool Program.
 - (3) Whether the district preschool program will be a nine-month or twelve-month program.
 - (4) Whether the district preschool program will be provided by the school district itself or provided, in whole or in part, by a head start agency or one or more child care agencies under contract with the school district.
 - (5) The number of schools in the school district or the number of head start agencies or child care agencies that would be involved in the district preschool program.
 - (6) The dropout rate of the school district.
 - (7) The test scores of children in kindergarten and the primary grades within the school district.

- (8) The plan for involving parents and the community in the district preschool program.
- (9) The demographic and geographic location of districts making application for participation in the program.
- (10) If the district preschool program is to be provided by the school district:
 - (a) The number of schools in the school district that would be involved in the district preschool program;
 - (b) The number of additional personnel needed to staff the district preschool program;
 - (c) The training program for preschool teachers.
- (11) If the district preschool program is to be provided in whole or in part, by a head start agency or child care agencies under contract with the school district:
 - (a) The head start agency or child care agencies with which the school district will contract;
 - (b) The terms of the contracts;
 - (c) The procedure to be used to monitor the district preschool program being provided to the school district by the head start agency or child care agencies;
- (12) The extended day services, if any, to be provided in connection with the district preschool program;
- (13) The programs required under this comprehensive plan as specified in 22-28-R-404.

2228-R 3.00 Criteria for selecting districts for participation in the Colorado Preschool Program from the pool of applicants

3.01 It is the intent of the Colorado General Assembly and the Colorado State Board of Education to fund those districts that demonstrate a use of collaboration with the community in order to assure effective use of resources in the program. While the Colorado Preschool Program only funds a part time program, those districts that can create full day quality care and education through the use of existing resources, will be given preference in the selection process. The following criteria shall be used to select districts:

- (1) The role of the advisory council in developing the proposal. This includes the extent to which the council reflects the mandated roles, is reflective of the community and is involved in the community needs assessment;
- (2) The need for the Colorado Preschool Program as demonstrated by the numbers of qualifying, unserved children;
- (3) The geographic location of the community;
- (4) The quality and comprehensiveness of the plan for coordinating the program with family support services for participating children and families;
- (5) The quality and comprehensiveness of the plan for involving the parent or parents of each child enrolled in the program;

- (6) The quality of the proposed parenting program including the use of such models as: Parents As First Teachers, Parents as Teachers, the Home Instruction Program for Parents of Preschool Youngsters or other validated models.

2228-R 4.00 The District Council

- 4.01 The District Council is responsible for determining the need for a Colorado Preschool Program. This includes surveying existing early care and education facilities to determine the existence of waiting lists. They can also determine any unmet need through contacts with other agencies such as social services and Resource and Referral. Upon completion of a district wide survey the District Council will recommend to the local school board whether or not a need exists and make a recommendation for or against applying for any available funds.

4.02 District Council Composition and Role

It is the responsibility of the superintendent to appoint members of the advisory council. The superintendent may appoint a designee to represent himself or herself. The superintendent shall appoint the following members:

- (1) two parents of preschool children in the district preschool program or from an existing early childhood care and education program if the district does not have an existing program
- (2) a representative from an agency responsible for health
- (3) a representative from social services
- (4) two representatives from the business sector
- (5) a representative from an agency responsible for job training
- (6) a representative from a publicly funded early childhood care and education facility
- (7) a representative from a privately funded early childhood care and education facility
- (8) Any other person(s) deemed appropriate by the superintendent such as: a kindergarten teacher, a principal, a representative from special education, a children's advocate, etc.

- 4.03 Members of the District Council are appointed for two year terms and may be reappointed at the discretion of the superintendent. Any vacancies on the District Council are filled by the superintendent. If such a vacancy occurs in a mandated role the person filling that vacancy must be representative of that role.

Once members are appointed to the District Council they will elect a chairperson. The chairperson will serve a one year term and may be reelected for a second year. The District Council shall meet a minimum of three times per year.

4.04 Comprehensive Plan

All participating districts must have a comprehensive Colorado Preschool Program plan for the delivery of services. The plan is developed by the District Council utilizing the expertise of its members and anyone else the council considers appropriate for the task. The Comprehensive Plan shall include the following elements:

- (1) Quality of Program. This section deals with the ability of the program to outline a process through which they will meet the Colorado Department of Education Quality Standards for Early Childhood Services.
 - (2) Staff Development. This section addresses the identification of staff needs including delivering developmentally appropriate practice, teaching children who do not have English as a first language, involving parents, understanding and meeting the cultural needs of families and children. Plan should address how input from teachers about their educational needs are obtained and responded to.
 - (3) Family Involvement. This section addresses the agreements between program and family for involvement in the child's education and the role and expectations of the parents.
 - (4) Family Support Services. This section addresses the family support services that contribute to the health and well-being of the children. This includes:
 - (a) nutrition
 - (b) immunizations
 - (c) health care
 - (d) dental care
 - (e) social service programs
 - (f) mental health programs
 - (g) recreation opportunities
 - (5) The plan for coordinating the district preschool program with a parenting program.
- 4.05 Program Evaluation. This section addresses the design for this program evaluation including:
- (1) child progress
 - (2) parent satisfaction
 - (3) the extent to which a comprehensive program is in place
 - (4) monitoring
- 4.06 The district shall file the Comprehensive Plan with the Colorado Department of Education.
- 4.07 Monitoring
- The District Council is also responsible for monitoring its programs that serve children funded by the Colorado Preschool Program. The elements of monitoring must address:
- (1) Compliance with all requirements of the Colorado Preschool Program;
 - (2) The extent to which programs are meeting the standards of developmentally appropriate practice as established by the Colorado Department of Education Quality Standards for Early Childhood Services;

- (3) The degree to which parents are satisfied with their child's progress and their own involvement with the Colorado Preschool Program;
- (4) The extent of the availability and use of additional services for the family.

4.08 Year End Report

The council shall document its monitoring and evaluation findings and make them available to Colorado Department of Education as part of their year end report. Such information shall be used by Colorado Department of Education in making its report to the General Assembly as required by 22-28-112, C.R.S. Any needs identified through monitoring by the council shall result in recommendations for improvement to the participating programs.

4.09 Role of the District Council in issuing a Request for Proposal

It is the responsibility of the District Council to develop and issue a Request for Proposal to the community at least once every five years. The following elements shall be present in the Request for Proposal:

- (1) A clear criteria, consistent with the law, for selecting eligible children. All providers shall be knowledgeable about what factors qualify a child for the program.
- (2) The capacity of the program to serve the eligible children. This includes staff qualifications and ability to deliver a quality program as set forth in the Colorado Department of Education Quality Standards for Early Childhood Services.
- (3) The ability of the program to deliver parent support and parent involvement. This includes the extent to which the program collaborates with other agencies in order to provide an array of services to the family.
- (4) The timelines for the start of the program services.
- (5) The amount of funds to be awarded based upon the number of children served.

4.10 The District Council shall review all proposals received by the deadline set forth in the request. The District Council shall take measures so as to assure that there is no conflict of interest between those who are applying and those who are reviewing the proposals. After determining which proposals best meet or exceed the criteria, the District Council will make a recommendation to the local school board for funding. Final determination for funding is the responsibility of the local school board.

2228-R 5.00 Identification of eligible children

- 5.01** In order to be considered for eligibility, children must be 3, 4 or 5 years old. Four or five year olds must be eligible for kindergarten the following year and are not eligible for participation in the program for more than one year. Three year olds must lack school readiness that is attributable to at least three risk factors. Three year olds may participate in CPP as a four year old if they meet the eligibility requirements. It is the responsibility of kindergartens to be ready and serve all children who are eligible by birthdates established by the local education agency.
- 5.02** The local education agency is responsible for assuring that the children counted for funding in Colorado Preschool Program are eligible for participation. The Act established eligibility criteria that includes the following factors:

-
- (1) The presence of significant family risk factors that relate to a child's development. These risk factors include the following:
 - (a) an abusive adult residing in the home of the child
 - (b) Either parent of the child was less than eighteen years of age and unmarried at the time of the birth of the child.
 - (c) The child is eligible to receive free or reduced-cost lunch pursuant to the provisions of the federal "National School Lunch Act", 42 U.S.C. SEC. 1751 ET SEQ.;
 - (d) The child's parent or guardian has not successfully completed a high school education or its equivalent.
 - (e) frequent relocation by the child's family to new residences
 - (f) homelessness of the child's family
 - (g) poor social skills of the child
 - (h) drug and/or alcohol abuse in the CHILD'S family
 - (2) The child is in need of language development, including but not limited to the ability to speak English.
- 5.03 Children are eligible if they are receiving services from the State Department of Social Services pursuant to Article 5 of Title 26, C.R.S., as neglected or dependent children.
- 5.04 All local school districts must have available a list of risk factors utilized for the purpose of identifying children. When programs are monitored for compliance, local educational agencies shall be able to justify children being counted for funding as meeting the criteria. Local educational agencies may expand the list of risk factors in order to meet the unique needs of the community.
- 5.05 In order to participate in the Colorado Preschool Program, the parent(s) or legal guardian shall enter into an agreement about their responsibilities to the educational program of their child with the program that is providing the services. Children cannot participate unless such an agreement is made. The agreement may be formal or informal.
- 5.06 LEAs or designated providers must have in writing a plan that addresses parent involvement. Programs are encouraged to form agreements with families based upon the needs and abilities of the family.
- 5.07 If families fail to live up to their agreements, providers may dismiss the child from the program. This should be done only after all other attempts, including modification of the agreement, have been attempted.
- 5.08 Any child qualifying for similar services under other programs (i.e., special education) would continue to be eligible only for such services and would be funded under such programs.

2228-R 6.00 The Program

6.01 The Colorado General Assembly established the Colorado Preschool Program based upon research that indicates that young children who experience a high quality preschool program have greater success in their education than comparable children who do not. The key is high quality. It is not appropriate to have or to contract with a program that does not demonstrate the capacity to deliver high quality developmentally appropriate services as measured by the Colorado Department of Education Quality Standards for Early Childhood Services.

6.02 Licensing

The Colorado General Assembly has determined in that all Colorado Preschool Programs must comply with the Colorado rules and regulations for child care centers promulgated by the Department of Social Services pursuant to section 26-6-106, C.R.S. Full-day kindergarten programs funded by the Colorado Preschool Program are not required to be in compliance with these rules.

6.03 Program Standards

The Act requires the Colorado Department of Education to set program standards using nationally accepted standards. The State Board of Education shall approve the Colorado Department of Education Quality Standards for Early Childhood Services program standards. Furthermore, the Colorado Department of Education strongly encourages that all programs receiving funds under the Act be accredited by the National Association for the Education of Young Children.

6.04 There are basic elements of quality that are:

- (1) Class size. The maximum number of pupils in a district preschool program shall not exceed sixteen. The adult child ratio is one to eight. An adult can be a paraprofessional, a parent, a speech/language therapist, a senior citizen or other appropriate adult figure.
 - (a) When programs are required to limit class sizes to ten children in accordance with public health guidelines and safety measures, the adult child ratio may be increased to one to ten.
- (2) Frequency of contact. Classes are to be held for four half days per week or the equivalent. The remaining one-half day is to be used for home visits, staff development, or planning.
- (3) Learning Plans. Each child shall have an individual learning plan. The plan shall include identification of the child's needs in the following areas:
 - (a) language
 - (b) cognition
 - (c) gross motor
 - (d) fine motor
 - (e) social skills/self-esteem

6.05 Family Involvement. The plan will include strategies for parents to use at home with their child. The district shall provide for the parents any necessary materials or work.

- 6.06 Staff Qualifications. Teacher skills are the key element to the delivery of services. The Act does not require a teacher to be certified in early childhood care and education because of the differing requirements in Head Start, private child care and public schools.

It is necessary, however, to insure that the teacher has the appropriate skills necessary to teach young children. Any teacher must be able to show that they have received education credits in the field of early childhood. This can be done through a portfolio that demonstrates knowledge in:

- (1) Early childhood development;
- (2) Applying developmentally appropriate practice in the classroom (National Association for the Education of Young Children);
- (3) Knowledge of multicultural education;
- (4) Understanding parents partnerships.

- 6.07 If the teacher cannot demonstrate skills in the above areas, they must be supervised by someone who can and they must be making progress in the areas of need as part of their staff development.

2228-R 7.00 Reporting Requirements

- 7.01 The Colorado General Assembly requires the Colorado Department of Education to submit annually a report on the status of Colorado Preschool Program. The Colorado Department of Education shall use the information required in the annual reapplication for participation in the Colorado Preschool Program as the basis of that report. In addition, each district council is required to select methods for measuring and reporting child progress. Such methods may include portfolio assessment. Districts are discouraged from using standardized tests as a means of measuring progress. Colorado Department of Education may request a report on child progress from districts as part of the final report.
- 7.02 In addition, the Colorado Department of Education may require a report on parent involvement and year end satisfaction with the program. Colorado Department of Education will make any data collection requirements for the final report known to all participating districts by March of the program year.

Editor's Notes

History

Rule 6.04(1) eff. 08/30/2020.