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Sixty-seventh General Assembly
STATE OF COLORADO

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BILL 4

LLS NO. 10-0311.01 Jane Ritter

INTERIM COMMITTEE BILL

Early Childhood and School Readiness Legislative Commission

SHORT TITLE: "Eligibility Child Care Assistance Prog"

A BILL FOR AN ACT

101 **CONCERNING ELIGIBILITY DETERMINATIONS FOR THE COLORADO**
102 **CHILD CARE ASSISTANCE PROGRAM TO PROMOTE STABILITY IN**
103 **EARLY CHILDHOOD CARE.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Early Childhood and School Readiness Legislative Commission. Section 1 of the bill sets forth a legislative declaration concerning the need for consistent and stable child care. Section 2 clarifies certain aspects of the Colorado child care assistance program (program) that will help provide increased stability for children and families. The eligibility redetermination period is extended for all

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

participants in the program from 6 months to 12 months, and, for a family enrolled in both the program and a head start program, the redetermination periods are aligned. A parent is not required to report any income or activity changes during the eligibility period. A parent shall not be determined ineligible for program moneys as a result of taking maternity leave or attending school.

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

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

4 (a) The stability and continuity of child care and early learning
5 environments are essential to promote school readiness for young children
6 who are at risk for school failure across multiple domains. Research
7 repeatedly shows that children in consistent, stable, high-quality child
8 care and early learning environments enter kindergarten prepared and
9 have significantly elevated school achievement despite economic
10 disadvantage.

11 (b) When subsidized child care systems are structured to promote
12 stability and continuity of care for children, low-income parents are also
13 supported in their efforts to achieve goals relating to education,
14 employment, self-sufficiency, asset building, and family stability.
15 Research shows that when families have access to consistent and stable
16 child care arrangements, parents attain higher levels of education, have
17 greater job retention, exhibit less absenteeism from work, and
18 demonstrate increased productivity in the workplace. Supporting parents
19 in these positive efforts can improve family well-being and reduce
20 reliance on public supports, which come at a significant long-term cost to
21 the state.

22 (c) Colorado's existing child care assistance program has barriers

1 that prevent families from receiving stable and consistent child care.
2 Parents and child care providers experience difficulty when accessing the
3 child care assistance program because existing rules promote financial
4 inconsistency in receipt of the subsidy moneys, do not consistently
5 support activities that promote family self-sufficiency, place unnecessary
6 reporting burdens on parents, and contribute to significant discontinuity
7 and instability of care for the majority of children in the assistance
8 program, which is detrimental to their long-term school readiness.

9 (d) Many at-risk children are served by multiple early care
10 programs and that national best practice in early childhood care and
11 education aligns existing early care and education programs such as the
12 Colorado child care assistance program, the federal early head start and
13 head start programs, and other similar high-quality pre-kindergarten
14 programs.

15 **SECTION 2.** 26-2-805 (1) (b) (I), (1.5), and (3), Colorado
16 Revised Statutes, are amended, and the said 26-2-805 (1) is further
17 amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

18 **26-2-805. Services - eligibility - assistance provided - rules.**
19 (1) (b) (I) Subject to available appropriations and pursuant to rules
20 promulgated by the state department, and except as provided for in
21 subparagraph (II) of this paragraph (b), a county shall provide child care
22 assistance for a family transitioning off the works program due to
23 employment or training without requiring the family to apply for
24 low-income child care, but shall redetermine the family's eligibility within
25 ~~six~~ TWELVE months after the transition, and may provide child care
26 assistance for any other family whose income does not exceed eighty-five
27 percent of the state median income for a family of the same size. A

1 recipient of child care assistance shall be responsible for paying a portion
2 of such child care based upon the recipient's income and the formula
3 developed by rules of the state board. For any participant or any person
4 or family whose income rises to the level set by the county at which the
5 county may deny said participant, person, or family child care assistance,
6 the county is strongly encouraged to continue to provide such assistance
7 for a period of ~~six~~ TWELVE months; except that in no event shall
8 assistance be provided if said income exceeds the maximum level for
9 eligibility for services set by federal law for a family of the same size.
10 During such period the county shall work with said participant, person,
11 or family to provide a gradual transition off of the child care assistance
12 provided pursuant to this paragraph (b) over a ~~six-month~~ TWELVE-MONTH
13 period.

14 (e) (I) FOR A FAMILY WITH A CHILD WHO IS ENROLLED IN BOTH THE
15 COLORADO CHILD CARE ASSISTANCE PROGRAM CREATED IN THIS PART 8
16 AND IN A CHILD CARE CENTER OPERATED BY A HEAD START AGENCY, THE
17 FAMILY'S ELIGIBILITY REDETERMINATION FOR CHILD CARE ASSISTANCE
18 MONEYS SHALL OCCUR WHEN THE CHILD CARE CENTER REDETERMINES
19 ELIGIBILITY FOR ITS HEAD START OR EARLY HEAD START PROGRAM.

20 (II) FOR A FAMILY WITH A CHILD WHO IS SOLELY ENROLLED IN THE
21 COLORADO CHILD CARE ASSISTANCE PROGRAM CREATED IN THIS PART 8
22 OR DUALY ENROLLED WITH AN EARLY EDUCATION PROGRAM OTHER THAN
23 HEAD START OR EARLY HEAD START, THE FAMILY'S ELIGIBILITY
24 REDETERMINATION FOR CHILD CARE ASSISTANCE MONEYS SHALL OCCUR
25 ONCE EVERY TWELVE MONTHS.

26 (III) A FAMILY THAT RECEIVES CHILD CARE ASSISTANCE PURSUANT
27 TO THIS PART 8 SHALL NOT BE REQUIRED TO REPORT INCOME OR ACTIVITY

1 CHANGES DURING THE TWELVE-MONTH ELIGIBILITY PERIOD.

2 (IV) A PARENT SHALL NOT BE DETERMINED INELIGIBLE TO RECEIVE
3 CHILD CARE ASSISTANCE MONEYS PURSUANT TO THIS PART 8 AS A RESULT
4 OF:

5 (A) TAKING MATERNITY LEAVE;

6 (B) ATTENDING HIGH SCHOOL, VOCATIONAL SCHOOL, OR AN
7 INSTITUTION OF HIGHER EDUCATION, INCLUDING DURING ANY TIME THAT
8 THE SCHOOL IS NOT IN SESSION; OR

9 (C) BEING A SEPARATED SPOUSE OR PARENT UNDER A VALIDLY
10 ISSUED TEMPORARY ORDER FOR PARENTAL RESPONSIBILITIES OR CHILD
11 CUSTODY WHERE THE OTHER SPOUSE OR PARENT HAS DISQUALIFYING
12 FINANCIAL RESOURCES.

13 (1.5) If a county reduces its income eligibility requirements, a
14 child receiving child care assistance services when the change is
15 implemented shall continue to receive said services until the family's next
16 eligibility redetermination or for ~~six~~ TWELVE months. ~~whichever is longer,~~
17 ~~so long as the family's household income remains at or below the prior~~
18 ~~income eligibility requirements.~~

19 (3) As used in this section, UNLESS THE CONTEXT OTHERWISE
20 REQUIRES:

21 (a) "HEAD START AGENCY" MEANS A LOCAL PUBLIC OR PRIVATE
22 NONPROFIT AGENCY DESIGNATED BY THE FEDERAL DEPARTMENT OF
23 HEALTH AND HUMAN SERVICES TO OPERATE A HEAD START PROGRAM
24 UNDER THE PROVISIONS OF TITLE V OF THE FEDERAL "ECONOMIC
25 OPPORTUNITY ACT OF 1964", AS AMENDED.

26 (b) "Participant" means a participant in the Colorado works
27 program as defined in section 26-2-703 (15).

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