

12 CCR 2509-8:7.716

12 Colo. Code Regs. 2509-8:7.716 Alternatively cited as 12 CO ADC 2509-8

2509-8:7.716. COLORADO SCHOOL READINESS QUALITY IMPROVEMENT PROGRAM

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.

12 CCR 2509-8:7.716.1

12 Colo. Code Regs. 2509-8:7.716.1 Alternatively cited as 12 CO ADC 2509-8

2509-8:7.716.1. DEFINITIONS

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

“Child Care Center” 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.

“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,

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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.

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

#### 12 CCR 2509-8:7.716.2

12 Colo. Code Regs. 2509-8:7.716.2 Alternatively cited as 12 CO ADC 2509-8

#### 2509-8:7.716.2. ELIGIBILITY

##### A. Eligible Early Childhood Councils

1. An Early Childhood Council must apply for School-Readiness Quality Improvement funding on behalf of the community 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;

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- 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.

4. The Council must submit a school-readiness plan to improve the readiness of children in the Council's community. The Council's school-readiness plan must:

a. Be for a three-year period; and,

b. Contain strategies for improving the school readiness of children who will ultimately attend eligible elementary schools in the Council's community.

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;

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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.

6. The Council must demonstrate the commitment of the ECE facilities 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.

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7. Councils that receive funds must distribute, or otherwise make provisions to distribute, those funds to ECE facilities 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 ECE 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 ECE facility.

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

c. Be supported by statistically valid research as a reliable measure of quality of an ECE 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 Early Care and Education Providers

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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.

**12 CCR 2509-8:7.716.3**

**12 Colo. Code Regs. 2509-8:7.716.3** Alternatively cited as **12 CO ADC 2509-8**

**2509-8:7.716.3. APPLICATION PROCESS**

- A. Requests for Proposals (RFPs) will be produced by the State Department.
- 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.

**12 CCR 2509-8:7.716.4**

**12 Colo. Code Regs. 2509-8:7.716.4** Alternatively cited as **12 CO ADC 2509-8**

**2509-8:7.716.4. IMPROVEMENT IN RATINGS**

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

For both child care centers and family child care homes:

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, early care and education facilities must achieve specific and measurable gains in their rating, as established by the rating organization and referred to in Section 7.716.4, A, as follows:

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



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

**12 CCR 2509-8:7.716.5**

**12 Colo. Code Regs. 2509-8:7.716.5**Alternatively cited as 12 CO ADC 2509-8

**2509-8:7.716.5. 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.

**12 CCR 2509-8:7.716.6**

**12 Colo. Code Regs. 2509-8:7.716.6**Alternatively cited as 12 CO ADC 2509-8

**2509-8:7.716.6. Dispute Resolution**

A. The State Department, through the Division of Child Care, shall provide for an informal dispute resolution process 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 shall be notified of the dispute resolution process by the local council when the providers begin their program participation and by the rating organization as part of the post-rating consultation.

C. 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. The dispute resolution panel will make decisions by a simple majority vote of the panelists.

E. 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.

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F. 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.

G. 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.