

# Colorado

## Background

### Colorado Preschool Program

The Colorado Preschool Program (CPP) provides part-day<sup>1</sup> early childhood services for at-risk three- and four-year-olds. Risk factors include an income at or below 185 percent of the federal poverty level, qualifying for free or reduced-price lunch, domestic violence or drug abuse in a household, poor social skills, having parents who have not completed high school or were younger than nineteen years old at the time of the child's birth, or other factors decided at the local level.<sup>2</sup> Four-year-olds must have at least one risk factor to be eligible for CPP; three-year-olds must display at least three risk factors.<sup>3</sup>

The Colorado Department of Education (CDE) distributes CPP funds to local education agencies, including school districts and the Charter School Institute (CSI), through the state school funding formula, based on the number of slots allocated to each district. The Colorado Charter Schools Institute is Colorado's Statewide Independent Authorizing Board, governed by a nine-member board appointed by the governor and commissioner of education. It also serves as the Local Education Agency (LEA) for charter schools it authorizes. Districts may subcontract with charter schools, Head Start programs, and nonprofit and for-profit preschool and child care programs to serve children funded through CPP,<sup>4</sup> but only districts and CSI may be the direct grantee from CDE. Each district that receives CPP funds must establish a District Advisory Council comprised of early childhood and community stakeholders to advise on the CPP program, including the allocation of slots between public schools and other providers. In districts where one or more charter schools exist, this advisory council must include a charter school representative.<sup>5</sup>

### Charter schools in Colorado

Colorado allows for start-up and conversion charter schools.<sup>6</sup> Local school boards and the CSI, an independent body established by state law, are eligible authorizers. School boards are generally limited to authorizing charters in or contiguous to their districts, and CSI can only authorize in places where local districts do not have "exclusive chartering authority," or where districts waive their authorizing authority<sup>7</sup> (the majority of CSI-authorized schools).<sup>8</sup> (Charter schools in Colorado are not their own LEAs but must be part of a district LEA, or the CSI operates as the LEA for the schools it authorizes.)



TOTAL SCORE

32/50

Colorado's climate for charter schools to offer pre-K is **somewhat hospitable**

- + There are no state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- Compared to K-12 funding levels, low pre-K program funding for some providers makes pre-K less attractive to charters.
- + The size of the pre-K program does not limit charter access to funding.
- The funding, application, or approval process creates a barrier to charter access.
- + Automatic enrollment from charter pre-K to kindergarten is not prohibited in legislation or practice.



## Process for Accessing Pre-K Funds

CPP funding flows from the Colorado Department of Education to participating school districts and the Charter School Institute (CSI).<sup>9</sup> Charter schools authorized by CSI must apply for CPP slots through the same process by which CSI approves charter schools' expansion to serve new grades.<sup>10</sup> CPP funds that flow from CDE to CSI can only be used in schools authorized by CSI. Charter schools authorized by districts may access CPP slots at the discretion of the district and its preschool advisory council.

As a result, the number of CPP slots available to charter schools is limited. The Colorado legislature caps the number of funded CPP slots each year based on available funding, and districts and CSI can receive additional slots only when funding increases. When CSI was created in 2004, most existing CPP slots were already allocated to districts, so for most of its history CSI had very few CPP slots. In 2013, the legislature funded an expansion of CPP through Early Childhood At-Risk Enhancement (ECARE) slots. As a result, CSI received additional CPP slots. Under the parameters of ECARE, these slots can be used for pre-K or for full-day kindergarten. CSI charter schools elected to use 127 of these slots for preschool and 227 for full-day kindergarten.<sup>11</sup>

Also in 2013, the CSI decided to reallocate its CPP slots. Charters that already had CPP slots could continue to receive

### LOCAL INITIATIVES: DPP

Denver offers an additional pre-K initiative, the Denver Preschool Program (DPP). The program was created through a voter-approved ballot initiative in 2006, with support from by then-Mayor and current Governor John Hickenlooper. Funding for DPP comes from a 0.12 percent tax on purchases in the city. In late 2014, the Denver City Council approved a ballot measure to increase the sales tax to 0.15 percent to continue the program.


DPP allocates tuition credits to children using a sliding scale based on both a child's family income and the size, duration, and quality of the preschool program the child attends (as measured by QRIS). Charter schools can access funding through DPP, which requires that providers be licensed, have insurance, participate in Denver's early education quality improvement system, and enroll at least one four-year-old child who lives in the city and county of Denver. Three Denver charter schools presently offer DPP (out of more than 250 registered providers).

funding, but CSI reduced the allocation for some schools in order to allow additional charter schools to receive funding.

Since most charter schools do not receive CPP funding, the majority of charter schools that offer pre-K in Colorado do so by charging parents tuition. Some parents who receive state child care subsidies may also use these funds to cover costs of attendance at early childhood programs run by charter schools. Denver students may also use DPP slots to attend preschool at a participating charter school.

## Barriers


### Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

 **No.** Colorado's charter legislation does not explicitly permit or prevent charter schools from offering pre-K. Charter schools are authorized to offer any educational program that may be offered by a school district, provided they meet child care center licensing requirements administered by the Colorado Department of Human Services.<sup>12</sup> School districts and the Charter School Institute may allocate CPP slots to high quality preschool programs in charter schools.<sup>13</sup>


The Colorado Preschool Program Act does, however, give charter schools clear statutory authority to establish and operate pre-K and to receive CPP funds from districts.

At least thirty-eight charter schools in the state offer pre-K,<sup>14</sup> but just ten of those schools receive CPP funds.<sup>15</sup> In the 2013–2014 school year, 385 children with CPP funding were served in charter schools. This included two schools chartered through CSI and charter schools in seven school districts. Most charter schools that offer pre-K do so on a tuition basis.

### Is the funding level of the state pre-K program a barrier to charter access?

 **Yes.** Low pre-K program funding, compared to K-12 funding levels, makes pre-K less attractive to charters. The per-pupil funding amount for CPP depends on the provider, but for some providers, CPP per-pupil funding is low, even for a part-day program. Those providers receive less than 40 percent of the amount that charter schools receive to serve K-12 students.

### Is the size of the state pre-K program a barrier to charter access?

 **No.** The size of the program is not a barrier to charters accessing state pre-K funds. The program serves more



than 20 percent all four-year-olds in the state, but it does not serve all eligible pre-K students. The limited number of CPP slots available to CSI has been a barrier to charter access, however.

**Is the application, approval, and/or funding process a barrier to charter access?**

**— Yes.** Charter schools that are interested in offering pre-K must go through a school district or the Charter School Institute to get CPP funding. Charter schools authorized by districts (most charter schools in the state) must go through their district to access CPP funding. Relatively few charter schools have accessed CPP funds in this way. While districts can allocate slots to charter schools, most don't have enough slots to serve all eligible kids, so they tend to prioritize their own schools.

**Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?**

**+ No.** Colorado law does not require charter schools to admit children to the school via lottery, although many individual charter contracts do require a lottery. In general, Colorado authorizers have allowed charters that operate preschool programs to enroll preschool students in kindergarten without a separate lottery, including schools that charge tuition for preschool.

## Recommendations

The state charter law does not explicitly allow charter schools to offer pre-K, but this has not proven to be a barrier. Most charter schools that offer pre-K fund their programs by charging tuition. To address the approval and funding barriers, Colorado should:

- Award CSI an equitable number of CPP slots based on the number of kindergarteners with risk factors served by CSI-authorized schools.
- Require district advisory councils for CPP programs to consider charter preschool programs on an equitable basis with district schools and other community-based programs in deciding how to deliver CPP programs.
- Establish clear policies around when and whether students in tuition-based pre-K programs operated by a charter school can enroll in kindergarten without going through the school's lottery.

	Colorado Preschool Program (CPP)	Charter schools in Colorado
Year created	Launched in 1988	Charter law enacted in 1993
Children in Colorado	140,293 three- and four-year-olds <sup>16</sup>	1,016,933 school-age children in Colorado <sup>17</sup>
Children served	19,538 children served 7 percent of three-year-olds 21 percent of four-year-olds	99,328 students enrolled in charters 9.8 percent of school-age population 197 charters
Charter schools	Thirty-eight charter schools in Colorado offer pre-K. <sup>18</sup>	135 charter schools in Colorado offer elementary programs. <sup>19</sup>
Funding	CPP providers receive between \$3,278 and \$8,083 per pupil. <sup>20</sup>	Charter schools receive \$8,786 per pupil for K-12. <sup>21</sup>



## Endnotes

- 1 Colorado Department of Education (CDE), “Colorado Preschool Program: By the Numbers,” <http://www2.cde.state.co.us/media/cpp/CPPAtaGlance/player.html>; state law requires 360 hours per year, or about 10 hours per week.
- 2 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.
- 3 CDE, “Child Eligibility,” <http://www.cde.state.co.us/cpp/cpphandbookonline/eligibility1>.
- 4 Colorado General Assembly Bill 4, Statutes § 22-28-104, <http://www.colorado.gov/cs/Satellite?blobcol=urldata&blobheader=application%2Fpdf&blobkey=id&blobtable=MungoBlobs&blobwhere=1252033958387&ssbinary=true>.
- 5 Interview with CDE Early Learning and School Readiness representative, November 7, 2014.
- 6 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: Colorado,” <http://www.publiccharters.org/get-the-facts/law-database/states/CO/>.
- 7 Ibid. School boards in districts with fewer than 3,000 students are automatically granted “exclusive chartering authority.” Other school boards can apply to the state board of education to be their district’s exclusive authorizer. The state board can revoke exclusive authorizer status if the authorizer fails to meet certain standards.
- 8 Interview with Charter School Institute (CSI) representative, October 22, 2014.
- 9 W. Steven Barnett et al., “The State of Preschool 2013.”
- 10 Charter School Institute, “Colorado Preschool Program Preschool Advisory Council Meeting Minutes,” February 6, 2014, [http://www.csi.state.co.us/school\\_resources/state\\_programs/PPP](http://www.csi.state.co.us/school_resources/state_programs/PPP).
- 11 Interview with CSI representative, October 22, 2014.
- 12 Colorado Charter Schools Act, CRS 22-30.5-104(8); interview with CDE Early Learning and School Readiness representative, November 7, 2014.
- 13 Interview with CDE Early Learning and School Readiness representative, November 7, 2014.
- 14 Colorado Charter Schools list, <http://www2.cde.state.co.us/edulibdir/Colorado%20Charter%20Schools-en-us.pdf>.
- 15 Interview with CDE Early Learning and School Readiness representative, November 7, 2014.
- 16 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” [www.census.gov/acs](http://www.census.gov/acs).
- 17 Ibid., all children in households, three to seventeen years old.
- 18 CDE, “SY 2013–14 Charter School Enrollment by School and Grade Level (PK–12),” <http://www.cde.state.co.us/cdechart/charterschoolenrollmentbyschoolandgradelevel>.
- 19 Colorado Charter Schools list.
- 20 Interview with CDE Early Learning and School Readiness representative, November 7, 2014.
- 21 Jay F. May et al., “Charter School Funding: Inequality Expands,” Colorado section (Fayetteville, AR: University of Arkansas Department of Education Reform, School Choice Demonstration Project, April 2014), <http://www.uaedreform.org/wp-content/uploads/2014/charter-funding-inequality-expands-co.pdf>.