

Primary/Preprimary Education

Kindergarten programs

The district shall establish and maintain a kindergarten program or programs. A kindergarten program may be a half-day or full-day program, and the district shall receive state funding for students enrolled in these programs on a half-day or full-day basis, in accordance with state law

Preschool programs

All district preschool programs shall comply with the rules established by the Department of Education and with the rules for child care centers established by the Department of Human Services.

Children with disabilities

In meeting its obligation to offer an individualized program for children with disabilities at age three, the district shall provide a special education preschool program at no cost to students who have been identified as children with disabilities pursuant to applicable law.

Colorado preschool program

In addition, when the district receives funding from the state to do so, the district shall provide a preschool program as part of the Colorado Preschool Program for three-, four- and five-year-old children who lack learning readiness due to significant family risk factors, who are in need of language development or who are receiving services from the Department of Human Services as neglected or dependent children. All enrolling three-year-olds must lack overall learning readiness that is attributable to at least three of the significant family risk factors.

Parents/guardians wishing to have their children participate in this program shall make application to the Silverton Family Learning Center. Participants then shall be selected on the basis of greatest need.

LEGAL REFS.: C.R.S. 22-20-101 *et seq.* (*Exceptional Children's Educational Act*)
C.R.S. 22-28-101 *et seq.* (*Colorado Preschool Program Act*)
C.R.S. 22-32-119(1) (*requires establishment of kindergarten program*)
C.R.S. 22-43.7-201 *et seq.* (*full-day kindergarten capital construction funding*)
C.R.S. 22-44-118 (*full-day kindergarten reserve*)

C.R.S. 22-54-103(9.5) (*definition of preschool enrollment*)
C.R.S. 22-54-103(10) (*funding for kindergarten*)

C.R.S. 22-54-108.5 (*mill levy to fund full-day kindergarten*)
C.R.S. 22-54-130, 131 (*full-day kindergarten funding*)
C.R.S. 26-6-102 (1.5) (*definition of child care center*)
1 CCR 301-8, Rules 2220-R-1.00 *et seq.* (*Rules for the Administration of the Exceptional Children's Educational Act*)

CROSS REFS.: BDFC*, Preschool Council
IHBA, Special Education Programs for Students with Disabilities

NOTE 2: Pursuant to C.R.S. 22-28-106, the term “significant family risk factors” is defined to mean any of the following:

- The child is eligible to receive free or reduced-cost lunch pursuant to the National School Lunch Act
- Homelessness of the child’s family
- An abusive adult residing in the home of the child
- Drug or alcohol abuse in the child’s family
- Either parent of the child was less than eighteen years of age and unmarried at the time of the birth of the child
- The child’s parent or guardian has not successfully completed a high school education or its equivalent
- Frequent relocation by the child’s family to new residences
- Poor social skills of the child

NOTE 3: School districts participating in the Colorado Preschool Program (CPP) may only use CPP funds to pay the district’s costs of providing preschool services directly to enrolled children (for example teacher and paraprofessional salaries and benefits, supplies, home visits, and the like). Any moneys remaining in the preschool program budget at the end of any fiscal year must remain in the preschool program budget for use in subsequent budget years. C.R.S. [22-28-108](#)(5.5).

NOTE 4: Pursuant to C.R.S. 22-54-103, school districts participating in the Colorado Preschool Program may choose to determine the number of students enrolled in such preschool program(s), including those students with disabilities enrolled in such program(s), on November 1 within the applicable budget year or the school date nearest to November 1, instead of on October 1. These preschool students shall be counted as half-day pupils.

NOTE 5: If a school district establishes a preschool program pursuant to the Colorado Preschool program Act (“Act”), state law specifies that beginning with the 2005-2006 school year, a district may count and receive funding only for students enrolled in a preschool program who are three or four years old on or before October 1 of the applicable budget year. C.R.S. 22-28-104 (3)

NOTE 6: Pursuant to C.R.S. 22-54-103 (10), a district may receive funding for highly advanced gifted children enrolled in kindergarten who are four years old on or before October 1 of the applicable budget year. The determination of whether a child qualifies as a highly advanced gifted child shall be in accordance with Colorado Department of Education’s rules. C.R.S. 22-20-204.5(2) (b)

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