

CHAPTER 115**HUMAN SERVICES AND CHILD CARE — COUNCILS***H.F. 562*

AN ACT relating to the council on human services and the state child care advisory council.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 217.2, Code 2009, is amended to read as follows:

217.2 COUNCIL ON HUMAN SERVICES.

1. a. There is created within the department of human services a council on human services which shall act in a ~~policy-making~~ policymaking and advisory capacity on matters within the jurisdiction of the department. The council shall consist of seven voting members appointed by the governor subject to confirmation by the senate. Appointments shall be made on the basis of interest in public affairs, good judgment, and knowledge and ability in the field of human services. Appointments shall be made to provide a diversity of interest and point of view in the membership and without regard to religious opinions or affiliations. ~~Members~~ The voting members of the council shall serve for six-year staggered terms.

b. Each term of a voting member shall commence and end as provided by section 69.19.

c. All voting members of the council shall be electors of the state of Iowa. No more than four members shall belong to the same political party and no more than two members shall, at the time of appointment, reside in the same congressional district. At least one member of the council shall be a member of a county board of supervisors at the time of appointment to the council. Vacancies occurring during a term of office shall be filled in the same manner as the original appointment for the balance of the unexpired term subject to confirmation by the senate.

2. In addition to the voting members described in subsection 1, the membership of the council shall include four legislators as ex officio, nonvoting members. The four legislators shall be appointed one each by the majority leader of the senate, the minority leader of the senate, the speaker of the house of representatives, and the minority leader of the house of representatives for terms as provided in section 69.16B.

Sec. 2. Section 237A.21, subsections 1 and 2, Code 2009, are amended to read as follows:

1. a. A state child care advisory council is established consisting of not more than thirty-five voting members from urban and rural areas across the state. The membership shall include, but is not limited to, all of the following persons or representatives with an interest in child care: a licensed center provider, a registered child development home provider from a county with a population of less than twenty-two thousand, ~~an unregistered a provider who is exempt from licensing or registration under this chapter or a family, friend, and neighbor child care home provider,~~ a parent of a child in child care, staff members of appropriate governmental agencies, and other members as deemed necessary by the ~~director~~ governor. The voting members are eligible for reimbursement of their actual and necessary expenses while engaged in performance of their official duties.

b. For the purposes of this subsection, "family, friend, and neighbor child care" means child care, usually provided without cost and on a voluntary basis, by a family member, a friend, or a neighbor whose reason for providing that care is a strong existing personal relationship with a parent, guardian, or custodian and the parent's, guardian's, or custodian's child or children.

2. Members ~~Except as otherwise provided, the voting members~~ shall be appointed by the ~~director~~ governor from a list of names submitted by a nominating committee to consist of one member of the state council established pursuant to this section, one member of the department's child care staff, three consumers of child care, and one member of a professional child care organization. Two names shall be submitted for each appointment. ~~Members~~ The voting members shall be appointed for terms of three years ~~but no member shall be appointed to more~~

~~than two consecutive terms.~~ The state council shall develop its own operational policies which are subject to departmental approval.

Sec. 3. Section 237A.21, subsection 3, unnumbered paragraph 1, Code 2009, is amended to read as follows:

The voting membership of the council shall be appointed in a manner so as to provide equitable representation of persons with an interest in child care and shall include all of the following:

Sec. 4. Section 237A.21, subsection 3, paragraph m, Code 2009, is amended by striking the paragraph.

Sec. 5. Section 237A.21, subsection 3, Code 2009, is amended by adding the following new paragraphs:

NEW PARAGRAPH. n. One person who is a business owner or executive officer. Notwithstanding subsection 2, the nominees under this paragraph shall be submitted by the Iowa chamber of commerce executives.

NEW PARAGRAPH. o. One designee of the community empowerment office of the department of management.

NEW PARAGRAPH. p. One person who is a member of the Iowa afterschool alliance.

NEW PARAGRAPH. q. One person who is part of a local program implementing the state-wide preschool program for four-year-old children under chapter 256C.

NEW PARAGRAPH. r. One person who represents the early childhood Iowa council created in section 135.173.

Sec. 6. Section 237A.21, Code 2009, is amended by adding the following new subsection:

NEW SUBSECTION. 4. In addition to the voting members, the membership shall include four legislators as ex officio, nonvoting members. The four legislators shall be appointed one each by the majority leader of the senate, the minority leader of the senate, the speaker of the house of representatives, and the minority leader of the house of representatives for terms as provided in section 69.16B.

Sec. 7. Section 237A.22, Code 2009, is amended to read as follows:

237A.22 DUTIES OF STATE CHILD CARE ADVISORY COUNCIL AND DEPARTMENT.

1. The state child care advisory council shall advise and make recommendations to the department, governor, and general assembly concerning child care. In fulfilling this responsibility the advisory council shall do all of the following:

~~1. a.~~ 1. a. Consult with the department and make recommendations ~~to the department~~ concerning policy issues relating to child care.

~~2. b.~~ 2. b. Advise the department concerning services relating to child care, including but not limited to any of the following:

a. (1) Resource and referral services.

b. (2) Provider training.

e. (3) Quality improvement.

d. (4) Public-private partnerships.

e. (5) Standards review and development.

(6) The federal child care and development block grant, state funding, grants, and other funding sources for child care.

~~3. c.~~ 3. c. Assist the department in developing an implementation plan to provide seamless service to recipients of public assistance, which includes child care services. For the purposes of this subsection, "seamless service" means coordination, where possible, of the federal and state requirements which apply to child care.

~~4. d.~~ 4. d. Advise and provide technical services to the director of the department of education or the director's designee, ~~upon request,~~ relating to prekindergarten, kindergarten, and before and after school programming and facilities.

e. Make recommendations concerning child care expansion programs that meet the needs of children attending a core education program by providing child care before and after the core program hours and during times when the core program does not operate.

f. Make recommendations for improving collaborations between the child care programs involving the department and programs supporting the education and development of young children including but not limited to the federal head start program, the statewide preschool program for four-year-old children and the early childhood, at-risk, and other early education programs administered by the department of education.

g. Make recommendations for eliminating duplication and otherwise improving the eligibility determination processes used for the state child care assistance program and other programs supporting low-income families, including but not limited to the federal head start, early head start, and even start programs, the early childhood, at-risk, and preschool programs administered by the department of education, the family and self-sufficiency grant program, and the family investment program.

h. Make recommendations as to the most effective and efficient means of managing the state and federal funding available for the state child care assistance program.

i. Review departmental program data concerning child care as deemed to be necessary by the advisory council, although the department shall not provide personally identifiable data or information.

j. Advise and assist the early childhood Iowa council in developing the strategic plan required pursuant to section 135.173.

2. The department shall provide information to the advisory council semiannually on all of the following:

a. Federal, state, local, and private revenues and expenditures for child care, including but not limited to updates on the current and future status of the revenues and expenditures.

b. Financial information and data relating to regulation of child care by the department and the usage of the state child care assistance program.

c. Utilization and availability data relating to child care regulation, quantity, and quality from consumer and provider perspectives.

d. Statistical and demographic data regarding child care providers and the families utilizing child care.

e. Statistical data regarding the processing time for issuing notices of decision to state child care assistance applicants and for issuing payments to child care providers.

3. The advisory council shall coordinate with the early childhood Iowa council in reporting annually to the governor and general assembly in December concerning the status of child care in the state, providing findings, and making recommendations. The annual report may be personally presented to the general assembly's standing committees on human resources by a representative of the advisory council.

Approved May 18, 2009