

CHAPTER 168
CHILD CARE EXPANSION PROGRAMS

[Prior to 6/28/89, see 441—Chapter 154]

PREAMBLE

These rules define and structure funding for wrap-around child care programs and expansion of school-age child care programs. The purpose of wrap-around funding is to provide continuity of services for children through programs that support core programs by expanding the day and continuing the services through breaks in the core program schedule. School-age expansion funding is intended to increase access to child care for school-age children before and after school.

441—168.1(234) Definitions.

“Administrator” means the administrator of the department’s division of children and family services.

“Applicant” means any eligible entity that submits a proposal.

“Child care facility,” for the purposes of this chapter, means a facility that is licensed or that has a license in process under Iowa Code chapter 237A or a child care program established by a school pursuant to Iowa Code section 279.49.

“Contractor” means the entity with which the department contracts for administration of child care expansion program funds.

“Core program” means a Head Start program, an Early Head Start program, a department of education at-risk program, a Title I preschool, an Even Start program, or an early childhood special education program.

“Department” means the Iowa department of human services.

“Director” means the director of the department of human services.

“Proposal review committee” means a committee appointed by the chief of the department’s bureau of child care and community services to review proposals and make recommendations to the department.

“School-age child care program” means a program that provides child care to children who are between five years of age and 13 years of age by September 15 and who are enrolled in a public or approved nonpublic school program.

“School-age expansion funding” means funding that assists in meeting expansion needs for school-age child care programs. School-age expansion funds shall increase access to school-age child care for children before and after school and during the summer and other breaks in the regular school schedule.

“Wrap-around child care program” means a program that provides child care for children before and after a core program and during the summer and other breaks in the core program schedule. Wrap-around child care programs shall provide continuity of services for children who attend an eligible core program and whose families meet the eligibility guidelines for child care assistance as set forth in rule 441—170.2(237A,239B).

441—168.2(234) Availability of funds.

168.2(1) In any year in which funds are available for wrap-around child care programs or for both wrap-around child care programs and school-age child care expansion, the department shall administer awards to eligible applicants based on:

- a. The availability of funds;
- b. The applicant’s history and demonstration of quality of services provided; and
- c. The applicant’s compliance with department requirements.

168.2(2) If sufficient eligible proposals are not received or available, the department reserves the right not to allocate all funds.

441—168.3(234) Eligibility requirements.

168.3(1) *Wrap-around child care funding.* Funds shall be awarded to entities administering child care programs that provide continuity of services with a core program as defined in this chapter. Collaborative proposals within communities are encouraged.

a. All wrap-around program slots shall be reserved for children:

(1) Who attend a core program; and

(2) Whose families meet the eligibility guidelines for child care assistance as set forth in rule 441—170.2(237A,239B) at the time of enrollment for each contract year.

b. Wrap-around child care funds shall be used to support costs of the child care provided before and after the core program, including summer and other breaks in the core program schedule, for one service period as specified in the contract.

c. Child care assistance funds shall not be used for a child during the time the child is attending a wrap-around child care program.

168.3(2) *School-age expansion funding.* Funds may be awarded to entities that administer a school-age child care program as defined in this chapter if the applicant shows that the funds will increase the number of school-age children served or will expand participation of school-age children with special needs.

441—168.4(234) Request for proposals. The department shall announce the request for proposal period through public notice.

168.4(1) *Proposal submittal.* All applicants shall submit proposals to: Iowa Department of Human Services, Bureau of Child Care and Community Services, Hoover State Office Building, Fifth Floor, 1305 E. Walnut St., Des Moines, Iowa 50319-0114.

a. Proposals shall be in the form prescribed by the department.

b. To be eligible for review, the proposals shall be received by the due date specified in the request for proposals.

168.4(2) *Proposal requirements.* Requirements for proposals shall be specified in each request for proposals. A proposal that does not contain the information specified may be disqualified at the discretion of the department. Proposals shall describe how the program will improve services to children and shall include but not be limited to the following information:

a. Program description, including but not limited to:

(1) Stated goals and objectives of the program.

(2) Impact of proposal on children, families, and core program.

(3) Facility plan.

(4) Curriculum plan.

(5) Positive guidance plan.

(6) Health and safety plan.

(7) Food and nutrition plan.

(8) Evidence of an inclusive environment.

(9) Continuity of services plan.

(10) Staff plan.

(11) Professional development plan.

(12) Parental involvement plan.

b. Needs assessment:

(1) Geographical area to be served, including population density.

(2) Demographics of the service population.

(3) Socioeconomic data for the area served, such as indicators of poverty and teen pregnancy.

c. Description of community linkages and community collaboration.

d. Evidence of program quality and sustainability.

e. Proposed budget for the requested contract funds.

f. Evidence of required insurance coverage.

g. Other information identified in the request for proposals.

441—168.5(234) Selection of proposals. The administrator shall make the funding decisions.

168.5(1) Review. The department shall conduct a preliminary review of each proposal to ensure that the proposal is eligible for review by the proposal review committee. All eligible proposals received by the department shall be evaluated by the proposal review committee, which shall make funding recommendations to the administrator.

168.5(2) Criteria. The selection criteria shall be set forth in the request for proposals.

168.5(3) Notice of decision. Each applicant shall be notified within 60 days after the proposal due date whether the proposal has been denied or approved for funding and the amount of funds approved for the contract.

441—168.6(234) Appeals. Applicants dissatisfied with the department's decision may file a written appeal with the director. An appeal of a decision shall not stay contract negotiations with the apparent successful bidders.

168.6(1) The appeal must:

- a. Be received within five working days of the date of the notice of decision;
- b. Be based on a contention that the process:
 - (1) Was conducted outside of statutory authority;
 - (2) Violated state or federal law, policy, or rules;
 - (3) Did not provide adequate public notice;
 - (4) Was altered without adequate public notice; or
 - (5) Involved a conflict of interest by staff or committee members.
- c. Include a request for the director to review the decision.
- d. Include the reasons for the applicant's dissatisfaction.

168.6(2) Within ten working days of receipt of the appeal, the director shall review the appeal request and issue a final decision. An evidentiary hearing will not be conducted.

441—168.7(234) Contracts.

168.7(1) Before entering into a contract, the department may require modification of the program or budget, submission of further information or documents, or other stipulation of the applicant. The required modification, information, document, or stipulation shall be specified in the notification of contract award.

168.7(2) The department shall pay the contractor semiannually. The first payment shall be made after all parties have signed the contract. The second payment shall be made after the department has received, reviewed and approved the contractor's semiannual expenditure and performance report, as required in the contract. The contractor shall spend the funds only in accordance with the proposal approved by the department and as set forth in the contract.

168.7(3) The contractor shall keep records to document all services provided, as set forth in the contract. All records pertaining to programs funded by the contract shall be made available to the department upon request.

168.7(4) As specified in the contract, the contractor shall return unspent funds to the department with the submission of the final reports. Following the department review of the reports and contract delivery assessment, the department will determine if additional funds shall be returned.

168.7(5) Nothing in these rules shall be construed as limiting the remedies available to the state or the department for improper use of contract funds or other breach of the contractor's duties under the contract and applicable law.

441—168.8(234) Reporting requirements. Each contractor shall provide specified documents and information to the department to enable the department to evaluate the contractor, to monitor fiscal activity, and to ensure that the program goals are met.

168.8(1) The contractor shall submit expenditure reports at such times and in a format prescribed by the department as described in the contract.

168.8(2) The contractor shall submit performance reports at such times and in a format prescribed by the department as described in the contract.

168.8(3) Failure to submit a report by the due date shall result in suspension of department payment to the contractor until the report is received and approved. Delinquent or inadequate reports may negatively affect contracts or renewals for the following year.

168.8(4) The department may make monitoring visits to evaluate program management, fiscal accountability, and service delivery. The contractor shall receive a written report of the monitoring visit.

441—168.9(234) Termination of contract. Either party may terminate the contract at any time during the contract period by giving 60 days' notice to the other party.

168.9(1) The department may terminate a contract upon ten days' notice when the contractor fails to comply with the contract award stipulations, standards, or conditions.

168.9(2) Within 45 days of the termination of the contract, the contractor shall supply the department with a financial statement detailing all expenditures up to the effective date of the termination.

These rules are intended to implement Iowa Code section 234.6.

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