

House File 2769 - Enrolled

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HOUSE FILE 2769

AN ACT

RELATING TO THE COMMUNITY EMPOWERMENT INITIATIVE AND MAKING APPROPRIATIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I CODE CHANGES

Section 1. Section 28.1, subsection 5, Code Supplement 2005, is amended by striking the subsection.

Sec. 2. Section 28.2, subsection 2, unnumbered paragraph 1, Code Supplement 2005, is amended to read as follows:

It is intended that through the community empowerment initiative, ~~by June 30, 2005,~~ every community in Iowa will ~~have developed~~ develop the capacity and commitment for using local decision making to achieve the following initial set of desired results:

Sec. 3. Section 28.2, subsection 2, paragraph e, Code Supplement 2005, is amended to read as follows:

e. Secure and nurturing ~~child~~ early care and education environments.

Sec. 4. Section 28.3, subsection 2, Code Supplement 2005, is amended to read as follows:

2. The Iowa board shall consist of ~~eighteen~~ twenty-two voting members with ~~thirteen~~ sixteen citizen members and ~~five~~ six state agency members. The ~~five~~ six state agency members shall be the directors of the following departments: economic development, education, human rights, human services, ~~and~~ public health, and workforce development. The ~~thirteen~~ sixteen citizen members shall be appointed by the governor, subject to confirmation by the senate. The governor's appointments of citizen members shall be made in a manner so that each of the state's congressional districts is represented by at least two citizen members and so that all the appointments as a whole reflect the ethnic, cultural, social, and economic diversity of the state. The governor's appointees shall be selected from individuals nominated by community empowerment area boards. The nominations shall reflect the range of interests represented on the community boards so that the governor is able to appoint one or more members each for early care, education, health, human services, business, faith, and public interests. At least one of the citizen members shall be a service consumer or the parent of a service consumer. Terms of office of all citizen members are three years. A vacancy on the board shall be filled in the same manner as the original appointment for the balance of the unexpired term.

Sec. 5. Section 28.4, subsection 3, Code Supplement 2005, is amended to read as follows:

3. Develop advanced community empowerment area arrangements for those community empowerment areas which were formed in transition ~~from an innovation zone or from a~~ decategorization governance board or which otherwise provide evidence of extensive successful experience in managing services and funding with high levels of community support and input.

Sec. 6. Section 28.4, subsection 6, Code Supplement 2005, is amended by striking the subsection.

Sec. 7. Section 28.4, subsection 9, paragraphs a and c, Code Supplement 2005, are amended to read as follows:

a. ~~Performance indicators for~~ Indicators of the effectiveness of community empowerment areas, community boards, and the services provided under the auspices of the community boards. The ~~performance~~ indicators shall be developed with input from community boards and shall build upon the core indicators of ~~performance effectiveness~~ for the school ready grant program, as described in section 28.8.

c. Core functions for ~~home visitation~~ family support services, parent ~~support~~ education programs, and preschool services provided under a school ready children grant.

Sec. 8. Section 28.8, subsection 1, paragraph a, Code

3 4 Supplement 2005, is amended to read as follows:

3 5 a. Identify the ~~core~~ indicators of ~~performance~~ that will
3 6 be used to assess the effectiveness of the school ready
3 7 children grants, including ~~encouraging the amount of~~ early
3 8 intellectual stimulation of very young children, ~~increasing~~
3 9 the basic skill levels of students entering school, ~~increasing~~
3 10 the health status of children, ~~reducing~~ the incidence of child
3 11 abuse and neglect, ~~increasing the access of children to an~~
3 12 ~~adult mentor, increasing the level of parental involvement~~
3 13 with their children, and ~~increasing the degree of quality of~~
3 14 and accessibility of ~~to~~ child care.

3 15 Sec. 9. Section 28.8, subsection 3, paragraph b, Code
3 16 Supplement 2005, is amended to read as follows:

3 17 b. ~~Parent Family~~ support ~~services~~ and ~~parent~~ education
3 18 programs promoted to parents of children from birth through
3 19 five years of age. ~~Parent support and education The services~~
3 20 ~~and~~ programs shall be offered in a flexible manner to
3 21 accommodate the varying schedules, meeting place requirements,
3 22 and other needs of working parents. ~~Family support services~~
3 23 ~~shall include but are not limited to home visitation. After a~~
3 24 ~~community empowerment area board has committed the portion of~~
3 25 ~~school ready grant funding that is designated or authorized by~~
3 26 ~~law to be used or set aside for a particular purpose, the~~
3 27 ~~community board shall commit approximately sixty percent of~~
3 28 ~~the remainder to family support services and parent education~~
3 29 ~~programs targeted to families with children who are newborn~~
3 30 ~~through age five.~~

3 31 Sec. 10. Section 28.8, subsection 3, paragraph c,
3 32 unnumbered paragraph 1, Code Supplement 2005, is amended to
3 33 read as follows:

3 34 A comprehensive school ready children grant plan developed
3 35 by a community board for providing services for children from
4 1 birth through five years of age including but not limited to
4 2 child development services, child care services, training
4 3 child care providers to encourage early intellectual
4 4 stimulation of very young children, children's health and
4 5 safety services, assessment services to identify chemically
4 6 exposed infants and children, ~~and parent family support~~
4 7 ~~services, and parent education services programs.~~ At a
4 8 minimum, the plan shall do all of the following:

4 9 Sec. 11. Section 28.8, subsection 6, Code Supplement 2005,
4 10 is amended to read as follows:

4 11 6. The priorities for school ready children grant funds
4 12 shall include providing preschool services on a voluntary
4 13 basis to children deemed at risk of not succeeding in
4 14 elementary school, training child care providers and others to
4 15 encourage early intellectual stimulation of very young
4 16 children, and offering ~~parent family support services~~ and
4 17 ~~parent~~ education programs on a voluntary basis to parents of
4 18 children from birth through five years of age. The grant
4 19 funds also may be used to provide other services to children
4 20 from birth through five years of age as specified in the
4 21 comprehensive school ready children grant plan.

4 22 Sec. 12. Section 28.9, subsection 1, Code Supplement 2005,
4 23 is amended to read as follows:

4 24 1. An Iowa empowerment fund is created in the state
4 25 treasury. The moneys ~~in~~ ~~credited to~~ the Iowa empowerment fund
4 26 are not subject to section 8.33 and ~~moneys in the fund~~ shall
4 27 not be transferred, used, obligated, appropriated, or
4 28 otherwise encumbered except as provided by law.
4 29 Notwithstanding section 12C.7, subsection 2, interest or
4 30 earnings on moneys deposited in the Iowa empowerment fund
4 31 shall be credited to the fund.

4 32 Sec. 13. Section 28.9, subsection 4, Code Supplement 2005,
4 33 is amended to read as follows:

4 34 ~~4- 2A. Beginning July 1, 1999, unless Unless~~ a different
4 35 amount is authorized by law, up to three percent, ~~not to~~
5 1 ~~exceed sixty thousand dollars,~~ of the school ready children
5 2 grant moneys distributed under the auspices of the Iowa board
5 3 to a community empowerment area board may be used by the
5 4 community board for administrative costs and other
5 5 implementation expenses.

5 6 Sec. 14. Section 28.9, Code Supplement 2005, is amended by
5 7 adding the following new subsection:

5 8 NEW SUBSECTION. 5. A community empowerment gifts and
5 9 grants account is created in the Iowa empowerment fund under
5 10 the authority of the department of management. The account
5 11 shall consist of gift or grant moneys obtained from any
5 12 source, including but not limited to the federal government.
5 13 Moneys credited to the account are appropriated to the
5 14 department of management to be used for the community

5 15 empowerment-related purposes for which the moneys were
5 16 received.
5 17 Sec. 15. Section 135.106, subsection 3, Code 2005, is
5 18 amended to read as follows:
5 19 3. It is the intent of the general assembly to provide
5 20 communities with the discretion and authority to redesign
5 21 existing local programs and services targeted at and assisting
5 22 families expecting babies and families with children who are
5 23 newborn through five years of age. The Iowa department of
5 24 public health, department of human services, department of
5 25 education, and other state agencies and programs, as
5 26 appropriate, shall provide technical assistance and support to
5 27 communities desiring to redesign their local programs and
5 28 shall facilitate the consolidation of existing state funding
5 29 appropriated and made available to the community for family
5 30 support services. Funds which are consolidated in accordance
5 31 with this subsection shall be used to support the redesigned
5 32 service delivery system. In redesigning services, communities
5 33 are encouraged to implement a single uniform family risk
5 34 assessment mechanism and shall demonstrate the potential for
5 35 improved outcomes for children and families. Requests by
6 1 local communities for the redesigning of services shall be
6 2 submitted to the Iowa department of public health, department
6 3 of human services, and department of education, and are
6 4 subject to the approval of the Iowa empowerment board in
6 5 consultation with the departments, based on the ~~innovation~~
~~6 6 zone principles established in section 8A.2, Code 1997~~
6 7 practices utilized with community empowerment areas under
6 8 chapter 28.

6 9 DIVISION II
6 10 APPROPRIATIONS == EARLY CARE, HEALTH, AND
6 11 EDUCATION PROGRAMS

6 12 Sec. 16. FAMILY SUPPORT AND PARENT EDUCATION == FY
6 13 2006=2007 THROUGH FY 2008=2009. There is appropriated from
6 14 the general fund of the state to the department of education
6 15 for deposit in the school ready children grants account of the
6 16 Iowa empowerment fund for each fiscal year of the period
6 17 beginning July 1, 2006, and ending June 30, 2009, the
6 18 following amount, or so much thereof as is necessary, to be
6 19 used for the purposes designated:

6 20 For family support services and parent education programs
6 21 targeted to families expecting a child or with newborn and
6 22 infant children through age three, in accordance with this
6 23 section:

6 24 \$ 5,000,000

6 25 The amount appropriated in this section shall be
6 26 distributed in each of the fiscal years as part of the school
6 27 ready children grant program funding using the distribution
6 28 formula approved by the Iowa empowerment board and shall be
6 29 used by a community empowerment area only for family support
6 30 services and parent education programs targeted to families
6 31 expecting a child or with newborn and infant children through
6 32 age three. The programs funded under this section shall have
6 33 a home visitation component.

6 34 Sec. 17. EARLY CARE, HEALTH, AND EDUCATION PROGRAMS == FY
6 35 2006=2007.

7 1 1. There is appropriated from the general fund of the
7 2 state to the school ready children grants account of the Iowa
7 3 empowerment fund for the fiscal year beginning July 1, 2006,
7 4 and ending June 30, 2007, the following amount, or so much
7 5 thereof as is necessary, to be used for the purposes
7 6 designated:

7 7 For early care, health, and education programs, in
7 8 accordance with this section:
7 9 \$ 10,000,000

7 10 2. Of the amount appropriated in subsection 1, \$5,500,000
7 11 is allocated to increase the funding designated for
7 12 distribution to community empowerment areas to assist
7 13 low-income parents with tuition for preschool for children
7 14 ages four and five who are not attending kindergarten in order
7 15 to increase the basic family income eligibility requirement to
7 16 not more than 200 percent of the federal poverty level. In
7 17 addition, if sufficient funding is available after addressing
7 18 the needs of those who meet the basic income eligibility
7 19 requirement, a community empowerment area board may provide
7 20 for eligibility for those with a family income in excess of
7 21 the basic income eligibility requirement through use of a
7 22 sliding scale or other copayment provision.

7 23 3. Of the amount appropriated in subsection 1, \$3,500,000
7 24 is allocated for efforts to improve the quality of early care,
7 25 health, and education programs. The Iowa empowerment board

7 26 may reserve a portion of the allocation, not to exceed
7 27 \$100,000 for the technical assistance expenses of the Iowa
7 28 empowerment office and shall distribute the remainder to
7 29 community empowerment areas for local quality improvement
7 30 efforts through a methodology identified by the board to make
7 31 the most productive use of the funding, which may include use
7 32 of the distribution formula, grants, or other means.

7 33 4. a. Of the amount appropriated in subsection 1,
7 34 \$1,000,000 shall be credited to the community empowerment
7 35 gifts and grants account created in this Act within the Iowa
8 1 empowerment fund. The amount credited shall be reserved for
8 2 distribution to implement those recommendations of the
8 3 business community investment advisory council created in this
8 4 subsection that are approved for implementation by the Iowa
8 5 empowerment board. Not more than 3 percent of the amount
8 6 allocated in this subsection shall be used for the expenses of
8 7 the advisory council created in this subsection.

8 8 b. A business community investment advisory council is
8 9 created to advise the Iowa empowerment board. The membership
8 10 of the advisory council shall be appointed by the governor in
8 11 a manner to ensure there is representation for rural and urban
8 12 interests, various geographic areas of the state, and
8 13 different sizes of businesses. The membership shall be
8 14 appointed as follows:

8 15 (1) Two members from nominees provided by the Iowa
8 16 business council.

8 17 (2) Two members from nominees provided by the Iowa
8 18 association of business and industry.

8 19 (3) One member from nominees provided by the Iowa chamber
8 20 alliance.

8 21 (4) One member from nominees provided by the professional
8 22 developers of Iowa.

8 23 (5) Three members representing early care, health, and
8 24 education services providers from nominees provided by the
8 25 state child care advisory council so that representation is
8 26 provided for for-profit child development home providers,
8 27 for-profit child care center providers, and nonprofit child
8 28 care center providers.

8 29 (6) One member representing school administrators who have
8 30 responsibilities involving a public preschool program from
8 31 nominees provided by the school administrators of Iowa.

8 32 (7) One member representing kindergarten teachers from
8 33 nominees provided by the Iowa state education association,
8 34 professional educators of Iowa, and nonpublic schools.

8 35 (8) One parent of a child from birth through age five who
9 1 is not attending kindergarten from nominees submitted by
9 2 community empowerment area boards.

9 3 (9) The directors of the state agencies represented on the
9 4 Iowa empowerment board may serve as nonvoting, ex officio
9 5 members of the advisory council.

9 6 c. The advisory council shall advise the Iowa empowerment
9 7 board on the best means to leverage private investment in
9 8 early care, health, and education services and provide options
9 9 for creating model projects for public-private partnerships to
9 10 support quality early care, health, and education programming
9 11 in communities. The advisory council shall complete its
9 12 deliberations by submitting a report with recommendations and
9 13 findings to the Iowa empowerment board on or before December
9 14 31, 2006. The report shall address all of the following in
9 15 addition to other items identified by the advisory council:

9 16 (1) A strategy for blending funding for early care,
9 17 health, and education services from the public sector and the
9 18 private sector, including but not limited to the funding
9 19 provided by businesses and individual families. The advisory
9 20 council shall consider an approach based on that used for the
9 21 vision Iowa program, the grow Iowa values fund, and other
9 22 economic models.

9 23 (2) A strategy for community empowerment area boards to
9 24 develop and implement local public-private partnership
9 25 networks and apply for state and private funding to implement
9 26 innovative early care, health, and education programming, or
9 27 to be able to apply for competitive grants to enhance such
9 28 partnership networks. The advisory council shall give
9 29 consideration to similar approaches that have been successful
9 30 in other states.

9 31 (3) A strategy for requiring local match funding for a
9 32 community empowerment area to access the funding allocated in
9 33 this subsection.

9 34 (4) Accountability and evaluation measures.

9 35 (5) Provisions to ensure efficiency.

10 2 2007=2008 AND 2008=2009.

10 3 1. There is appropriated from the general fund of the
10 4 state to the department of education for deposit in the school
10 5 ready children grants account of the Iowa empowerment fund for
10 6 each fiscal year of the fiscal period beginning July 1, 2007,
10 7 and ending June 30, 2009, the following amount, or so much
10 8 thereof as is necessary, to be used for the purposes
10 9 designated:

10 10 For early care, health, and education and preschool
10 11 programs, to continue programs and initiatives developed
10 12 pursuant to the appropriation made in this division of this
10 13 Act for this purpose for the fiscal year beginning July 1,
10 14 2006:

10 15 \$ 15,000,000

10 16 2. Expenditure of the amounts appropriated in this section
10 17 is subject to enactment of law specifying how the amounts are
10 18 to be distributed. It is the intent of the general assembly
10 19 that the increase in funding provided by this section of
10 20 \$5,000,000 over the amount appropriated in this division of
10 21 this Act for the same purpose for the fiscal year beginning
10 22 July 1, 2006, will be designated for the expansion of the
10 23 initiatives implemented pursuant to the business community
10 24 investment advisory council recommendations adopted pursuant
10 25 to this Act.

10 26 Sec. 19. PROFESSIONAL DEVELOPMENT AND TRAINING ACTIVITIES.
10 27 The amounts credited to the Iowa empowerment fund for purposes
10 28 of professional development and training activities for the
10 29 fiscal year beginning July 1, 2006, in 2006 Iowa Acts, House
10 30 File 2527 and House File 2734, if enacted, are appropriated to
10 31 be used as provided in this section. For the fiscal year
10 32 beginning July 1, 2006, the Iowa empowerment board shall phase
10 33 out the professional development activities that began in the
10 34 previous fiscal year through community empowerment area
10 35 boards. The designated amounts shall be used for support of
11 1 professional development and training activities for persons
11 2 working in early care, health, and education by the Iowa
11 3 empowerment board in collaboration with representation from
11 4 Iowa state university of science and technology cooperative
11 5 extension service in agriculture and home economics, area
11 6 education agencies, community colleges, child care resource
11 7 and referral services, and community empowerment area boards.
11 8 Expenditures shall be limited to professional development and
11 9 training activities agreed upon by the parties participating
11 10 in the collaboration.

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11 13 _____
11 14 CHRISTOPHER C. RANTS
11 15 Speaker of the House

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11 19 JEFFREY M. LAMBERTI
11 20 President of the Senate

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11 22 I hereby certify that this bill originated in the House and
11 23 is known as House File 2769, Eighty-first General Assembly.

11 24
11 25

11 26 _____
11 27 MARGARET THOMSON
11 28 Chief Clerk of the House

11 29 Approved _____, 2006

11 30
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11 32 _____
11 33 THOMAS J. VILSACK
11 34 Governor