

Senate Study Bill 3139 - Introduced

SENATE/HOUSE FILE _____

BY (PROPOSED GOVERNOR'S BILL)

A BILL FOR

1 An Act creating the early childhood Iowa initiative.

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

DIVISION I

EARLY CHILDHOOD IOWA INITIATIVE

Section 1. NEW SECTION. 256I.1 Definitions.

For the purposes of this chapter, unless the context otherwise requires:

1. "*Department*" means the department of education.

2. "*Desired results*" means the set of desired results for improving the quality of life in this state for young children and their families identified in section 256I.2.

3. "*Early care*", "*early care services*", or "*early care system*" means the programs, services, support, or other assistance made available to a parent or other person who is involved with addressing the health and education needs of a child from zero through age five. "*Early care*", "*early care services*", or "*early care system*" includes but is not limited to public and private efforts and formal and informal settings.

4. "*Early childhood Iowa area*" means a geographic area designated in accordance with this chapter.

5. "*Early childhood Iowa area board*" or "*area board*" means the board for an early childhood Iowa area created in accordance with this chapter.

6. "*Early childhood Iowa state board*" or "*state board*" means the early childhood Iowa state board created in section 256I.3.

Sec. 2. NEW SECTION. 256I.2 Desired results — purpose and scope.

1. It is intended that through the early childhood Iowa initiative every community in Iowa will develop the capacity and commitment for using local, informed decision making to achieve the following set of desired results for improving the quality of life in this state for young children and their families:

a. Healthy children.

b. Children ready to succeed in school.

c. Safe and supportive communities.

d. Secure and nurturing families.

1 e. Secure and nurturing early learning environments.

2 2. The purpose of creating the early childhood Iowa
3 initiative is to empower individuals, communities, and state
4 level partners to achieve the desired results. The desired
5 results will be achieved as private and public entities work
6 collaboratively. This initiative creates a partnership between
7 communities and state level partners to support children zero
8 through age five and their families. The role of the early
9 childhood Iowa state board, area boards, and other state and
10 local government agencies is to provide support, leadership,
11 and facilitation of the growth of individual, community, and
12 state responsibility in addressing the desired results.

13 3. To achieve the desired results, the initiative's primary
14 focus shall be on the efforts of the state and communities to
15 work together to improve the efficiency and effectiveness of
16 early care, education, health, and human services provided to
17 families with children from zero through age five.

18 Sec. 3. NEW SECTION. 256I.3 Early childhood Iowa state
19 board created.

20 1. The early childhood Iowa state board is created to
21 promote a vision for a comprehensive early care, education,
22 health, and human services system in this state. The board
23 shall oversee state and local efforts. The vision shall be
24 achieved through strategic planning, funding identification,
25 guidance, and decision-making authority to assure collaboration
26 among state and local early care, education, health, and human
27 services systems.

28 2. a. The board shall consist of nine voting members with
29 three citizen members and six state agency members. A citizen
30 member shall not be an elected official, public employee, or
31 paid staff member of an agency receiving funding through the
32 early childhood Iowa initiative. The six state agency members
33 shall be the directors or their designee of the following
34 departments: economic development, education, human rights,
35 human services, public health, and workforce development. The

1 designees of state agency directors shall be selected on an
2 annual basis. The citizen members shall be appointed by the
3 governor, subject to confirmation by the senate.

4 **b.** The governor's citizen member appointees shall be
5 selected from individuals nominated by early childhood Iowa
6 area boards. The term of office of the citizen members is
7 three years. A citizen member vacancy on the board shall be
8 filled in the same manner as the original appointment for the
9 balance of the unexpired term.

10 3. Citizen members shall be reimbursed for actual and
11 necessary expenses incurred in performance of their duties.
12 Citizen members shall be paid a per diem as specified in
13 section 7E.6.

14 4. In addition to the voting members, the state board shall
15 include four members of the general assembly with not more than
16 one member from each chamber being from the same political
17 party. The two senators shall be appointed one each by the
18 majority leader of the senate and by the minority leader of
19 the senate. The two representatives shall be appointed one
20 each by the speaker of the house of representatives and by the
21 minority leader of the house of representatives. Legislative
22 members shall serve in an ex officio, nonvoting capacity. A
23 legislative member is eligible for per diem and expenses as
24 provided in section 2.10.

25 5. The governor shall select a chairperson from the state
26 board's voting members. The state board may select other
27 officers from the voting members as determined to be necessary
28 by the board. The board shall meet regularly as determined by
29 the board, upon the call of the board's chairperson, or upon
30 the call of a majority of voting members. The board shall meet
31 at least quarterly.

32 Sec. 4. NEW SECTION. **256I.4 Early childhood Iowa state**
33 **board duties.**

34 The state board shall perform the following duties:

35 1. Provide oversight of early childhood Iowa areas.

1 2. Manage and coordinate the provision of grant funding and
2 other moneys made available to early childhood Iowa areas by
3 combining all or portions of appropriations or other revenues
4 as authorized by law.

5 3. Approve the geographic boundaries for the early
6 childhood Iowa areas throughout the state and approve any
7 proposed changes in the boundaries.

8 4. Create a strategic plan that supports a comprehensive
9 system of early care, education, health, and human services.
10 The strategic plan shall be annually updated and disseminated
11 to the public. Specific items to be addressed in the strategic
12 plan shall include but are not limited to all of the following:

13 *a.* Provisions to strengthen the state structure including
14 interagency levels of collaboration, coordination, and
15 integration.

16 *b.* Provisions for building public-private partnerships.

17 *c.* Provisions to support consolidating, blending, and
18 redistributing state-administered funding streams and the
19 coordination of federal funding streams. The strategic plan
20 shall also address integration of services provided through
21 area boards, other state and local commissions, committees,
22 and other bodies with overlapping and similar purposes which
23 contribute to redundancy and fragmentation in early care,
24 education, health, and human services programs provided to the
25 public.

26 *d.* Provisions for improving the efficiency of working with
27 federally mandated bodies.

28 *e.* Identification of indicators that measure the success of
29 the various strategies that impact communities, families, and
30 children. The indicators shall be developed with input from
31 area boards.

32 5. Adopt common performance measures and data for services,
33 programs, and activities provided by area boards. Data from
34 common performance measures shall be included in the state
35 board's annual report.

1 6. Develop and implement a levels of excellence rating
2 system for use with the state board's designation process for
3 area boards. Allow for flexibility and creativity of area
4 boards in implementing area board responsibilities and provide
5 authority for the area boards to support the communities in the
6 areas served. The levels of excellence rating system shall
7 utilize a tiered approach for recognizing the performance of
8 an area board. The system shall provide for action to address
9 poor performing areas as well as higher performing areas. If
10 an area board achieves the highest rating level, the state
11 board shall allow special flexibility provisions in regard to
12 the funding appropriated or allocated for that area board. The
13 state board may determine how often area boards are reviewed
14 under the system.

15 7. Adopt rules pursuant to chapter 17A as necessary for the
16 designation, governance, and oversight of area boards and the
17 administration of this chapter. The state board shall provide
18 for area board input in the rules adoption process.

19 8. Develop guidelines for recommended insurance or other
20 liability coverage and take other actions to assist area boards
21 in acquiring such coverage at a reasonable cost. Moneys
22 expended by an area board to acquire necessary insurance or
23 other liability coverage shall be considered an administrative
24 cost.

25 9. In January each year, submit an annual report to the
26 governor and general assembly that includes but is not limited
27 to all of the following:

28 *a.* Any updates to the strategic plan.

29 *b.* The status and results of the early childhood Iowa
30 initiative efforts to engage the public regarding the early
31 care, education, health, human services, and other needs of
32 children zero through age five.

33 *c.* The status and results of the efforts to develop and
34 promote private sector involvement with the early care system.

35 *d.* The status of the early childhood Iowa initiative and

1 the overall early care system in achieving the set of desired
2 results.

3 e. The data and common performance measures addressed by
4 the strategic plan, which shall include but is not limited to
5 funding amounts.

6 f. The indicators addressed by the strategic plan along with
7 associated data trends and their source.

8 10. Integrate statewide quality standards and results
9 indicators adopted by other boards and commissions into the
10 state board's funding requirements for investments in early
11 care, health, education, and human services.

12 11. Ensure alignment of other state departments' activities
13 with the strategic plan.

14 12. Develop and keep current memoranda of agreements
15 between the state agencies represented on the state board to
16 promote system development and integration and to clarify the
17 roles and responsibilities of partner agencies.

18 13. Work with the early childhood coordination center
19 in building public-private partnerships for promoting the
20 collaborative early care, education, health, and human services
21 system.

22 14. Support and align the early childhood Iowa internet site
23 with other agencies and improve internet communication.

24 Sec. 5. NEW SECTION. 256I.5 Early childhood coordination
25 center.

26 1. The department is the lead agency for implementation
27 of the early childhood Iowa initiative and for support of
28 the state board and the comprehensive early care, education,
29 health, and human services system.

30 2. a. The early childhood coordination center is
31 established as a work unit of the department to provide a
32 center for facilitation, communication, and coordination for
33 early childhood Iowa activities and funding and for improvement
34 of the individual early care, education, health, and human
35 services systems and the comprehensive system.

1 *b.* Staffing for the center shall be provided by a project
2 director, a deputy, a family support coordinator, and a first
3 years first coordinator. Dedicated fiscal staff and support
4 staff may be designated, subject to an appropriation made for
5 this purpose. The center shall submit reports to the governor,
6 state board, and the general assembly. The project director
7 shall provide primary staffing to the board, coordinate state
8 technical assistance activities and implementation of the
9 technical assistance system, and oversee other communication
10 and coordination functions.

11 3. The director of the department of education may
12 designate additional staff, as part of the early childhood Iowa
13 initiative, to work with the center in providing coordination
14 and other support to the state's comprehensive early care,
15 education, health, and human services system.

16 4. The director of the department shall establish a
17 technical assistance team to work with the center. The team
18 shall consist of staff from the state agencies represented on
19 the state board.

20 5. The center shall work with the state and area boards to
21 provide leadership for comprehensive system development. The
22 center shall also do all of the following:

23 *a.* Enter into memoranda of agreement with the departments of
24 economic development, education, human rights, human services,
25 public health, and workforce development to formalize the
26 respective departments' commitments to collaborating with and
27 integrating a comprehensive early care, education, health,
28 and human services system. Items addressed in the memoranda
29 shall include but are not limited to data sharing and providing
30 staffing to the technical assistance team.

31 *b.* Work with private businesses, foundations, and nonprofit
32 organizations to develop sustained funding.

33 *c.* Maintain the internet site in accordance with section
34 256I.10.

35 *d.* Propose any needed revisions to administrative rules

1 based on stakeholder input.

2 e. Provide technical support to the state and area boards
3 and to the early childhood Iowa areas through staffing services
4 made available through the state agencies that serve on the
5 state board.

6 f. Develop, collect, disseminate, and provide guidance for
7 common performance measures for the programs receiving funding
8 under the auspices of the area boards.

9 g. If a disagreement arises within an early childhood Iowa
10 area regarding the interests represented on the area's board,
11 board decisions, or other disputes that cannot be locally
12 resolved, upon request, provide state or regional technical
13 assistance as deemed appropriate by the center to assist the
14 area in resolving the disagreement.

15 Sec. 6. NEW SECTION. 256I.6 Early childhood Iowa areas.

16 1. The purpose of an early childhood Iowa area is to enable
17 local citizens to lead collaborative efforts involving early
18 care, education, health, and human services on behalf of
19 the children, families, and other citizens residing in the
20 area. Leadership functions may include but are not limited
21 to strategic planning for and oversight and managing of such
22 programs and the funding made available to the early childhood
23 Iowa area for such programs from federal, state, local, and
24 private sources. The focus of the area shall be to achieve the
25 desired results and to improve other results for families with
26 young children.

27 2. An early childhood Iowa area shall be designated by using
28 existing county boundaries to the extent possible.

29 3. The designation of an early childhood Iowa area
30 boundaries and the creation of an area board are both subject
31 to the approval of the state board. The state board shall
32 determine if a proposed area board can efficiently and
33 effectively administer the responsibilities and authority of
34 the area to be served. The state board may apply additional
35 criteria for designating areas and approving area boards, but

1 shall apply all of the following minimum criteria:

2 *a.* An area cannot encompass more than four counties.

3 *b.* The counties encompassing a multicounty area must have
4 contiguous borders.

5 *c.* A single county area shall have a minimum population
6 of children zero through age five in excess of five thousand,
7 based on the most recent population estimates issued by the
8 United States bureau of the census.

9 4. If the state board determines exceptional circumstances
10 exist, the state board may waive any of the criteria otherwise
11 specified in subsection 3.

12 Sec. 7. NEW SECTION. 256I.7 Early childhood Iowa area
13 boards created.

14 1. *a.* The early childhood Iowa functions for an area
15 shall be performed under the authority of an early childhood
16 Iowa area board. The membership of an area board shall
17 consist of elected officials in the area and citizen members
18 who reside in the area. A citizen member shall not be an
19 employee of or otherwise represent education, health, or
20 human services agencies or be a paid staff member of an
21 agency receiving funding through the early childhood Iowa
22 initiative. In addition, the membership of an area board shall
23 include representation from education, health, human services,
24 business, and faith interests, and at least one parent,
25 grandparent, or guardian of a child from zero through age five.
26 The education, health, and human services agencies represented
27 on an area board may receive funding from the area board.

28 *b.* Terms of office of area board members shall be not more
29 than three years and the terms shall be staggered.

30 2. An area board may designate an advisory council
31 consisting of persons employed by or otherwise paid to
32 represent an entity listed in subsection 1 or other provider
33 of service.

34 3. An area board shall elect a chairperson from among the
35 members who are citizens or elected officials.

1 4. An area board is a unit of local government for purposes
2 of chapter 670, relating to tort liability of governmental
3 subdivisions. For purposes of implementing a formal
4 organizational structure, an area board may utilize recommended
5 guidelines and bylaws established for this purpose by the state
6 board.

7 5. All meetings of an area board or any committee or other
8 body established by an area board at which public business
9 is discussed or formal action taken shall comply with the
10 requirements of chapter 21. An area board shall maintain its
11 records in accordance with chapter 22.

12 Sec. 8. NEW SECTION. **256I.8 Early childhood Iowa area board**
13 **duties.**

14 1. An early childhood Iowa area board shall do all of the
15 following:

16 a. Designate a public agency of this state, as defined in
17 section 28E.2, a community action agency as defined in section
18 216A.91, an area education agency established under section
19 273.2, or a nonprofit corporation, to be the fiscal agent for
20 grant moneys or for other moneys administered by the area
21 board.

22 b. Administer early childhood Iowa grant moneys available
23 from the state to the area board as provided by law and other
24 federal, state, local, and private moneys made available to
25 the area board. Eligibility for receipt of early childhood
26 Iowa grant moneys shall be limited to those early childhood
27 area boards that have developed an approved community plan in
28 accordance with this chapter. An early childhood area board
29 may apply to the state board for any private moneys received
30 by the early childhood Iowa initiative outside of a state
31 appropriation.

32 c. Develop a comprehensive community plan for providing
33 services for children from zero through age five. At a
34 minimum, the plan shall do all of the following:

35 (1) Describe community and area needs for children from zero

1 through age five as identified through ongoing assessments.

2 (2) Describe the current and desired levels of community
3 and area coordination of services for children from zero
4 through age five, including the involvement and specific
5 responsibilities of all related organizations and entities.

6 (3) Identify all federal, state, local, and private funding
7 sources including funding estimates available in the early
8 childhood Iowa area that will be used to provide services to
9 children from zero through age five.

10 (4) Describe how funding sources will be used
11 collaboratively and the degree to which the sources can be
12 combined to provide necessary services to young children and
13 their families.

14 (5) Identify the desired results and the community-wide
15 indicators the area board expects to address through
16 implementation of the comprehensive community plan. The plan
17 shall identify community-specific, quantifiable performance
18 measures to be reported in the area board's annual report and
19 integration with the strategic plan adopted by the state board.

20 (6) Describe the current status of support services to
21 prevent the spread of infectious diseases, prevent child
22 injuries, develop health emergency protocols, help with
23 medication, and care for children with special health needs
24 that are being provided to child care facilities registered or
25 licensed under chapter 237A within the early childhood Iowa
26 area.

27 d. Submit an annual report on the effectiveness of the
28 community plan in addressing school readiness and children's
29 health and safety needs to the state board and to the local
30 government bodies in the area. The annual report shall
31 indicate the effectiveness of the area board in addressing
32 state and locally determined goals.

33 e. Function as a coordinating body for services offered
34 by different entities directed to similar purposes within the
35 area.

1 *f.* Assume other responsibilities established by law or
2 administrative rule.

3 2. An area board may do any of the following:

4 *a.* Designate one or more committees to assist with area
5 board functions.

6 *b.* Utilize community bodies for input to the area board and
7 implementation of services.

8 Sec. 9. NEW SECTION. 256I.9 School ready children grant
9 program.

10 1. The state board shall develop and promote a school ready
11 children grant program which shall provide for all of the
12 following components:

13 *a.* Identify the performance measures that will be used to
14 assess the effectiveness of the school ready children grants.

15 *b.* Identify guidelines and a process to be used for
16 determining the readiness of an early childhood Iowa area board
17 for administering a school ready children grant.

18 *c.* Provide for technical assistance concerning funding
19 sources, program design, and other pertinent areas.

20 2. The state board shall provide maximum flexibility to
21 grantees for the use of the grant moneys included in a school
22 ready children grant.

23 3. A school ready children grant shall, to the extent
24 possible, be used to support programs that meet quality
25 standards identified by the state board. At a minimum, a grant
26 shall be used to provide all of the following:

27 *a.* Preschool services provided on a voluntary basis to
28 children deemed at risk.

29 *b.* Family support services and parent education programs
30 promoted to parents of children from zero through age five.
31 Family support services shall include but are not limited to
32 home visitation.

33 *c.* Other services to support the strategic plan developed
34 by the state board.

35 4. *a.* A school ready children grant shall be awarded to

1 an area board annually, as funding is available. Receipt of
2 continued funding is subject to submission of the required
3 annual report and the state board's determination that the area
4 board is measuring, through the use of performance measures and
5 community-wide indicators developed by the state board with
6 input from area boards, progress toward and is achieving the
7 desired results and other results identified in the community
8 plan. Each area board shall participate in the levels of
9 excellence rating system to measure the area's success. If the
10 use of performance measures and community-wide indicators does
11 not show that an area board has made progress toward achieving
12 the results identified in the community plan, the state board
13 may request a plan of corrective action, withhold any increase
14 in funding, or withdraw grant funding.

15 *b.* The state board shall distribute school ready children
16 grant moneys to area boards with approved comprehensive
17 community plans based upon a determination of an early
18 childhood Iowa area's readiness to effectively utilize the
19 grant moneys. The grant moneys shall be adjusted for other
20 federal and state grant moneys to be received by the area for
21 services to children from zero through age five.

22 *c.* An area board's readiness shall be determined by
23 evidence of successful collaboration among public and private
24 early care, education, health, and human services interests
25 in the area or a documented program design that supports a
26 strong likelihood of a successful collaboration between these
27 interests. Other criteria which may be used by the state board
28 to determine readiness and evaluate the funding flexibility for
29 an area include one or more of the following:

30 (1) The levels of excellence rating received by the area.

31 (2) Experience or other evidence of the area's capacity to
32 successfully implement the services in the area's community
33 plan.

34 (3) Local public and private funding and other resources
35 committed to implementation of the community plan.

1 (4) The adequacy of plans for commitment of local funding
2 and other resources for implementation of the community plan.

3 d. The provisions for distribution of school ready children
4 grant moneys shall be determined by the state board.

5 e. The amount of school ready children grant funding an area
6 board may carry forward from one fiscal year to the succeeding
7 fiscal year shall not exceed twenty percent of the grant amount
8 for the fiscal year. All of the school ready children grant
9 funds received by an area board for a fiscal year which remain
10 unencumbered or unobligated at the close of a fiscal year shall
11 be carried forward to the succeeding fiscal year. However, the
12 grant amount for the succeeding fiscal year shall be reduced
13 by the amount in excess of twenty percent of the grant amount
14 received for the fiscal year.

15 Sec. 10. NEW SECTION. 256I.10 Early childhood Iowa internet
16 site.

17 1. The department shall provide for the operation of an
18 internet site for purposes of widely distributing information
19 regarding early care, education, health, and human services and
20 other information provided by the departments represented on
21 the state board and the public and private agencies addressing
22 the comprehensive system for such services.

23 2. Information provided on the internet site shall include
24 but is not limited to all of the following:

25 a. Information about the early childhood Iowa initiative for
26 state and local use.

27 b. A link to a special internet site directed to parents,
28 including parent-specific information on early care, education,
29 health, and human services and links to other resources
30 available on the internet and from other sources.

31 c. Program standards for early care, education, health, and
32 human services that have been approved by state agencies.

33 3. The department shall provide to the state board
34 information regarding the extent and frequency of usage of the
35 internet site or sites and this information shall be included

1 in the board's annual report to the governor and general
2 assembly.

3 Sec. 11. NEW SECTION. 256I.11 Early childhood Iowa fund.

4 1. An early childhood Iowa fund is created in the state
5 treasury. The moneys credited to the fund are not subject to
6 section 8.33 and moneys in the fund shall not be transferred,
7 used, obligated, appropriated, or otherwise encumbered except
8 as provided by law. Notwithstanding section 12C.7, subsection
9 2, interest or earnings on moneys deposited in the fund shall
10 be credited to the fund.

11 2. A school ready children grants account is created in the
12 fund under the authority of the director of the department of
13 education. Moneys credited to the account shall be distributed
14 by the department in the form of grants to early childhood Iowa
15 areas pursuant to criteria established by the state board in
16 accordance with law.

17 3. Unless a different amount is authorized by law, up
18 to five percent of the school ready children grant moneys
19 distributed to an area board may be used by the area board for
20 administrative costs.

21 4. a. An early childhood programs grants account is
22 created in the fund under the authority of the director of
23 the department of education. Moneys credited to the account
24 under the auspices of the department of human services are
25 appropriated to and shall be distributed by the department
26 of education in the form of grants to early childhood Iowa
27 areas pursuant to criteria established by the state board in
28 accordance with law. The criteria shall include but are not
29 limited to a requirement that an early childhood Iowa area must
30 be designated by the state board in order to be eligible to
31 receive an early childhood programs grant.

32 b. The maximum funding amount an early childhood Iowa area
33 is eligible to receive from the early childhood programs grant
34 account for a fiscal year shall be determined by applying
35 the area's percentage of the state's average monthly family

1 investment program population in the preceding fiscal year to
2 the total amount credited to the account for the fiscal year.

3 *c.* An early childhood Iowa area receiving funding from
4 the early childhood programs grant account shall comply with
5 any federal reporting requirements associated with the use
6 of that funding and other results and reporting requirements
7 established by the state board. The early childhood
8 coordination center shall provide technical assistance
9 in identifying and meeting the federal requirements. The
10 availability of funding provided from the account is subject to
11 changes in federal requirements and amendments to Iowa law.

12 *d.* The moneys distributed from the early childhood programs
13 grant account shall be used by early childhood Iowa areas
14 for the purposes of enhancing quality child care capacity in
15 support of parent capability to obtain or retain employment.
16 The moneys shall be used with a primary emphasis on low-income
17 families and children from zero to age five. Moneys shall be
18 provided in a flexible manner and shall be used to implement
19 strategies identified by the early childhood Iowa area to
20 achieve such purposes. The department of education may use a
21 portion of the funding appropriated to the department under
22 this subsection for provision of technical assistance and
23 other support to the early childhood Iowa areas developing and
24 implementing strategies with grant moneys distributed from the
25 account.

26 *e.* Moneys from a federal block grant that are credited
27 to the early childhood programs grant account but are not
28 distributed to an early childhood Iowa area or otherwise remain
29 unobligated or unexpended at the end of the fiscal year shall
30 revert to the fund created in section 8.41 to be available for
31 appropriation by the general assembly in a subsequent fiscal
32 year.

33 5. A first years first account is created in the fund under
34 the authority of the department of education. The account
35 shall consist of gift or grant moneys obtained from any source,

1 including but not limited to the federal government. Moneys
2 credited to the account are appropriated to the department to
3 be used for the early childhood-related purposes for which the
4 moneys were received.

5 Sec. 12. REPEALS.

6 1. Chapter 28, Code and Code Supplement 2009, is repealed.

7 2. Section 135.173, Code Supplement 2009, is repealed.

8 3. Section 135.174, Code 2009, is repealed.

9 Sec. 13. IMPLEMENTATION OF ACT. Section 25B.2, subsection
10 3, shall not apply to this Act.

11 Sec. 14. TRANSITION.

12 1. Effective on or after July 1, 2010, as determined by
13 the early childhood Iowa state board created pursuant to this
14 Act, the designations granted by the Iowa empowerment board
15 to community empowerment areas and community empowerment area
16 boards under chapter 28, Code 2009, are withdrawn. However,
17 subject to the approval of the early childhood Iowa state
18 board in accordance with the area board designation criteria
19 established by this Act, all or a portion of the membership of
20 a community empowerment area board may be redesignated to serve
21 as the membership of the initial early childhood Iowa area
22 board for the relevant early childhood Iowa area to be served.
23 Subject to rules to be adopted by the state board addressing
24 redesignation of community empowerment areas as early childhood
25 Iowa areas, existing multicounty community empowerment area
26 boards may choose to be redefined as early childhood Iowa area
27 boards.

28 2. Effective on or after July 1, 2010, as determined by the
29 early childhood Iowa state board, any school ready children
30 grant or other state or federal funds in the possession
31 of a community empowerment area remaining unobligated or
32 unexpended shall be returned to the department of education.
33 The department shall credit funds received to the school ready
34 children grant account or other corresponding account of the
35 early childhood Iowa fund. The moneys credited shall be

1 redisseminated to an early childhood Iowa area or areas that
2 correspond geographically to the boundaries of the community
3 empowerment area that returned the funds.

4 3. Until the early childhood Iowa state board has adopted
5 administrative rules to implement the provisions of chapter
6 256I, as enacted by this Act, the department of education shall
7 apply the relevant rules adopted to implement the community
8 empowerment initiative under chapter 28, Code 2009, in place
9 of the state agency or agencies designated to administer
10 the relevant rules. The state board shall also adopt rules
11 addressing transition of contracts entered into by community
12 empowerment area boards that include provisions in effect on
13 or after July 1, 2010.

14 DIVISION II

15 CONFORMING AMENDMENTS

16 Sec. 15. Section 135.106, subsection 3, Code 2009, is
17 amended to read as follows:

18 3. It is the intent of the general assembly to provide
19 communities with the discretion and authority to redesign
20 existing local programs and services targeted at and assisting
21 families expecting babies and families with children who
22 are newborn through five years of age. The Iowa department
23 of public health, department of human services, department
24 of education, and other state agencies and programs, as
25 appropriate, shall provide technical assistance and support
26 to communities desiring to redesign their local programs and
27 shall facilitate the consolidation of existing state funding
28 appropriated and made available to the community for family
29 support services. Funds which are consolidated in accordance
30 with this subsection shall be used to support the redesigned
31 service delivery system. In redesigning services, communities
32 are encouraged to implement a single uniform family risk
33 assessment mechanism and shall demonstrate the potential for
34 improved outcomes for children and families. Requests by local
35 communities for the redesigning of services shall be submitted

1 to the Iowa department of public health, department of human
2 services, and department of education, and are subject to the
3 approval of the early childhood Iowa empowerment state board
4 in consultation with the departments, based on the practices
5 utilized with ~~community empowerment~~ early childhood Iowa areas
6 under chapter ~~28~~ 256I.

7 Sec. 16. Section 135.119, subsection 2, paragraph d, Code
8 Supplement 2009, is amended to read as follows:

9 d. The program plan shall incorporate a multiyear,
10 collaborative approach for implementation of the plan. The
11 plan shall address how to involve those who regularly work
12 with parents and persons responsible for the care of a
13 child, including but not limited to child abuse prevention
14 programs, child care resource and referral programs, child
15 care providers, family support programs, programs receiving
16 funding through the ~~community empowerment~~ early childhood
17 Iowa initiative, public and private schools, health care
18 providers, local health departments, birth centers, and
19 birthing hospitals.

20 Sec. 17. Section 135.159, subsection 3, paragraph i, Code
21 Supplement 2009, is amended to read as follows:

22 i. For children, coordinate with and integrate guidelines,
23 data, and information from existing newborn and child health
24 programs and entities, including but not limited to the healthy
25 opportunities for parents to experience success – healthy
26 families Iowa program, the ~~community empowerment program~~ early
27 childhood Iowa initiative, the center for congenital and
28 inherited disorders screening and health care programs,
29 standards of care for pediatric health guidelines, the office
30 of multicultural health established in section 135.12, the oral
31 health bureau established in section 135.15, and other similar
32 programs and services.

33 Sec. 18. Section 142A.4, subsection 8, Code Supplement
34 2009, is amended to read as follows:

35 8. Assist with the linkage of the initiative with child

1 welfare and juvenile justice decategorization projects,
2 education programming, ~~community empowerment~~ early childhood
3 Iowa areas, and other programs and services directed to youth
4 at the state and community level.

5 Sec. 19. Section 142A.8, subsection 2, Code 2009, is amended
6 to read as follows:

7 2. A community partnership area shall encompass a
8 county or multicounty area, school district or multischool
9 district area, economic development enterprise zone that
10 meets the requirements of an urban or rural enterprise
11 community under ~~Title~~ Tit. XIII of the federal Omnibus Budget
12 Reconciliation Act of 1993, or ~~community empowerment~~ early
13 childhood Iowa area, in accordance with criteria adopted by
14 the commission for appropriate population levels and size of
15 geographic areas.

16 Sec. 20. Section 216A.140, subsection 5, paragraph j, Code
17 Supplement 2009, is amended to read as follows:

18 ~~j. Office of community empowerment in the department~~
19 ~~of management~~ Early childhood coordination center in the
20 department of education.

21 Sec. 21. Section 217.42, subsection 1, Code 2009, is amended
22 to read as follows:

23 1. The organizational structure to deliver the department's
24 field services shall be based upon service areas. The service
25 areas shall serve as a basis for providing field services to
26 persons residing in the counties comprising the service area.
27 The service areas shall be those designated by the department
28 effective January 1, 2002. In determining the service areas,
29 the department shall consider other geographic service areas
30 including but not limited to judicial districts and ~~community~~
31 ~~empowerment~~ early childhood Iowa areas. The department shall
32 consult with the county boards of supervisors in a service
33 area with respect to the selection of the service area manager
34 responsible for the service area who is initially selected for
35 the service area designated effective January 1, 2002, and any

1 service area manager selected for the service area thereafter.
2 Following establishment of the service areas effective January
3 1, 2002, if a county seeks to change the boundaries of a
4 service area, the change shall only take place if the change is
5 mutually agreeable to the department and all affected counties.
6 If it is necessary for the department to significantly modify
7 its field operations or the composition of a designated service
8 area, or if it is necessary for the department to change the
9 number of offices operating less than full-time, the department
10 shall consult with the affected counties prior to implementing
11 such action.

12 Sec. 22. Section 232.188, subsection 4, paragraph c, Code
13 2009, is amended to read as follows:

14 c. A decategorization governance board shall coordinate
15 the project's planning and budgeting activities with the
16 departmental service area manager for the county or counties
17 comprising the project area and the ~~community empowerment~~ early
18 childhood Iowa area board or boards for the ~~community~~
19 ~~empowerment~~ early childhood Iowa area or areas within which the
20 decategorization project is located.

21 Sec. 23. Section 237A.21, subsection 3, paragraph n, Code
22 Supplement 2009, is amended to read as follows:

23 n. One designee of the ~~community empowerment office of the~~
24 ~~department of management~~ early childhood coordination center
25 in the department of education.

26 Sec. 24. Section 237A.21, subsection 3, paragraph q, Code
27 Supplement 2009, is amended to read as follows:

28 q. One person who represents the early childhood Iowa
29 ~~council~~ state board created in section ~~135.173~~ 256I.3.

30 Sec. 25. Section 237A.22, subsection 1, paragraph j, Code
31 Supplement 2009, is amended to read as follows:

32 j. Advise and assist the early childhood Iowa ~~council~~ state
33 board in developing the strategic plan required pursuant to
34 section ~~135.173~~ 256I.4.

1 Sec. 26. Section 237A.26, subsection 8, Code 2009, is

2 amended to read as follows:

3 8. For purposes of improving the quality and consistency
4 of data collection, consultation, and other support to child
5 care home and child development home providers, a resource and
6 referral services agency grantee shall coordinate and assist
7 with publicly and privately funded efforts administered at
8 the community level to provide the support. The support and
9 efforts addressed by a grantee may include but are not limited
10 to community-funded child care home and child development home
11 consultants. Community members involved with the assistance
12 may include but are not limited to the efforts of ~~a community~~
13 ~~empowerment~~ an early childhood Iowa area board under chapter
14 ~~28~~ 256I, and of community representatives of education, health,
15 human services, business, faith, and public interests.

16 Sec. 27. Section 237A.30, subsection 1, Code 2009, is
17 amended to read as follows:

18 1. The department shall work with the ~~community empowerment~~
19 ~~office of the department of management~~ early childhood
20 coordination center in the department of education established
21 in section ~~28.3~~ 256I.5 and the state child care advisory
22 council in designing and implementing a voluntary quality
23 rating system for each provider type of child care facility.

24 Sec. 28. Section 256C.3, subsection 3, paragraph e, Code
25 2009, is amended to read as follows:

26 e. Collaboration with participating families, early care
27 providers, and community partners including but not limited to
28 ~~community empowerment~~ early childhood Iowa area boards, head
29 start programs, shared visions and other programs provided
30 under the auspices of the child development coordinating
31 council, licensed child care centers, registered child
32 development homes, area education agencies, child care resource
33 and referral services provided under section 237A.26, early
34 childhood special education programs, services funded by
35 ~~Title Tit.~~ Tit. I of the federal Elementary and Secondary Education
1 Act of 1965, and family support programs.

2 Sec. 29. Section 256C.3, subsection 4, paragraph a, Code
3 2009, is amended to read as follows:

4 a. Methods of demonstrating community readiness to
5 implement high-quality instruction in a local program
6 shall be identified. The potential provider shall submit
7 a collaborative program proposal that demonstrates the
8 involvement of multiple community stakeholders including
9 but not limited to, and only as applicable, parents, the
10 school district, accredited nonpublic schools and faith-based
11 representatives, the area education agency, the ~~community~~
12 ~~empowerment~~ early childhood Iowa area board, representatives
13 of business, head start programs, shared visions and other
14 programs provided under the auspices of the child development
15 coordinating council, center-based and home-based providers
16 of child care services, human services, public health, and
17 economic development programs. The methods may include but are
18 not limited to a school district providing evidence of a public
19 hearing on the proposed programming and written documentation
20 of collaboration agreements between the school district,
21 existing community providers, and other community stakeholders
22 addressing operational procedures and other critical measures.

23 Sec. 30. Section 256C.4, subsection 2, paragraph b, Code
24 2009, is amended to read as follows:

25 b. The enrollment count of eligible students shall not
26 include a child who is included in the enrollment count
27 determined under section 257.6 or a child who is served by
28 a program already receiving state or federal funds for the
29 purpose of the provision of four-year-old preschool programming
30 while the child is being served by the program. Such preschool
31 programming includes but is not limited to child development
32 assistance programs provided under chapter 256A, special
33 education programs provided under section 256B.9, school ready
34 children grant programs and other programs provided under
35 chapter ~~28~~ 256I, and federal head start programs and the
1 services funded by ~~Title~~ Tit. I of the federal Elementary and

2 Secondary Education Act of 1965.

3 Sec. 31. Section 279.60, Code 2009, is amended to read as
4 follows:

5 **279.60 Kindergarten assessment — access to data — reports.**

6 Each school district shall administer the dynamic indicators
7 of basic early literacy skills kindergarten benchmark
8 assessment or other kindergarten benchmark assessment adopted
9 by the department of education in consultation with the early
10 childhood Iowa empowerment state board to every kindergarten
11 student enrolled in the district not later than the date
12 specified in section 257.6, subsection 1. The school district
13 shall also collect information from each parent, guardian,
14 or legal custodian of a kindergarten student enrolled in the
15 district, including but not limited to whether the student
16 attended preschool, factors identified by the early care
17 ~~staff~~ childhood coordination center pursuant to section
18 ~~28.3~~ 256I.5, and other demographic factors. Each school
19 district shall report the results of the assessment and
20 the preschool information collected to the department of
21 education in the manner prescribed by the department not
22 later than January 1 of that school year. The ~~early care~~
23 ~~staff designated pursuant to section 28.3~~ early childhood
24 coordination center in the department of education shall
25 have access to the raw data. The department shall review
26 the information submitted pursuant to this section and shall
27 submit its findings and recommendations annually in a report to
28 the governor, the general assembly, the early childhood Iowa
29 ~~empowerment state board~~, and the ~~community empowerment~~ early
30 childhood Iowa area boards.

31 Sec. 32. Section 915.35, subsection 4, paragraph b, Code
32 Supplement 2009, is amended to read as follows:

33 b. A child protection assistance team may also consult
34 with or include juvenile court officers, medical and mental
35 health professionals, physicians or other hospital-based health
1 professionals, court-appointed special advocates, guardians ad

2 litem, and members of a multidisciplinary team created by the
3 department of human services for child abuse investigations. A
4 child protection assistance team may work cooperatively with
5 the ~~local community empowerment~~ early childhood Iowa area
6 board established under ~~section 28.6~~ chapter 256I. The child
7 protection assistance team shall work with the department
8 of human services in accordance with section 232.71B,
9 subsection 3, in developing the protocols for prioritizing
10 the actions taken in response to child abuse reports and for
11 law enforcement agencies working jointly with the department
12 at the local level in processes for child abuse reports. The
13 department of justice may provide training and other assistance
14 to support the activities of a child protection assistance
15 team.

EXPLANATION

17 This bill relates to the state and local system for early
18 care by replacing the community empowerment initiative
19 administered for state purposes through the department
20 of management with the early childhood Iowa initiative
21 administered through the department of education. The bill is
22 organized into divisions.

23 DIVISION I — EARLY CHILDHOOD IOWA INITIATIVE. This
24 division enacts the early childhood Iowa initiative in new Code
25 chapter 256I to replace the community empowerment initiative in
26 Code chapter 28, which is repealed.

27 New Code section 256I.1 provides definitions.

28 New Code section 256I.2 states a set of desired results
29 for the early childhood Iowa initiative, which is essentially
30 the same as the set of desired results under the community
31 empowerment initiative. In addition, the section outlines the
32 purpose of the initiative and the roles of the state agencies
33 and communities involved with the initiative.

34 New Code section 256I.3 creates the early childhood Iowa
35 state board charged to promote the vision of a comprehensive
1 early care, education, health, and human services system

2 achieved through assuring collaboration and other coordination
3 efforts directed to the individual state and local systems
4 connected with the state agencies. The voting membership
5 consists of six state agency staff and three public members
6 and also includes four members of the general assembly serving
7 as ex officio, nonvoting members. The six state agencies
8 represented are from the departments of economic development,
9 education, human rights, human services, public health, and
10 workforce development.

11 New Code section 256I.4 outlines the duties of the state
12 board, including authority to manage grant funding, approve
13 boundaries of early childhood Iowa areas, designate early
14 childhood Iowa area boards, implement a levels of excellence
15 rating system for use in designating area boards, and create a
16 strategic plan that implements a comprehensive system of early
17 care, education, health, and human services.

18 New Code section 256I.5 designates the department of
19 education as the lead agency for implementation of the
20 initiative and for support of the state board and the
21 comprehensive system. The early childhood coordination center
22 is created in the department with specified staff, authority
23 for designation of additional staff, and inclusion of a
24 technical assistance team consisting of staff from the other
25 state departments represented on the state board. The center
26 duties include entering into memoranda of agreement with state
27 departments and working with stakeholders to implement the
28 initiative and resolve disputes.

29 New Code section 256I.6 addresses designation of early
30 childhood Iowa areas throughout the state and includes
31 a statement of purpose, authority of the state board in
32 designating areas, criteria for designating boundaries, and
33 authority to waive the criteria.

34 New Code section 256I.7 provides for the functions of an
35 early childhood Iowa area to be performed by an area board,
1 outlines membership and other requirements, provides tort

2 liability protection, and requires compliance with laws
3 relating to open meetings and public records.

4 New Code section 256I.8 addresses the required duties
5 and optional authority for area boards. The duties include
6 designating a public entity or nonprofit corporation to serve
7 as fiscal agent, administering grant funding, developing a
8 comprehensive community plan, and submitting an annual report
9 on the effectiveness of the plan. The optional authority
10 relates to designating committees and using other community
11 bodies to provide input.

12 New Code section 256I.9 provides for development of a school
13 ready grant program. The requirements are similar to those
14 under the school ready children grant program implemented
15 under the community empowerment initiative, including the
16 requirements for providing preschool services for at-risk
17 children, and family support and parent education services
18 for parents with very young children, approval requirements,
19 evaluation components, and a limitation on authority to carry
20 forward unused funding to the succeeding fiscal year.

21 New Code section 256I.10 requires the department of
22 education to implement an early childhood Iowa internet site to
23 disseminate information concerning the early care, education,
24 health, and human services systems and other information and a
25 link to a special internet site for parents.

26 New Code section 256I.11 creates the early childhood Iowa
27 fund and the school ready children grants account, early
28 childhood programs grants account, and first years first
29 account, as part of the fund. The department of education has
30 authority over the fund and the accounts.

31 Code chapter 28, relating to the community empowerment
32 initiative, and Code section 135.173, relating to the early
33 childhood Iowa council, are repealed.

34 The bill may include a state mandate as defined in Code
35 section 25B.3. The bill makes inapplicable Code section 25B.2,
1 subsection 3, which would relieve a political subdivision from

2 complying with a state mandate if funding for the cost of
3 the state mandate is not provided or specified. Therefore,
4 political subdivisions are required to comply with any state
5 mandate included in the bill.

6 A transition section addresses transition of community
7 empowerment initiative provisions to the early childhood Iowa
8 initiative beginning on July 1, 2010, including transition
9 of community empowerment area boards to early childhood Iowa
10 area boards, state or federal funding possessed by community
11 empowerment area boards, and administrative rules.

12 DIVISION II — CONFORMING AMENDMENTS. This division
13 makes conforming amendments to replace references to the Iowa
14 empowerment initiative, Iowa empowerment board, community
15 empowerment areas, and Code chapter 28 with references to the
16 early childhood Iowa initiative, early childhood Iowa state
17 board, early childhood Iowa areas, and Code chapter 256I,
18 respectively.

19 The following Code sections are amended: section 135.106,
20 healthy opportunities for parents to experience success (HOPES)
21 — healthy families Iowa (HFI) program; section 135.119,
22 shaken baby syndrome prevention program; section 135.159,
23 medical home system and advisory council; section 142A.4,
24 commission on tobacco use prevention and control; section
25 142A.8, community partnership public agencies or nonprofit
26 organizations implementing the tobacco use prevention and
27 control initiative in a local area; section 217.42, department
28 of human services field service organization; section 232.188,
29 decategorization of the child welfare and juvenile justice
30 funding initiative; section 237A.21, state child care advisory
31 council; section 237A.22, duties of state child care advisory
32 council and department of human services; section 237A.26,
33 child care resource and referral agency coordination with
34 related community efforts; section 237A.30, provisions for
35 department of human services working with early childhood Iowa
1 staff in implementing the voluntary quality rating system

2 for all types of child care providers; section 256C.3, local
3 collaboration requirements for the statewide preschool program
4 for four-year-old children; section 256C.4, a prohibition
5 against including certain children involved in other state
6 and federally funded preschool programs in the enrollment
7 count for the statewide preschool program for four-year-old
8 children; section 279.60, providing access to kindergarten
9 assessment data to early childhood Iowa staff; and section
10 915.35, allowing child protection assessment teams to work
11 cooperatively with early childhood Iowa boards.