

**Senate Study Bill 3128 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
APPROPRIATIONS BILL BY  
CHAIRPERSON DVORSKY)

**A BILL FOR**

1 An Act relating to the early childhood Iowa initiative,  
2 modifying an appropriation, and including effective date and  
3 retroactive applicability provisions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

EARLY CHILDHOOD IOWA INITIATIVE

Section 1. Section 135.106, subsection 4, Code 2016, is amended to read as follows:

4. It is the intent of the general assembly that priority for ~~home-visitation~~ family support funding be given to approaches using evidence-based or promising models for ~~home visitation~~ family support.

Sec. 2. Section 256I.3, subsection 2, paragraph b, Code 2016, is amended to read as follows:

b. The governor's appointees shall ~~be selected from individuals nominated by area boards. The nominations shall~~ reflect the range of interests represented on the area 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. The term of office of the citizen members is three years. A citizen member vacancy on the board shall be filled in the same manner as the original appointment for the balance of the unexpired term.

Sec. 3. Section 256I.4, subsection 8, Code 2016, is amended to read as follows:

8. ~~Develop and implement a levels of excellence rating system for use with the state board's designation process for area boards. Allow for flexibility and creativity of area boards in implementing area board responsibilities and provide authority for the area boards to support the communities in the areas served. The levels of excellence rating system shall utilize a tiered approach for recognizing the performance of an area board. The system shall provide for action to address poor performing areas as well as higher performing areas. Subject to the funding requirements and other requirements established in law, if an area board achieves the highest rating level, the state board may allow special flexibility~~

1 ~~provisions in regard to the funding appropriated or allocated~~  
2 ~~for that area board.~~ The state board shall determine how often  
3 area boards are reviewed under the system.

4 Sec. 4. Section 256I.7, subsection 1, paragraph a, Code  
5 2016, is amended to read as follows:

6 a. The early childhood Iowa functions for an area shall be  
7 performed under the authority of an early childhood Iowa area  
8 board. The members of an area board shall be elected officials  
9 or members of the public who are not employed by a provider of  
10 services to or for the area board. In addition, the membership  
11 of an area board shall include representation from ~~early~~  
12 ~~care,~~ education, health, human services, business, and faith  
13 interests, and at least one parent, grandparent, or guardian of  
14 a child from zero through age five. However, not more than one  
15 member shall represent the same entity or interest.

16 Sec. 5. Section 256I.8, subsection 1, paragraph c, Code  
17 2016, is amended to read as follows:

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

21 (1) Describe community and area needs for children from zero  
22 through age five as identified through ongoing assessments.

23 (2) Describe the current and desired ~~levels of community~~  
24 ~~and area coordination of services for children from zero~~  
25 ~~through age five, including the involvement and specific~~  
26 ~~responsibilities of all related organizations and entities~~  
27 collaborative relationships between community providers.

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

32 (4) Describe how funding sources will be used  
33 collaboratively ~~and the degree to which the sources can~~  
34 ~~be combined to provide necessary services to~~ support young  
35 children and their families.

1 (5) Identify the desired results and the community-wide  
2 indicators the area board expects to address through  
3 implementation of the comprehensive community plan. ~~The plan~~  
4 ~~shall identify community-specific, quantifiable performance~~  
5 ~~measures to be reported in the area board's annual report and~~  
6 ~~integration with the strategic plan adopted by the state board.~~

7 ~~(6) Describe the current status of support services to~~  
8 ~~prevent the spread of infectious diseases, prevent child~~  
9 ~~injuries, develop health emergency protocols, help with~~  
10 ~~medication, and care for children with special health needs~~  
11 ~~that are being provided to child care facilities registered or~~  
12 ~~licensed under [chapter 237A](#) within the early childhood Iowa~~  
13 ~~area.~~

14 Sec. 6. Section 256I.9, subsection 3, paragraphs b and d,  
15 Code 2016, are amended to read as follows:

16 *b.* (1) Family support services and parent education  
17 programs promoted to parents of children from zero through  
18 age five. Family support services shall include but are not  
19 limited to home visitation and parent education. ~~Of the state~~  
20 ~~funding that an area board designates for family support~~  
21 ~~programs, at least sixty percent shall be committed to programs~~  
22 ~~with a home visitation component.~~

23 (2) It is the intent of the general assembly that priority  
24 for ~~home visitation~~ family support program funding be given  
25 to programs using evidence-based or promising models for ~~home~~  
26 ~~visitation~~ family support.

27 *d.* Services to improve the quality and availability of  
28 all types of child care. ~~The services may include but are~~  
29 ~~not limited to making nurse consultants available to support~~  
30 ~~quality improvement.~~

31 Sec. 7. Section 256I.9, subsection 4, paragraphs a, b, and  
32 c, Code 2016, are amended to read as follows:

33 *a.* A school ready children grant shall be awarded to an  
34 area board annually, as funding is available. Receipt of  
35 continued funding is subject to submission of the required

1 annual report data and the state board's determination that  
2 the area board is ~~measuring~~ making progress, through the use  
3 of specific, quantifiable performance measures and locally  
4 developed community-wide indicators, ~~developed by the state~~  
5 ~~board with input from area boards,~~ progress toward and is  
6 achieving the desired results and other results identified  
7 in the community plan. Each area board shall participate in  
8 the ~~levels of excellence rating system~~ designation process to  
9 measure the area's success. If the use of performance measures  
10 and community-wide indicators does not show that an area board  
11 has made progress toward achieving the results identified in  
12 the community plan, the state board ~~shall~~ may require a plan of  
13 corrective action, provide technical assistance, withhold any  
14 increase 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~~ designation. ~~The grant moneys shall be adjusted~~  
20 ~~for other federal and state grant moneys to be received by the~~  
21 ~~area for services to children from zero through age five.~~

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

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

31         (2) ~~Evidence of the area's capacity to successfully~~  
32 ~~implement the services in the area's community plan.~~

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

35         (4) ~~The adequacy of plans for commitment of local funding~~

1 ~~and other resources for implementation of the community plan.~~

2 Sec. 8. Section 256I.10, subsection 3, Code 2016, is amended  
3 by striking the subsection.

4 Sec. 9. Section 256I.11, subsection 3, Code 2016, is amended  
5 to read as follows:

6 3. Unless a different amount is authorized by law, up to  
7 ~~three~~ five percent of the school ready children grant moneys  
8 distributed to an area board may be used by the area board for  
9 administrative costs.

10 Sec. 10. Section 256I.11, subsection 4, paragraph b, Code  
11 2016, is amended by striking the paragraph.

12 Sec. 11. Section 256I.13, Code 2016, is amended to read as  
13 follows:

14 **256I.13 ~~Home visitation~~ Family support program — funding**  
15 **intent.**

16 1. In order to implement the legislative intent stated in  
17 sections 135.106 and 256I.9, that priority for ~~home visitation~~  
18 family support program funding be given to programs using  
19 evidence-based or promising models for ~~home visitation~~ family  
20 support, it is the intent of the general assembly ~~to phase in~~  
21 ~~the funding priority as follows:~~

22 ~~a. By July 1, 2013, twenty-five percent of state funds~~  
23 ~~expended for home visiting programs are for evidence-based or~~  
24 ~~promising program models.~~

25 ~~b. By July 1, 2014, fifty percent of state funds expended~~  
26 ~~for home visiting programs are for evidence-based or promising~~  
27 ~~program models.~~

28 ~~c. By July 1, 2015, seventy-five percent of state funds~~  
29 ~~expended for home visiting programs are for evidence-based or~~  
30 ~~promising program models.~~

31 ~~d. By that by July 1, 2016, ninety percent of state~~  
32 ~~funds expended for home visiting~~ family support programs  
33 ~~are~~ shall be used for evidence-based or promising program  
34 models. The remaining ten percent of funds may be used for  
35 innovative program models that do not yet meet the definition

1 of evidence-based or promising programs.

2 2. For the purposes of [this section](#), unless the context  
3 otherwise requires or unless otherwise provided under federal  
4 law:

5 *a. "Evidence-based program"* means a program that is based  
6 on scientific evidence demonstrating that the program model  
7 is effective. An evidence-based program shall be reviewed  
8 on site and compared to program model standards by the model  
9 developer or the developer's designee at least every five years  
10 to ensure that the program continues to maintain fidelity  
11 with the program model. The program model shall have had  
12 demonstrated significant and sustained positive outcomes in an  
13 evaluation utilizing a well-designed and rigorous randomized  
14 controlled research design or a quasi-experimental research  
15 design, and the evaluation results shall have been published in  
16 a peer-reviewed journal.

17 *b. "Family support programs"* includes group-based parent  
18 education or home visiting programs that are designed to  
19 strengthen protective factors, including parenting skills,  
20 increasing parental knowledge of child development, and  
21 increasing family functioning and problem solving skills. A  
22 family support program may be used as an early intervention  
23 strategy to improve birth outcomes, parental knowledge, family  
24 economic success, the home learning environment, family and  
25 child involvement with others, and coordination with other  
26 community resources. A family support program may have a  
27 specific focus on preventing child maltreatment or ensuring  
28 children are safe, healthy, and ready to succeed in school.

29 *c. "Promising program"* means a program that meets all of the  
30 following requirements:

31 (1) The program conforms to a clear, consistent family  
32 support model that has been in existence for at least three  
33 years.

34 (2) The program is grounded in relevant empirically based  
35 knowledge.

1 (3) The program is linked to program-determined outcomes.

2 (4) The program is associated with a national or state  
3 organization that either has comprehensive program standards  
4 that ensure high-quality service delivery and continuous  
5 program quality improvement or the program model has  
6 demonstrated through the program's benchmark outcomes that the  
7 program has achieved significant positive outcomes equivalent  
8 to those achieved by program models with published significant  
9 and sustained results in a peer-reviewed journal.

10 (5) The program has been awarded the Iowa family support  
11 credential and has been reviewed on site at least every five  
12 years to ensure the program's adherence to the Iowa family  
13 support standards approved by the state board or a comparable  
14 set of standards. The on-site review is completed by an  
15 independent review team that is not associated with the program  
16 or the organization administering the program.

17 3. a. The data reporting requirements adopted by the  
18 state board pursuant to [section 256I.4](#) for the family support  
19 programs targeted to families expecting a child or with newborn  
20 and infant children through age five and funded through the  
21 state board shall require the programs to participate in a  
22 state-administered internet-based data collection system. ~~The~~  
23 ~~data reporting requirements shall be developed in a manner to~~  
24 ~~provide for compatibility with local data collection systems.~~  
25 The state board's annual report submitted each January to  
26 the governor and general assembly under [section 256I.4](#) shall  
27 include family support program outcomes ~~beginning with the~~  
28 ~~January 2015 report.~~

29 b. The data on families served that is collected by the  
30 family support programs funded through the early childhood  
31 Iowa initiative shall include but is not limited to basic  
32 demographic information, services received, funding utilized,  
33 and program outcomes for the children and families served. The  
34 state board shall adopt performance benchmarks for the family  
35 support programs and shall revise the Iowa family support



1 credential to incorporate the performance benchmarks on or  
2 before January 1, 2014.

3 c. The state board shall identify minimum competency  
4 standards for the employees and supervisors of family support  
5 programs funded through the early childhood Iowa initiative.  
6 ~~The state board shall submit recommendations concerning the~~  
7 ~~standards to the governor and general assembly on or before~~  
8 ~~January 1, 2014.~~

9 d. The state board shall adopt criminal and child abuse  
10 record check requirements for the employees and supervisors of  
11 family support programs funded through the early childhood Iowa  
12 initiative.

13 e. The state board shall develop a plan to implement a  
14 coordinated intake and referral process for publicly funded  
15 family support programs in order to engage the families  
16 expecting a child or with newborn and infant children through  
17 age five in all communities in the state by July 1, 2015.

18 DIVISION II

19 APPROPRIATION —

20 DEPARTMENT OF EDUCATION

21 Sec. 12. 2015 Iowa Acts, chapter 140, section 25,  
22 subsections 9, 10, and 11, are amended by striking the  
23 subsections and inserting in lieu thereof the following:

24 9. EARLY CHILDHOOD IOWA FUND

25 For deposit in the school ready children grants account of  
26 the early childhood Iowa fund created in section 256I.11 for  
27 general aid and for purposes of the school ready children grant  
28 program created in section 256I.9:

29 ..... \$ 23,179,424

30 a. The early childhood Iowa office shall use no more than  
31 5 percent of the moneys appropriated in this subsection to  
32 provide for the early childhood Iowa state office, technical  
33 assistance activities, and early childhood Iowa state board and  
34 professional development activities for persons working with  
35 early care, health, and education.

1 b. Moneys appropriated in this subsection shall be used by  
2 early childhood Iowa area boards for programs and efforts to  
3 improve the quality of early care, health, and education for  
4 children zero through age five. Services that shall receive  
5 support include all of the following:

6 (1) Preschool support services provided on a voluntary  
7 basis to children deemed at risk.

8 (2) Family support services and parent education programs  
9 promoted to parents of children zero through age five.

10 (3) Other services to support the community plan developed  
11 by the area boards.

12 (4) Services to improve the quality and availability of all  
13 types of child care.

14 Sec. 13. EFFECTIVE UPON ENACTMENT. This division of this  
15 Act, being deemed of immediate importance, takes effect upon  
16 enactment.

17 Sec. 14. RETROACTIVE APPLICABILITY. This division of this  
18 Act applies retroactively to July 1, 2015.

19 EXPLANATION

20 The inclusion of this explanation does not constitute agreement with  
21 the explanation's substance by the members of the general assembly.

22 This bill relates to the early childhood Iowa initiative.

23 The early childhood Iowa (ECI) initiative was created  
24 to empower individuals, communities, and the state to work  
25 together to improve the efficiency and effectiveness of  
26 early care, education, health, and human services systems  
27 provided to families with children from zero through age five.  
28 The ECI state board, ECI area boards, and other state and  
29 local government agencies provide support, leadership, and  
30 facilitation of the growth of individual, community, and state  
31 responsibility in addressing the desired results for improving  
32 the quality of life in this state for young children and their  
33 families.

34 Division I of the bill eliminates the requirement that the  
35 governor's citizen member appointees to the state board be

1 selected from individuals nominated by ECI area boards and  
2 removes references relating to a levels of excellence rating  
3 system to be used in the state board's designation process for  
4 area boards.

5 The division eliminates the requirement that the composition  
6 of an ECI area board include representation from early care  
7 interests. "Early care" means the programs, services, support,  
8 or other assistance made available to a parent or other person  
9 who is involved with addressing the health and education  
10 needs of a child from zero through age five. The bill also  
11 makes changes to the duties of an ECI board relating to the  
12 development of a comprehensive community plan for children from  
13 zero through age five.

14 The division amends provisions relating to the school  
15 ready children grant program. The division eliminates the  
16 requirement that at least 60 percent of state funding that  
17 an area board designates for family support programs must be  
18 committed to programs with a home visitation component and also  
19 eliminates the option that child care services funded by a  
20 school ready children grant may include nurse consultants.

21 The division provides that once an ECI area board receives a  
22 school ready children grant, receipt of continued funding by  
23 the ECI area board is subject to submission of the required  
24 annual report and the ECI state board's determination that  
25 the ECI area board is making progress, through the use of  
26 specific, quantifiable performance measures and locally  
27 developed community-wide indicators, toward achieving the  
28 desired results and other results identified in the community  
29 plan. Each ECI area board is required to participate in the  
30 designation process established by the ECI state board to  
31 measure the ECI area's success. If the use of performance  
32 measures and community-wide indicators does not show that an  
33 ECI area board has made progress toward achieving the results  
34 identified in the community plan, the state board may require a  
35 corrective action plan, provide technical assistance, withhold

1 any increase in funding, or withdraw grant funding.

2 The division eliminates the requirement that grant moneys  
3 be adjusted for other federal and state grant moneys to be  
4 received by the area for services to children from zero through  
5 age five.

6 The division provides that an ECI area board's designation  
7 shall be determined by evidence of successful collaboration  
8 among public and private early care, education, health, and  
9 human services interests in the area or a documented program  
10 design that supports a strong likelihood of a successful  
11 collaboration between these interests.

12 The division eliminates the requirement that the department  
13 of management provide information to the ECI state board  
14 regarding the extent and frequency of usage of the ECI internet  
15 site or sites and that such information be included in the  
16 board's annual report.

17 The division increases the amount of school ready children  
18 grant moneys that may be used by an ECI area board for  
19 administrative costs from 3 percent to 5 percent.

20 The division eliminates the maximum funding amount an ECI  
21 area is eligible to receive from the ECI programs grant account  
22 for a fiscal year, determined by applying the area's percentage  
23 of the state's average monthly family investment program  
24 population in the preceding fiscal year to the total amount  
25 credited to the account for the fiscal year.

26 References to "home visitation program" in Code chapter 256I  
27 are replaced with references to "family support program", and a  
28 conforming Code change is made in Code section 135.106 (healthy  
29 families programs). The division provides that it is the  
30 intent of the legislature to give priority to family support  
31 program funding using evidence-based or promising program  
32 models, and in order to implement this legislative intent, the  
33 division provides that, by July 1, 2016, 90 percent of state  
34 funds expended for family support programs shall be used for  
35 evidence-based or promising program models.

S.F. \_\_\_\_\_

1 Division II of the bill amends language in appropriations  
2 made from the general fund of the state to the department  
3 of education for deposit in the school ready children grants  
4 account of the early childhood Iowa fund for FY 2016-2017. The  
5 division takes effect upon enactment and applies retroactively  
6 to July 1, 2015.