

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.

16 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.