

**200.703 Duties of Early Childhood Development Authority -- Implementation of programs -- Disbanding or suspension of councils -- Expiration of authority, councils, and initiatives -- Healthy Babies Work Group -- Vision examinations -- Requests for proposals.**

- (1) The authority shall establish priorities for programs and the expenditure of funds that include but are not limited to the following:
  - (a) Implementation of public health initiatives identified by the General Assembly;
  - (b) Provision of preconceptional and prenatal vitamins, with priority for folic acid for the prevention of neural tube defects;
  - (c) Voluntary immunization for children not covered by public or private health insurance;
  - (d) Availability of high-quality, affordable early child-care and education options; and
  - (e) Increased public awareness of the importance of the early childhood years for the well-being of all Kentucky's citizens.
- (2) The authority shall develop a state plan on a biennial basis that identifies early childhood development funding priorities. Every two (2) years the authority shall review its priorities and make necessary adjustments to its state plan. The state plan shall incorporate priorities included in "KIDS NOW: Kentucky Invests in Developing Success, a Report from the Governor's Early Childhood Task Force, November 1999," and recommendations identified by the community early childhood councils. The authority shall file a report on the state plan with the Governor and the Legislative Research Commission by July 15 of odd-numbered years.
- (3) Programs funded by the authority shall be implemented by the appropriate agencies within the Cabinet for Health and Family Services, the Education and Workforce Development Cabinet, the Finance and Administration Cabinet, or other appropriate administrative agency.
- (4) The authority shall assure that a public hearing is held on the expenditure of funds. Advertisement of the public hearing shall be published at least once but may be published two (2) more times, if one (1) publication occurs not less than seven (7) days nor more than twenty-one (21) days before the scheduled date of the public hearing.
- (5) The authority shall promulgate administrative regulations in accordance with KRS Chapter 13A to:
  - (a) Coordinate and improve early childhood development services, outcomes, and policies;
  - (b) Establish procedures that relate to its governance;
  - (c) Designate service areas of the Commonwealth where the community early childhood councils may be established to identify and address the early childhood development needs of young children and their families for the

communities that they serve;

- (d) Establish procedures that relate to the monitoring of grants, services, and activities of the community early childhood councils and their governance;
  - (e) Establish procedures for accountability and measurement of the success of programs that receive funds from the authority; and
  - (f) Establish standards for the payment of funds to a designated service provider and grantee of a community early childhood council. These standards shall include requirements relating to:
    - 1. The financial management of funds paid to grantees;
    - 2. The maintenance of records; and
    - 3. An independent audit of the use of grant funds.
- (6) The authority may disband or suspend a council, and may remove one (1) or more members for nonperformance or malfeasance. The authority may also recover funds that have been determined by the authority to have been misappropriated or misspent in relation to a grant award.
- (7) An appeal to the authority may be made by a council as to a decision made by the authority on the disbanding or suspension of a council, service provider, or grantee on a determination that funds have been misappropriated or misspent and are subject to recovery. The appeal shall be conducted in accordance with KRS Chapter 13B.
- (8) The authority, councils established by the authority, and initiatives funded by the authority with expenditures from the early childhood development fund shall expire when:
- (a) Funds are no longer designated to the Commonwealth from the master settlement agreement signed on November 22, 1998, between the participating tobacco manufacturers and the forty (40) settling states or related federal legislation; or
  - (b) Funds are no longer designated to the early childhood development fund from gifts, grants, or federal funds to fund the authority, the councils established by the authority, or any programs that had been funded by the authority with expenditures from the early childhood development fund.
- (9) (a) The authority shall establish a Healthy Babies Work Group, consisting of representatives from the Cabinet for Health and Family Services; public schools; local libraries; the Kentucky March of Dimes; family resource centers; agencies that provide benefits under the Special Supplementation Food Program for Women, Infants, and Children; the Folic Acid Awareness Campaign; physicians; secondary health education and consumer sciences teachers; the Spina Bifida Association of Kentucky; and other persons as appropriate. Representatives shall reflect the geographic, racial, and gender diversity of the Commonwealth.
- (b) The Healthy Babies Work Group shall collaborate on development and implementation of a public awareness campaign to inform the citizens of the Commonwealth about the benefits of good nutrition, folic acid, smoking

cessation, and healthy lifestyle choices that lead to healthy babies, the effects of alcohol and substance abuse on fetal and early childhood development, and the need for a vision examination of children at age three (3). The work group shall work with local health departments for the vision examination outreach program.

- (10) The authority shall work with local entities, including but not limited to health departments and service providers, to establish to the extent of available funding a vision examination program for children who are not eligible for the Kentucky Children's Health Insurance Program or Medicaid, and who do not have insurance coverage for a vision examination. The authority shall provide that primary students, regardless of age, who are having difficulty with reading may be referred and receive a second vision examination as described in KRS 156.160 at no cost to the parent.
- (11) The authority shall develop a request for proposal process by which local early childhood councils may request any funding appropriated to the authority for use by the councils.

**Effective:** June 25, 2009

**History:** Amended 2009 Ky. Acts ch. 11, sec. 62, effective June 25, 2009. -- Amended 2006 Ky. Acts ch. 211, sec. 120, effective July 12, 2006. -- Amended 2005 Ky. Acts ch. 99, sec. 50, effective June 20, 2005; ch. 127, sec. 7, effective March 18, 2005. -- Created 2000 Ky. Acts ch. 308, sec. 2, effective July 14, 2000.

**Legislative Research Commission Note** (6/20/2005) 2005 Ky. Acts ch. 127, which included an amendment to this section, KRS 200.703, provides that the Act shall be cited as the "Read to Achieve Act of 2005."