

**HIGH QUALITY PRESCHOOL PROJECT**

2013 GENERAL SESSION

STATE OF UTAH

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**LONG TITLE****General Description:**

This bill creates a pilot program in which grants are given to qualifying education agencies to implement certain preschool programs.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ establishes the High Quality Preschool Pilot Program to fund certain preschool programs to serve certain at-risk students;
- ▶ details components of high quality preschools that schools shall adopt to receive funding;
- ▶ requires the State Board of Education to:
  - solicit proposals from qualifying education agencies that want to receive the grants;
  - award grants for preschool programs;
  - monitor and evaluate the programs; and
  - develop policies and enact rules;
- ▶ establishes reporting requirements;
- ▶ provides for partnerships with private providers; and
- ▶ repeals the High Quality Preschool Pilot Program on July 1, 2018.

**Money Appropriated in this Bill:**

This bill appropriates:

- ▶ to the State Board of Education - Utah State Office of Education - Initiative Programs, as an ongoing appropriation:
  - from the Education Fund, \$5,000,000.

**Other Special Clauses:**

This bill provides an effective date.

**Utah Code Sections Affected:**

33 AMENDS:

34 **63I-2-253**, as last amended by Laws of Utah 2012, Chapters 57, 208, 273, 280, 318,  
35 329, 381, and 394

36 ENACTS:

37 **53A-1a-1101**, Utah Code Annotated 1953

38 **53A-1a-1102**, Utah Code Annotated 1953

39 **53A-1a-1103**, Utah Code Annotated 1953

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41 *Be it enacted by the Legislature of the state of Utah:*

42 Section 1. Section **53A-1a-1101** is enacted to read:

43 **Part 11. High Quality Preschool Pilot Program**

44 **53A-1a-1101. Definitions.**

45 As used in this part:

46 (1) "Board" means the State Board of Education.

47 (2) "Economically disadvantaged" means a student who:

48 (a) is eligible to receive free lunch;

49 (b) is eligible to receive reduced priced lunch; or

50 (c) (i) is not otherwise accounted for in Subsection (2)(a) or (b); and

51 (ii) (A) is enrolled in a Provision 2 or Provision 3 school, as defined by the United

52 States Department of Agriculture;

53 (B) has a Declaration of Household Income on file;

54 (C) is eligible for a fee waiver; or

55 (D) is enrolled at a school that does not offer a lunch program and is a sibling of a

56 student accounted for in Subsection (2)(a) or (b).

57 (3) "Eligible LEA" means an LEA that:

58 (a) contains at least one eligible school;

59 (b) agrees to fund a portion of its preschool program funded under this part with

60 federal funds described in Subsection (5)(a); and

61 (c) has a data system capacity to collect longitudinal academic outcome data, including  
62 special education use by student, by identifying each student with a unique student identifier.

63 (4) (a) "Eligible private provider" means a child care program that:

64 (i) (A) except as provided in Subsection (4)(b), is licensed under Title 26, Chapter 39,  
 65 Utah Child Care Licensing Act; or

66 (B) is exempt from licensure under Section 26-39-403; and

67 (ii) meets other criteria as established by the board, consistent with Utah Constitution  
 68 Article X, Section 1.

69 (b) "Eligible private provider" does not include a residential child care, as defined in  
 70 Section 26-39-102.

71 (5) "Eligible school" means a school that:

72 (a) receives federal money under Title I of the No Child Left Behind Act of 2001, 20  
 73 U.S.C. Sec. 6301 et seq., for a school-wide or targeted assistance program; and

74 (b) has space capacity for a preschool classroom.

75 (6) "Eligible student" means a student who:

76 (a) lives in the attendance boundaries of an eligible LEA; and

77 (b) (i) is economically disadvantaged; or

78 (ii) is classified as an English language learner.

79 (7) "Local Education Agency" or "LEA" means a school district or charter school.

80 (8) "Program" means the High Quality Preschool Pilot Program created in Section  
 81 53A-1a-1102.

82 Section 2. Section **53A-1a-1102** is enacted to read:

83 **53A-1a-1102. High quality preschool pilot program -- Components -- Assessment**  
 84 **-- Evaluation and reporting.**

85 (1) The High Quality Preschool Pilot Program is created to provide grants to eligible  
 86 LEAs to fund high quality preschool programs at eligible schools.

87 (2) Subject to future budget constraints, the Legislature shall appropriate money for a  
 88 five-year period to the board for the program.

89 (3) The board shall:

90 (a) solicit proposals from eligible LEAs to receive money under the program;

91 (b) award grants to up to seven eligible LEAs based on criteria described in Subsection  
 92 (4); and

93 (c) develop a school readiness assessment based on the Utah early childhood standards.

94 (4) In awarding a grant under Subsection (3), the board shall consider:

- 95           (a) an eligible LEA's capacity to effectively implement the components described in  
96 Subsection (6);
- 97           (b) the percentage of an eligible LEA's students that are economically disadvantaged;  
98 and
- 99           (c) the level of administrative support and leadership at an eligible LEA to effectively  
100 implement, monitor, and evaluate the program.
- 101           (5) To receive a grant under the program, an eligible LEA shall submit a proposal to  
102 the board detailing:
- 103           (a) the eligible LEA's strategy to implement the components described in Subsection  
104 (6);
- 105           (b) the number of students the eligible LEA plans to serve, categorized by age,  
106 economically disadvantaged status, and English language learner status;
- 107           (c) the number of high quality preschool classrooms the eligible LEA plans to operate;  
108 and
- 109           (d) the estimated cost per student.
- 110           (6) To receive funding under the program, an eligible LEA shall establish or currently  
111 operate a high quality preschool with the following components:
- 112           (a) a research-based curriculum that addresses the following developmental domains  
113 through explicit instruction in whole and small group settings:
- 114           (i) oral language and listening comprehension;  
115           (ii) phonological awareness and prereading;  
116           (iii) alphabet and word knowledge;  
117           (iv) prewriting, fine motor, and visual arts;  
118           (v) book knowledge and print awareness;  
119           (vi) numeracy;  
120           (vii) social and emotional;  
121           (viii) gross motor and performing arts;  
122           (ix) science and technology; and  
123           (x) social studies, health, and safety;
- 124           (b) ongoing, focused, and intensive professional development for staff of the preschool  
125 program;

126 (c) ongoing assessment of a student's educational growth and developmental progress  
127 to inform instruction;

128 (d) a pre- and post-assessment of each student that assesses age-appropriate literacy  
129 and numeracy skills that is:

130 (i) aligned to the Utah early childhood standards; and

131 (ii) designated by the board under Subsection (10);

132 (e) class size that does not exceed 20 students, with one adult for every 10 students in  
133 the class;

134 (f) ongoing program evaluation and data collection to monitor program goal  
135 achievement and implementation of required program components;

136 (g) family involvement, including class participation, frequent communication between  
137 home and school, and parent education opportunities; and

138 (h) teachers with at least a bachelor's degree or a child development associate  
139 certification.

140 (7) All LEAs and eligible private providers that receive funding under this part shall  
141 meet four times each year to evaluate implementation and ensure each LEA's and private  
142 provider's preschool has the components described in Subsection (6).

143 (8) (a) An LEA that receives funds under this part shall report annually to the board the  
144 following:

145 (i) number of students served by the LEA's preschool, reported by economically  
146 disadvantaged status and English language learner status;

147 (ii) attendance;

148 (iii) cost per student;

149 (iv) assessment results; and

150 (v) longitudinal data on each student currently receiving funding under this part and  
151 any students who previously received funding under this part, including:

152 (A) academic achievement outcomes;

153 (B) special education use; and

154 (C) English language learner services.

155 (b) For each year of the program, the board shall report to the Legislature's Education  
156 Interim Committee the information collected under Subsection (8)(a) for each participating

157 LEA.

158 (9) The board shall contract with an independent, nationally recognized early education  
159 evaluator, selected through a request for proposals, to evaluate the quality and outcomes of the  
160 program, including:

161 (a) adherence to required components described in Subsection (6); and

162 (b) pre- and post-assessment results of students in the program.

163 (10) The board shall make rules to effectively administer and monitor the program,  
164 including:

165 (a) the pre- and post-assessment that LEAs shall use, ensuring that all LEAs use the  
166 same pre- and post-assessment required in Subsection (6)(d); and

167 (b) reporting requirements for LEAs and eligible private providers.

168 (11) The board may use up to:

169 (a) 2% of the total appropriation under this part to administer and monitor the program;

170 (b) 2% of the total appropriation under this part to develop the school readiness  
171 assessment required under Subsection (3)(c); and

172 (c) 10% of the total appropriation under this part to contract with an evaluator as  
173 required under Subsection (9).

174 (12) The board shall distribute money to eligible LEAs chosen to participate in the  
175 program as follows:

176 (a) each eligible LEA chosen by the board to participate in the program shall receive  
177 funding for at least one preschool classroom; and

178 (b) the remaining funds available after funding Subsection (12)(a) shall be prorated to  
179 the eligible LEAs based on the number of students who are economically disadvantaged.

180 (13) Funds appropriated under this part may not be used to supplant other money used  
181 for preschools at eligible schools.

182 Section 3. Section **53A-1a-1103** is enacted to read:

183 **53A-1a-1103. High quality preschool pilot program funding -- Provisions for**  
184 **private providers.**

185 (1) Except as provided in Subsection (6), an eligible LEA shall contract with an  
186 eligible private provider to provide the program to at least 10% of the LEA's eligible students  
187 that the LEA plans to serve through the program.

- 188           (2) To receive funding under this part, an eligible private provider shall:
- 189           (a) offer a preschool program that contains the components described in Subsection  
190 53A-1a-1102(6);
- 191           (b) align its assessments, early learning standards, and professional development with  
192 the contracting LEA;
- 193           (c) allow classroom visits by the contracting LEA, the evaluator chosen in accordance  
194 with Subsection 53A-1a-1102(9), or the board to ensure the components described in  
195 Subsection (2)(a) are being implemented;
- 196           (d) (i) allow the contracting LEA to administer the required pre- and post-assessments  
197 described in Subsection 53A-1a-1102(6)(d) to students funded under this part; or
- 198           (ii) at the discretion of the contracting LEA, administer the required pre- and  
199 post-assessments described in Subsection 53A-1a-1102(6)(d) to students funded under this  
200 part; and
- 201           (e) report the information described in Subsection 53A-1a-1102(8) to the contracting  
202 LEA.
- 203           (3) The board shall distribute money to the participating LEA and the LEA shall  
204 contract with the eligible private provider and pay the eligible private provider to provide the  
205 preschool program to eligible students.
- 206           (4) An LEA may provide the eligible private provider with:
- 207           (a) professional development;
- 208           (b) staffing or staff support;
- 209           (c) materials; and
- 210           (d) assessments.
- 211           (5) (a) The eligible private provider may not charge an eligible student tuition or fees.
- 212           (b) The eligible private provider may use grants, scholarships, or other money to help  
213 fund the preschool program.
- 214           (6) If there is no eligible private provider that is willing to contract with an eligible  
215 LEA, the eligible LEA is not required to contract with an eligible private provider.
- 216           (7) A contractual partnership established under Subsection (1) shall be consistent with  
217 Utah Constitution Article X, Section 1.
- 218           Section 4. Section **63I-2-253** is amended to read:

219 **63I-2-253. Repeal dates -- Titles 53, 53A, and 53B.**

220 (1) Section 53A-1-402.7 is repealed July 1, 2014.

221 (2) Section 53A-1-403.5 is repealed July 1, 2017.

222 (3) Section 53A-1-411 is repealed July 1, 2016.

223 (4) Section 53A-1-412 is repealed July 1, 2013.

224 (5) Section 53A-1-709 is repealed July 1, 2015.

225 (6) Section 53A-1a-513.5 is repealed July 1, 2017.

226 (7) Title 53A, Chapter 1a, Part 10, UPSTART, is repealed July 1, 2014.

227 (8) Title 53A, Chapter 1a, Part 11, High Quality Preschool Pilot Program, is repealed  
 228 July 1, 2018.

229 [~~8~~] (9) Title 53A, Chapter 8a, Part 8, Peer Assistance and Review Pilot Program, is  
 230 repealed July 1, 2017.

231 [~~9~~] (10) Subsection 53A-13-110(4) is repealed July 1, 2013.

232 [~~10~~] (11) Section 53A-15-1215 is repealed July 1, 2012.

233 Section 5. **Appropriation.**

234 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the  
 235 following sums of money are appropriated from resources not otherwise appropriated, or  
 236 reduced from amounts previously appropriated, out of the funds or accounts indicated for the  
 237 fiscal year beginning July 1, 2013 and ending June 30, 2014. These are additions to any  
 238 amounts previously appropriated for fiscal year 2014.

239 To State Board of Education - Utah State Office of Education - Initiative Programs

240 From Education Fund \$5,000,000

241 Schedule of Programs:

242 Contracts and Grants \$5,000,000

243 The Legislature intends that the appropriation under this section is:

244 (1) ongoing, subject to availability of funds;

245 (2) for fiscal years 2013-14, 2014-15, 2015-16, 2016-17, and 2017-18 only;

246 (3) to be used to carry out the requirements of Title 53A, Chapter 1a, Part 11, High  
 247 Quality Preschool Pilot Program; and

248 (4) nonlapsing.

249 Section 6. **Effective date.**

- 250           (1) Except as provided in Subsection (2), this bill takes effect on May 14, 2013.
- 251           (2) Uncodified Section 5, Appropriation, takes effect on July 1, 2013.