

1 **High Quality School Readiness Program Expansion**

2
3 **LONG TITLE**

4 **General Description:**

5 This bill expands access to high quality school readiness programs for eligible
6 students.

7 **Highlighted Provisions:**

8 This bill:

- 9 ▶ defines terms;
- 10 ▶ amends the function and duties of the Office of Child Care within the
11 Department of Workforce Services;
- 12 ▶ requires the Department of Workforce Services to determine eligibility for an
13 Intergenerational Poverty Scholarship;
- 14 ▶ creates the Student Access to High Quality School Readiness Programs Grant
15 Program to expand access to high quality school readiness programs for
16 eligible students;
- 17 ▶ creates the Intergenerational Poverty School Readiness Scholarship Program;
- 18 ▶ requires the State Board of Education to contract with an independent evaluator
19 to conduct an ongoing evaluation of the effectiveness of high quality school
20 readiness programs; and
- 21 ▶ makes technical and conforming changes.

22 **Money Appropriated in this Bill:**

23 This bill appropriates, in fiscal year 2017:

- 24 ▶ to the State Board of Education - Utah State Office of Education - Initiative
25 Programs as an ongoing appropriation
 - 26 • from the Education Fund, \$7,000,000
- 27 ▶ to the Department of Workforce Services - Office of Child Care as an ongoing
28 appropriation
 - 29 • from the General Fund, \$1,000,000

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Other Special Clauses:

None

List of sections affected:

AMENDS:

35A-3-203

ENACTS:

35A-9-401

53A-1b-201

53A-1b-202

53A-1b-203

53A-1b-204

53A-1b-205

Statutory text:

35A-3-203. Functions and duties of office -- Annual report.

The office shall:

- (1) assess critical child care needs throughout the state on an ongoing basis and focus its activities on helping to meet the most critical needs;
- (2) provide child care subsidy services for income-eligible children through age 12 and for income-eligible children with disabilities through age 18;
- (3) provide information:
 - (a) to employers for the development of options for child care in the work place; and
 - (b) for educating the public in obtaining quality child care;
- (4) coordinate services for quality child care training and child care resource and referral core services;
- (5) apply for, accept, or expend gifts or donations from public or private sources;
- (6) provide administrative support services to the committee;
- (7) work collaboratively with the following for the delivery of quality child care and early childhood programs, and school age programs throughout the state:
 - (a) the State Board of Education; and

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63 (b) the Department of Health;

64 (8) research child care programs and public policy to improve the quality and
65 accessibility of child care, early childhood programs, and school age programs in the state;

66 (9) provide planning and technical assistance for the development and
67 implementation of programs in communities that lack child care, early childhood programs,
68 and school age programs;

69 (10) provide organizational support for the establishment of nonprofit organizations
70 approved by the Child Care Advisory Committee, created in Section 35A-3-205; [\[and\]](#)

71 (11) coordinate with the department to include in the annual written report described
72 in Section 35A-1-109 information regarding the status of child care in Utah [\[:\] and;](#)

73 [\(12\) administer the Intergenerational Poverty School Readiness Scholarship Program](#)
74 [created in Section 53A-1b-204, in coordination with the State Board of Education, and with](#)
75 [input from the School Readiness Board created in Section 53A-1b-103.](#)

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77 [Title 35A, Chapter 9, Part 4 - Intergenerational Poverty School Readiness Scholarship](#)

78 [Eligibility](#)

79

80 [35A-9-401. Eligibility Determination--Awarding of scholarship](#)

81 [\(1\) As used in this section:](#)

82 [\(a\) "Eligible child" means an individual who:](#)

83 [\(i\) is experiencing intergenerational poverty as determined by the department as](#)
84 [described in Subsection \(5\)\(b\);](#)

85 [\(ii\) will be four years old or older on or before September 2 of the school year in which](#)
86 [the individual intends to enroll in a school readiness program;](#)

87 [\(iii\) has not enrolled in kindergarten; and](#)

88 [\(iv\) does not receive school readiness services through:](#)

89 [\(A\) special education preschool described in Section 53A-17a-112;](#)

90 [\(B\) the Carson Smith Scholarships for Students with Special Needs Act, created in](#)

91 [Title 53A, Chapter 1a, Part 7;](#)

92 [\(C\) UPSTART, created in Title 53A, Chapter 1a, Part 10; or](#)

93 [\(D\) a school readiness program funded by a results-based contract under Section](#)

94 [53A-1b-110.](#)

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95 (b) "High quality school readiness program" means the same as that term is defined in
96 Section 53A-1b-202.

97 (c) "Intergenerational poverty scholarship," or "IGP scholarship" means the same as
98 that term is defined in Section 53A-1b-202.

99 (2) The department shall determine if an applicant for an IGP scholarship is eligible for
100 the IGP School Readiness Scholarship Program, created in Section 53A-1b-204.

101 (3) One individual per household may apply to the department annually to qualify for a
102 scholarship for an eligible child to attend a high quality school readiness program.

103 (4)(a) The department shall create an application form that requires an applicant to
104 provide the information necessary for the department to make the eligibility determination
105 described in Subsection (5).

106 (b) The department may require an applicant to submit supporting documentation.

107 (c) The department may create a deadline for an applicant to apply for an IGP
108 scholarship.

109 (5)(a) The department shall determine if:

110 (i) the information contained in an application submitted under Subsection (3) is
111 accurate and complete; and

112 (ii) the child for whom the applicant is applying for an IGP scholarship is an eligible
113 child.

114 (b) In making a determination described in Subsection (5)(a)(ii), the department shall
115 decide whether the child for whom the applicant is applying is experiencing intergenerational
116 poverty by considering whether the applicant:

117 (i) resides in a household having a gross family income that is at or below 150% of the
118 federal poverty level;

119 (ii) received public assistance in the state for at least 12 months as a dependent child
120 in one or more of the public assistance programs described in Subsection (5)(b)(iii);

121 (iii) received public assistance in the state for at least 30 months in the previous 5
122 years from at least one of the following public assistance programs:

123 (A) the Family Employment Program under Chapter 3, Part 3, Family Employment
124 Program;

125 (B) General Assistance, under Chapter 3, Part 4, General Assistance;

126 (C) SNAP, as defined in Section 35A-1-102;

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- 127 (D) the Medicaid program, as defined in Section 26-18-2; or
128 (E) the Utah Children's Health Insurance Program, created in Section 26-40-103;
129 and
130 (iv) was receiving public assistance described in Subsection (5)(b)(iii) on the date of
131 the application; and
132 (v) whether the applicant resides in a household with one or more dependent children
133 of the applicant residing in the same household; and
134 (vi) any other factor that would assist the department in making a determination.
135 (6)(a) Except as provided in Subsections (6)(b), and subject to legislative
136 appropriations, the department shall:
137 (i) award an IGP scholarship for an individual who is determined to be an eligible child
138 under Subsection (5); and
139 (ii) with input from the State Board of Education, determine the value of an IGP
140 scholarship.
141 (b) If an appropriation the department receives for IGP scholarships is not sufficient to
142 award a scholarship to each eligible child, the department shall prioritize awarding IGP
143 scholarships to eligible children who are at the highest risk based on the factors described in
144 Subsection 53A-1b-202 (5)(c).
145 (7) For an eligible child who receives a child care subsidy under Section 35-3-310, the
146 value of an IGP scholarship shall be the IGP scholarship value determined as described in
147 Subsection (6)(a)(ii) minus the amount of child care subsidy the eligible child receives.
148 (8) The department shall coordinate with the State Board of Education to enroll a
149 recipient of an IGP scholarship in a high quality school readiness program of the recipient's
150 choice, as described in Section 53A-1b-204.
151 (9) In accordance with Title 63G, Chapter 3, Utah Administrative Rulingmaking Act,
152 the department shall make rules to administer this section.

153

154 **Title 53A, Chapter 1b, Part 2 - Expanded Access to High Quality School Readiness** 155 **Programs Act**

156

157 **53A-1b-201. Title.**

158 This part is known as the "Expanded Access to High Quality School Readiness

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159 Programs Act."

160

161 **53A-1b-202. Definitions.**

162 As used in this part:

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

164 (2) "Economically disadvantaged" means the same as that term is defined in Section

165 53A-1b-102.

166 (3) "Eligible home-based technology provider" means a provider that offers a
167 home-based educational technology program to develop the school readiness skills of an
168 eligible student.

169 (4) (a) "Eligible private provider" means the same as that term is defined in
170 53A-1b-102.

171 (5) "Eligible student" means an individual who:

172 (a) will be four years of age or older on or before September 2 of the school year in
173 which the individual intends to participate in a school readiness program;

174 (b) has not entered kindergarten; and

175 (c)(i) has at least one of the following risk factors:

176 (A) the individual is economically disadvantaged;

177 (B) the individual's family is homeless;

178 (C) an abusive adult resides in the individual's home;

179 (D) drug or alcohol abuse exists in the individual's family;

180 (E) either of the individual's parents was eighteen years of age or younger and
181 unmarried when the individual was born;

182 (F) the individual's parent or legal guardian has not successfully completed a high
183 school education or its equivalent;

184 (G) the individual's family frequently relocates to new residences; or

185 (H) the individual exhibits poor social skills; or

186 (ii) is at risk for not meeting grade 3 core standards for Utah public schools,

187 established by the State Board of Education under Section 53A-1-402.6, by the end the
188 student's grade 3 year, as determined by an assessment.

189 (6) "High quality school readiness program" means a school readiness program that:

190 (a) is provided by an LEA, eligible private provider, or eligible home-based technology

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191 provider; and

192 (b) meets the elements of a high quality school readiness program described in
193 Section 53A-1b-105 as determined by the board under:

194 (i) Section 53A-1b-204; or

195 (ii) Section 53A-1b-205.

196 (7) "Intergenerational poverty" means the same as that term is defined in Section
197 35A-9-102.

198 (8) "Intergenerational poverty scholarship" or "IGP scholarship" means a scholarship
199 to attend a high quality school readiness program for an eligible student who is experiencing
200 intergenerational poverty.

201 (9) "Local education agency" or "LEA" means a:

202 (a) school district; or

203 (b) charter school.

204 (10) "School Readiness Board" means the School Readiness Board within the
205 Governor's Office of Management and Budget created in Section 53A-1b-103.

206

207

208 **53A-1b-203. Student Access to High Quality School Readiness Programs Grant**
209 **Program -- Determination of High Quality School Readiness Program-- Reporting**
210 **Requirement -- Fees.**

211 (1) There is created the Student Access to High Quality School Readiness Programs
212 Grant Program to expand access to high quality school readiness programs for eligible
213 students.

214 (2)(a) An LEA may submit a proposal to the board to receive a grant under this
215 section.

216 (b) A proposal described in Subsection (2)(a) shall describe:

217 (i) the LEA's existing and proposed school readiness program, including:

218 (A) the number of students served by LEA's school readiness program;

219 (B) how the LEA would use a grant to expand the number of eligible students served
220 by the LEA's school readiness program;

221 (C) how the existing school readiness program meets the elements of a high quality
222 school readiness program described in Section 53A-1b-105;

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- 223 (D) the LEA's policies and procedures for admitting students into the school readiness
224 program;
- 225 (E) the estimated cost per student; and
- 226 (F) any fees the LEA charges to a parent or legal guardian for the school readiness
227 program;
- 228 (ii) the LEA's plan to use funding sources, in addition to a grant described in this
229 section, including:
- 230 (A) federal funding; or
- 231 (B) private grants or donations;
- 232 (iii) the percentage of the LEA's kindergarten through grade 12 students who are
233 economically disadvantaged;
- 234 (iv) the LEA's existing or planned partnerships with eligible private providers or eligible
235 home-based technology providers to increase access to high quality school readiness
236 programs for eligible students;
- 237 (v) whether the LEA has received a grant from the High Quality School Readiness
238 Grant Program, created in Section 53A-1b-106; and
- 239 (vi) the results of any evaluations of the LEA's school readiness program.
- 240 (3)(a) The board, with input from the Department of Workforce Services and the
241 School Readiness Board, shall develop a tool to determine whether a school readiness
242 program is a high quality school readiness program.
- 243 (b) For each LEA proposal submitted under Subsection (2), the board shall determine
244 if the LEA school readiness program is a high quality school readiness program by:
- 245 (i) applying the tool described in Subsection (3)(a); and
- 246 (ii) conducting at least one site visit to the program.
- 247 (4)(a) Subject to legislative appropriations, the board shall award grants described in
248 this section to LEAs in accordance with this Subsection (4).
- 249 (b) The board may only award a grant to an LEA if:
- 250 (i) the board determines that the LEA's program is a high quality school readiness
251 program as described in Subsection (3); and
- 252 (ii) the LEA agrees to the evaluation requirements under Section 53A-1b-205.
- 253 (c) In addition to the requirements in Section (4)(b), in evaluating a grant proposal
254 received under Subsection (2), the board shall consider:

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255 (i) the LEA's school readiness program capacity, including the number of economically
256 disadvantaged students the LEA serves;

257 (ii) geographic diversity, including whether the LEA is urban or rural;

258 (iii) the LEA's plans to invest other funding sources in the LEA's school readiness
259 program;

260 (iv) the extent to which the LEA partners, or intends to partner, with eligible private
261 providers or eligible home-based technology providers; and

262 (v) the LEA's level of administrative support and leadership to effectively implement,
263 monitor, and evaluate the program.

264 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
265 board shall make rules to administer the grant program described in this section.

266 (6) An LEA that receives a grant under this section shall:

267 (a) use the grant to expand access for eligible students to high quality school
268 readiness programs by:

269 (i) enrolling eligible students in the LEA's school readiness program; or

270 (ii) contracting with an eligible private provider or eligible home-based technology
271 provider that offers a high quality school readiness program;

272 (b) report to the board annually regarding:

273 (i) how the LEA used the grant awarded under Subsection (4);

274 (ii) any partnerships with eligible private providers or eligible home-based technology
275 providers; and

276 (iii) the results of any evaluations; and

277 (c) allow classroom or other visits by an independent evaluator selected by the board
278 under Section 53A-1b-205.

279 (7) An LEA that receives a grant under this section may charge a student fee to
280 participate in the LEA school readiness program if:

281 (a) the LEA's local school board or charter school governing board approves the fee;

282 (b) the fee for a student does not exceed the actual cost of providing the high quality
283 school readiness program to the student; and

284 (c) the fee structure for the program is designed on a sliding scale, based on
285 household income.

286 (8) Subject to legislative appropriations, the board shall give first priority in awarding

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287 grants to an LEA that has previously received a grant under this section if the LEA:

288 (a) continues to offer a high quality school readiness program, as determined by the
289 board during an annual site visit;

290 (b) makes the annual report described in Subsection (6)(b); and

291 (c) participates in the annual evaluation described in Section 53A-1b-205.

292

293 **53A-1b-204 Intergenerational Poverty School Readiness Scholarship Program.**

294 (1) There is created the Intergenerational Poverty School Readiness Scholarship
295 Program to provide an eligible student experiencing intergenerational poverty access to a
296 high quality school readiness program.

297 (2) The Department of Workforce Services shall, in accordance with Section
298 35A-9-401:

299 (a) determine if an individual is eligible for an IGP scholarship; and

300 (b) award an IGP scholarship.

301 (3)(a) An LEA, eligible private provider, or eligible home-based technology provider
302 may apply to the board to receive a designation as a high quality school readiness program.

303 (b) The board shall determine if an LEA, eligible private provider, or eligible
304 home-based technology provider offers a high quality school readiness program using the
305 checklist and process described in Subsection 53A-1b-203(3).

306 (4)(a) The Department of Workforce Services and the board shall coordinate to assist
307 a parent or legal guardian of a recipient of an IGP scholarship to enroll the IGP scholarship
308 recipient in a high quality school readiness program:

309 (i) offered by an LEA, eligible private provider, or eligible home-based technology
310 provider; and

311 (ii) of the parent or legal guardian's choice.

312 (b) The Department of Workforce Services shall pay the scholarship amount to a high
313 quality school readiness program in which an IGP scholarship recipient enrolls.

314 (5)(a) Except as provided in Subsection (5)(b), the Department of Workforce Services
315 may not provide an individual's IGP scholarship to an LEA, eligible private provider, or
316 eligible home-based technology provider unless the LEA, eligible private provider, or eligible
317 home-based technology provider offers a high quality school readiness program, as
318 determined by the Board under Subsection (3).

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319 (b) An LEA that receives a determination as a high quality school program as part of
320 the LEA's application described in Section 53A-1b-203 may enroll an IGP scholarship
321 recipient.

322

323 **53A-1b-205. Evaluation -- Reporting Requirements.**

324 (1) In accordance with this section, the board shall oversee the ongoing review and
325 evaluation by an independent evaluator for each school year of:

326 (a) the Student Access to High Quality School Readiness Programs Grant Program
327 created in Section 53A-1b-203; and

328 (b) the Intergenerational Poverty School Readiness Scholarship Program created in
329 Section 53A-1b-204.

330 (2)(a) In accordance with Title 63G, Chapter 6a, Utah Procurement Code, the board
331 shall enter into a contract with an independent evaluator to assist the board in the evaluation
332 process.

333 (b) In selecting an independent evaluator, the board shall ensure that the evaluator
334 chosen has the capacity to meet the requirements described in Subsection (3).

335 (3) Under the direction of the board, the independent evaluator selected under
336 Subsection (2) shall:

337 (a) design an evaluation methodology that:

338 (i) assesses the effects of a high quality school readiness program on an eligible
339 student's:

340 (A) readiness for kindergarten, using a uniform assessment methodology chosen in
341 coordination with the board;

342 (B) ability to meet grade 3 core standards for Utah public schools, established by the
343 board under Section 53A-1-402.6, by the end of the student's grade 3 year; and

344 (C) likelihood of receiving a high school diploma or other completion certificate; and

345 (ii) allows for comparisons between students with similar demographic characteristics
346 who complete a high quality school readiness program and those who do not; and

347 (b) conduct an annual evaluation of:

348 (i) the Student Access to High Quality School Readiness Programs Grant Program
349 created in Section 53A-1b-203; and

350 (ii) the Intergenerational Poverty School Readiness Scholarship Program created in

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351 Section 53A-1b-204.

352 (4) To assist the independent evaluator selected under Subsection (2) in completion of
353 the evaluation required under Subsection (3):

354 (a) an LEA that receives a grant under Section 53A-1b-203, or enrolls an IGP
355 scholarship recipient under Section 53A-1b-204, shall assign a statewide unique student
356 identifier to each student who participates in the LEA's school readiness program;

357 (b) an eligible private provider or eligible home-based technology provider that
358 contracts with an LEA under Section 53A-1b-204 shall work in conjunction with the LEA to
359 assign a unique student identifier to each student funded pursuant to the grant; and

360 (c) an eligible private provider or eligible home-based technology provider that
361 receives an IGP scholarship under Section 53A-1b-204 shall work in conjunction with the
362 board to assign a statewide unique student identifier to each student funded by an IGP
363 scholarship.

364 (5) The board shall report annually, on or before November 1, to the Education Interim
365 Committee and the School Readiness Board, on the results of an evaluation conducted
366 under this section.

367

368 Section 2. Appropriation

369 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for the
370 fiscal year beginning July 1, 2016, and ending June 30, 2017, the following sums of money
371 are appropriated from resources not otherwise appropriated, or reduced from amounts
372 previously appropriated, out of the funds or accounts indicated. These sums of money are in
373 addition to any amounts previously appropriated for fiscal year 2017.

374 To State Board of Education — State Office of Education — Initiative Programs

375 From Education Fund \$7,000,000

376 Schedule of Programs:

377 Student Access to High Quality School Readiness Programs Grant Program

378 \$7,000,000

379

380 To Department of Workforce Services — Office of Child Care

381 From General Fund \$1,000,000

382 Schedule of Programs:

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383 Intergenerational Poverty School Readiness Scholarship Program \$1,000,000

384

385 The Legislature intends that:

386 (1) the State Board of Education may use:

387 (a) up to \$140,000 of the appropriation to the State Board of Education under this

388 section to administer the grant program described in Section 53A-1b-203; and

389 (b) up to \$140,000 of the appropriation to the State Board of Education to contract

390 with an independent evaluator to conduct an evaluation, as required by Section 53A-1b-205,

391 of:

392 (i) the Student Access to High Quality School Readiness Program Grant Program; and

393 (ii) the Intergenerational Poverty School Readiness Scholarship Program; and

394 (2) the appropriations provided in this section be:

395 (a) ongoing; and

396 (b) nonlapsing.

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398