

Effective 5/10/2016

Part 2
Expanded Access to High Quality School Readiness Programs Act

53A-1b-201 Title.

This part is known as the "Expanded Access to High Quality School Readiness Programs Act."

Enacted by Chapter 336, 2016 General Session

53A-1b-202 Definitions.

As used in this part:

- (1) "Board" means the State Board of Education.
- (2) "Child Development Associate Credential" means a credential in early childhood education that is:
 - (a) based on a core set of competency standards; and
 - (b) nationally recognized.
- (3) "Department" means the Department of Workforce Services.
- (4) "Economically disadvantaged child" means a child who:
 - (a) is in a family that is eligible for assistance through TANF; or
 - (b) is eligible for free or reduced lunch.
- (5) "Eligible home-based technology provider" means a provider that offers a home-based educational technology program to develop the school readiness skills of an eligible student.
- (6) "Eligible private provider" means the same as that term is defined in Section 53A-1b-102.
- (7) "Eligible student" means an individual who:
 - (a) will be four years of age on or before September 2 of the school year in which the individual intends to participate in a school readiness program;
 - (b) has not entered kindergarten; and
 - (c)
 - (i) is experiencing intergenerational poverty, as determined by the department; or
 - (ii)
 - (A) is an economically disadvantaged child; and
 - (B) is at risk for not meeting grade 3 core standards for Utah public schools, established by the State Board of Education under Section 53A-1-402.6, by the end of the individual's grade 3 year, as determined by an assessment.
- (8) "High quality school readiness program" means a school readiness program that:
 - (a) is provided by an LEA, eligible private provider, or eligible home-based technology provider; and
 - (b) meets the elements of a high quality school readiness program described in Section 53A-1b-105 as determined by the board or the department under Section 53A-1b-204, 53A-1b-205, or 53A-1b-206.
- (9) "Intergenerational poverty" means the same as that term is defined in Section 35A-9-102.
- (10) "Intergenerational poverty scholarship" or "IGP scholarship" means a scholarship to attend a high quality school readiness program for an eligible student who is experiencing intergenerational poverty.
- (11) "Local education agency" or "LEA" means a:
 - (a) school district; or
 - (b) charter school.

(12) "TANF" means Temporary Assistance for Needy Families, described in 42 U.S.C. Sec. 601 et seq.

Enacted by Chapter 336, 2016 General Session

53A-1b-203 Administration of programs.

- (1) The State Board of Education, in collaboration with the department, shall:
 - (a) administer the grant program described in Section 53A-1b-204 for LEAs;
 - (b) administer the grant program for eligible home-based technology providers described in Section 53A-1b-205; and
 - (c) oversee the evaluation described in Section 53A-1b-208.
- (2) The department, in collaboration with the board, shall administer:
 - (a) the grant program described in Section 53A-1b-204 for eligible private providers;
 - (b) the Intergenerational Poverty School Readiness Scholarship Program described in Section 53A-1b-206; and
 - (c) early childhood teacher training described in Section 53A-1b-207.

Enacted by Chapter 336, 2016 General Session

53A-1b-204 Student Access to High Quality School Readiness Programs Grant Program -- Determination of high quality school readiness program-- Reporting requirement -- Fees.

- (1) There is created the Student Access to High Quality School Readiness Programs Grant Program to expand access to high quality school readiness programs for eligible students through:
 - (a) grants for LEAs administered by the board; and
 - (b) grants for eligible private providers administered by the department.
- (2) The board, in coordination with the department, shall develop a tool to determine whether a school readiness program is a high quality school readiness program.
- (3)
 - (a) The board shall solicit proposals from LEAs to fund increases in the number of eligible students high quality school readiness programs can serve.
 - (b) The department shall solicit proposals from eligible private providers to fund increases in the number of eligible students high quality school readiness programs can serve.
- (4)
 - (a) Except as provided in Subsection (4)(c), a respondent shall submit a proposal that includes the information described in Subsection (4)(b):
 - (i) to the board, for a respondent that is an LEA; or
 - (ii) to the department, for a respondent that is an eligible private provider.
 - (b) A respondent's proposal for the grant solicitation described in Subsection (3) shall include:
 - (i) the respondent's existing and proposed school readiness program, including:
 - (A) the number of students served by the respondent's school readiness program;
 - (B) the respondent's policies and procedures for admitting students into the school readiness program;
 - (C) the estimated cost per student; and
 - (D) any fees the respondent charges to a parent or legal guardian for the school readiness program;
 - (ii) the respondent's plan to use funding sources, in addition to a grant described in this section, including:

- (A) federal funding; or
 - (B) private grants or donations;
 - (iii) existing or planned partnerships between the respondent and an LEA, eligible private provider, or eligible home-based technology provider to increase access to high quality school readiness programs for eligible students;
 - (iv) how the respondent would use a grant to:
 - (A) expand the number of eligible students served by the respondent's school readiness program; and
 - (B) target the funding toward the highest risk students, including addressing the particular needs of children at risk of experiencing intergenerational poverty;
 - (v) how the respondent's school readiness program is a high quality school readiness program; and
 - (vi) the results of any evaluations of the respondent's school readiness program.
 - (c) In addition to the requirements described in Subsection (4)(b), a respondent that is an LEA shall describe in the respondent's proposal the percentage of the respondent's kindergarten through grade 12 students who are economically disadvantaged children.
- (5)
- (a) For each LEA proposal received in response to the solicitation described in Subsection (3)(a), the board shall determine if the LEA school readiness program is a high quality school readiness program by:
 - (i) applying the tool described in Subsection (2); and
 - (ii) conducting at least one site visit to the program.
 - (b) For each eligible private provider proposal received in response to the solicitation described in Subsection (3)(b), the department shall determine if the school readiness program is a high quality school readiness program by:
 - (i) applying the tool described in Subsection (2); and
 - (ii) conducting at least one site visit to the program.
- (6)
- (a) Subject to legislative appropriations and Subsection (6)(b), the board shall award grants, on a competitive basis, to respondents that are LEAs.
 - (b) The board may only award a grant to an LEA if:
 - (i) the LEA submits a proposal that includes the information required under Subsection (4);
 - (ii) the board determines that the LEA's program is a high quality school readiness program as described in Subsection (5); and
 - (iii) the LEA agrees to the evaluation requirements described in Section 53A-1b-208.
- (7)
- (a) Subject to legislative appropriations and Subsection (7)(b), the department shall award grants, on a competitive basis, to respondents that are eligible private providers.
 - (b) The department may only award a grant to a respondent if:
 - (i) the respondent submits a proposal that includes the information required under Subsection (4);
 - (ii) the department determines that the respondent's school readiness program is a high quality school readiness program as described in Subsection (5); and
 - (iii) the respondent agrees to the evaluation requirements described in Section 53A-1b-208.
- (8) In evaluating a proposal received in response to the solicitation described in Subsection (3), the board and the department shall consider:
- (a) the number and percent of students in the respondent's high quality school readiness program that are eligible students at the highest risk;

- (b) geographic diversity, including whether the respondent is urban or rural;
 - (c) the extent to which the respondent intends to participate in a partnership with an LEA, eligible private provider, or eligible home-based technology provider; and
 - (d) the respondent's level of administrative support and leadership to effectively implement, monitor, and evaluate the program.
- (9)
- (a) The board shall ensure that an LEA that receives a grant under this section funded by TANF funds uses the grant to provide a high quality school readiness program for eligible students who are eligible to receive assistance through TANF.
 - (b) The department shall ensure that a private provider that receives a grant under this section funded by TANF funds uses the grant to provide a high quality school readiness program for eligible students who are eligible to receive assistance through TANF.
- (10) A respondent that receives a grant under this section shall:
- (a) use the grant to expand access for eligible students to high quality school readiness programs by enrolling eligible students in a high quality school readiness program;
 - (b) report to the board annually regarding:
 - (i) how the respondent used the grant awarded under Subsection (6) or (7);
 - (ii) participation in any partnerships between an LEA, eligible private provider, or eligible home-based technology provider; and
 - (iii) the results of any evaluations;
 - (c) allow classroom or other visits by an independent evaluator selected by the board under Section 53A-1b-208; and
 - (d) for a respondent that is an LEA, notify a parent or legal guardian who expresses interest in enrolling the parent or legal guardian's child in the LEA's high quality school readiness program of each state-funded high quality school readiness program operating within the LEA's geographic boundaries.
- (11) An LEA that receives a grant under this section may charge a student fee to participate in an LEA's school readiness program if:
- (a) the LEA's local school board or charter school governing board approves the fee;
 - (b) the fee for a student does not exceed the actual cost of providing the high quality school readiness program to the student; and
 - (c) the fee structure for the program is designed on a sliding scale, based on household income.
- (12)
- (a) The board shall establish interventions for a grantee that is an LEA that fails to comply with the requirements described in this section.
 - (b) The department shall establish interventions for a grantee that is an eligible private provider that fails to comply with the requirements described in this section.
 - (c) An intervention under this Subsection (12) may include discontinuing or reducing funding.
- (13) Subject to legislative appropriations, the board and the department shall give first priority in awarding grants to a respondent that has previously received a grant under this section if the respondent:
- (a) makes the annual report described in Subsection (9)(b);
 - (b) participates in the annual evaluation described in Section 53A-1b-208; and
 - (c) continues to offer a high quality school readiness program as determined during an annual site visit by:
 - (i) the board, for an LEA; or
 - (ii) the department, for an eligible private provider.
- (14) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act:

- (a) the board shall make rules to:
 - (i) implement the tool described in Subsection (2); and
 - (ii) administer the grant program for LEAs described in this section; and
- (b) the department shall make rules to administer the grant program for eligible private providers described in this section.

Enacted by Chapter 336, 2016 General Session

53A-1b-205 Home-based technology high quality school readiness program.

- (1)
 - (a) The board shall offer a home-based technology high quality school readiness program to eligible students by awarding contracts to one or more home-based technology providers, as described in this section.
 - (b) The board shall solicit proposals from eligible home-based technology providers to provide high quality school readiness programs for eligible students to participate in:
 - (i) at home;
 - (ii) as part of a school readiness program offered by an LEA or private provider; or
 - (iii) in any other setting where Internet access is available, such as a library.
 - (c) The home-based technology high quality school readiness program described in this section is established in the public education system.
- (2) An eligible home-based technology provider that responds to the solicitation described in Subsection (1) shall submit a proposal describing:
 - (a) how the home-based technology provider's school readiness program meets the elements of a high quality school readiness program described in Subsection 53A-1b-105(2);
 - (b) how the home-based technology provider intends to target the home-based technology provider's school readiness program to eligible students who are at the highest risk, as determined by the board;
 - (c) the cost of the program per student;
 - (d) the cost of a statewide license;
 - (e) existing or planned partnerships between the home-based technology provider and an LEA or eligible private provider; and
 - (f) the results of all evaluations of the home-based technology provider's school readiness program.
- (3) For each proposal received under Subsection (2), the board shall:
 - (a) determine if the program is a high quality school readiness program using the tool described in Subsection 53A-1b-204(2); and
 - (b) receive a demonstration of the home-based technology.
- (4)
 - (a) Subject to legislative appropriations, and in accordance with Title 63G, Chapter 6a, Utah Procurement Code, the board shall award contracts to one or more home-based technology providers to provide home-based school readiness programs.
 - (b) The board may only award a contract to a home-based technology provider if the home-based technology provider:
 - (i) submits a proposal that includes the information described in Subsection (2);
 - (ii) offers a high quality school readiness program; and
 - (iii) agrees to the evaluation requirements described in Section 53A-1b-208.
- (5) In evaluating a proposal received under Subsection (2), the board shall consider:
 - (a) the number and percent of eligible students that the respondent intends to serve;

- (b) the extent to which the respondent intends to participate in a partnership with an LEA or eligible private provider;
 - (c) the extent to which the respondent is able to reach students who do not have access to other high quality school readiness programs; and
 - (d) the cost per student.
- (6) A home-based technology provider that receives a contract under this section:
- (a) shall use the funding to provide a high quality school readiness program to eligible students; and
 - (b) may use the funding for the installation of computer or Internet access in homes of eligible students whose families cannot afford the equipment or services.
- (7) The board shall ensure that a home-based technology provider that receives a grant under this section funded by TANF funds uses the grant to provide a home-based high quality school readiness program to eligible students who are eligible to receive TANF funded assistance.
- (8) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the board shall make rules to implement this section.

Enacted by Chapter 336, 2016 General Session

53A-1b-206 Intergenerational Poverty School Readiness Scholarship Program.

- (1) There is created the Intergenerational Poverty School Readiness Scholarship Program to provide an eligible student experiencing intergenerational poverty access to a high quality school readiness program.
- (2) The department shall, in accordance with Section 35A-9-401:
- (a) determine if an individual is eligible for an IGP scholarship; and
 - (b) award an IGP scholarship.
- (3)
- (a)
 - (i) An LEA or home-based technology provider may apply to the board to receive a designation as a high quality school readiness program.
 - (ii) The board shall determine if an LEA or home-based technology provider offers a high quality school readiness program using the tool described in Subsection 53A-1b-204(2).
 - (b)
 - (i) An eligible private provider may apply to the department to receive a designation as a high quality school readiness program.
 - (ii) The department shall determine if an eligible private provider offers a high quality school readiness program using the tool described in Subsection 53A-1b-204(2).
- (4)
- (a) The department and the board shall coordinate to assist a parent or legal guardian of a recipient of an IGP scholarship to enroll the IGP scholarship recipient in a high quality school readiness program:
 - (i) offered by an LEA, eligible private provider, or eligible home-based technology provider; and
 - (ii) of the parent or legal guardian's choice.
 - (b) The department shall pay the scholarship amount directly to a high quality school readiness program in which an IGP scholarship recipient enrolls.
- (5)
- (a) Except as provided in Subsection (5)(b), the department may not provide an individual's IGP scholarship to an LEA, eligible private provider, or eligible home-based technology provider unless the LEA, eligible private provider, or eligible home-based technology provider offers a

high quality school readiness program, as determined by the board or the department under Subsection (3).

- (b) An LEA, eligible private provider, or eligible home-based technology provider that receives a determination as a high quality school readiness program under Section 53A-1b-204 or 53A-1b-206 may enroll an IGP scholarship recipient.

Enacted by Chapter 336, 2016 General Session

53A-1b-207 Early childhood teacher training.

- (1) Subject to legislative appropriations, the department shall provide training to early childhood teachers by providing:
 - (a) a scholarship for individuals who intend to receive a Child Development Associate Credential; and
 - (b) consulting services to assist individuals to complete a Child Development Associate Credential.
- (2) The department shall conduct an annual needs assessment to determine the number of scholarships to award each year.
- (3) The department shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to implement this section.

Enacted by Chapter 336, 2016 General Session

53A-1b-208 Evaluation -- Reporting requirements.

- (1) In accordance with this section, the board, in coordination with the department, shall oversee the ongoing review and evaluation by an independent evaluator for each school year of:
 - (a) the Student Access to High Quality School Readiness Programs Grant Program described in Section 53A-1b-204;
 - (b) the home-based technology high quality school readiness program described in Section 53A-1b-205;
 - (c) the Intergenerational Poverty School Readiness Scholarship Program described in Section 53A-1b-206; and
 - (d) early childhood teacher training described in Section 53A-16-207.
- (2)
 - (a) In accordance with Title 63G, Chapter 6a, Utah Procurement Code, the board shall enter into a contract with an independent evaluator to assist the board in the evaluation process.
 - (b) In selecting an independent evaluator, the board shall select an evaluator that:
 - (i) has the capacity to meet the requirements described in Subsection (3);
 - (ii) has a background in designing and conducting rigorous evaluations;
 - (iii) has a demonstrated ability to monitor and evaluate a program over an extended period of time;
 - (iv) is independent from agencies or providers implementing high quality school readiness programs funded under this part; and
 - (v) has experience in early childhood education or early childhood education evaluation.
 - (c) The board may not enter into a contract with an independent evaluator without obtaining approval from the department.
- (3) Under the direction of the board, with input from the department, the independent evaluator selected under Subsection (2) shall:
 - (a) design an evaluation methodology that:

- (i) assesses the effects of a high quality school readiness program on an eligible student's:
 - (A) readiness for kindergarten, using a uniform assessment methodology that includes a pre- and post-test chosen in coordination with the board;
 - (B) ability, as determined by following the student longitudinally, to meet grade 3 core standards for Utah public schools, established by the board under Section 53A-1-402.6, by the end of the student's grade 3 year; and
 - (C) attainment of a high school diploma or other completion certificate, as determined by following the student longitudinally; and
 - (ii) allows for comparisons between students with similar demographic characteristics who complete a high quality school readiness program and students who do not; and
 - (b) conduct an annual evaluation of the programs described in Subsection (1).
- (4) To assist the independent evaluator selected under Subsection (2) in completing the evaluation required under Subsection (3):
- (a) an LEA that receives a grant under Section 53A-1b-204, or enrolls an IGP scholarship recipient under Section 53A-1b-206, shall assign a statewide unique student identifier to each student who participates in the LEA's school readiness program;
 - (b) an eligible private provider that receives a grant described in Section 53A-1b-204 or an eligible home-based technology provider that receives a contract described in Section 53A-1b-205 shall work in conjunction with the board to assign a statewide unique student identifier to each student who is enrolled in the provider's school readiness program in the student's last year before kindergarten; and
 - (c) an eligible private provider or eligible home-based technology provider that receives an IGP scholarship under Section 53A-1b-206 shall work in conjunction with the board to assign a statewide unique student identifier to each student who is funded by an IGP scholarship.
- (5) The board and the department shall report annually, on or before November 1, to the Education Interim Committee on the results of an evaluation conducted under this section.

Enacted by Chapter 336, 2016 General Session