

EARLY CHILDHOOD EDUCATION

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Aaron Osmond

House Sponsor: Ronda Rudd Menlove

LONG TITLE

General Description:

This bill creates the High Quality Preschool 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 **that serve intergenerational poverty** 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 to receive the grants;
 - award grants for preschool programs;
 - monitor and evaluate the programs;
 - award one-time grants for computer labs, hardware, and software to be used by eligible students and their parents; and
 - develop policies and enact rules;
- ▶ establishes reporting requirements; and
- ▶ provides for partnerships with private providers.

Money Appropriated in this Bill:



28 This bill appropriates:

29 ▶ to the State Board of Education - Utah State Office of Education - Initiative
30 Programs, as an ongoing appropriation:

31 • from the Education Fund, ~~\$ → [\$6,000,000] \$3,000,000 ← \$.~~

32 **Other Special Clauses:**

33 This bill provides an effective date.

34 **Utah Code Sections Affected:**

35 AMENDS:

36 **63I-2-253**, as last amended by Laws of Utah 2013, Chapters 173 and 434

37 ENACTS:

38 **53A-1a-1101**, Utah Code Annotated 1953

39 **53A-1a-1102**, Utah Code Annotated 1953

40 **53A-1a-1103**, Utah Code Annotated 1953

41 **53A-1a-1104**, Utah Code Annotated 1953

42 **53A-1a-1105**, Utah Code Annotated 1953

43 **53A-1a-1106**, Utah Code Annotated 1953

44 **53A-1a-1107**, Utah Code Annotated 1953



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

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

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

49 **53A-1a-1101. High Quality Preschool Pilot Program.**

50 This part is known as the "High Quality Preschool Pilot Program."

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

52 **53A-1a-1102. Legislative findings.**

53 (1) The Legislature reaffirms its findings in Section **53A-6-102** and states that the
54 primary responsibility for the education of children within the state resides with parents or
55 guardians and that the role of state and local governments is to support and assist parents in
56 fulfilling that responsibility.

57 (2) The Legislature finds that:

58 (a) most preschool-age children are better off when educated at home by the children's

59 parents or guardians;

60 (b) there is evidence that some targeted at-risk preschool-age children benefit from
61 access to high quality early education programs;

62 (c) high quality early education programs for at-risk children represent special and
63 limited services, which are only appropriate when they are voluntary educational options for
64 parents or guardians of at-risk children; and

65 (d) in establishing these special and limited services, state and local governments
66 should emphasize the importance of the parent as the child's first and most important teacher,
67 and should encourage parents to engage in the education of children at home.

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

69 **53A-1a-1103. Definitions.**

70 As used in this part:

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

72 **§→ [(2) "Economically disadvantaged" means a student who:**

73 ~~—— (a) is eligible to receive free lunch;~~

74 ~~—— (b) is eligible to receive reduced price lunch; or~~

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

76 ~~—— (ii) (A) is enrolled in a Provision 2 or Provision 3 school, as defined by the United~~
77 ~~States Department of Agriculture;~~

78 ~~—— (B) has a Declaration of Household Income on file;~~

79 ~~—— (C) is eligible for a fee waiver; or~~

80 ~~—— (D) is enrolled at a school that does not offer a lunch program and is a sibling of a~~
81 ~~student accounted for in Subsection (2)(a) or (b);~~

82 ~~—— (3)] (2) ←§ "Eligible LEA" means an LEA that:~~

83 (a) receives federal money under Title I of the No Child Left Behind Act of 2001, 20
84 U.S.C. Sec. 6301-6578, for a school-wide or targeted assistance program;

85 (b) agrees to fund a portion of its preschool program with federal funds described in
86 Subsection (3)(a); and

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

90 ~~§~~→ [(4)] (3) ←~~§~~ (a) "Eligible private provider" means a child care program that:
 91 (i) (A) except as provided in Subsection ~~§~~→ [(4)] (3) ←~~§~~ (b), is licensed under Title 26,
 91a Chapter 39,

92 Utah Child Care Licensing Act; or

93 (B) is exempt from licensure under Section [26-39-403](#); and

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

96 (b) "Eligible private provider" does not include residential child care, as defined in
 97 Section [26-39-102](#).

98 ~~§~~→ [(5)] (4) ←~~§~~ "Eligible student" means a student who:

99 (a) lives in the attendance boundaries of an eligible LEA; ~~§~~→ and ←~~§~~

100 ~~§~~→ [(b) is economically disadvantaged; and

101 ~~— (c) (b) ←~~§~~ §~~→ [(f)] ←~~§~~ is classified as a child affected by intergenerational poverty; ~~§~~→
 101a [~~or~~] . ←~~§~~

102 ~~§~~→ [(ii) (A) is classified as an English language learner; and

103 ~~— (B) scores below average on an age-appropriate pre-assessment selected by an eligible~~
 104 ~~LEA;~~ ←~~§~~

105 ~~§~~→ [(6)] (5) ←~~§~~ "Intergenerational poverty" has the same meaning as in Section [35A-9-102](#).

106 ~~§~~→ [(7)] (6) ←~~§~~ "Local Education Agency" or "LEA" means a school district or charter
 106a school.

107 ~~§~~→ [(8)] (7) ←~~§~~ "Program" means the High Quality Preschool Pilot Program created in
 107a Section

108 [53A-1a-1104](#).

109 ~~§~~→ [(9)] (8) ←~~§~~ "Utah Intergenerational Welfare Reform Commission" means the Utah
 110 Intergenerational Welfare Reform Commission created in Section [35A-9-301](#).

111 Section 4. Section [53A-1a-1104](#) is enacted to read:

112 **[53A-1a-1104. High Quality Preschool Pilot Program -- Components --](#)**

113 **Assessment.**

114 (1) The High Quality Preschool Pilot Program is created to provide grants to eligible
 115 LEAs to fund high quality preschool programs.

116 (2) Subject to future budget constraints, the Legislature shall appropriate money for an
 117 eight-year period to the board for the program.

118 (3) The board shall:

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

120 (b) award grants to up to seven eligible LEAs based on criteria described in Subsection

121 (4); and

122 (c) select or develop a school readiness assessment based on the Utah Early Childhood
 123 Core Standards adopted by the State Board of Education.

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

125 (a) an eligible LEA's capacity to effectively implement the components described in
 126 Subsection (6);

127 (b) the percentage of an eligible LEA's students that qualify as eligible students;

128 (c) the level of administrative support and leadership at an eligible LEA to effectively
 129 implement, monitor, and evaluate the program; and

130 (d) if the eligible LEA has been awarded a grant under this part in the past:

131 (i) the pre- and post-assessment gains of the eligible LEA's eligible students in
 132 previous years;

133 (ii) the percentage of the eligible LEA's eligible students in previous years who were
 134 ready for kindergarten as determined by the independent evaluator described in Subsection
 135 53A-1a-1107(3); and

136 (iii) whether the eligible LEA's program resulted in cost avoidance in special education
 137 costs or other remedial services within the eligible LEA.

138 (5) To receive a grant under the program, an eligible LEA shall submit a proposal to
 139 the board detailing:

140 (a) the eligible LEA's strategy to implement the components described in Subsection
 141 (6);

142 (b) the number of students the eligible LEA plans to serve, categorized by age ~~§~~ [;
 142a and ~~←~~§

143 intergenerational poverty status ~~§~~ [; ~~English language learner status, and free or reduced price~~
 144 school lunch status] ~~←~~§ ;

145 (c) the number of high quality preschool classrooms the eligible LEA plans to operate;
 146 and

147 (d) the estimated cost per student.

148 (6) To receive funding under the program, an LEA shall establish or currently operate a
 149 high quality preschool that has the following components:

150 (a) early childhood standards aligned with the board's:

151 (i) Utah Early Childhood Core Standards; and

245 (8) If there is no eligible private provider that is willing to contract with an eligible
 246 LEA, the eligible LEA is not required to contract with an eligible private provider as required
 247 in Subsection (1).

248 Section 6. Section **53A-1a-1106** is enacted to read:

249 **53A-1a-1106. Program funding -- Administrative costs.**

250 (1) The board shall distribute money to eligible LEAs chosen to participate in the
 251 program as follows:

252 (a) except as provided in Subsection (2)(a), each eligible LEA chosen by the board to
 253 participate in the program shall receive funding for at least one preschool classroom; and

254 (b) the remaining funds available after funding Subsection (1)(a) shall be prorated to
 255 the eligible LEAs based on the number of eligible students within each eligible LEA.

256 (2) (a) Except as provided in Subsection (2)(b), a grant awarded to an eligible LEA
 257 chosen to participate in the program may not exceed an amount equal to \$1,500 per eligible
 258 student within the eligible LEA.

259 (b) A grant of money to an eligible LEA to provide a computer lab for eligible students
 260 as described in Subsection [53A-1a-1104](#)(9) may not be counted toward an eligible LEA's
 261 maximum total grant amount described in Subsection (2)(a).

262 (3) Funds appropriated under this part may not be used to supplant other money used
 263 for preschools at eligible schools.

264 (4) The board may use up to:

265 (a) 2% ~~per year~~ of the total appropriation under this part to administer and
 265a monitor the program; ~~and~~

266 (b) ~~per year~~ of the total appropriation under this part to :

266a (i) ~~contract with an~~
 267 evaluator as required under Subsection [53A-1a-1107](#)(3); and

268 ~~per year of the total appropriation under this part to~~

268a (ii) ~~select or develop a~~
 269 school readiness assessment as required under Subsection [53A-1a-1104](#)(3)(c).

270 Section 7. Section **53A-1a-1107** is enacted to read:

271 **53A-1a-1107. Evaluation and reporting.**

272 (1) An LEA that receives funds under this part shall report annually to the board and
 273 the Department of Workforce Services the following:

274 (a) number of students served by the LEA's preschool, reported by ~~age and~~
 274a intergenerational

275 poverty status, ~~English language learner status, and free or reduced price student lunch~~
 275a status] ~~:~~

- 307 (2) Section [53A-1-403.5](#) is repealed July 1, 2017.
 308 (3) Section [53A-1-411](#) is repealed July 1, 2016.
 309 (4) Section [53A-1-412](#) is repealed July 1, 2013.
 310 (5) Section [53A-1a-513.5](#) is repealed July 1, 2017.
 311 (6) Title 53A, Chapter 1a, Part 10, UPSTART, is repealed July 1, 2014.
 312 (7) Title 53A, Chapter 1a, Part 11, High Quality Preschool Pilot Program, is repealed
 313 July 1, 2022.

314 [~~(7)~~] (8) Title 53A, Chapter 8a, Part 8, Peer Assistance and Review Pilot Program, is
 315 repealed July 1, 2017.

316 [~~(8)~~] (9) Subsection [53A-13-110](#)(4) is repealed July 1, 2013.

317 [~~(9)~~] (10) Section [53A-17a-169](#) is repealed July 1, 2016.

318 Section 9. **Appropriation.**

319 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for
 320 the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following sums of money
 321 are appropriated from resources not otherwise appropriated, or reduced from amounts
 322 previously appropriated, out of the funds or accounts indicated. These sums of money are in
 323 addition to any amounts previously appropriated for fiscal year 2015.

323a **§→ To State Board of Education - Utah State Office of Education - Initiative**
 323b **Programs ←§**

324 From Education Fund §→ [————— ~~\$6,000,000~~ \$3,000,000 ←§
 325 Schedule of Programs:

326 Contracts and Grants §→ [~~\$6,000,000~~ \$3,000,000 ←§

327 The Legislature intends that:

328 (1) §→ [~~\$5,375,000~~ \$2,625,000 ←§ of the appropriation under this section is to be used to
 328a carry out the

329 requirements of Title 53A, Chapter 1a, Part 11, High Quality Preschool Pilot Program:

330 (2) \$375,000 of the appropriation under this section is to be used to provide one-time
 331 grants to eligible LEAs for computer labs, hardware, and early childhood related software as
 332 described in Subsection [53A-1a-1104](#)(9); §→ and ←§

333 §→ [~~(3)~~ up to \$500,000 of the appropriation under this section may be used to:

334 —— (a) contract with an evaluator as required under Subsection [53A-1a-1107](#)(3); and

335 —— (b) select or develop a school readiness assessment as required under Subsection
 336 [53A-1a-1104](#)(3)(c);

337 —— [~~(4)~~] (3) ←§ the appropriation under this section is: