

Effective 5/13/2014

53A-1b-110 Results-based school readiness contracts -- Board duties -- Independent evaluator.

- (1)
 - (a) The board may negotiate and enter into a results-based contract with a private entity, selected through a competitive process, to fund:
 - (i) a high quality preschool program described in Section 53A-1b-107;
 - (ii) a high quality preschool program described in Section 53A-1b-108; or
 - (iii) a home-based education technology program described in Section 53A-1b-109.
 - (b) The board may not issue a results-based contract if the total outstanding obligations of results-based contracts issued by the board under this part would exceed \$15,000,000 at any one time.
 - (c) The board may provide for a repayment to a private entity to include a return of investment and an additional return on investment, dependent on achievement of specific performance outcome measures set in the results-based contract.
 - (d) The additional return on investment described in Subsection (1)(c) may not exceed 5% above the current Municipal Market Data General Obligation Bond AAA scale for a 10 year maturity at the time of the issuance of the results-based school readiness contract.
 - (e) Funding obtained for an early education program under this part is not a procurement item under Section 63G-6a-103.
- (2) A contract shall include:
 - (a) a requirement that the repayment to the private entity be conditioned on specific performance outcome measures set in the results-based contract;
 - (b) a requirement for an independent evaluator to determine whether the performance outcomes have been achieved;
 - (c) a provision that repayment to the private entity is:
 - (i) based upon available money in the School Readiness Restricted Account; and
 - (ii) subject to legislative appropriation; and
 - (d) that the private entity is not eligible to receive or view any personally identifiable student data of students funded through a results-based contract.
- (3) The board shall select an independent, nationally recognized early childhood education evaluator, selected through a request for proposals process, to annually evaluate:
 - (a) performance outcome measures set in a results-based contract of the board; and
 - (b) a High Quality School Readiness Grant Program recipient's program.
- (4) The board shall select a uniform assessment of age-appropriate cognitive or language skills that:
 - (a) is nationally norm-referenced;
 - (b) has established reliability;
 - (c) has established validity with other similar measures and with later school outcomes; and
 - (d) has strong psychometric characteristics.
- (5)
 - (a) At the end of each year of a results-based contract after a student funded through a results-based contract completes kindergarten, the independent evaluator shall determine whether the performance outcome measures set in the results-based contract have been met.
 - (b) If the independent evaluator determines under Subsection (5)(a) that the performance outcome measures have been met, the board may pay the private entity according to the terms of the results-based contract.
- (6)

- (a) The board shall ensure that a parent or guardian of an eligible student participating in a program funded pursuant to a results-based contract has given permission and signed an acknowledgment that the student's data may be shared with an independent evaluator for research and evaluation purposes.
- (b) The board shall maintain documentation of parental permission required in Subsection (6)(a).

Enacted by Chapter 304, 2014 General Session