

Effective 5/13/2014

Chapter 1b
School Readiness Initiative

Part 1
School Readiness Initiative Act

53A-1b-101 Title.

This chapter is known as "School Readiness Initiative."

Enacted by Chapter 304, 2014 General Session

53A-1b-102 Definitions.

As used in this part:

- (1) "Board" means the School Readiness Board, created in Section 53A-1b-103.
- (2) "Economically disadvantaged" means a student who:
 - (a) is eligible to receive free lunch;
 - (b) is eligible to receive reduced price lunch; or
 - (c)
 - (i) is not otherwise accounted for in Subsection (2)(a) or (b); and
 - (ii)
 - (A) is enrolled in a Provision 2 or Provision 3 school, as defined by the United States Department of Agriculture;
 - (B) has a Declaration of Household Income on file;
 - (C) is eligible for a fee waiver; or
 - (D) is enrolled at a school that does not offer a lunch program and is a sibling of a student accounted for in Subsection (2)(a) or (b).
- (3) "Eligible home-based educational technology provider" means a provider that intends to offer a home-based educational technology program.
- (4) "Eligible LEA" means an LEA that has a data system capacity to collect longitudinal academic outcome data, including special education use by student, by identifying each student with a statewide unique student identifier.
- (5)
 - (a) "Eligible private provider" means a child care program that:
 - (i)
 - (A) except as provided in Subsection (5)(b), is licensed under Title 26, Chapter 39, Utah Child Care Licensing Act; or
 - (B) is exempt from licensure under Section 26-39-403; and
 - (ii) meets other criteria as established by the board, consistent with Utah Constitution, Article X, Section 1.
 - (b) "Eligible private provider" does not include residential child care, as defined in Section 26-39-102.
- (6) "Eligible student" means a student who is economically disadvantaged.
- (7) "Local Education Agency" or "LEA" means a school district or charter school.
- (8) "Performance outcome measure" means a cost avoidance in special education use for a student at-risk for later special education placement in kindergarten through grade 12 who receives preschool education funded pursuant to a results-based school readiness contract.

- (9)
 - (a) "Private entity" means a private investor or investors that enter into a results-based school readiness contract.
 - (b) "Private entity" includes an authorized representative of the private investor or investors.
- (10) "Results-based school readiness contract" means a contract entered into by the board, a private entity, and a provider of early childhood education that may result in repayment to a private entity if certain performance outcome measures are achieved.
- (11) "Student at-risk for later special education placement" means a preschool student who, at preschool entry, scores at or below two standard deviations below the mean on the assessment selected by the board under Section 53A-1b-110.

Enacted by Chapter 304, 2014 General Session

53A-1b-103 Establishment of the School Readiness Board -- Membership.

- (1) There is created a School Readiness Board within the Governor's Office of Management and Budget composed of:
 - (a) the director of the Department of Workforces Services or the director's designee;
 - (b) one member appointed by the State Board of Education;
 - (c) one member appointed by the chair of the State Charter School Board;
 - (d) one member appointed by the speaker of the House of Representatives; and
 - (e) one member appointed by the president of the Senate.
- (2)
 - (a) A member described in Subsections (1)(c), (d), and (e) shall serve for a term of two years.
 - (b) If a vacancy occurs for a member described in Subsection (1)(c), (d), or (e), the person appointing the member shall appoint a replacement to serve the remainder of the member's term.
- (3) A member may not receive compensation or benefits for the member's service.
- (4) Upon request, the Governor's Office of Management and Budget shall provide staff support to the board.
- (5)
 - (a) The board members shall elect a chair of the board from the board's membership.
 - (b) The board shall meet upon the call of the chair or a majority of the board members.

Enacted by Chapter 304, 2014 General Session

53A-1b-104 School Readiness Restricted Account -- Creation -- Funding -- Distribution of funds.

- (1) There is created in the General Fund a restricted account known as the "School Readiness Restricted Account" to fund:
 - (a) the High Quality School Readiness Grant Program described in Section 53A-1b-106; and
 - (b) results-based school readiness contracts for eligible students to participate in:
 - (i) a high quality preschool program described in:
 - (A) Section 53A-1b-107; or
 - (B) Section 53A-1b-108; or
 - (ii) an eligible home-based educational technology program described in Section 53A-1b-109.
- (2) The restricted account consists of:
 - (a) money appropriated to the restricted account by the Legislature;
 - (b) all income and interest derived from the deposit and investment of money in the account;

- (c) federal grants; and
 - (d) private donations.
- (3) Subject to legislative appropriations, money in the restricted account may be used for the following purposes:
- (a) to award grants under the High Quality School Readiness Grant Program described in Section 53A-1b-106;
 - (b) to contract with an independent evaluator as required in Subsection 53A-1b-110(3);
 - (c) in accordance with Section 53A-1b-110, to make payments to one or more private entities that the board has entered into a results-based contract with if the independent evaluator selected by the board determines that the performance-based results have been met; and
 - (d) for administration costs and to monitor the programs described in this part.

Enacted by Chapter 304, 2014 General Session

53A-1b-105 Elements of a high quality school readiness program.

- (1) A high quality school readiness program run by an eligible LEA or eligible private provider shall include the following components:
- (a) an evidence-based curriculum that is aligned with all of the developmental domains and academic content areas defined in the Utah Early Childhood Standards adopted by the State Board of Education, and incorporates intentional and differentiated instruction in whole group, small group, and child-directed learning, including the following academic content areas:
 - (i) oral language and listening comprehension;
 - (ii) phonological awareness and prereading;
 - (iii) alphabet and word knowledge;
 - (iv) prewriting;
 - (v) book knowledge and print awareness;
 - (vi) numeracy;
 - (vii) creative arts;
 - (viii) science and technology; and
 - (ix) social studies, health, and safety;
 - (b) ongoing, focused, and intensive professional development for staff of the school readiness program;
 - (c) ongoing assessment of a student's educational growth and developmental progress to inform instruction;
 - (d) a pre- and post-assessment of each student whose parent or legal guardian consents to the assessment that, for a school readiness program receiving funding under this part, is selected by the board in accordance with Section 53A-1b-110;
 - (e) for a preschool program run by an eligible LEA, a class size that does not exceed 20 students, with one adult for every 10 students in the class;
 - (f) ongoing program evaluation and data collection to monitor program goal achievement and implementation of required program components;
 - (g) family engagement, including ongoing communication between home and school, and parent education opportunities based on each family's circumstances;
 - (h) for a preschool program run by an eligible LEA, each teacher having at least obtained:
 - (i) the minimum standard of a child development associate certification; or
 - (ii) an associate or bachelor's degree in an early childhood education related field; and
 - (i) for a preschool program run by an eligible private provider, by a teacher's second year, each teacher having at least obtained:

- (i) the minimum standard of a child development associate certification; or
 - (ii) an associate or bachelor's degree in an early childhood education related field.
- (2) A high quality school readiness program run by a home-based educational technology provider shall:
- (a) be an evidence-based and age appropriate individualized interactive instruction assessment and feedback technology program that teaches eligible students early learning skills needed to be successful upon entry into kindergarten;
 - (b) require regular parental engagement with the student in the student's use of the home-based educational technology program;
 - (c) be aligned with the Utah early childhood core standards;
 - (d) require the administration of a pre- and post-assessment of each student whose parent or legal guardian consents to the assessment that, for a home-based technology program that receives funding under this part, is designated by the board in accordance with Section 53A-1b-110; and
 - (e) require technology providers to ensure successful implementation and utilization of the technology program.

Amended by Chapter 336, 2016 General Session

53A-1b-106 High Quality School Readiness Grant Program.

- (1) The High Quality School Readiness Grant Program is created to provide grants to the following, in order to upgrade an existing preschool or home-based technology program to a high quality school readiness program:
- (a) an eligible private provider;
 - (b) an eligible LEA; or
 - (c) an eligible home-based educational technology provider.
- (2) The State Board of Education shall:
- (a) solicit proposals from eligible LEAs; and
 - (b) make recommendations to the board to award grants to respondents based on criteria described in Subsection (5).
- (3) The Department of Workforce Services shall:
- (a) solicit proposals from eligible private providers and eligible home-based educational technology providers; and
 - (b) make recommendations to the board to award grants to respondents based on criteria described in Subsection (5).
- (4) Subject to legislative appropriations, the board shall award grants to respondents based on:
- (a) the recommendations of the State Board of Education;
 - (b) the recommendations of the Department of Workforce Services; and
 - (c) the criteria described in Subsection (5).
- (5)
- (a) In awarding a grant under Subsection (4), the State Board of Education, Department of Workforce Services, and the board shall consider:
 - (i) a respondent's capacity to effectively implement the components described in Section 53A-1b-105;
 - (ii) the percentage of a respondent's students who are economically disadvantaged; and
 - (iii) the level of administrative support and leadership at a respondent's program to effectively implement, monitor, and evaluate the program.

- (b) The board may not award a grant to an LEA without obtaining approval from the State Board of Education to award the grant to the LEA.
- (6) To receive a grant under this section, a respondent that is an eligible LEA shall submit a proposal to the State Board of Education detailing:
 - (a) the respondent's strategy to implement the high quality components described in Subsection 53A-1b-105(1);
 - (b) the number of students the respondent plans to serve, categorized by age and economically disadvantaged status;
 - (c) the number of high quality preschool classrooms the respondent plans to operate; and
 - (d) the estimated cost per student.
- (7) To receive a grant under this section, a respondent that is an eligible private provider or an eligible home-based educational technology provider shall submit a proposal to the Department of Workforce Services detailing:
 - (a) the respondent's strategy to implement the high quality components described in Section 53A-1b-105;
 - (b) the number of students the respondent plans to serve, categorized by age and economically disadvantaged status;
 - (c) for a respondent that is an eligible private provider, the number of high quality preschool classrooms the respondent plans to operate; and
 - (d) the estimated cost per student.
- (8) All recipients of grants under this section shall establish a preschool or home-based educational technology program with the components described in Section 53A-1b-105.
- (9)
 - (a) A grant recipient shall allow classroom or other visits by an independent evaluator chosen by the board in accordance with Section 53A-1b-110.
 - (b) The independent evaluator shall:
 - (i) determine whether a grant recipient has effectively implemented the components described in Section 53A-1b-105; and
 - (ii) report the independent evaluator's findings to the board.
- (10)
 - (a) A grant recipient that is an eligible LEA shall assign a statewide unique student identifier to each eligible student funded pursuant to a grant received under this section.
 - (b) A grant recipient that is an eligible private provider or an eligible home-based educational technology provider shall work in conjunction with the State Board of Education to assign a statewide unique student identifier to each eligible student funded pursuant to a grant received under this section.
- (11) A grant recipient that is an LEA shall report annually to the board and the State Board of Education the following:
 - (a) number of students served by the preschool, reported by economically disadvantaged status;
 - (b) attendance;
 - (c) cost per student; and
 - (d) assessment results.
- (12) A grant recipient that is an eligible private provider or an eligible home-based educational technology provider shall report annually to the board and the Department of Workforce Services the following:
 - (a) number of students served by the preschool or program, reported by economically disadvantaged status;
 - (b) attendance;

- (c) cost per student; and
 - (d) assessment results.
- (13) The State Board of Education and the Department of Workforce Services shall make rules to effectively administer and monitor the High Quality School Readiness Grant Program, including:
- (a) requiring grant recipients to use the pre- and post-assessment selected by the board in accordance with Section 53A-1b-110; and
 - (b) establishing reporting requirements for grant recipients.
- (14) At the request of the board, the State Board of Education and the Department of Workforce Services shall annually share the information received from grant recipients described in Subsections (11) and (12) with the board.

Enacted by Chapter 304, 2014 General Session

53A-1b-107 High quality preschool programs for eligible LEAs.

- (1) To receive funding pursuant to a results-based contract awarded under Section 53A-1b-110, an eligible LEA shall establish or currently operate a high quality preschool with the components described in Subsection 53A-1b-105(1).
- (2) An eligible LEA shall assign a statewide unique student identifier to each eligible student funded pursuant to a results-based contract issued under this part.
- (3) An eligible LEA may not use funds awarded pursuant to a results-based contract to supplant funds for an existing high quality preschool program, but may use the funds to supplement an existing high quality preschool program.
- (4) If permitted under Title 1 of the No Child Left Behind Act of 2001, 20 U.S.C. Sec. 6301-6578, an LEA may charge a sliding scale fee to a student participating in a high quality preschool program under this section, based on household income.
- (5) An LEA that receives funds under this section shall report annually to the board the de-identified information described in Section 53A-1b-111.
- (6)
 - (a) An eligible LEA may contract with an eligible private provider to provide the high quality preschool program to a portion of the LEA's eligible students funded by a results-based contract.
 - (b) The board shall determine in a results-based contract the portion of an LEA's eligible students funded by the results-based contract to be served by an eligible private provider.
- (7) To receive funding pursuant to a results-based contract, an eligible private provider shall:
 - (a) offer a preschool program that contains the components described in Subsection 53A-1b-105(1);
 - (b) allow classroom visits by the evaluator chosen in accordance with Section 53A-1b-110 and the private entity, to ensure the components described in this section are implemented;
 - (c) allow the evaluator chosen in accordance with Section 53A-1b-110 to administer the required pre- and post-assessments to eligible students funded under this part; and
 - (d) report the information described in Section 53A-1b-111 to the board and the contracting LEA.
- (8) An LEA may provide the eligible private provider with:
 - (a) professional development;
 - (b) staffing or staff support;
 - (c) materials; and
 - (d) assessments.
- (9)

- (a) If permitted under Title 1 of the No Child Left Behind Act of 2001, 20 U.S.C. Sec. 6301-6578, an eligible private provider may charge a sliding scale fee to a student participating in a high quality preschool program under this section, based on household income.
- (b) The eligible private provider may use grants, scholarships, or other funds to help fund the preschool program.
- (10) A contractual partnership established under Subsection (6) shall be consistent with Utah Constitution, Article X, Section 1.
- (11) The evaluator selected pursuant to Section 53A-1b-110 shall annually evaluate:
 - (a) the quality and outcomes of the high quality preschool program funded by a results-based contract between a private entity and the board, including:
 - (i) adherence to required components described in Subsection 53A-1b-105(1); and
 - (ii) the pre- and post-assessment results of the assessment, designated by the board under Section 53A-1b-110, of eligible students in the high quality preschool program; and
 - (b) whether the performance outcome measures set in the results-based contract have been met, using de-identified data reported in Section 53A-1b-111.

Enacted by Chapter 304, 2014 General Session

53A-1b-108 High quality preschool programs for eligible private providers.

- (1) To receive funding pursuant to a results-based contract awarded under Section 53A-1b-110, an eligible private provider shall:
 - (a) establish or currently operate a high quality preschool with the components described in Subsection 53A-1b-105(1);
 - (b) allow classroom visits by the evaluator chosen in accordance with Section 53A-1b-110 and the private entity, to ensure the components described in Subsection 53A-1b-105(1) are being implemented; and
 - (c) allow the evaluator chosen in accordance with Section 53A-1b-110 to administer the required pre- and post-assessments to eligible students funded under this part.
- (2) An eligible private provider shall work in conjunction with the State Board of Education to assign a statewide unique student identifier to each eligible student funded pursuant to a results-based contract.
- (3) An eligible private provider may not use funds awarded pursuant to a results-based contract to supplant funds for an existing high quality preschool program, but may use the funds to supplement an existing high quality preschool program.
- (4)
 - (a) If permitted under Title 1 of the No Child Left Behind Act of 2001, 20 U.S.C. Sec. 6301-6578, an eligible private provider may charge a sliding scale fee to a student participating in a high quality preschool program under this section, based on household income.
 - (b) The eligible private provider may use grants, scholarships, or other funds to help fund the preschool program.
- (5) An eligible private provider that receives funds under this section shall report annually to the board the de-identified information described in Section 53A-1b-111.
- (6) The State Board of Education shall annually share with the board aggregated longitudinal data on eligible students currently receiving funding under this section and any eligible students who previously received funding under this section, including:
 - (a) academic achievement outcomes;
 - (b) special education use; and
 - (c) English language learner services.

- (7) The evaluator selected pursuant to Section 53A-1b-110 shall annually evaluate:
 - (a) the quality and outcomes of a high quality preschool program funded by a results-based contract between a private entity and the board, including:
 - (i) adherence to required components described in Subsection 53A-1b-105(1); and
 - (ii) the pre- and post-assessment results of the assessment, designated by the board under Section 53A-1b-110, of eligible students in the high quality preschool program; and
 - (b) whether the performance outcome measures set in the results-based contract have been met, using de-identified or aggregated data reported in Subsections (5) and (6).

Enacted by Chapter 304, 2014 General Session

53A-1b-109 Home-based educational technology for school readiness.

- (1) To receive funding pursuant to a results-based contract awarded under Section 53A-1b-110, an eligible home-based educational technology provider shall administer a home-based educational technology program designed to prepare eligible students for kindergarten.
- (2) An eligible home-based educational technology provider described in Subsection (1) shall establish or currently operate a high quality school readiness program with the components described in Subsection 53A-1b-105(2).
- (3) An eligible home-based educational technology provider shall work in conjunction with the State Board of Education to assign a statewide unique student identifier to each eligible student funded pursuant to a results-based contract.
- (4) An eligible home-based educational technology provider that receives funds under this section shall report annually to the board the following de-identified information for eligible students funded in whole or in part pursuant to a results-based contract:
 - (a) number of eligible students served by the home-based educational technology program, reported by economically disadvantaged status and English language learner status;
 - (b) average time, and range of time usage, an eligible student spent using the program per week;
 - (c) cost per eligible student;
 - (d) assessment results of the pre- and post-assessments selected by the board; and
 - (e) number of eligible students served by the home-based educational technology program who participated in any other public or private preschool program, including the type of preschool attended.
- (5) The State Board of Education shall annually share with the board aggregated longitudinal data on eligible students currently receiving funding under this section and any eligible students who previously received funding under this section, including:
 - (a) academic achievement outcomes;
 - (b) special education use; and
 - (c) English language learner services.
- (6) The evaluator selected pursuant to Section 53A-1b-110 shall annually evaluate:
 - (a) the quality and outcomes of a home-based educational technology program funded by a results-based contract between a private entity and the board, including the pre- and post-assessment results, on the assessment designated by the board under Section 53A-1b-110, of eligible students in the program; and
 - (b) whether the performance outcome measures set in the results-based contract have been met, using de-identified or aggregated data reported in Subsections (4) and (5).

Enacted by Chapter 304, 2014 General Session

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

53A-1b-111 Reporting requirements for recipients of a results-based school readiness contract -- Reporting requirements for the School Readiness Board.

- (1) An eligible LEA, eligible private provider, or eligible home-based educational technology provider that receives funds pursuant to a results-based contract under this part shall report annually to the board the following de-identified information for eligible students funded in whole or in part pursuant to a results-based contract:
 - (a) number of eligible students served by the recipient's preschool or home-based educational technology program, reported by economically disadvantaged status and English language learner status;
 - (b) attendance;
 - (c) cost per eligible student;
 - (d) assessment results of the pre- and post-assessments selected by the board; and
 - (e) aggregated longitudinal data on eligible students currently receiving funding under this part and any eligible students who previously received funding under this part, including:
 - (i) academic achievement outcomes;
 - (ii) special education use; and
 - (iii) English language learner services.
- (2) For each year of a results-based contract, the board shall report to the Education Interim Committee the following:
 - (a) information collected under Subsection (1) for each participating LEA, private provider, and home-based educational technology provider; and
 - (b) the terms of the results-based contract, including:
 - (i) the name of each private entity and funding source;
 - (ii) the amount of money each private entity has invested;
 - (iii) the performance outcome measures set in the results-based contract by which repayment will be determined; and
 - (iv) the repayment schedule to the private entity if the performance outcomes are met.

Enacted by Chapter 304, 2014 General Session

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.

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