

Senator Howard A. Stephenson proposes the following substitute bill:

OPTIONAL KINDERGARTEN INITIATIVES

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lyle W. Hillyard

House Sponsor: _____

LONG TITLE

General Description:

This bill establishes a voluntary extended-day kindergarten program, with certain funding priorities.

Highlighted Provisions:

This bill:

- ▶ establishes a program, administered by the State Board of Education, through which school districts and charter schools may provide voluntary extended-day kindergarten;
- ▶ establishes a Pre-kindergarten Readiness Program as a voluntary, family-directed kindergarten readiness initiative within the State System of Public Education;
- ▶ directs the State Board of Education to issue a request for proposals from school districts and charter schools to implement certain programs;
- ▶ establishes pilot program requirements and funding priorities;
- ▶ requires certain reports on the use of pilot program monies and on the program's outcomes to the State Board of Education;
- ▶ requires the Superintendent of Public Instruction to report to the Education Interim Committee on the pilot program;
- ▶ requires the State Board of Education to make certain rules; and



26 ▶ designates a nonlapsing appropriation.

27 **Monies Appropriated in this Bill:**

28 This bill appropriates as an ongoing appropriation subject to future budget constraints,
29 \$7,000,000 from the Uniform School Fund for fiscal year 2007-08 to the State Board of
30 Education.

31 **Other Special Clauses:**

32 This bill takes effect on July 1, 2007.

33 **Utah Code Sections Affected:**

34 ENACTS:

35 **53A-1a-801**, Utah Code Annotated 1953

36 **53A-1a-802**, Utah Code Annotated 1953

37 **53A-1a-803**, Utah Code Annotated 1953

38 **53A-1a-804**, Utah Code Annotated 1953

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

41 Section 1. Section **53A-1a-801** is enacted to read:

42 **Part 8. Voluntary Kindergarten Initiatives**

43 **53A-1a-801. Definitions.**

44 As used in this part:

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

46 (2) "Extended-day kindergarten" means a kindergarten program that provides at least
47 the same number of instructional hours per school year as first grade, as established under State
48 Board of Education rule.

49 (3) "Part-day kindergarten" means a kindergarten program that provides fewer
50 instructional hours than first grade, as established under State Board of Education rule.

51 (4) "Title I school" means a school receiving federal monies under Title I of the No
52 Child Left Behind Act of 2001, Pub. L. No 107-110, for a schoolwide or targeted assistance
53 program.

54 Section 2. Section **53A-1a-802** is enacted to read:

55 **53A-1a-802. Voluntary extended-day kindergarten program.**

56 (1) If funds are appropriated for this purpose, the State Board of Education shall

57 allocate available funds, consistent with Section 53A-1a-804, to charter schools and school
58 districts that apply to offer extended-day kindergarten.

59 (2) A school district shall coordinate program application, funding, administration, and
60 reporting for its schools that participate in the program.

61 (3) A charter school or school district:

62 (a) may not require a student to participate in extended-day kindergarten;

63 (b) shall continue to offer part-day kindergarten for students not participating in the
64 program; and

65 (c) shall continue to honor the provisions of any preexisting contractual agreement
66 related to other early intervention programs offered at the school site, through the remaining
67 term of the contract.

68 (4) A charter school or school district that receives funds under this part shall:

69 (a) annually conduct a kindergarten readiness assessment for incoming kindergarten
70 students prior to the beginning of the school year;

71 (b) ensure that:

72 (i) a majority of students enrolled in an extended-day kindergarten class under this part
73 are students who have the greatest need for additional instruction, as determined by the
74 kindergarten readiness assessment; and

75 (ii) an extended-day kindergarten class does not have more enrolled students than other
76 kindergarten classes in the school;

77 (c) utilize allocated funds to establish extended-day kindergarten in the schools with
78 greatest need as measured by the percentage of students eligible for free lunch; and

79 (d) annually report to the State Board of Education regarding:

80 (i) the number of students served;

81 (ii) the specific results achieved by the program, including any standardized testing or
82 district-directed assessment;

83 (iii) challenges encountered in administering the program and suggestions for
84 improvement; and

85 (iv) specific accountability for and tracking of the voluntary extended-day kindergarten
86 program dollars each year.

87 Section 3. Section **53A-1a-803** is enacted to read:

88 **53A-1a-803. Pre-kindergarten Readiness Program.**

89 (1) The Pre-kindergarten Readiness Program is established as a voluntary,
90 family-directed kindergarten readiness initiative within the State System of Public Education
91 to:

92 (a) provide all students the opportunity to acquire the requisite skills to be successful in
93 kindergarten;

94 (b) provide comprehensive services and family support to children prior to school entry
95 to enhance children's learning and school readiness;

96 (c) build upon existing private and public sector pre-kindergarten opportunities by
97 increasing communication with families and the coordination between existing programs;

98 (d) assist parents, childcare providers, and preschool programs as they provide
99 pre-kindergarten education to children;

100 (e) increase the capacity of schools to prepare all children for learning in the early
101 years; and

102 (f) provide flexibility to meet individual community needs; and

103 (2) (a) Subject to funding for the program and the provisions of Section 53A-1a-804,
104 school districts shall use the funding to:

105 (i) hire one qualified pre-kindergarten educator for every estimated 400 four-year old
106 children in the district;

107 (ii) provide travel, materials, meeting costs for the program; and

108 (iii) provide for evaluation and accountability in accordance with Subsection (3).

109 (b) Schools districts may enter into agreements with other school districts to provide
110 Pre-kindergarten Program services on a larger regional basis or to pool program monies to hire
111 a full time qualified pre-kindergarten educator for the school districts.

112 (c) Program monies shall be used by school districts to serve all of the pre-kindergarten
113 children within the boundaries of the school district, including those children who may attend
114 charter or private schools, but school districts may focus the program on the needs of students
115 who are likely to attend a Title I school.

116 (3) Parent and child participation in the program or any portion of the program is
117 voluntary.

118 Section 4. Section **53A-1a-804** is enacted to read:

119 **53A-1a-804. Pilot Programs -- Applications -- Reports.**

120 (1) The board shall issue a request for proposals from school districts and charter
121 schools to implement the Voluntary Extended-day Kindergarten Program created in Section
122 53A-1a-802 and the Pre-kindergarten Readiness Program created in Section 53A-1a-803.

123 (2) Proposals shall be selected to establish, as reasonably possible, an equal number of
124 the following two pilot programs throughout the state:

125 (a) pilot programs that will include technology-assisted implementation of:

126 (i) a pre-kindergarten readiness program created in accordance with the provisions of
127 Section 53A-1a-803; and

128 (ii) a voluntary extended-day kindergarten program created in accordance with the
129 provisions of Section 53A-1a-802; and

130 (b) pilot programs that will implement, without technology-assistance:

131 (i) a pre-kindergarten readiness program created in accordance with the provisions of
132 Section 53A-1a-803; and

133 (ii) a voluntary extended-day kindergarten program created in accordance with the
134 provisions of Section 53A-1a-802.

135 (3) (a) The board shall select proposals for funding based on the criteria stated in the
136 request for proposals with priority given to:

137 (i) Title I schools; and

138 (ii) existing programs that meet the requirements under Section 53A-1a-802 or
139 53A-1a-803.

140 (b) School districts and charter schools shall provide specific information on
141 technology-assisted features for proposals seeking selection under Subsection (2)(a).

142 (4) (a) The State Board of Education shall distribute money appropriated by the
143 Legislature for the pilot programs described in this section in accordance with a formula
144 adopted by the board that allocates the funding in a fair and equitable manner.

145 (b) The board may provide funding to implement a proposal for multiple years.

146 (6) Proposals shall include the following evaluation and accountability provisions:

147 (a) participant evaluations of program components;

148 (b) annual reports of program activities and participation rates; and

149 (c) a longitudinal study to assess the school readiness and subsequent student

150 achievement in kindergarten through the third grade of children who participated in the
151 program.

152 (7) (a) The state superintendent of public instruction shall annually make a report to the
153 Education Interim Committee, including a summary of the information reported under
154 Subsection (6) and analysis of how each of the four pilot programs have affected student
155 achievement.

156 (8) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act,
157 and consistent with this part, the board shall make rules establishing application and reporting
158 procedures necessary to administer this part.

159 **Section 5. Appropriation.**

160 (1) As an ongoing appropriation subject to future budget constraints, there is
161 appropriated from the Uniform School Fund for fiscal year 2007-08, \$7,000,000 to the State
162 Board of Education, for allocation to school districts and charter schools pursuant to the
163 voluntary extended-day kindergarten program under Section 53A-1a-803.

164 (2) The money appropriated in Subsection (1) shall be nonlapsing.

165 **Section 6. Effective date.**

166 This bill takes effect on July 1, 2007.