

HIGH QUALITY PRESCHOOL PROJECT

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Aaron Osmond

House Sponsor: _____

LONG TITLE

General Description:

This bill creates a 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 to serve certain at-risk 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 that want to receive the grants;
 - award grants for preschool programs;
 - monitor and evaluate the programs; and
 - develop policies and enact rules;
- ▶ establishes reporting requirements;
- ▶ provides for partnerships with private providers; and
- ▶ repeals the High Quality Preschool Pilot Program on July 1, 2017.

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, \$5,000,000.

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 2011, Chapters 303, 330, and 419

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



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

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

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

45 **53A-1a-1101. Definitions.**

46 As used in this part:

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

48 (2) "Eligible LEA" means an LEA that:

49 (a) contains at least one eligible school;

50 (b) agrees to fund a portion of its preschool program funded under this program with
 51 federal funds described in Subsection (4)(a); and

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

54 (3) (a) "Eligible private provider" means a child care program that:

55 (i) (A) except as provided in Subsection (3)(b), is licensed under Title 26, Chapter 39,
 56 Utah Child Care Licensing Act; or

57 (B) is exempt from licensure under Section 26-39-403; and

58 (ii) meets other criteria as established by the board, consistent with Utah Constitution

59 Article X, Section 1.

60 (b) "Eligible private provider" does not include a residential child care, as defined in
61 Section 26-39-102.

62 (4) "Eligible school" means a school that:

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

65 (b) has space capacity for a preschool classroom.

66 (5) "Eligible student" means a student who:

67 (a) lives in the attendance boundaries of an eligible LEA; and

68 (b) (i) qualifies for free or reduced priced school lunch; or

69 (ii) is classified as an English language learner.

70 (6) "Local Education Agency" or "LEA" means a school district or charter school.

71 (7) "Program" means the High Quality Preschool Pilot Program created in Section
72 53A-1a-1102.

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

74 **53A-1a-1102. High quality preschool pilot program -- Components -- Assessment**
75 **-- Evaluation and reporting.**

76 (1) The High Quality Preschool Pilot Program is created to provide grants to eligible
77 LEAs to fund high quality preschool programs at eligible schools.

78 (2) Subject to future budget constraints, the Legislature shall appropriate money for a
79 five-year period to the board for the program.

80 (3) The board shall:

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

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

83 (4);

84 (c) develop Utah preschool standards, which shall be aligned to the board's
85 kindergarten curriculum; and

86 (d) develop a school readiness assessment based on the Utah preschool standards
87 developed under Subsection (3)(c).

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

89 (a) an eligible LEA's capacity to effectively implement the components described in

90 Subsection (6):

91 (b) the percentage of an eligible LEA's students that qualify for free or reduced price
92 lunch; and

93 (c) the level of administrative support and leadership at an eligible LEA to effectively
94 implement, monitor, and evaluate the program.

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

97 (a) the eligible LEA's strategy to implement the components described in Subsection
98 (6);

99 (b) the number of students the eligible LEA plans to serve, categorized by age, free or
100 reduced price school lunch status, and English language learner status;

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

103 (d) the estimated cost per student.

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

106 (a) early childhood development standards aligned with the board's kindergarten
107 curriculum standards;

108 (b) a research-based curriculum that addresses the following developmental domains
109 through explicit instruction in whole and small group settings:

110 (i) oral language and listening comprehension;

111 (ii) phonological awareness and prereading;

112 (iii) alphabet and word knowledge;

113 (iv) prewriting, fine motor, and visual arts;

114 (v) book knowledge and print awareness;

115 (vi) numeracy;

116 (vii) social and emotional;

117 (viii) gross motor and performing arts;

118 (ix) science and technology; and

119 (x) social studies, health, and safety;

120 (c) ongoing, focused, and intensive professional development for staff of the preschool

121 program;

122 (d) ongoing assessment of a student's education growth and developmental progress to
123 inform instruction;

124 (e) a pre- and post-assessment of each student that assesses age-appropriate literacy and
125 numeracy skills that is:

126 (i) aligned to the Utah preschool standards developed under Subsection (3); and

127 (ii) designated by the board under Subsection (10);

128 (f) class size that does not exceed 20 students, with one adult for every 10 students in
129 the class;

130 (g) ongoing program evaluation and data collection to monitor program goal
131 achievement and implementation of required program components;

132 (h) family involvement, including class participation, frequent communication between
133 home and school, and parent education opportunities; and

134 (i) teachers with at least a Bachelor's degree or a child development associate
135 certification.

136 (7) All LEAs and eligible private providers that receive funding under this part shall
137 meet four times each year to evaluate implementation and ensure each LEA's and private
138 provider's preschool has the components described in Subsection (6).

139 (8) (a) An LEA that receives funds under this part shall report annually to the board the
140 following:

141 (i) number of students served by the LEA's preschool, reported by free or reduced price
142 student lunch status and English language learner status;

143 (ii) attendance;

144 (iii) cost per student;

145 (iv) assessment results; and

146 (v) longitudinal data on each student currently receiving funding under this part and
147 any students who previously received funding under this part, including:

148 (A) academic achievement outcomes;

149 (B) special education use; and

150 (C) English language learner services.

151 (b) For each year of the program, the board shall report to the Legislature's Education

152 Interim Committee the information collected under Subsection (8)(a) for each participating
153 LEA.

154 (9) The board shall contract with an independent, nationally recognized early education
155 evaluator, selected through a request for proposals, to evaluate the quality and outcomes of the
156 program, including:

157 (a) adherence to required components described in Subsection (6); and

158 (b) pre- and post-assessment results of students in the program.

159 (10) The board shall make rules to effectively administer and monitor the program,
160 including:

161 (a) the pre- and post-assessment that LEAs shall use, ensuring that all LEAs use the
162 same pre- and post-assessment required in Subsection (6)(e); and

163 (b) reporting requirements for LEAs and eligible private providers.

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

165 **53A-1a-1103. High quality preschool pilot program funding -- Provisions for**
166 **private providers.**

167 (1) Except as provided in Subsection (6), an eligible LEA shall contract with an
168 eligible private provider to provide the program to at least 10% of the LEA's eligible students
169 that the LEA plans to serve through the program.

170 (2) To receive funding under this part, an eligible private provider shall:

171 (a) offer a preschool program that contains the components described in Subsection
172 53A-1a-1102(6);

173 (b) align its assessments, early learning standards, and professional development with
174 the contracting LEA;

175 (c) allow classroom visits by the contracting LEA or the board to ensure the
176 components described in Subsection (2)(a) are being implemented;

177 (d) administer the required pre- and post-assessments, or contract with the LEA to
178 administer the required pre- and post-assessments, described in Subsection 53A-1a-1102(6)(e);
179 and

180 (e) report the information described in Subsection 53A-1a-1102(8) to the contracting
181 LEA.

182 (3) The board shall distribute money to the participating LEA and the LEA shall

183 contract with the eligible private provider and pay the eligible private provider to provide the
184 preschool program to eligible students.

185 (4) An LEA may provide the eligible private provider with:

186 (a) professional development;

187 (b) staffing or staff support;

188 (c) materials; and

189 (d) assessments.

190 (5) (a) The eligible private provider may not charge an eligible student tuition or fees.

191 (b) The eligible private provider may use grants, scholarships, or other money to help
192 fund the preschool program.

193 (6) If there is no eligible private provider that is willing to contract with an eligible
194 LEA, the eligible LEA is not required to contract with an eligible private provider.

195 (7) The board may use up to:

196 (a) 2% of the total appropriation under this part to administer and monitor the program;

197 (b) 2% of the total appropriation under this part to develop the school readiness
198 assessment required under Subsection 53A-1a-1102(3)(d); and

199 (c) 10% of the total appropriation under this part to contract with an evaluator as
200 required under Subsection 53A-1a-1102(9).

201 (8) The board shall distribute money to eligible LEAs chosen to participate in the
202 program as follows:

203 (a) each eligible LEA chosen by the board to participate in the program shall receive
204 funding for at least one preschool classroom; and

205 (b) the remaining funds available after funding Subsection (8)(a) shall be prorated to
206 the eligible LEAs based on the number of students eligible to receive free or reduced price
207 school lunch.

208 (9) A contractual partnership established under Subsection (1) shall be consistent with
209 Utah Constitution Article X, Section 1.

210 (10) Funds appropriated under this part may not be used to supplant other money used
211 for preschools at eligible schools.

212 Section 4. Section **63I-2-253** is amended to read:

213 **63I-2-253. Repeal dates -- Titles 53, 53A, and 53B.**

- 214 (1) Section 53A-1-403.5 is repealed July 1, 2012.
- 215 (2) Subsection 53A-1-603(5) is repealed July 1, 2015.
- 216 (3) Title 53A, Chapter 1a, Part 10, UPSTART, is repealed July 1, 2014.
- 217 (4) Title 53A, Chapter 1a, Part 11, High Quality Preschool Pilot Program, is repealed
- 218 July 1, 2017.
- 219 [~~4~~] (5) Subsection 53A-13-110(4) is repealed July 1, 2013.
- 220 [~~5~~] (6) Section 53A-15-1215 is repealed July 1, 2012.

Section 5. **Appropriation.**

Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the following sums of money are appropriated from resources not otherwise appropriated, or reduced from amounts previously appropriated, out of the funds or accounts indicated for the fiscal year beginning July 1, 2012 and ending June 30, 2013. These are additions to any amounts previously appropriated for fiscal year 2013.

To State Board of Education - Utah State Office of Education - Initiative Programs

<u>From Education Fund</u>	<u>\$5,000,000</u>
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Schedule of Programs:

<u>Contracts and Grants</u>	<u>\$5,000,000</u>
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The Legislature intends that the appropriation under this section is:

- 232 (1) ongoing, subject to availability of funds;
- 233 (2) for fiscal years 2012-13, 2013-14, 2014-15, 2015-16, and 2016-17 only;
- 234 (3) to be used to carry out the requirements of Title 53A, Chapter 1a, Part 11, High
- 235 Quality Preschool Pilot Program; and
- 236 (4) nonlapsing.

Section 6. **Effective date.**

- 238 (1) Except as provided in Subsection (2), this bill takes effect on May 8, 2012.
- 239 (2) Uncodified Section 5, Appropriation, takes effect on July 1, 2012.

Legislative Review Note
as of 2-21-12 2:33 PM

Office of Legislative Research and General Counsel