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 to serve at-risk 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:
This bill appropriates:

- to the State Board of Education - Utah State Office of Education - Initiative Programs, as an ongoing appropriation:
  - from the Education Fund, $6,000,000 to $3,000,000.

Other Special Clauses:

This bill provides an effective date.

Utah Code Sections Affected:

AMENDS:

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

ENACTS:

53A-1a-1101, Utah Code Annotated 1953
53A-1a-1102, Utah Code Annotated 1953
53A-1a-1103, Utah Code Annotated 1953
53A-1a-1104, Utah Code Annotated 1953
53A-1a-1105, Utah Code Annotated 1953
53A-1a-1106, Utah Code Annotated 1953
53A-1a-1107, Utah Code Annotated 1953

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

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

Part 11. High Quality Preschool Pilot Program


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

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

53A-1a-1102. Legislative findings.

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

(2) The Legislature finds that:

(a) most preschool-age children are better off when educated at home by the children's
parents or guardians;

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

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

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

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


As used in this part:

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

§ (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 LEA" means an LEA that:

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

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

(c) 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.
(a) "Eligible private provider" means a child care program that:
   (i) (A) except as provided in Subsection (3) (b), is licensed under Title 26,
   (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.

"Eligible student" means a student who:
(a) lives in the attendance boundaries of an eligible LEA; 
(b) is economically disadvantaged; and 
(c) is classified as a child affected by intergenerational poverty; 
(d) is classified as an English language learner; and 
(e) scores below average on an age-appropriate pre-assessment selected by an eligible LEA.

"Intergenerational poverty" has the same meaning as in Section 35A-9-102.
"Local Education Agency" or "LEA" means a school district or charter school.
"Program" means the High Quality Preschool Pilot Program created in Section 53A-1a-1104.
"Utah Intergenerational Welfare Reform Commission" means the Utah Intergenerational Welfare Reform Commission created in Section 35A-9-301.

Section 4. Section 53A-1a-1104 is enacted to read:
(1) The High Quality Preschool Pilot Program is created to provide grants to eligible LEAs to fund high quality preschool programs. 
(2) Subject to future budget constraints, the Legislature shall appropriate money for an eight-year period to the board for the program. 
(3) The board shall:
(a) solicit proposals from eligible LEAs to receive money under the program; 
(b) award grants to up to seven eligible LEAs based on criteria described in Subsection
(4); and

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

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

(a) an eligible LEA's capacity to effectively implement the components described in Subsection (6);
(b) the percentage of an eligible LEA's students that qualify as eligible students;
(c) the level of administrative support and leadership at an eligible LEA to effectively implement, monitor, and evaluate the program; and
(d) if the eligible LEA has been awarded a grant under this part in the past;
(i) the pre- and post-assessment gains of the eligible LEA's eligible students in previous years;
(ii) the percentage of the eligible LEA's eligible students in previous years who were ready for kindergarten as determined by the independent evaluator described in Subsection 53A-1a-1107(3); and
(iii) whether the eligible LEA's program resulted in cost avoidance in special education costs or other remedial services within the eligible LEA.

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

(a) the eligible LEA's strategy to implement the components described in Subsection (6);
(b) the number of students the eligible LEA plans to serve, categorized by age, intergenerational poverty status, English language learner status, and free or reduced price school lunch status;
(c) the number of high quality preschool classrooms the eligible LEA plans to operate; and
(d) the estimated cost per student.

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

(a) early childhood standards aligned with the board's; and
(i) Utah Early Childhood Core Standards; and
(8) If there is no eligible private provider that is willing to contract with an eligible LEA, the eligible LEA is not required to contract with an eligible private provider as required in Subsection (1).

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

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

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

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

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

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

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

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

(4) The board may use up to:

(a) 2% $\rightarrow$ per year $\leftarrow$ of the total appropriation under this part to administer and monitor the program; $\rightarrow$ and $\leftarrow$

(b) $\rightarrow$ [5250.000] 10% $\leftarrow$ per year of the total appropriation under this part to $\rightarrow$ ;

(i) $\leftarrow$ contract with an evaluator as required under Subsection 53A-1a-1107(3); and

$\rightarrow$ [5250.000] per year of the total appropriation under this part to]

(ii) $\leftarrow$ select or develop a school readiness assessment as required under Subsection 53A-1a-1104(3)(c).

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


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

(a) number of students served by the LEA's preschool, reported by $\rightarrow$ age and $\leftarrow$

intergenerational poverty status, $\rightarrow$ [English language learner status, and free or reduced price student lunch status] $\leftarrow$ ;
(2) Section 53A-1-403.5 is repealed July 1, 2017.

(3) Section 53A-1-411 is repealed July 1, 2016.

(4) Section 53A-1-412 is repealed July 1, 2013.

(5) Section 53A-1a-513.5 is repealed July 1, 2017.

(6) Title 53A, Chapter 1a, Part 10, UPSTART, is repealed July 1, 2014.

(7) Title 53A, Chapter 1a, Part 11, High Quality Preschool Pilot Program, is repealed July 1, 2022.

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

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

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

Section 9. **Appropriation.**

Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for the fiscal year beginning July 1, 2014, and ending June 30, 2015, 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. These sums of money are in addition to any amounts previously appropriated for fiscal year 2015.

$6,000,000 from Education Fund $3,000,000

Schedule of Programs:

Contracts and Grants

$6,000,000 from Education Fund $3,000,000

The Legislature intends that:

(1) $5,375,000 of the appropriation under this section is to be used to carry out the requirements of Title 53A, Chapter 1a, Part 11, High Quality Preschool Pilot Program;

(2) $375,000 of the appropriation under this section is to be used to provide one-time grants to eligible LEAs for computer labs, hardware, and early childhood related software as described in Subsection 53A-1a-1104(9): $ and $:

$ (3) up to $500,000 of the appropriation under this section may be used to:

(a) contract with an evaluator as required under Subsection 53A-1a-1107(3); and

(b) select or develop a school readiness assessment as required under Subsection 53A-1a-1104(c);

(4) (3) of the appropriation under this section is: