

183 (1) Kindergartens are an integral part of the state's public education system.

184 (2) ~~[By July 1, 1994, each]~~ (a) A local school board [of education] shall provide
185 kindergarten classes free of charge for kindergarten children residing within the district.

186 ~~[(3) Kindergartens]~~ (b) A kindergarten established under Subsection (2)(a) shall
187 receive state money under ~~[Title 53A,]~~ Chapter 17a, Minimum School Program Act.

188 (3) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
189 and this Subsection (3), the State Board of Education shall make rules that ~~§~~ :

189a (i) ~~←§~~ provide for a school
190 district or charter school to enroll in kindergarten a student who is younger than five years old ~~§~~
190a [:] :

190b (ii) except as provided in Subsection (3)(a)(iii), limit the enrollment in each school
190c district or charter school of children under five years old to:

190d (A) .5% of children enrolled in kindergarten in the school district or charter school for
190e the 2016-2017 school year; or

190f (B) 1% of children enrolled in kindergarten in the school district or charter school each
190g year after the 2016-2017 school year; and

190h (iii) allow each school district or charter school to enroll at least one student who is
190i younger than five years old in kindergarten. ~~←§~~

191 (b) ~~§~~ [A] In accordance with State Board of Education rules described in Subsection
191a (3)(a), a ~~←§~~ local school board or charter school governing board shall enroll in kindergarten
192 a child who is younger than five years old on September 2 of the year the child seeks to enroll
193 if:

194 (i) the child turns five on or before December 31 of the year in which the child seeks to
195 enroll in kindergarten;

196 (ii) the child's parent or legal guardian requests to enroll the child; and

197 (iii) the local school board or charter school governing board determines that the child
198 is ready for kindergarten, based on:

199 (A) the child's score on a kindergarten entry assessment; and

200 (B) other factors related to kindergarten readiness, as determined by the local school
201 board or charter school governing board, in accordance with State Board of Education rules
202 described in Subsection (3)(a).

203 (c) A local school board or charter school governing board may charge a parent or legal
204 guardian a fee to administer the assessment described in Subsection (3)(b)(iii)(A).

205 Section 3. **Coordinating S.B. 163 with H.B. 42 -- Substantive and technical**