

**HIGH QUALITY SCHOOL READINESS PROGRAM**

**EXPANSION**

2016 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ann Millner**

House Sponsor: Bradley G. Last

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**LONG TITLE**

**General Description:**

This bill expands access to high quality school readiness programs for eligible students.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ requires the Department of Workforce Services to determine eligibility for an Intergenerational Poverty Scholarship;
- ▶ creates the Student Access to High Quality School Readiness Programs Grant Program to expand access to high quality school readiness programs for eligible students;
- ▶ creates the Intergenerational Poverty School Readiness Scholarship Program;
- ▶ establishes early childhood education training;
- ▶ requires the State Board of Education to contract with an independent evaluator to conduct an ongoing evaluation of the effectiveness of high quality school readiness programs; and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

This bill appropriates:

- ▶ to the State Board of Education - State Office of Education - Initiative Programs as



28 an ongoing appropriation:

- 29 • from the Education Fund, \$9,000,000; and
- 30 ▶ to the Department of Workforce Services - Office of Child Care as an ongoing
- 31 appropriation:

- 32 • from the General Fund, \$2,500,000.

33 **Other Special Clauses:**

34 None

35 **Utah Code Sections Affected:**

36 ENACTS:

- 37 **35A-9-401**, Utah Code Annotated 1953
- 38 **53A-1a-1004.5**, Utah Code Annotated 1953
- 39 **53A-1b-201**, Utah Code Annotated 1953
- 40 **53A-1b-202**, Utah Code Annotated 1953
- 41 **53A-1b-203**, Utah Code Annotated 1953
- 42 **53A-1b-204**, Utah Code Annotated 1953
- 43 **53A-1b-205**, Utah Code Annotated 1953
- 44 **53A-1b-206**, Utah Code Annotated 1953
- 45 **53A-1b-207**, Utah Code Annotated 1953



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

48 Section 1. Section **35A-9-401** is enacted to read:

49 **Part 4. Intergenerational Poverty School Readiness Scholarship Eligibility**

50 **35A-9-401. Eligibility determination -- Awarding of scholarship.**

51 (1) As used in this section:

52 (a) "Eligible child" means an individual who:

53 (i) is experiencing intergenerational poverty;

54 (ii) will be four years of age or older on or before September 2 of the school year in

55 which the individual intends to enroll in a school readiness program; and

56 (iii) has not enrolled in kindergarten, as reported by the individual's parent or legal  
57 guardian.

58 (b) "Intergenerational poverty" means the same as that term is defined in Section

59 [35A-9-102.](#)

60 (c) "Intergenerational poverty scholarship" or "IGP scholarship" means the same as that  
61 term is defined in Section [53A-1b-202.](#)

62 (2) The department shall determine if an applicant for an IGP scholarship is eligible for  
63 the Intergenerational Poverty School Readiness Scholarship Program, created in Section  
64 [53A-1b-205.](#)

65 (3) An individual may apply to the department annually to qualify for a scholarship for  
66 an eligible child to attend a high quality school readiness program.

67 (4) (a) The department shall create an application form that requires an applicant to  
68 provide the information necessary for the department to make the eligibility determination  
69 described in Subsection (5).

70 (b) The department may:

71 (i) require an applicant to submit supporting documentation; and

72 (ii) create a deadline for an applicant to apply for an IGP scholarship.

73 (5) The department shall determine if:

74 (a) the information contained in an application submitted under Subsection (3) is  
75 accurate and complete; and

76 (b) the child for whom the applicant is applying for an IGP scholarship is an eligible  
77 child.

78 (6) (a) Except as provided in Subsection (6)(b), and subject to legislative  
79 appropriations, the department shall:

80 (i) award an IGP scholarship for an individual who is determined to be an eligible child  
81 under Subsection (5); and

82 (ii) with input from the State Board of Education, determine the value of an IGP  
83 scholarship.

84 (b) If an appropriation the department receives for IGP scholarships is not sufficient to  
85 award a scholarship to each eligible child, the department shall prioritize awarding IGP  
86 scholarships to eligible children who are at the highest risk based on the factors described in  
87 Subsection [53A-1b-202\(7\)\(c\).](#)

88 (7) The department shall coordinate with the State Board of Education, as necessary, to  
89 enroll a recipient of an IGP scholarship in a high quality school readiness program of the

90 recipient's parent's choice, space permitting, as described in Section [53A-1b-206](#).

91 (8) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
92 department shall make rules to administer this section.

93 Section 2. Section **53A-1a-1004.5** is enacted to read:

94 **53A-1a-1004.5. Intergenerational poverty cohort participation.**

95 Subject to legislative appropriations, a contractor selected under Section [53A-1a-1002](#)  
96 shall target a home-based technology program to families that reside within the boundaries of  
97 an elementary school that has a high proportion of students experiencing intergenerational  
98 poverty, as defined in Section [35A-9-102](#).

99 Section 3. Section **53A-1b-201** is enacted to read:

100 **Part 2. Expanded Access to High Quality School Readiness Programs Act**  
101 **53A-1b-201. Title.**

102 This part is known as the "Expanded Access to High Quality School Readiness  
103 Programs Act."

104 Section 4. Section **53A-1b-202** is enacted to read:

105 **53A-1b-202. Definitions.**

106 As used in this part:

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

108 (2) "Child Development Associate Credential" means a credential in early childhood  
109 education that is:

110 (a) based on a core set of competency standards; and

111 (b) nationally recognized.

112 (3) "Department" means the Department of Workforce Services.

113 (4) "Economically disadvantaged" means the same as that term is defined in Section  
114 [53A-1b-102](#).

115 (5) "Eligible home-based technology provider" means a provider that offers a  
116 home-based educational technology program to develop the school readiness skills of an  
117 eligible student.

118 (6) "Eligible private provider" means the same as that term is defined in Section  
119 [53A-1b-102](#).

120 (7) "Eligible student" means an individual who:

121 (a) will be four years of age or older on or before September 2 of the school year in  
122 which the individual intends to participate in a school readiness program;

123 (b) has not entered kindergarten; and

124 (c) (i) has at least one of the following risk factors, as reported by the individual's  
125 parent or legal guardian without specifying which of the risk factors applies:

126 (A) the individual is economically disadvantaged;

127 (B) the individual's family is homeless;

128 (C) an abusive adult resides in the individual's home;

129 (D) mental illness, or drug or alcohol abuse, exists in the individual's family;

130 (E) either of the individual's parents was 18 years of age or younger when the  
131 individual was born;

132 (F) either of the individual's parents or the individual's legal guardian has not  
133 successfully completed a high school education or equivalent;

134 (G) the individual's family frequently relocates to a new residence;

135 (H) the individual exhibits poor social skills; or

136 (I) other risk factors, as determined by the board;

137 (ii) is at risk for not meeting grade 3 core standards for Utah public schools,  
138 established by the State Board of Education under Section [53A-1-402.6](#), by the end of the  
139 individual's grade 3 year, as determined by an assessment; or

140 (iii) is experiencing intergenerational poverty, as determined by the department.

141 (8) "High quality school readiness program" means a school readiness program that:

142 (a) is provided by an LEA, eligible private provider, or eligible home-based technology  
143 provider; and

144 (b) meets the elements of a high quality school readiness program described in Section  
145 [53A-1b-105](#) as determined by the board or the department under:

146 (i) Section [53A-1b-204](#); or

147 (ii) Section [53A-1b-205](#).

148 (9) "Intergenerational poverty" means the same as that term is defined in Section  
149 [35A-9-102](#).

150 (10) "Intergenerational poverty scholarship" or "IGP scholarship" means a scholarship  
151 to attend a high quality school readiness program for an eligible student who is experiencing

152 intergenerational poverty.

153 (11) "Local education agency" or "LEA" means a:

154 (a) school district; or

155 (b) charter school.

156 Section 5. Section **53A-1b-203** is enacted to read:

157 **53A-1b-203. Administration of programs.**

158 (1) The State Board of Education, with input from the department, shall:

159 (a) administer the grant program described in Section 53A-1b-204 for LEAs; and

160 (b) oversee the evaluation described in Section 53A-1b-207.

161 (2) The department, with input from the board, shall administer:

162 (a) the grant program described in Section 53A-1b-204 for eligible private providers;

163 (b) the Intergenerational Poverty School Readiness Scholarship Program described in

164 Section 53A-1b-205; and

165 (c) early childhood teacher training described in Section 53A-1b-206.

166 (3) (a) The board may use up to 2% of the funds appropriated to the board under this  
167 part for administrative costs associated with the programs described in this part.

168 (b) The department may use up to 2% of the funds appropriated to the department  
169 under this part for administrative costs associated with the programs described in this part.

170 Section 6. Section **53A-1b-204** is enacted to read:

171 **53A-1b-204. Student Access to High Quality School Readiness Programs Grant**  
172 **Program -- Determination of high quality school readiness program-- Reporting**  
173 **requirement -- Fees.**

174 (1) There is created the Student Access to High Quality School Readiness Programs  
175 Grant Program to expand access to high quality school readiness programs for eligible students  
176 through:

177 (a) grants for LEAs administered by the board; and

178 (b) grants for eligible private providers administered by the department.

179 (2) The board, in coordination with the department, shall develop a tool to determine  
180 whether a school readiness program is a high quality school readiness program.

181 (3) (a) The board shall solicit proposals from LEAs to fund increases in the number of  
182 eligible students high quality school readiness programs can serve.

183 (b) The department shall solicit proposals from eligible private providers to fund  
184 increases in the number of eligible students high quality school readiness programs can serve.

185 (4) (a) Except as provided in Subsection (4)(c), a respondent shall submit a proposal  
186 that includes the information described in Subsection (4)(b):

187 (i) to the board, for a respondent that is an LEA; or

188 (ii) to the department, for a respondent that is an eligible private provider.

189 (b) A respondent's proposal for the grant solicitation described in Subsection (3) shall  
190 include:

191 (i) the respondent's existing and proposed school readiness program, including:

192 (A) the number of students served by the respondent's school readiness program;

193 (B) the respondent's policies and procedures for admitting students into the school  
194 readiness program;

195 (C) the estimated cost per student; and

196 (D) any fees the respondent charges to a parent or legal guardian for the school  
197 readiness program;

198 (ii) the respondent's plan to use funding sources, in addition to a grant described in this  
199 section, including:

200 (A) federal funding; or

201 (B) private grants or donations;

202 (iii) existing or planned partnerships between the respondent and an LEA, eligible  
203 private provider, or eligible home-based technology provider to increase access to high quality  
204 school readiness programs for eligible students;

205 (iv) how the respondent would use a grant to expand the number of eligible students  
206 served by the respondent's school readiness program;

207 (v) how the respondent's school readiness program is a high quality school readiness  
208 program; and

209 (vi) the results of any evaluations of the respondent's school readiness program.

210 (c) In addition to the requirements described in Subsection (4)(b), a respondent that is  
211 an LEA shall describe in the respondent's proposal the percentage of the respondent's  
212 kindergarten through grade 12 students who are economically disadvantaged.

213 (5) (a) For each LEA proposal received in response to the solicitation described in

214 Subsection (3)(a), the board shall determine if the LEA school readiness program is a high  
215 quality school readiness program by:

- 216 (i) applying the tool described in Subsection (2); and
- 217 (ii) conducting at least one site visit to the program.

218 (b) For each eligible private provider proposal received in response to the solicitation  
219 described in Subsection (3)(b), the department shall determine if the school readiness program  
220 is a high quality school readiness program by:

- 221 (i) applying the tool described in Subsection (2); and
- 222 (ii) conducting at least one site visit to the program.

223 (6) (a) Subject to legislative appropriations and Subsection (6)(b), the board shall  
224 award grants, on a competitive basis, to respondents that are LEAs.

225 (b) The board may only award a grant to an LEA if:

- 226 (i) the LEA submits a proposal that includes the information required under Subsection  
227 (4);

228 (ii) the board determines that the LEA's program is a high quality school readiness  
229 program as described in Subsection (5); and

230 (iii) the LEA agrees to the evaluation requirements described in Section [53A-1b-207](#).

231 (7) (a) Subject to legislative appropriations and Subsection (7)(b), the department shall  
232 award grants, on a competitive basis, to respondents that are eligible private providers.

233 (b) The department may only award a grant to a respondent if:

- 234 (i) the respondent submits a proposal that includes the information required under  
235 Subsection (4);

236 (ii) the department determines that the respondent's school readiness program is a high  
237 quality school readiness program as described in Subsection (5); and

238 (iii) the respondent agrees to the evaluation requirements described in Section  
239 [53A-1b-207](#).

240 (8) In evaluating a proposal received in response to the solicitation described in  
241 Subsection (3), the board and the department shall consider:

- 242 (a) geographic diversity, including whether the respondent is urban or rural;
- 243 (b) the extent to which the respondent intends to participate in a partnership with an  
244 LEA, eligible private provider, or eligible home-based technology provider;



- 245 (c) the respondent's level of administrative support and leadership to effectively  
246 implement, monitor, and evaluate the program; and
- 247 (d) the number and percent of students in the respondent's high quality school readiness  
248 program that are eligible students.
- 249 (9) A respondent that receives a grant under this section shall:
- 250 (a) use the grant to expand access for eligible students to high quality school readiness  
251 programs by enrolling eligible students in a high quality school readiness program;
- 252 (b) report to the board annually regarding:
- 253 (i) how the respondent used the grant awarded under Subsection (7);
- 254 (ii) participation in any partnerships between an LEA, eligible private provider, or  
255 eligible home-based technology provider; and
- 256 (iii) the results of any evaluations;
- 257 (c) allow classroom or other visits by an independent evaluator selected by the board  
258 under Section [53A-1b-207](#); and
- 259 (d) for a respondent that is an LEA, notify a parent or legal guardian who expresses  
260 interest in enrolling the parent or legal guardian's child in the LEA's high quality school  
261 readiness program of each state-funded high quality school readiness program operating within  
262 the LEA's geographic boundaries.
- 263 (10) An LEA that receives a grant under this section may charge a student fee to  
264 participate in an LEA's school readiness program if:
- 265 (a) the LEA's local school board or charter school governing board approves the fee;
- 266 (b) the fee for a student does not exceed the actual cost of providing the high quality  
267 school readiness program to the student; and
- 268 (c) the fee structure for the program is designed on a sliding scale, based on household  
269 income.
- 270 (11) (a) The board shall establish interventions for a grantee that is an LEA that fails to  
271 comply with the requirements described in this section.
- 272 (b) The department shall establish interventions for a grantee that is an eligible private  
273 provider that fails to comply with the requirements described in this section.
- 274 (c) An intervention under this Subsection (11) may include discontinuing or reducing  
275 funding.

276 (12) Subject to legislative appropriations, the board and the department shall give first  
277 priority in awarding grants to a respondent that has previously received a grant under this  
278 section if the respondent:

279 (a) makes the annual report described in Subsection (9)(b);

280 (b) participates in the annual evaluation described in Section [53A-1b-207](#); and

281 (c) continues to offer a high quality school readiness program as determined during an  
282 annual site visit by:

283 (i) the board, for an LEA; or

284 (ii) the department, for an eligible private provider.

285 (13) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act:

286 (a) the board shall make rules to:

287 (i) implement the tool described in Subsection (2); and

288 (ii) administer the grant program for LEAs described in this section; and

289 (b) the department shall make rules to administer the grant program for eligible private  
290 providers described in this section.

291 Section 7. Section **53A-1b-205** is enacted to read:

292 **53A-1b-205. Intergenerational Poverty School Readiness Scholarship Program.**

293 (1) There is created the Intergenerational Poverty School Readiness Scholarship  
294 Program to provide an eligible student experiencing intergenerational poverty access to a high  
295 quality school readiness program.

296 (2) The department shall, in accordance with Section [35A-9-401](#):

297 (a) determine if an individual is eligible for an IGP scholarship; and

298 (b) award an IGP scholarship.

299 (3) (a) (i) An LEA may apply to the board to receive a designation as a high quality  
300 school readiness program.

301 (ii) The board shall determine if an LEA offers a high quality school readiness program  
302 using the tool described in Subsection [53A-1b-204](#)(2).

303 (b) (i) An eligible private provider or home-based technology provider may apply to  
304 the department to receive a designation as a high quality school readiness program.

305 (ii) The department shall determine if an eligible private provider or home-based  
306 technology provider offers a high quality school readiness program using the tool described in

307 Section 53A-1b-204.

308 (4) (a) The department and the board shall coordinate to assist a parent or legal  
309 guardian of a recipient of an IGP scholarship to enroll the IGP scholarship recipient in a high  
310 quality school readiness program:

311 (i) offered by an LEA, eligible private provider, or eligible home-based technology  
312 provider; and

313 (ii) of the parent or legal guardian's choice.

314 (b) The department shall pay the scholarship amount to a high quality school readiness  
315 program in which an IGP scholarship recipient enrolls.

316 (5) (a) Except as provided in Subsection (5)(b), the department may not provide an  
317 individual's IGP scholarship to an LEA, eligible private provider, or eligible home-based  
318 technology provider unless the LEA, eligible private provider, or eligible home-based  
319 technology provider offers a high quality school readiness program, as determined by the board  
320 under Subsection (3).

321 (b) An LEA, eligible private provider, or eligible home-based technology provider that  
322 receives a determination as a high quality school readiness program under Section 53A-1b-204  
323 may enroll an IGP scholarship recipient.

324 Section 8. Section **53A-1b-206** is enacted to read:

325 **53A-1b-206. Early childhood teacher training.**

326 (1) Subject to legislative appropriations, the department shall provide training to early  
327 childhood teachers by providing:

328 (a) a scholarship for individuals who intend to receive a Child Development Associate  
329 Credential; and

330 (b) consulting services to assist individuals to complete a Child Development  
331 Associate Credential.

332 (2) The department shall conduct an annual needs assessment to determine the number  
333 of scholarships to award each year.

334 (3) The department shall make rules, in accordance with Title 63G, Chapter 3, Utah  
335 Administrative Rulemaking Act, to implement this section.

336 Section 9. Section **53A-1b-207** is enacted to read:

337 **53A-1b-207. Evaluation -- Reporting requirements.**

338 (1) In accordance with this section, the board, in coordination with the department,  
339 shall oversee the ongoing review and evaluation by an independent evaluator for each school  
340 year of:

341 (a) the Student Access to High Quality School Readiness Programs Grant Program  
342 described in Section [53A-1b-204](#);

343 (b) the Intergenerational Poverty School Readiness Scholarship Program described in  
344 Section [53A-1b-205](#); and

345 (c) early childhood teacher training described in Section [53A-16-206](#).

346 (2) (a) In accordance with Title 63G, Chapter 6a, Utah Procurement Code, the board  
347 shall enter into a contract with an independent evaluator to assist the board in the evaluation  
348 process.

349 (b) In selecting an independent evaluator, the board shall ensure that the evaluator  
350 chosen has the capacity to meet the requirements described in Subsection (3).

351 (c) The board may not enter into a contract with an independent evaluator without  
352 obtaining approval from the department.

353 (3) Under the direction of the board, with input from the department, the independent  
354 evaluator selected under Subsection (2) shall:

355 (a) design an evaluation methodology that:

356 (i) assesses the effects of a high quality school readiness program on an eligible  
357 student's:

358 (A) readiness for kindergarten, using a uniform assessment methodology that includes  
359 a pre- and post-test chosen in coordination with the board;

360 (B) ability, as determined by following the student longitudinally, to meet grade 3 core  
361 standards for Utah public schools, established by the board under Section [53A-1-402.6](#), by the  
362 end of the student's grade 3 year; and

363 (C) attainment of a high school diploma or other completion certificate, as determined  
364 by following the student longitudinally; and

365 (ii) allows for comparisons between students with similar demographic characteristics  
366 who complete a high quality school readiness program and students who do not; and

367 (b) conduct an annual evaluation of the programs described in Subsection (1).

368 (4) To assist the independent evaluator selected under Subsection (2) in completing the

369 evaluation required under Subsection (3):

370 (a) an LEA that receives a grant under Section 53A-1b-204, or enrolls an IGP  
 371 scholarship recipient under Section 53A-1b-205, shall assign a statewide unique student  
 372 identifier to each student who participates in the LEA's school readiness program;

373 (b) an eligible private provider that receives a grant described in Section 53A-1b-204  
 374 shall work in conjunction with the board to assign a statewide unique student identifier to each  
 375 student who is enrolled in the eligible private provider's school readiness program in the  
 376 student's last year before kindergarten; and

377 (c) an eligible private provider or eligible home-based technology provider that  
 378 receives an IGP scholarship under Section 53A-1b-205 shall work in conjunction with the  
 379 board to assign a statewide unique student identifier to each student who is funded by an IGP  
 380 scholarship.

381 (5) The board and the department shall report annually, on or before November 1, to  
 382 the Education Interim Committee on the results of an evaluation conducted under this section.

383 **Section 10. Appropriation.**

384 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for  
 385 the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following sums of money  
 386 are appropriated from resources not otherwise appropriated, or reduced from amounts  
 387 previously appropriated, out of the funds or amounts indicated. These sums of money are in  
 388 addition to amounts previously appropriated for fiscal year 2017.

389	<u>To State Board of Education -- State Office of Education -- Initiative Programs</u>	
390	<u>From Education Fund</u>	<u>\$9,000,000</u>
391	<u>Schedule of Programs:</u>	
392	<u>Student Access to High Quality School Readiness</u>	
393	<u>Programs Grant Program</u>	<u>\$7,000,000</u>
394	<u>Upstart Early Childhood Education</u>	<u>\$2,000,000</u>
395	<u>To Department of Workforce Services -- Office of Child Care</u>	
396	<u>From General Fund</u>	<u>\$2,500,000</u>
397	<u>Schedule of Programs:</u>	
398	<u>Student Access to High Quality School Readiness</u>	
399	<u>Programs Grant Program</u>	<u>\$1,000,000</u>

400	<u>Intergenerational Poverty School Readiness</u>	
401	<u>Scholarship Program</u>	<u>\$1,000,000</u>
402	<u>Early Childhood Teacher Training</u>	<u>\$500,000</u>

403 The Legislature intends that:

404 (1) the State Board of Education may use up to \$140,000 of the appropriation to the  
405 State Board of Education to contract with an independent evaluator to conduct an evaluation,  
406 as required by Section [53A-1b-207](#);

407 (2) the State Board of Education shall use \$2,000,000 of the appropriation to the State  
408 Board of Education to provide a home-based technology school readiness program, as  
409 described in Section [53A-1a-1004.5](#); and

410 (3) the appropriations provided in this section be:

411 (a) ongoing; and

412 (b) nonlapsing.

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**Legislative Review Note**  
**Office of Legislative Research and General Counsel**