

**UPSTART AMENDMENTS**

2017 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: J. Stuart Adams**

House Sponsor: Bradley G. Last

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**LONG TITLE**

**General Description:**

This bill amends provisions related to the UPSTART program.

**Highlighted Provisions:**

This bill:

▶ repeals provisions describing UPSTART as a pilot program, including provisions that would have repealed the UPSTART program;

▶ requires the State Board of Education to issue a request for two-year pilot proposals from certain educational technology providers;

▶ requires a contractor to work with the Department of Workforce Services and the State Board of Education to solicit certain families to participate in UPSTART; ~~H→~~ **[and]**

▶ authorizes a contractor to request certain information to verify an individual's income; and ~~H←~~

▶ makes technical corrections.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**53A-1a-1001**, as last amended by Laws of Utah 2014, Chapter 102

**53A-1a-1002**, as last amended by Laws of Utah 2014, Chapter 102

**53A-1a-1003**, as enacted by Laws of Utah 2008, Chapter 397

S.B. 262



28 53A-1a-1004, as last amended by Laws of Utah 2014, Chapter 102  
29 63I-2-253, as last amended by Laws of Utah 2016, Chapters 128, 229, 236, 271, and  
30 318

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

33 Section 1. Section 53A-1a-1001 is amended to read:

34 **53A-1a-1001. Definitions.**

35 As used in this part:

36 (1) "Contractor" means the educational technology provider selected by the State Board  
37 of Education under Section 53A-1a-1002.

38 (2) "Low income" means an income below 185% of the federal poverty guideline.

39 (3) "Preschool children" means children who are:

40 (a) age four or five; and

41 (b) have not entered kindergarten.

42 (4) "UPSTART" means the [pitot] project established by Section 53A-1a-1002 that  
43 uses a home-based educational technology program to develop school readiness skills of  
44 preschool children.

45 Section 2. Section 53A-1a-1002 is amended to read:

46 **53A-1a-1002. UPSTART program to develop school readiness skills of preschool**  
47 **children.**

48 (1) UPSTART, a [pitot] project that uses a home-based educational technology  
49 program to develop school readiness skills of preschool children, is established within the  
50 public education system.

51 (2) UPSTART is created to:

52 (a) evaluate the effectiveness of giving preschool children access, at home, to  
53 interactive individualized instruction delivered by computers and the Internet to prepare them  
54 academically for success in school; and

55 (b) test the feasibility of scaling a home-based curriculum in reading, math, and science  
56 delivered by computers and the Internet to all preschool children in Utah.

57 (3) (a) The State Board of Education shall contract with an educational technology  
58 provider, selected through a request for proposals process, for the delivery of a home-based

59 educational technology program for preschool children that meets the requirements of  
60 Subsection (4).

61 (b) (i) The State Board of Education shall, on or before July 1, 2019, issue a request for  
62 proposals for two-year pilot proposals from one or more educational technology providers that  
63 do not have an existing contract under this part with the state for the delivery of a home-based  
64 educational technology program for preschool children that meets the requirements of  
65 Subsection (4).

66 (ii) After the two-year pilots described in Subsection (3)(b)(i), the State Board of  
67 Education may enter into a contract with one or more educational technology providers that  
68 have participated in a Utah pilot.

69 (c) Every five years after July 1, 2021, the State Board of Education may issue a new  
70 request for proposals described in this section.

71 (4) A home-based educational technology program for preschool children shall meet  
72 the following standards:

73 (a) the contractor shall provide computer-assisted instruction for preschool children on  
74 a home computer connected by the Internet to a centralized file storage facility;

75 (b) the contractor shall:

76 (i) provide technical support to families for the installation and operation of the  
77 instructional software; and

78 (ii) provide for the installation of computer and Internet access in homes of low income  
79 families that cannot afford the equipment and service;

80 (c) the contractor shall have the capability of doing the following through the Internet:

81 (i) communicating with parents;

82 (ii) updating the instructional software;

83 (iii) validating user access;

84 (iv) collecting usage data;

85 (v) storing research data; and

86 (vi) producing reports for parents, schools, and the Legislature;

87 (d) the program shall include the following components:

88 (i) computer-assisted, individualized instruction in reading, mathematics, and science;

89 (ii) a multisensory reading tutoring program; and

90 (iii) a validated computer adaptive reading test that does not require the presence of  
91 trained adults to administer and is an accurate indicator of reading readiness of children who  
92 cannot read;

93 (e) the contractor shall have the capability to quickly and efficiently modify, improve,  
94 and support the product;

95 (f) the contractor shall work in cooperation with school district personnel who will  
96 provide administrative and technical support of the program as provided in Section  
97 [53A-1a-1003](#);

98 (g) the contractor shall solicit families to participate in the program as provided in  
99 Section [53A-1a-1004](#); and

100 (h) in implementing the home-based educational technology program, the contractor  
101 shall seek the advise and expertise of early childhood education professionals within the Utah  
102 System of Higher Education on issues such as:

103 (i) soliciting families to participate in the program;

104 (ii) providing training to families; and

105 (iii) motivating families to regularly use the instructional software.

106 (5) (a) The contract shall provide funding for a home-based educational technology  
107 program for preschool children [~~for one year with an option to extend the contract for~~  
108 ~~additional years or to expand the program to a greater number of preschool children~~], subject to  
109 the appropriation of money by the Legislature for UPSTART.

110 (b) An appropriation for a request for proposals described in Subsection (3)(b)(i) shall  
111 be separate from an appropriation described in Subsection (5)(a).

112 [~~(6)(a) The State Board of Education shall issue a request for proposals for a~~  
113 ~~home-based educational technology program for preschool children that takes effect upon the~~  
114 ~~expiration of the pilot project on July 1, 2019, provided that the Legislature reauthorizes and~~  
115 ~~funds the program.]~~

116 [~~(b)~~] (6) The State Board of Education shall evaluate a proposal based on:

117 [~~(i)~~] (a) whether the home-based educational technology program meets the standards  
118 specified in Subsection (4);

119 [~~(ii)~~] (b) the results of an independent evaluation of the home-based educational  
120 technology program;

121 [(iii)] (c) the experience of the home-based educational technology program provider;  
 122 and

123 [(iv)] (d) the per pupil cost of the home-based educational technology program.

124 Section 3. Section **53A-1a-1003** is amended to read:

125 **53A-1a-1003. School district participation in UPSTART.**

126 (1) A school district may participate in UPSTART if the local school board agrees to  
 127 work in cooperation with the contractor to provide administrative and technical support for [~~the~~  
 128 ~~pilot project~~] UPSTART.

129 (2) Family participants in UPSTART shall be solicited from school districts that  
 130 participate in UPSTART.

131 (3) A school district that participates in UPSTART shall:

132 (a) receive funding for:

133 (i) paraprofessional and technical support staff; and

134 (ii) travel, materials, and meeting costs of the program;

135 (b) participate in program training by the contractor; and

136 (c) agree to adopt standardized policies and procedures in implementing [~~the pilot~~  
 137 ~~project~~] UPSTART.

138 Section 4. Section **53A-1a-1004** is amended to read:

139 **53A-1a-1004. Family participation in UPSTART** ~~H~~→ – Low income family  
 139a verification ←~~H~~ .

140 (1) The contractor shall:

141 (a) solicit families to participate in UPSTART through a public information campaign  
 142 and referrals from participating school districts[~~;~~]; and

143 (b) work with the Department of Workforce Services and the State Board of Education  
 144 to solicit participation from families of children experiencing intergenerational poverty, as  
 145 defined in Section 35A-9-102, to participate in UPSTART.

146 (2) (a) Preschool children who participate in UPSTART shall:

147 (i) be from families with diverse socioeconomic and ethnic backgrounds; [~~and~~]

148 (ii) reside in different regions of the state in both urban and rural areas[~~;~~]; and

149 (iii) be given preference to participate if the preschool child's family resides in a rural  
 150 area with limited prekindergarten services.

151 (b) (i) If the number of families who would like to participate in UPSTART exceeds

152 the number of participants funded by the legislative appropriation, the contractor shall give  
 153 priority to preschool children from low income families and preschool children who are  
 154 English language learners.

155 (ii) At least 30% of the preschool children who participate in UPSTART shall be from  
 156 low income families.

157 (3) A low income family that cannot afford a computer and Internet service to operate  
 158 the instructional software may obtain a computer and peripheral equipment on loan and receive  
 159 free Internet service for the duration of the family's participation in ~~[the pilot project]~~

160 UPSTART.

161 (4) (a) The contractor shall make the home-based educational technology program  
 162 available to families at a cost agreed upon by the State Board of Education and the contractor if  
 163 the number of families who would like to participate in UPSTART exceeds the number of  
 164 participants funded by the legislative appropriation.

165 (b) The State Board of Education and the contractor shall annually post on their  
 166 websites information on purchasing a home-based educational technology program as provided  
 167 in Subsection (4)(a).

167a ~~H~~→ **(5)(a) The contractor shall:**

167b (i) determine if a family is a low income family for purposes of this part; and

167c (ii) use the same application form as described in Section 35A-9-401 or create an

167d application form that requires an individual to provide and certify the information necessary

167e for the contractor to make the determination described in Subsection (5)(a)(i).

167f (b) The contractor may:

167g (i) require an individual to submit supporting documentation; and

167h (ii) create a deadline for an individual to submit an application, if necessary. ←~~H~~

168 Section 5. Section **63I-2-253** is amended to read:

169 **63I-2-253. Repeal dates -- Titles 53, 53A, and 53B.**

170 (1) Section **53A-1-403.5** is repealed July 1, 2017.

171 (2) Section **53A-1-411** is repealed July 1, 2017.

172 (3) Section **53A-1-709** is repealed July 1, 2020.

173 (4) Subsection **53A-1a-513(4)** is repealed July 1, 2017.

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

175 ~~[(6) Title 53A, Chapter 1a, Part 10, UPSTART, is repealed July 1, 2019:]~~

176 ~~[(7)]~~ (6) Title 53A, Chapter 8a, Part 8, Peer Assistance and Review Pilot Program, is  
 177 repealed July 1, 2017.

178            [~~8~~] (7) Sections [53A-24-601](#) and [53A-24-602](#) are repealed January 1, 2018.  
179            [~~9~~] (8) (a) Subsections [53B-2a-103](#)(2) and (4) are repealed July 1, 2019.  
180            (b) When repealing Subsections [53B-2a-103](#)(2) and (4), the Office of Legislative  
181 Research and General Counsel shall, in addition to its authority under Subsection [36-12-12](#)(3),  
182 make necessary changes to subsection numbering and cross references.

183            [~~(10)~~] (9) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project, is  
184 repealed July 1, 2023.

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