

1                                   **AFTER SCHOOL PROGRAM AMENDMENTS**

2   2018 GENERAL SESSION

3   STATE OF UTAH

4                                   **Chief Sponsor: Luz Escamilla**

5                                   House Sponsor: Mike Schultz

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7 **LONG TITLE**

8 **General Description:**

9           This bill authorizes a grant program to provide funding for certain programs offered to  
10 elementary and secondary students outside of the regular school day.

11 **Highlighted Provisions:**

12           This bill:

- 13           ▶ defines terms;
- 14           ▶ creates a grant program to provide funding for certain educational opportunities  
15 offered outside of the regular school day;
- 16           ▶ requires applicants to the grant program to identify and certify the availability of  
17 private matching funds before receiving a grant;
- 18           ▶ requires the State Board of Education to work with the Department of Workforce  
19 Services to compile data and report on the impact of grant funding; and
- 20           ▶ grants rulemaking authority.

21 **Money Appropriated in this Bill:**

22           This bill appropriates:

- 23           ▶ to State Board of Education - Initiative Programs, as an ongoing appropriation:
  - 24           • from General Fund, \$125,000; and
- 25           ▶ to Department of Workforce Services - Office of Childcare, as an ongoing  
26 appropriation:
  - 27           • from General Fund, \$125,000.



28 **Other Special Clauses:**

29 None

30 **Utah Code Sections Affected:**

31 ENACTS:

32 **53F-5-209**, Utah Code Annotated 1953



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

35 Section 1. Section **53F-5-209** is enacted to read:

36 **53F-5-209. Educational Improvement Opportunities Outside of the Regular**  
37 **School Day Grant Program.**

38 (1) As used in this section:

39 (a) "Applicant" means an LEA, private provider, nonprofit provider, or municipality  
40 that provides an existing program and applies for a grant under the provisions of this section.

41 (b) "Board" means the State Board of Education.

42 (c) "Existing program" means a currently funded and operating program, as described  
43 in Subsections **53E-3-508**(1)(a) and (b).

44 (d) "Grant program" means the Educational Improvement Opportunities Outside of the  
45 Regular School Day Grant Program created in Subsection (2).

46 (e) "Grantor" means:

47 (i) for an LEA that receives a grant under this section, the board; or

48 (ii) for a private provider, nonprofit provider, or municipality that receives a grant  
49 under this section, the Department of Workforce Services.

50 (f) "Local education agency" or "LEA" means a school district or charter school.

51 (2) There is created the Educational Improvement Opportunities Outside of the Regular  
52 School Day Grant Program to provide grant funds for an existing program to improve and  
53 develop the existing program in accordance with the high quality standards described in  
54 Section **53E-3-508**.

55 (3) Subject to legislative appropriation and in accordance with Subsection (7):

56 (a) the board shall:

57 (i) solicit LEA applications to receive a grant under this section; and

58 (ii) award a grant based on the criteria described in Subsection (5); and

- 59 (b) the Department of Workforce Services shall:
- 60 (i) solicit private provider, nonprofit provider, or municipality applications to receive a
- 61 grant under this section; and
- 62 (ii) award a grant based on the criteria described in Subsection (5).
- 63 (4) To receive a grant under this section, an applicant shall submit a proposal to the
- 64 grantor describing:
- 65 (a) how the applicant proposes to develop and improve the existing program to meet
- 66 the standards described in Section [53E-3-508](#);
- 67 (b) information necessary for the board to determine the impact of the applicant's
- 68 program on the academic performance of participating students;
- 69 (c) the total number of students the applicant proposes to serve through the existing
- 70 program;
- 71 (d) the estimated percentage of the students described in Subsection (4)(c) who qualify
- 72 for free or reduced lunch; and
- 73 (e) the estimated cost of the applicant's existing program, per student.
- 74 (5) In awarding a grant under Subsection (3), the grantor shall consider:
- 75 (a) how an applicant's existing program proposes to meet the standards described in
- 76 Section [53E-3-508](#); and
- 77 (b) the percentage of students in that program who qualify for free and reduced lunch.
- 78 (6) An applicant that receives a grant under this section shall:
- 79 (a) use the grant to improve an existing program in accordance with the standards
- 80 described in Section [53E-3-508](#); and
- 81 (b) annually report to the grantor:
- 82 (i) the number of students served by the existing program;
- 83 (ii) the academic outcomes that the program is expected to have on participating
- 84 students;
- 85 (iii) program attendance rates of participating students; and
- 86 (iv) other information required by the grantor.
- 87 (7) (a) To receive a distribution of grant money under this section, an applicant shall
- 88 identify and certify the availability of private matching funds in the amount of the grant to be
- 89 distributed to the applicant.

90 (b) Neither the board nor the Department of Workforce Services shall be expected to  
91 seek private matching funds for this grant program.

92 (8) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
93 board shall make rules to administer this section that include:

94 (a) specific criteria to determine academic performance;

95 (b) application and reporting procedures; and

96 (c) criteria for an existing program to qualify for a grant under this section.

97 (9) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
98 Department of Workforce Services shall make rules to administer the grant program as  
99 described in Subsection (3)(b).

100 (10) In accordance with 34 C.F.R. Sec. 99.35, the board shall designate the Department  
101 of Workforce Services as an authorized representative for the purpose of sharing student data  
102 and evaluating and reporting the impact and effectiveness of the grant program.

103 (11) The board and the Department of Workforce Services may utilize up to 10% of  
104 the funds appropriated for administrative costs associated with the grant program and the report  
105 described in Subsection (12).

106 (12) The board shall report to the Education Interim Committee before November 30,  
107 2019, regarding:

108 (a) the grant program's effect on the quality of existing programs that participate in the  
109 grant program; and

110 (b) the impact of the existing programs on the academic performance of participating  
111 students.

112 **Section 2. Appropriation.**

113 The following sums of money are appropriated for the fiscal year beginning July 1,  
114 2018, and ending June 30, 2019. These are additions to amounts previously appropriated for  
115 fiscal year 2019. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures  
116 Act, the Legislature appropriates the following sums of money from the funds or accounts  
117 indicated for the use and support of the government of the state of Utah.

118 ITEM 1

119 To State Board of Education -- Initiative Programs

120 From General Fund

\$125,000

121	<u>Schedule of Programs:</u>	
122	<u>Educational Improvement Opportunities Outside of the</u>	
123	<u>Regular School Day Grant Program</u>	<u>\$125,000</u>
124	<u>ITEM 2</u>	
125	<u>To Department of Workforce Services -- Office of Childcare</u>	
126	<u>From General Fund</u>	<u>\$125,000</u>
127	<u>Schedule of Programs:</u>	
128	<u>Educational Improvement Opportunities Outside of the</u>	
129	<u>Regular School Day Grant Program</u>	<u>\$125,000</u>

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