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**FULL-DAY KINDERGARTEN**

2022 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Steve Waldrip**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill requires local education agency governing boards to provide full-day kindergarten options for a kindergarten student.

**Highlighted Provisions:**

This bill:

- ▶ amends provisions related to scholarship amounts tied to the length of a kindergarten class;
- ▶ amends funding formulas related to kindergarten to reflect a full-day length of a kindergarten class;
- ▶ requires local school boards to provide optional full-day kindergarten classes;
- ▶ clarifies that kindergarten remains optional;
- ▶ establishes a repeal date for an optional expanded kindergarten grant program;
- ▶ relocates a requirement for kindergarten entry and exit assessments from the optional expanded kindergarten grant program; and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**



28 AMENDS:

29 35A-15-102, as last amended by Laws of Utah 2020, Chapter 171

30 53E-4-314, as last amended by Laws of Utah 2020, Chapter 171

31 53E-7-402, as enacted by Laws of Utah 2020, Fourth Special Session, Chapter 3

32 53F-2-302, as last amended by Laws of Utah 2020, Sixth Special Session, Chapter 9

33 53F-2-302.1, as enacted by Laws of Utah 2021, Chapter 6

34 53F-2-507, as last amended by Laws of Utah 2020, Chapter 171

35 53F-4-304, as last amended by Laws of Utah 2020, Chapter 408

36 53F-4-406, as last amended by Laws of Utah 2020, Chapter 171

37 53G-7-203, as last amended by Laws of Utah 2019, Chapter 293

38 63I-2-253, as last amended by Laws of Utah 2021, First Special Session, Chapter 14

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

41 Section 1. Section 35A-15-102 is amended to read:

42 **35A-15-102. Definitions.**

43 As used in this chapter:

44 (1) "Board" means the School Readiness Board, created in Section 35A-15-201.

45 (2) "Economically disadvantaged" means to be eligible to receive free or reduced price  
46 lunch.

47 (3) "Eligible home-based educational technology provider" means a provider that  
48 offers a home-based educational technology program to develop the school readiness skills of  
49 an eligible student.

50 (4) (a) "Eligible LEA" means an LEA that has a data system capacity to collect  
51 longitudinal academic outcome data, including special education use by student, by identifying  
52 each student with a statewide unique student identifier.

53 (b) "Eligible LEA" includes a program exempt from licensure under Subsection  
54 26-39-403(2)(c).

55 (5) (a) "Eligible private provider" means a child care program that:

56 (i) is licensed under Title 26, Chapter 39, Utah Child Care Licensing Act; or

57 (ii) except as provided in Subsection (5)(b)(ii), is exempt from licensure under Section  
58 26-39-403.

- 59 (b) "Eligible private provider" does not include:
- 60 (i) residential child care, as defined in Section [26-39-102](#); or
- 61 (ii) a program exempt from licensure under Subsection [26-39-403\(2\)\(c\)](#).
- 62 (6) "Eligible student" means a student:
- 63 (a) (i) who is age three, four, or five; and
- 64 (ii) is not eligible for enrollment under Subsection [53G-4-402\(6\)](#); and
- 65 (b) (i) (A) who is economically disadvantaged; and
- 66 (B) whose parent or legal guardian reports that the student has experienced at least one
- 67 risk factor; or
- 68 (ii) is an English learner.
- 69 (7) "Evaluation" means an evaluation conducted in accordance with Section
- 70 [35A-15-303](#).
- 71 (8) "High quality school readiness program" means a preschool program that:
- 72 (a) is provided by an eligible LEA, eligible private provider, or eligible home-based
- 73 educational technology provider; and
- 74 (b) meets the elements of a high quality school readiness program described in Section
- 75 [35A-15-202](#).
- 76 (9) "Investor" means a person that enters into a results-based contract to provide
- 77 funding to a high quality school readiness program on the condition that the person will receive
- 78 payment in accordance with Section [35A-15-402](#) if the high quality school readiness program
- 79 meets the performance outcome measures included in the results-based contract.
- 80 (10) "Kindergarten assessment" means the kindergarten entry assessment described in
- 81 Section [~~[53F-2-507](#)~~] [53G-7-203](#).
- 82 (11) "Kindergarten transition plan" means a plan that supports the smooth transition of
- 83 a preschool student to kindergarten and includes communication and alignment among the
- 84 preschool, program, parents, and K-12 personnel.
- 85 (12) "Local Education Agency" or "LEA" means a school district or charter school.
- 86 (13) "Performance outcome measure" means:
- 87 (a) indicators, as determined by the board, on the school readiness assessment and the
- 88 kindergarten assessment; or
- 89 (b) for a results-based contract, the indicators included in the contract.

90 (14) "Results-based contract" means a contract that:  
91 (a) is entered into in accordance with Section 35A-15-402;  
92 (b) includes a performance outcome measure; and  
93 (c) is between the board, a provider of a high quality school readiness program, and an  
94 investor.

95 (15) "Risk factor" means:  
96 (a) having a mother who was 18 years old or younger when the child was born;  
97 (b) a member of a child's household is incarcerated;  
98 (c) living in a neighborhood with high violence or crime;  
99 (d) having one or both parents with a low reading ability;  
100 (e) moving at least once in the past year;  
101 (f) having ever been in foster care;  
102 (g) living with multiple families in the same household;  
103 (h) having exposure in a child's home to:  
104 (i) physical abuse or domestic violence;  
105 (ii) substance abuse;  
106 (iii) the death or chronic illness of a parent or sibling; or  
107 (iv) mental illness;  
108 (i) the primary language spoken in a child's home is a language other than English; or  
109 (j) having at least one parent who has not completed high school.

110 (16) "School readiness assessment" means the same as that term is defined in Section  
111 53E-4-314.

112 (17) "Tool" means the tool developed in accordance with Section 35A-15-303.

113 Section 2. Section 53E-4-314 is amended to read:

114 **53E-4-314. School readiness assessment.**

115 (1) As used in this section:

116 (a) "School readiness assessment" means a preschool entry and exit profile that  
117 measures literacy, numeracy, and lifelong learning practices developed in a student.

118 (b) "School readiness program" means a preschool program:

119 (i) in which a student participates in the year before the student is expected to enroll in  
120 kindergarten; and

- 121 (ii) that receives funding under Title 35A, Chapter 15, Preschool Programs.
- 122 (2) The state board shall develop a school readiness assessment that aligns with the
- 123 kindergarten entry and exit assessment described in Section [~~53F-2-507~~] 53G-7-203.
- 124 (3) A school readiness program shall:
- 125 (a) except as provided in Subsection (4), administer to each student who participates in
- 126 the school readiness program the school readiness assessment at the beginning and end of the
- 127 student's participation in the school readiness program; and
- 128 (b) report the results of the assessments described in Subsection (3)(a) or (4) to the
- 129 School Readiness Board created in Section 35A-15-201.
- 130 (4) In place of the assessments described in Subsection (3)(a), a school readiness
- 131 program that is offered through home-based technology may administer to each student who
- 132 participates in the school readiness program:
- 133 (a) a validated computer adaptive pre-assessment at the beginning of the student's
- 134 participation in the school readiness program; and
- 135 (b) a validated computer adaptive post-assessment at the end of the student's
- 136 participation in the school readiness program.
- 137 (5) (a) The following may submit school readiness assessment data to the School
- 138 Readiness Board created in Section 35A-15-201:
- 139 (i) a private child care provider; or
- 140 (ii) an LEA on behalf of a school that is not participating in the High Quality School
- 141 Readiness Grant Program described in Section 35A-15-301.
- 142 (b) If a private child care provider or LEA submits school readiness assessment data to
- 143 the School Readiness Board under Subsection (5)(a), the state board shall include the school
- 144 readiness assessment data in the report described in Subsection 35A-15-303(5).
- 145 Section 3. Section **53E-7-402** is amended to read:
- 146 **53E-7-402. Special Needs Opportunity Scholarship Program.**
- 147 (1) There is established the Special Needs Opportunity Scholarship Program under
- 148 which a parent may apply to a scholarship granting organization on behalf of the parent's
- 149 student for a scholarship to help cover the cost of a scholarship expense.
- 150 (2) A scholarship granting organization shall:
- 151 (a) award, in accordance with this part, scholarships to eligible students; and

152 (b) determine the amount of a scholarship in accordance with Subsection (3).

153 (3) A scholarship granting organization shall determine a full-year scholarship award to  
154 pay for the cost of one or more scholarship expenses in an amount not more than:

155 (a) for an eligible student in grades 1 through 12 with an IEP, whose family income is:

156 (i) at or below 185% of the federal poverty level, the value of the weighted pupil unit  
157 multiplied by 2.5;

158 (ii) between 185% and 555% of the federal poverty level, the value of the weighted  
159 pupil unit multiplied by two;

160 (iii) above 555% of the federal poverty level, the value of the weighted pupil unit  
161 multiplied by 1.5;

162 (b) for a fiscal year beginning before July 1, 2024:

163 [~~(b)~~] (i) for an eligible student in grades 1 through 12 who does not have an IEP, the  
164 value of the weighted pupil unit;

165 [~~(c)~~] (ii) for an eligible student in kindergarten with an IEP, the value of the weighted  
166 pupil unit; or

167 [~~(d)~~] (iii) for an eligible student in kindergarten who does not have an IEP, half the  
168 value of the weighted pupil unit~~[-];~~ or

169 (c) for a fiscal year beginning after July 1, 2024, for an eligible student in kindergarten  
170 or grades 1 through 12, the value of the weighted pupil unit.

171 (4) The state board shall prepare and disseminate to a scholarship granting organization  
172 for distribution to a parent applying for a scholarship on behalf of a student:

173 (a) information on the program; and

174 (b) information on how a parent may enroll the parent's child in a public school.

175 (5) A scholarship granting organization shall distribute the information described in  
176 Subsection (4) to a parent who applies to the scholarship granting organization for a  
177 scholarship on behalf of the parent's student.

178 Section 4. Section **53F-2-302** is amended to read:

179 **53F-2-302. Determination of weighted pupil units.**

180 (1) The number of weighted pupil units in the Minimum School Program for each year  
181 is the total of the units for each school district and, subject to Subsection [~~(4)~~] (5), charter  
182 school, determined ~~[as follows:]~~ in accordance with this section.

183           ~~[(1)]~~ (2) The number of units is computed by adding the average daily membership of  
184 all pupils of the school district or charter school attending schools, other than kindergarten and  
185 self-contained classes for children with a disability.

186           ~~[(2)]~~ (3) (a) The number of units is computed by:

187           (i) for a fiscal year beginning before July 1, 2024, adding the average daily membership  
188 of all pupils of the school district or charter school enrolled in kindergarten and multiplying the  
189 total by .55~~[-];~~ and

190           (ii) for a fiscal year beginning on or after July 1, 2024, adding the average daily  
191 membership of all pupils of the school district or charter school enrolled in kindergarten.

192           ~~[(a)]~~ (b) In those school districts or charter schools that do not hold kindergarten for a  
193 full nine-month term, the local school board or charter school governing board may approve a  
194 shorter term of nine weeks' duration.

195           ~~[(b)]~~ (c) Upon LEA governing board approval, the number of pupils in average daily  
196 membership at the short-term kindergarten shall be counted for the purpose of determining the  
197 number of units allowed in the same ratio as the number of days the short-term kindergarten is  
198 held, not exceeding nine weeks, compared to the total number of days schools are held in that  
199 school district or charter school in the regular school year.

200           ~~[(3)]~~ (4) (a) The state board shall use prior year plus growth to determine average daily  
201 membership in distributing money under the Minimum School Program where the distribution  
202 is based on kindergarten through grade 12 ADMs or weighted pupil units.

203           (b) Under prior year plus growth, kindergarten through grade 12 average daily  
204 membership for the current year is based on the actual kindergarten through grade 12 average  
205 daily membership for the previous year plus an estimated percentage growth factor.

206           (c) The growth factor is the percentage increase in total average daily membership on  
207 the first school day of October in the current year as compared to the total average daily  
208 membership on the first school day of October of the previous year.

209           ~~[(4)]~~ (5) In distributing funds to charter schools under this section, charter school  
210 pupils shall be weighted, where applicable, as follows:

211           (a) (i) for a fiscal year beginning before July 1, 2024:

212           ~~[(a)]~~ (A) .55 for kindergarten pupils; and

213           ~~[(b)]~~ (B) .9 for pupils in grades 1 through 6; and

214 (ii) for a fiscal year beginning on or after July 1, 2024, .9 for pupils in kindergarten and  
215 grades 1 through 6;

216 [~~e~~] (b) .99 for pupils in grades 7 through 8; and

217 [~~d~~] (c) 1.2 for pupils in grades 9 through 12.

218 [~~5~~] (6) Notwithstanding Subsection [~~3~~] (4)(c):

219 (a) for the 2020-2021 school year the state board may use a count of average daily  
220 membership on any day or days of the current school year in 2020 to calculate a growth factor  
221 for the 2020-2021 school year; and

222 (b) when calculating the growth factor as described in Subsection [~~5~~] (6)(a), the state  
223 board shall comply with all applicable federal requirements.

224 Section 5. Section 53F-2-302.1 is amended to read:

225 **53F-2-302.1. Enrollment Growth Contingency Program.**

226 (1) As used in this section:

227 (a) "Program funds" means money appropriated under the Enrollment Growth  
228 Contingency Program.

229 (b) "Student enrollment count" means the enrollment count on the first school day of  
230 October, as described in Subsection [~~53F-2-302(3)~~] 53F-2-302(4).

231 (2) There is created the Enrollment Growth Contingency Program to mitigate funding  
232 impacts on an LEA resulting from student enrollment irregularities during fiscal years 2021  
233 and 2022.

234 (3) Subject to legislative appropriations, the state board, in consultation with the Office  
235 of the Legislative Fiscal Analyst and the Governor's Office of Planning and Budget, shall use  
236 program funds to:

237 (a) for fiscal years 2021 and 2022 and for an LEA that has declining enrollment, pay  
238 costs associated with Subsection [~~53F-2-302(3)~~] 53F-2-302(4) to hold LEA funding  
239 distributions at the prior year's average daily membership; and

240 (b) for fiscal year 2022, fund ongoing impacts of student enrollment changes in the  
241 2021-2022 academic year, including:

242 (i) assigning additional weighted pupil units to an LEA experiencing a net growth in  
243 weighted pupil units over the fiscal year 2022 base allocations associated with student  
244 enrollment increases following the student enrollment count;



245 (ii) at the request of an LEA that experienced a significant decline in student  
246 enrollment during the 2020-2021 academic year, pre-fund significantly higher anticipated  
247 student enrollment growth before the student enrollment count; and

248 (iii) with any remaining weighted pupil units, pay other weighted pupil unit related  
249 costs in accordance with Section [53F-2-205](#).

250 (4) If the state board pre-funds anticipated student enrollment growth under Subsection  
251 (3)(b)(ii), the state board shall:

252 (a) verify the LEA's enrollment after the student enrollment count; and

253 (b) balance funds as necessary based on the actual increase in student enrollment.

254 Section 6. Section **53F-2-507** is amended to read:

255 **53F-2-507. Enhanced kindergarten early intervention program.**

256 (1) The state board shall, as described in Subsection (4), distribute funds appropriated  
257 under this section for an enhanced kindergarten program described in Subsection (2), to school  
258 districts and charter schools that apply for the funds.

259 (2) An LEA governing board shall use funds appropriated in this section for a school  
260 district or charter school to offer an early intervention program, delivered through an enhanced  
261 kindergarten program that:

262 (a) is an academic program focused on building age-appropriate literacy and numeracy  
263 skills;

264 (b) uses an evidence-based early intervention model;

265 (c) is targeted to at-risk students; and

266 (d) is delivered through additional hours or other means.

267 (3) An LEA governing board may not require a student to participate in an enhanced  
268 kindergarten program described in Subsection (2).

269 (4) [~~Subject to Subsection (6), the~~] The state board shall distribute funds appropriated  
270 under this section for an enhanced kindergarten program described in Subsection (2) as  
271 follows:

272 (a) (i) the total allocation for charter schools shall be calculated by:

273 (A) dividing the number of charter school students by the total number of students in  
274 the public education system in the prior school year; and

275 (B) multiplying the resulting percentage by the total amount of available funds; and

276 (ii) the amount calculated under Subsection (4)(a) shall be distributed to charter  
277 schools with the greatest need for an enhanced kindergarten program, as determined by the  
278 state board in consultation with the State Charter School Board;

279 (b) each school district shall receive the amount calculated by:

280 (i) multiplying the value of the weighted pupil unit by 0.45; and

281 (ii) multiplying the result by 20; and

282 (c) the remaining funds, after the allocations described in Subsections (4)(a) and (4)(b)  
283 are made, shall be distributed to applicant school districts by:

284 (i) determining the number of students eligible to receive free lunch in the prior school  
285 year for each school district; and

286 (ii) prorating the remaining funds based on the number of students eligible to receive  
287 free lunch in each school district.

288 [~~(5)(a) The state board shall:~~]

289 [~~(i) develop and collect data from kindergarten entry and exit assessments; and]~~

290 [~~(ii) make rules regarding the administration of and reporting regarding the  
291 assessments.]~~

292 [~~(b) An LEA shall administer the entry and exit assessments described in Subsection  
293 (5)(a) to each kindergarten student.]~~

294 [~~(6) For an LEA that receives funds under Subsection (4):]~~

295 [~~(a) the LEA shall report to the state board the results of the entry and exit assessments  
296 described in Subsection (5)(a) in relation to each kindergarten student in the LEA; and]~~

297 [~~(b) the LEA is not eligible for subsequent distributions under Subsection (4) unless  
298 the results of the entry and exit assessments demonstrate successful outcomes of the LEA's  
299 enhanced kindergarten program, as determined by the board.]~~

300 Section 7. Section **53F-4-304** is amended to read:

301 **53F-4-304. Scholarship payments.**

302 (1) (a) The state board shall award scholarships subject to the availability of money  
303 appropriated by the Legislature for that purpose.

304 (b) The Legislature shall annually appropriate money to the state board from the  
305 General Fund to make scholarship payments.

306 (c) The Legislature shall annually increase the amount of money appropriated under

307 Subsection (1)(b) by an amount equal to the product of:

308 (i) the average scholarship amount awarded as of December 1 in the previous year; and

309 (ii) the product of:

310 (A) the number of students in preschool through grade 12 in public schools statewide

311 who have an IEP on December 1 of the previous year; and

312 (B) 0.0007.

313 (d) If the number of scholarship students as of December 1 in any school year equals or

314 exceeds 7% of the number of students in preschool through grade 12 in public schools

315 statewide who have an IEP as of December 1 in the same school year, the Public Education

316 Appropriations Subcommittee shall study the requirement to increase appropriations for

317 scholarship payments as provided in this section.

318 (e) (i) If money is not available to pay for all scholarships requested, the state board

319 shall allocate scholarships on a random basis except that the state board shall give preference to

320 students who received scholarships in the previous school year.

321 (ii) If money is insufficient in a school year to pay for all the continuing scholarships,

322 the state board may not award new scholarships during that school year and the state board

323 shall prorate money available for scholarships among the eligible students who received

324 scholarships in the previous year.

325 (2) Except as provided in Subsection (4), the state board shall award full-year

326 scholarships in the following amounts:

327 (a) for a student who received an average of 180 minutes per day or more of special

328 education services in a public school before transferring to a private school, an amount not to

329 exceed the lesser of:

330 (i) the value of the weighted pupil unit multiplied by 2.5; or

331 (ii) the private school tuition and fees; and

332 (b) for a student who received an average of less than 180 minutes per day of special

333 education services in a public school before transferring to a private school, an amount not to

334 exceed the lesser of:

335 (i) the value of the weighted pupil unit multiplied by 1.5; or

336 (ii) the private school tuition and fees.

337 (3) The scholarship amount for a student enrolled in a half-day kindergarten during a

338 fiscal year beginning on or after July 1, 2024, or a part-day preschool program, shall be the  
339 amount specified in Subsection (2)(a) or (b) multiplied by .55.

340 (4) If a student leaves a private school before the end of a fiscal quarter:

341 (a) the private school is only entitled to the amount of scholarship equivalent to the  
342 number of days that the student attended the private school; and

343 (b) the private school shall remit a prorated amount of the scholarship to the state board  
344 in accordance with the procedures described in rules adopted by the state board in accordance  
345 with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

346 (5) For the amount of funds remitted under Subsection (4)(b), the state board shall:

347 (a) make the amount available to the student to enroll immediately in another  
348 qualifying private school; or

349 (b) refund the amount back to the Carson Smith Scholarship Program account to be  
350 available to support the costs of another scholarship.

351 (6) (a) The state board shall make an additional allocation on a random basis before  
352 June 30 each year only:

353 (i) if there are sufficient remaining funds in the program; and

354 (ii) for scholarships for students enrolled in a full-day preschool program.

355 (b) If the state board awards a scholarship under Subsection (6)(a), the scholarship  
356 amount or supplement may not exceed the lesser of:

357 (i) the value of the weighted pupil unit multiplied by 1.0; or

358 (ii) the private school tuition and fees.

359 (c) The state board shall, when preparing annual growth projection numbers for the  
360 Legislature, include the annual number of applications for additional allocations described in  
361 Subsection (6)(a).

362 (7) (a) The scholarship amount for a student who receives a waiver under Subsection  
363 [53F-4-302\(3\)](#) shall be based upon the assessment team's determination of the appropriate level  
364 of special education services to be provided to the student.

365 (b) (i) If the student requires an average of 180 minutes per day or more of special  
366 education services, a full-year scholarship shall be equal to the amount specified in Subsection  
367 (2)(a).

368 (ii) If the student requires less than an average of 180 minutes per day of special

369 education services, a full-year scholarship shall be equal to the amount specified in Subsection  
370 (2)(b).

371 (iii) If the student is enrolled in a half-day kindergarten or part-day preschool program,  
372 a full-year scholarship is equal to the amount specified in Subsection (3).

373 (8) (a) Except as provided in Subsection (8)(b), upon review and receipt of  
374 documentation that verifies a student's admission to, or continuing enrollment and attendance  
375 at, a private school, the state board shall make scholarship payments quarterly in four equal  
376 amounts in each school year in which a scholarship is in force.

377 (b) In accordance with state board rule, made in accordance with Title 63G, Chapter 3,  
378 Utah Administrative Rulemaking Act, the state board may make a scholarship payment before  
379 the first quarterly payment of the school year, if a private school requires partial payment of  
380 tuition before the start of the school year to reserve space for a student admitted to the school.

381 (9) A parent of a scholarship student shall notify the state board if the student does not  
382 have continuing enrollment and attendance at an eligible private school.

383 (10) Before scholarship payments are made, the state board shall cross-check  
384 enrollment lists of scholarship students, LEAs, and youth in custody to ensure that scholarship  
385 payments are not erroneously made.

386 Section 8. Section **53F-4-406** is amended to read:

387 **53F-4-406. Audit and evaluation.**

388 (1) The state auditor shall every three years:

389 (a) conduct an audit of the contractor's use of funds for UPSTART; or

390 (b) contract with an independent certified public accountant to conduct an audit.

391 (2) The state board shall:

392 (a) require by contract that the contractor will open its books and records relating to its  
393 expenditure of funds pursuant to the contract to the state auditor or the state auditor's designee;

394 (b) reimburse the state auditor for the actual and necessary costs of the audit; and

395 (c) contract with an independent, qualified evaluator, selected through a request for  
396 proposals process, to evaluate the home-based educational technology program for preschool  
397 children.

398 (3) The evaluator described in Subsection (2)(c) shall use, among other indicators,  
399 assessment scores from an assessment described in Section [~~53F-2-507~~] 53G-7-203 to evaluate

400 whether the contractor has effectively prepared preschool children for academic success as  
401 described in Section 53F-4-402.

402 (4) Of the money appropriated by the Legislature for UPSTART, excluding funds used  
403 to provide computers, peripheral equipment, and Internet service to families, no more than  
404 7.5% of the appropriation not to exceed \$600,000 may be used for the evaluation and  
405 administration of the program.

406 Section 9. Section 53G-7-203 is amended to read:

407 **53G-7-203. Kindergartens -- Establishment -- Funding -- Assessment.**

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

409 (2) (a) Each ~~[local school]~~ LEA governing board shall provide kindergarten classes  
410 free of charge for kindergarten children:

411 (i) for a school district, residing within the district[-]; or

412 (ii) for a charter school, enrolled in the charter school.

413 (b) Beginning July 1, 2024, each LEA governing board shall provide kindergarten  
414 classes lasting the full school day.

415 (c) Nothing in this Subsection (2):

416 (i) allows an LEA governing board to require a student to participate in a full-day  
417 kindergarten program;

418 (ii) modifies the non-compulsory status of kindergarten under Title 53G, Chapter 6,  
419 Part 2, Compulsory Education; or

420 (iii) requires a student who only attends a half-day of kindergarten to participate in dual  
421 enrollment under Section 53G-6-702.

422 (3) Kindergartens established under Subsection (2) shall receive state money under  
423 Title 53F, Public Education System -- Funding.

424 (4) (a) The state board shall:

425 (i) develop and collect data from kindergarten entry and exit assessments; and

426 (ii) make rules regarding the administration of and reporting regarding the assessments.

427 (b) An LEA shall:

428 (i) administer the entry and exit assessments described in Subsection (4)(a) to each  
429 kindergarten student; and

430 (ii) report to the state board the results of the entry and exit assessments described in

431 Subsection (4)(b)(i) in relation to each kindergarten student in the LEA.

432 (5) The state board shall:

433 (a) establish a standard for the type of class that would constitute a full-day  
434 kindergarten class for purposes of the reporting described in Subsection (5)(b); and

435 (b) require LEAs to report average daily membership for all kindergarten students  
436 under the standard described in Subsection (5)(a) for the 2022-2023 and 2023-2024 school  
437 years with the October 1 data described in Section [53F-2-302](#).

438 Section 10. Section **63I-2-253** is amended to read:

439 **63I-2-253. Repeal dates -- Titles 53 through 53G.**

440 (1) Section [53-1-106.1](#) is repealed January 1, 2022.

441 (2) (a) Section [53-2a-217](#), regarding procurement during an epidemic or pandemic  
442 emergency, is repealed on December 31, 2021.

443 (b) When repealing Section [53-2a-217](#), the Office of Legislative Research and General  
444 Counsel shall, in addition to the office's authority under Subsection [36-12-12\(3\)](#), make  
445 necessary changes to subsection numbering and cross references.

446 (3) Section [53-2a-219](#), in relation to termination of emergency powers pertaining to  
447 COVID-19, is repealed on July 1, 2021.

448 (4) (a) Subsection [53B-2a-108\(5\)](#), regarding exceptions to the composition of a  
449 technical college board of trustees, is repealed July 1, 2022.

450 (b) When repealing Subsection [53B-2a-108\(5\)](#), the Office of Legislative Research and  
451 General Counsel shall, in addition to its authority under Subsection [36-12-12\(3\)](#), make  
452 necessary changes to subsection numbering and cross references.

453 (5) Section [53B-6-105.7](#) is repealed July 1, 2024.

454 (6) (a) Subsection [53B-7-705\(6\)\(b\)\(iii\)\(A\)](#), the language that states "Except as  
455 provided in Subsection (6)(b)(iii)(B)," is repealed July 1, 2021.

456 (b) Subsection [53B-7-705\(6\)\(b\)\(iii\)\(B\)](#), regarding comparing a technical college's  
457 change in performance with the technical college's average performance, is repealed July 1,  
458 2021.

459 (7) (a) Subsection [53B-7-707\(3\)\(a\)\(ii\)](#), the language that states "Except as provided in  
460 Subsection (3)(b)," is repealed July 1, 2021.

461 (b) Subsection [53B-7-707\(3\)\(b\)](#), regarding performance data of a technical college

462 during a fiscal year before fiscal year 2020, is repealed July 1, 2021.

463 (8) Section [53B-7-707](#) regarding performance metrics for technical colleges is repealed  
464 July 1, 2023.

465 (9) Section [53B-8-114](#) is repealed July 1, 2024.

466 (10) The following sections, regarding the Regents' scholarship program, are repealed  
467 on July 1, 2023:

468 (a) Section [53B-8-202](#);

469 (b) Section [53B-8-203](#);

470 (c) Section [53B-8-204](#); and

471 (d) Section [53B-8-205](#).

472 (11) Section [53B-10-101](#) is repealed on July 1, 2027.

473 (12) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project, is  
474 repealed July 1, 2023.

475 (13) Section [53E-1-202.2](#), regarding a Public Education Appropriations Subcommittee  
476 evaluation and recommendations, is repealed January 1, 2024.

477 (14) Section [53E-3-520](#) is repealed July 1, 2021.

478 (15) Subsection [53E-10-309\(7\)](#), related to the PRIME pilot program, is repealed July 1,  
479 2024.

480 (16) In Subsections [53F-2-205\(4\)](#) and (5), regarding the State Board of Education's  
481 duties if contributions from the minimum basic tax rate are overestimated or underestimated,  
482 the language that states "or [53F-2-301.5](#), as applicable" is repealed July 1, 2023.

483 (17) Section [53F-2-209](#), regarding local education agency budgetary flexibility, is  
484 repealed July 1, 2024.

485 (18) Subsection [53F-2-301\(1\)](#), relating to the years the section is not in effect, is  
486 repealed July 1, 2023.

487 (19) Section [53F-2-302.1](#), regarding the Enrollment Growth Contingency Program, is  
488 repealed July 1, 2023.

489 (20) Subsection [53F-2-314\(4\)](#), relating to a one-time expenditure between the at-risk  
490 WPU add-on funding and previous at-risk funding, is repealed January 1, 2024.

491 (21) Section [53F-2-418](#), regarding the Supplemental Educator COVID-19 Stipend, is  
492 repealed January 1, 2022.



493            (22) Section [53F-2-507](#), regarding an optional enhanced kindergarten intervention  
494 program, is repealed July 1, 2024.

495            [~~(22)~~] (23) In Subsection [53F-2-515](#)(1), the language that states "or [53F-2-301.5](#), as  
496 applicable" is repealed July 1, 2023.

497            [~~(23)~~] (24) Section [53F-4-207](#) is repealed July 1, 2022.

498            [~~(24)~~] (25) Subsection [53F-4-401](#)(3)(b), regarding a child enrolled or eligible for  
499 enrollment in kindergarten, is repealed July 1, 2022.

500            [~~(25)~~] (26) In Subsection [53F-4-404](#)(4)(c), the language that states "Except as provided  
501 in Subsection (4)(d)" is repealed July 1, 2022.

502            [~~(26)~~] (27) Subsection [53F-4-404](#)(4)(d) is repealed July 1, 2022.

503            [~~(27)~~] (28) In Subsection [53F-9-302](#)(3), the language that states "or [53F-2-301.5](#), as  
504 applicable" is repealed July 1, 2023.

505            [~~(28)~~] (29) In Subsection [53F-9-305](#)(3)(a), the language that states "or [53F-2-301.5](#), as  
506 applicable" is repealed July 1, 2023.

507            [~~(29)~~] (30) In Subsection [53F-9-306](#)(3)(a), the language that states "or [53F-2-301.5](#), as  
508 applicable" is repealed July 1, 2023.

509            [~~(30)~~] (31) In Subsection [53G-3-304](#)(1)(c)(i), the language that states "or [53F-2-301.5](#),  
510 as applicable" is repealed July 1, 2023.

511            [~~(31)~~] (32) Subsections [53G-10-204](#)(1)(c) through (e), and Subsection [53G-10-204](#)(6),  
512 related to the civics engagement pilot program, are repealed on July 1, 2023.

513            [~~(32)~~] (33) On July 1, 2023, when making changes in this section, the Office of  
514 Legislative Research and General Counsel shall, in addition to the office's authority under  
515 Subsection [36-12-12](#)(3), make corrections necessary to ensure that sections and subsections  
516 identified in this section are complete sentences and accurately reflect the office's perception of  
517 the Legislature's intent.