

Representative Steve Waldrip proposes the following substitute bill:

FULL-DAY KINDERGARTEN

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Steve Waldrip

Senate Sponsor: _____

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:

This bill appropriates in fiscal year 2023:

- ▶ to the Minimum School Program - Related to Basic School Programs:



- 26 • From the Uniform School Fund, \$47,735,300; and
- 27 • From the Uniform School Fund, One-time, (\$24,735,300).

28 **Other Special Clauses:**

29 None

30 **Utah Code Sections Affected:**

31 AMENDS:

- 32 **35A-15-102**, as last amended by Laws of Utah 2020, Chapter 171
- 33 **53E-4-314**, as last amended by Laws of Utah 2020, Chapter 171
- 34 **53E-7-402**, as enacted by Laws of Utah 2020, Fourth Special Session, Chapter 3
- 35 **53F-2-302**, as last amended by Laws of Utah 2020, Sixth Special Session, Chapter 9
- 36 **53F-2-302.1**, as enacted by Laws of Utah 2021, Chapter 6
- 37 **53F-2-507**, as last amended by Laws of Utah 2020, Chapter 171
- 38 **53F-4-304**, as last amended by Laws of Utah 2020, Chapter 408
- 39 **53F-4-406**, as last amended by Laws of Utah 2020, Chapter 171
- 40 **53G-7-203**, as last amended by Laws of Utah 2019, Chapter 293
- 41 **63I-2-253**, as last amended by Laws of Utah 2021, First Special Session, Chapter 14



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

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

45 **35A-15-102. Definitions.**

46 As used in this chapter:

- 47 (1) "Board" means the School Readiness Board, created in Section **35A-15-201**.
- 48 (2) "Economically disadvantaged" means to be eligible to receive free or reduced price
- 49 lunch.
- 50 (3) "Eligible home-based educational technology provider" means a provider that
- 51 offers a home-based educational technology program to develop the school readiness skills of
- 52 an eligible student.
- 53 (4) (a) "Eligible LEA" means an LEA that has a data system capacity to collect
- 54 longitudinal academic outcome data, including special education use by student, by identifying
- 55 each student with a statewide unique student identifier.
- 56 (b) "Eligible LEA" includes a program exempt from licensure under Subsection

57 [26-39-403\(2\)\(c\)](#).

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

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

60 (ii) except as provided in Subsection (5)(b)(ii), is exempt from licensure under Section

61 [26-39-403](#).

62 (b) "Eligible private provider" does not include:

63 (i) residential child care, as defined in Section [26-39-102](#); or

64 (ii) a program exempt from licensure under Subsection [26-39-403\(2\)\(c\)](#).

65 (6) "Eligible student" means a student:

66 (a) (i) who is age three, four, or five; and

67 (ii) is not eligible for enrollment under Subsection [53G-4-402\(6\)](#); and

68 (b) (i) (A) who is economically disadvantaged; and

69 (B) whose parent or legal guardian reports that the student has experienced at least one

70 risk factor; or

71 (ii) is an English learner.

72 (7) "Evaluation" means an evaluation conducted in accordance with Section

73 [35A-15-303](#).

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

75 (a) is provided by an eligible LEA, eligible private provider, or eligible home-based
76 educational technology provider; and

77 (b) meets the elements of a high quality school readiness program described in Section

78 [35A-15-202](#).

79 (9) "Investor" means a person that enters into a results-based contract to provide

80 funding to a high quality school readiness program on the condition that the person will receive

81 payment in accordance with Section [35A-15-402](#) if the high quality school readiness program

82 meets the performance outcome measures included in the results-based contract.

83 (10) "Kindergarten assessment" means the kindergarten entry assessment described in

84 Section [~~53F-2-507~~] [53G-7-203](#).

85 (11) "Kindergarten transition plan" means a plan that supports the smooth transition of

86 a preschool student to kindergarten and includes communication and alignment among the

87 preschool, program, parents, and K-12 personnel.

- 88 (12) "Local Education Agency" or "LEA" means a school district or charter school.
- 89 (13) "Performance outcome measure" means:
- 90 (a) indicators, as determined by the board, on the school readiness assessment and the
- 91 kindergarten assessment; or
- 92 (b) for a results-based contract, the indicators included in the contract.
- 93 (14) "Results-based contract" means a contract that:
- 94 (a) is entered into in accordance with Section 35A-15-402;
- 95 (b) includes a performance outcome measure; and
- 96 (c) is between the board, a provider of a high quality school readiness program, and an
- 97 investor.
- 98 (15) "Risk factor" means:
- 99 (a) having a mother who was 18 years old or younger when the child was born;
- 100 (b) a member of a child's household is incarcerated;
- 101 (c) living in a neighborhood with high violence or crime;
- 102 (d) having one or both parents with a low reading ability;
- 103 (e) moving at least once in the past year;
- 104 (f) having ever been in foster care;
- 105 (g) living with multiple families in the same household;
- 106 (h) having exposure in a child's home to:
- 107 (i) physical abuse or domestic violence;
- 108 (ii) substance abuse;
- 109 (iii) the death or chronic illness of a parent or sibling; or
- 110 (iv) mental illness;
- 111 (i) the primary language spoken in a child's home is a language other than English; or
- 112 (j) having at least one parent who has not completed high school.
- 113 (16) "School readiness assessment" means the same as that term is defined in Section
- 114 53E-4-314.
- 115 (17) "Tool" means the tool developed in accordance with Section 35A-15-303.
- 116 Section 2. Section 53E-4-314 is amended to read:
- 117 **53E-4-314. School readiness assessment.**
- 118 (1) As used in this section:

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

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

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

124 (ii) that receives funding under Title 35A, Chapter 15, Preschool Programs.

125 (2) The state board shall develop a school readiness assessment that aligns with the
126 kindergarten entry and exit assessment described in Section [53F-2-507] [53G-7-203](#).

127 (3) A school readiness program shall:

128 (a) except as provided in Subsection (4), administer to each student who participates in
129 the school readiness program the school readiness assessment at the beginning and end of the
130 student's participation in the school readiness program; and

131 (b) report the results of the assessments described in Subsection (3)(a) or (4) to the
132 School Readiness Board created in Section [35A-15-201](#).

133 (4) In place of the assessments described in Subsection (3)(a), a school readiness
134 program that is offered through home-based technology may administer to each student who
135 participates in the school readiness program:

136 (a) a validated computer adaptive pre-assessment at the beginning of the student's
137 participation in the school readiness program; and

138 (b) a validated computer adaptive post-assessment at the end of the student's
139 participation in the school readiness program.

140 (5) (a) The following may submit school readiness assessment data to the School
141 Readiness Board created in Section [35A-15-201](#):

142 (i) a private child care provider; or

143 (ii) an LEA on behalf of a school that is not participating in the High Quality School
144 Readiness Grant Program described in Section [35A-15-301](#).

145 (b) If a private child care provider or LEA submits school readiness assessment data to
146 the School Readiness Board under Subsection (5)(a), the state board shall include the school
147 readiness assessment data in the report described in Subsection [35A-15-303](#)(5).

148 Section 3. Section [53E-7-402](#) is amended to read:

149 **[53E-7-402](#). Special Needs Opportunity Scholarship Program.**

150 (1) There is established the Special Needs Opportunity Scholarship Program under
151 which a parent may apply to a scholarship granting organization on behalf of the parent's
152 student for a scholarship to help cover the cost of a scholarship expense.

153 (2) A scholarship granting organization shall:

154 (a) award, in accordance with this part, scholarships to eligible students; and

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

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

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

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

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

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

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

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

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

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

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

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

176 (a) information on the program; and

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

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

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

182 **53F-2-302. Determination of weighted pupil units.**

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

186 [~~(1)~~] (2) The number of units is computed by adding the average daily membership of
187 all pupils of the school district or charter school attending schools, other than kindergarten and
188 self-contained classes for children with a disability.

189 [~~(2)~~] (3) (a) The number of units is computed by:

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

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

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

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

203 [~~(3)~~] (4) (a) The state board shall use prior year plus growth to determine average daily
204 membership in distributing money under the Minimum School Program where the distribution
205 is based on kindergarten through grade 12 ADMs or weighted pupil units.

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

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

212 ~~[(4)]~~ (5) In distributing funds to charter schools under this section, charter school
213 pupils shall be weighted, where applicable, as follows:
214 (a) (i) for a fiscal year beginning before July 1, 2024:
215 ~~[(a)]~~ (A) .55 for kindergarten pupils; and
216 ~~[(b)]~~ (B) .9 for pupils in grades 1 through 6; and
217 (ii) for a fiscal year beginning on or after July 1, 2024, .9 for pupils in kindergarten and
218 grades 1 through 6;
219 ~~[(c)]~~ (b) .99 for pupils in grades 7 through 8; and
220 ~~[(d)]~~ (c) 1.2 for pupils in grades 9 through 12.
221 ~~[(5)]~~ (6) Notwithstanding Subsection ~~[(3)]~~ (4)(c):
222 (a) for the 2020-2021 school year the state board may use a count of average daily
223 membership on any day or days of the current school year in 2020 to calculate a growth factor
224 for the 2020-2021 school year; and
225 (b) when calculating the growth factor as described in Subsection ~~[(5)]~~ (6)(a), the state
226 board shall comply with all applicable federal requirements.
227 Section 5. Section **53F-2-302.1** is amended to read:
228 **53F-2-302.1. Enrollment Growth Contingency Program.**
229 (1) As used in this section:
230 (a) "Program funds" means money appropriated under the Enrollment Growth
231 Contingency Program.
232 (b) "Student enrollment count" means the enrollment count on the first school day of
233 October, as described in Subsection ~~[53F-2-302(3)]~~ 53F-2-302(4).
234 (2) There is created the Enrollment Growth Contingency Program to mitigate funding
235 impacts on an LEA resulting from student enrollment irregularities during fiscal years 2021
236 and 2022.
237 (3) Subject to legislative appropriations, the state board, in consultation with the Office
238 of the Legislative Fiscal Analyst and the Governor's Office of Planning and Budget, shall use
239 program funds to:
240 (a) for fiscal years 2021 and 2022 and for an LEA that has declining enrollment, pay
241 costs associated with Subsection ~~[53F-2-302(3)]~~ 53F-2-302(4) to hold LEA funding
242 distributions at the prior year's average daily membership; and

243 (b) for fiscal year 2022, fund ongoing impacts of student enrollment changes in the
244 2021-2022 academic year, including:

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

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

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

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

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

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

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

258 **53F-2-507. Enhanced kindergarten early intervention program.**

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

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

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

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

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

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

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

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

274 follows:

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

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

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

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

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

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

284 (ii) multiplying the result by 20; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

309 (c) The Legislature shall annually increase the amount of money appropriated under
310 Subsection (1)(b) by an amount equal to the product of:

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

312 (ii) the product of:

313 (A) the number of students in preschool through grade 12 in public schools statewide
314 who have an IEP on December 1 of the previous year; and

315 (B) 0.0007.

316 (d) If the number of scholarship students as of December 1 in any school year equals or
317 exceeds 7% of the number of students in preschool through grade 12 in public schools
318 statewide who have an IEP as of December 1 in the same school year, the Public Education
319 Appropriations Subcommittee shall study the requirement to increase appropriations for
320 scholarship payments as provided in this section.

321 (e) (i) If money is not available to pay for all scholarships requested, the state board
322 shall allocate scholarships on a random basis except that the state board shall give preference to
323 students who received scholarships in the previous school year.

324 (ii) If money is insufficient in a school year to pay for all the continuing scholarships,
325 the state board may not award new scholarships during that school year and the state board
326 shall prorate money available for scholarships among the eligible students who received
327 scholarships in the previous year.

328 (2) Except as provided in Subsection (4), the state board shall award full-year
329 scholarships in the following amounts:

330 (a) for a student who received an average of 180 minutes per day or more of special
331 education services in a public school before transferring to a private school, an amount not to
332 exceed the lesser of:

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

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

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

336 education services in a public school before transferring to a private school, an amount not to
337 exceed the lesser of:

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

339 (ii) the private school tuition and fees.

340 (3) The scholarship amount for a student enrolled in a half-day kindergarten during a
341 fiscal year beginning on or after July 1, 2024, or a part-day preschool program, shall be the
342 amount specified in Subsection (2)(a) or (b) multiplied by .55.

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

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

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

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

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

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

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

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

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

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

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

361 (ii) the private school tuition and fees.

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

365 (7) (a) The scholarship amount for a student who receives a waiver under Subsection
366 [53F-4-302\(3\)](#) shall be based upon the assessment team's determination of the appropriate level

367 of special education services to be provided to the student.

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

371 (ii) If the student requires less than an average of 180 minutes per day of special
372 education services, a full-year scholarship shall be equal to the amount specified in Subsection
373 (2)(b).

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

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

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

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

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

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

390 **53F-4-406. Audit and evaluation.**

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

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

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

394 (2) The state board shall:

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

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

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

401 (3) The evaluator described in Subsection (2)(c) shall use, among other indicators,
402 assessment scores from an assessment described in Section [~~53F-2-507~~] 53G-7-203 to evaluate
403 whether the contractor has effectively prepared preschool children for academic success as
404 described in Section 53F-4-402.

405 (4) Of the money appropriated by the Legislature for UPSTART, excluding funds used
406 to provide computers, peripheral equipment, and Internet service to families, no more than
407 7.5% of the appropriation not to exceed \$600,000 may be used for the evaluation and
408 administration of the program.

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

410 **53G-7-203. Kindergartens -- Establishment -- Funding -- Assessment.**

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

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

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

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

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

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

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

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

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

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

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

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

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

430 (b) An LEA shall:

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

433 (ii) report to the state board the results of the entry and exit assessments described in
434 Subsection (4)(b)(i) in relation to each kindergarten student in the LEA.

435 (5) The state board shall:

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

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

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

442 **63I-2-253. Repeal dates -- Titles 53 through 53G.**

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

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

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

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

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

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

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

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

459 (b) Subsection [53B-7-705\(6\)\(b\)\(iii\)\(B\)](#), regarding comparing a technical college's

460 change in performance with the technical college's average performance, is repealed July 1,
461 2021.

462 (7) (a) Subsection 53B-7-707(3)(a)(ii), the language that states "Except as provided in
463 Subsection (3)(b)," is repealed July 1, 2021.

464 (b) Subsection 53B-7-707(3)(b), regarding performance data of a technical college
465 during a fiscal year before fiscal year 2020, is repealed July 1, 2021.

466 (8) Section 53B-7-707 regarding performance metrics for technical colleges is repealed
467 July 1, 2023.

468 (9) Section 53B-8-114 is repealed July 1, 2024.

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

471 (a) Section 53B-8-202;

472 (b) Section 53B-8-203;

473 (c) Section 53B-8-204; and

474 (d) Section 53B-8-205.

475 (11) Section 53B-10-101 is repealed on July 1, 2027.

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

478 (13) Section 53E-1-202.2, regarding a Public Education Appropriations Subcommittee
479 evaluation and recommendations, is repealed January 1, 2024.

480 (14) Section 53E-3-520 is repealed July 1, 2021.

481 (15) Subsection 53E-10-309(7), related to the PRIME pilot program, is repealed July 1,
482 2024.

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

486 (17) Section 53F-2-209, regarding local education agency budgetary flexibility, is
487 repealed July 1, 2024.

488 (18) Subsection 53F-2-301(1), relating to the years the section is not in effect, is
489 repealed July 1, 2023.

490 (19) Section 53F-2-302.1, regarding the Enrollment Growth Contingency Program, is

491 repealed July 1, 2023.

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

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

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

498 [~~(22)~~] (23) In Subsection [53F-2-515\(1\)](#), the language that states "or [53F-2-301.5](#), as
499 applicable" is repealed July 1, 2023.

500 [~~(23)~~] (24) Section [53F-4-207](#) is repealed July 1, 2022.

501 [~~(24)~~] (25) Subsection [53F-4-401\(3\)\(b\)](#), regarding a child enrolled or eligible for
502 enrollment in kindergarten, is repealed July 1, 2022.

503 [~~(25)~~] (26) In Subsection [53F-4-404\(4\)\(c\)](#), the language that states "Except as provided
504 in Subsection (4)(d)" is repealed July 1, 2022.

505 [~~(26)~~] (27) Subsection [53F-4-404\(4\)\(d\)](#) is repealed July 1, 2022.

506 [~~(27)~~] (28) In Subsection [53F-9-302\(3\)](#), the language that states "or [53F-2-301.5](#), as
507 applicable" is repealed July 1, 2023.

508 [~~(28)~~] (29) In Subsection [53F-9-305\(3\)\(a\)](#), the language that states "or [53F-2-301.5](#), as
509 applicable" is repealed July 1, 2023.

510 [~~(29)~~] (30) In Subsection [53F-9-306\(3\)\(a\)](#), the language that states "or [53F-2-301.5](#), as
511 applicable" is repealed July 1, 2023.

512 [~~(30)~~] (31) In Subsection [53G-3-304\(1\)\(c\)\(i\)](#), the language that states "or [53F-2-301.5](#),
513 as applicable" is repealed July 1, 2023.

514 [~~(31)~~] (32) Subsections [53G-10-204\(1\)\(c\)](#) through (e), and Subsection [53G-10-204\(6\)](#),
515 related to the civics engagement pilot program, are repealed on July 1, 2023.

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

521 Section 11. **Appropriation.**

