

26 participate in the program;

27       ▶ provides for an existing contract between the State Board of Education and a  
28 contractor to be transferred to the office;

29 ~~Ĥ→ [→ provides for existing program funds to be used for outreach to identify families to~~  
30 ~~participate in the program;]~~ ←Ĥ

31       ▶ requires the Department of Workforce Services to provide data requested by the  
32 office to assist in identifying families for the program;

33       ▶ requires the office to determine costs associated with the program, including:

34           • implementing campaigns and referrals to solicit families to participate in the  
35 program; and

36           • technology costs;

37       ▶ amends audit reporting requirements; and

38       ▶ makes technical and conforming changes.

39 **Money Appropriated in this Bill:**

40       None

41 **Other Special Clauses:**

42       None

43 **Utah Code Sections Affected:**

44 AMENDS:

45       **35A-15-202**, as last amended by Laws of Utah 2022, Chapter 348

46       **53E-1-201**, as last amended by Laws of Utah 2022, Chapters 147, 229, 274, 285, 291,  
47 354, and 461

48       **53E-4-308**, as last amended by Laws of Utah 2022, Chapter 461

49       **63I-2-253**, as last amended by Laws of Utah 2022, Chapters 208, 229, 274, 354, 370,  
50 and 409

51 RENUMBERS AND AMENDS:

52       **63N-20-101**, (Renumbered from 53F-4-401, as last amended by Laws of Utah 2022,  
53 Chapter 316)

54       **63N-20-102**, (Renumbered from 53F-4-402, as last amended by Laws of Utah 2019,  
55 Chapters 186, 342)

56       **63N-20-103**, (Renumbered from 53F-4-403, as last amended by Laws of Utah 2019,

460 (v) the applicant's interview; and  
 461 (7) In evaluating a competitive procurement under Subsection (6), the office may not  
 462 subdivide a standard or criteria described in Subsection (4) or (6), including an item related to  
 463 cost, to require information not required under this chapter.

464 Section 7. Section **63N-20-103**, which is renumbered from Section 53F-4-403 is  
 465 renumbered and amended to read:

466 ~~[53F-4-403].~~ **63N-20-103. School district participation in UPSTART.**

467 (1) A school district ~~[may participate in UPSTART if the local school board agrees, or~~  
 468 ~~a] shall ensure that UPSTART is available to all schools within the school district.~~

469 (2) A public or a private preschool provider may participate in UPSTART if the public  
 470 or private preschool provider agrees[;] to work in cooperation with the contractor to provide  
 471 administrative and technical support for UPSTART.

472 ~~[(2) A contractor may require a local school board or private preschool provider~~  
 473 ~~participating in UPSTART to enter into an agreement with the contractor to:]~~

474 (3) Each local school board or public or private provider participating in UPSTART  
 475 may enter into an agreement with a contractor to:

- 476 (a) dictate targets for program usage and terms for failure to meet those targets;
- 477 (b) determine data sharing terms; and
- 478 (c) agree to other reasonable terms required for successful implementation.

479 Section 8. Section **63N-20-104**, which is renumbered from Section 53F-4-404 is  
 480 renumbered and amended to read:

481 ~~[53F-4-404].~~ **63N-20-104. Family participation in UPSTART -- Priority**  
 482 **enrollment.**

483 (1) The contractor shall[;], in partnership with the office,  
 484 [(a)] solicit families to participate in UPSTART through a public information  
 485 campaign, outreach programs, and referrals from [participating] local school districts[; and],  
 486 **H→ [the Department of Workforce Services] ←H** , and participating preschool providers.

487 ~~[(b) work with the Department of Workforce Services and the state board to solicit~~  
 488 ~~participation from families of qualifying participants to participate in UPSTART.]~~

489 (2) For purposes of Subsection (1), H→ [upon request from the office] to the extent  
 489a allowed by federal and state privacy laws ←H , the Department of

490 Workforce Services shall **H→ ; ←H H→ [provide the office with necessary data to]**

490a **(a) ←H identify preschool children**

491 and families across the state who may benefit from UPSTART ~~H→~~ ; and  
 491a (b) provide information regarding UPSTART participation to the identified families ←H .

492 [~~(2) Preschool children who participate in UPSTART shall:~~]

493 [~~(a) be from families with diverse socioeconomic and ethnic backgrounds;~~]

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

495 [~~(c) be given preference to participate if the preschool children are qualifying~~  
 496 ~~participants.]~~

497 (3) (a) In a contract entered into with an educational technology provider as described  
 498 in Section [~~53F-4-402~~] 63N-20-102, the [~~state board~~] office shall require the provider to  
 499 prioritize enrollment of [~~qualified~~] participants based on a first come, first served basis.

500 [~~(b) The state board shall provide a list of qualifying schools and qualifying preschools~~  
 501 ~~and other applicable information to the contractor for verification of qualifying participants.]~~

502 [~~(c)~~] (b) The contractor shall annually provide participant information to the [~~state~~  
 503 ~~board~~] office as part of the verification process.

504 [~~(d)~~] (c) A [~~qualifying~~] participant may obtain a computer [~~and~~], a tablet, or other  
 505 electronic or peripheral equipment on loan and receive free Internet service for the duration of  
 506 the [~~qualified~~] participant's participation in UPSTART if the [~~qualifying~~] participant:

507 (i) is eligible to receive free or reduced lunch; and

508 (ii) the [~~qualifying~~] participant participates in UPSTART at home.

509 (4) In a contract with an educational technology provider as described in Section  
 510 63N-20-102, the office shall determine the cost of UPSTART based on the following:

511 (a) a defined recruitment plan to solicit families to participate in UPSTART, including  
 512 through a public information campaign and referrals that prioritize participants who:

513 (i) are eligible for child care subsidies under the Child Care and Development Block  
 514 Grant program, 42 U.S.C. Secs. 9857-9858r;

515 (ii) are eligible for a federally assisted meal program that provides funds to licensed  
 516 child care centers as authorized under Section 53E-3-501; or

517 (iii) meet other criteria based on state need as the office establishes;

518 (b) adaptive software;

519 (c) parent engagement and resources;

520 (d) validated assessment;

521 (e) educational technology, including a computer, a tablet, or other electronic or