

59 ~~[(3) "Eligible home-based educational technology provider" means a provider that~~
60 ~~offers a home-based educational technology program to develop the school readiness skills of~~
61 ~~an eligible student.]~~

62 ~~[(4)] (3) (a) "Eligible LEA" means an LEA that [has a data system capacity to collect]~~
63 ~~collects longitudinal academic outcome data, including special education use by student, by~~
64 ~~identifying each student with a statewide unique student identifier.~~

65 (b) "Eligible LEA" includes a program exempt from licensure under Subsection
66 26B-2-405(2)(e).

67 ~~[(5)] (4) (a) "Eligible private provider" means a child care program that:~~

68 (i) is licensed under Title 26B, Chapter 2, Part 4, Child Care Licensing; or

69 (ii) except as provided in Subsection ~~[(5)(b)(ii)] (4)(b)(ii)~~, is exempt from licensure
70 under Section 26B-2-405.

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

72 (i) residential child care, as defined in Section 26B-2-401; or

73 (ii) a program exempt from licensure under Subsection 26B-2-405(2)(e).

74 ~~[(6)] (5) "Eligible student" means a student:~~

75 (a) (i) who is ~~[age]~~ three, four, or five years old; and

76 (ii) is not eligible for enrollment under Subsection 53G-4-402(8); and

77 (b) (i) ~~[(A)]~~ who is economically disadvantaged; ~~§→ [and] ←§~~

78 ~~[(B)] (ii) whose parent or legal guardian reports that the student has experienced at~~
79 ~~least one risk factor~~ ~~§→ [;]; ←§~~

80 ~~§→ [(ii) is an English learner; or]~~ (iii) is an English learner; or ~~←§~~

81 ~~§→ [(iii) is in foster care.]~~ (iv) has ever been in foster care. ~~←§~~

82 ~~[(7)] (6) "Evaluation" means an evaluation conducted in accordance with Section~~
83 ~~35A-15-303.~~

84 ~~[(8)] (7) "High quality school readiness program" means a preschool program that:~~

85 (a) is provided by an eligible LEA[; or eligible private provider~~[-or eligible~~
86 ~~home-based educational technology provider]~~; and

87 (b) meets the elements of a high quality school readiness program described in Section
88 35A-15-202.

89 ~~[(9)] (8) "Investor" means a person that enters into a results-based contract to provide~~

90 funding to a high quality school readiness program on the condition that the person will receive
91 payment in accordance with Section 35A-15-402 if the high quality school readiness program
92 meets the performance outcome measures included in the results-based contract.

93 ~~[(10) "Kindergarten assessment" means the kindergarten entry assessment described in~~
94 ~~Section 53G-7-203.]~~

95 [(11)] (9) "Kindergarten transition plan" means a plan that supports the smooth
96 transition of a preschool student to kindergarten and includes communication and alignment
97 among the preschool, program, parents, and K-12 personnel.

98 [(12)] (10) "Local Education Agency" or "LEA" means a school district or charter
99 school.

100 [(13)] (11) "Performance outcome measure" means:

101 (a) indicators, as determined by the ~~[board]~~ department, on the school readiness
102 assessment ~~[and the kindergarten assessment];~~ or

103 (b) for a results-based contract, the indicators included in the contract.

104 [(14)] (12) "Results-based contract" means a contract that:

105 (a) is entered into in accordance with Section 35A-15-402;

106 (b) includes a performance outcome measure; and

107 (c) is between the ~~[board]~~ department, a provider of a high quality school readiness
108 program, and an investor.

109 [(15)] (13) "Risk factor" means:

110 (a) having a mother who was 18 years old or younger when the child was born;

111 (b) a member of a child's household is incarcerated;

112 (c) living in a neighborhood with high violence or crime;

113 (d) having one or both parents with a low reading ability;

114 (e) moving at least once in the past year;

115 ~~[(f) having ever been in foster care;~~

116 ~~[(g) (f) ←\$ living with multiple families in the same household;~~

117 ~~\$(→) [(tr)] (g) ←\$ having exposure in a child's home to:~~

118 (i) physical abuse or domestic violence;

119 (ii) substance abuse;

120 (iii) the death or chronic illness of a parent or sibling; or

121 (iv) mental illness; ~~§~~→ or ←~~§~~
 122 ~~§~~→ [(i) ~~the primary language spoken in a child's home is a language other than English; or~~
 123 ~~— (j) (h) ←§~~ having at least one parent who has not completed high school.

124 [~~(16)~~] (14) "School readiness assessment" means the same as that term is defined in
 125 Section 53E-4-314.

126 (15) "School readiness team" means a team comprised of staff from:

127 (a) the Department of Workforce Services' Office of Child Care that support preschool
 128 and early care programs; and

129 (b) the state board that oversees preschool programs.

130 [~~(17)~~] (16) "State board" means the State Board of Education.

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

132 Section 2. Section **35A-15-202** is amended to read:

133 **Part 2. School Readiness Program**

134 **35A-15-202. Elements of a high quality school readiness program.**

135 [(+) A high quality school readiness program that an eligible LEA or eligible private
 136 provider runs shall include:

137 [(a)] (1) an evidence-based curriculum that is aligned with all of the developmental
 138 domains and academic content areas defined in the Utah core standards for preschool that the
 139 [~~State Board of Education~~] state board adopts, and that incorporates:

140 [(i)] (a) intentional and differentiated instruction in whole group, small group, and
 141 child-directed learning; and

142 [(ii)] (b) intentional instruction in key areas of literacy and numeracy, as determined by
 143 the [~~State Board of Education~~] state board, that:

144 [(A)] (i) is teacher led or through a partnership with a contractor as defined in Section
 145 63N-20-101;

146 [(B)] (ii) includes specific literacy and numeracy skills, such as phonological
 147 awareness; and

148 [(C)] (iii) includes provider monitoring and ongoing professional learning and
 149 coaching;

150 [(b)] (2) ongoing, focused, and intensive professional [~~development~~] learning for staff
 151 of the school readiness program;

400 Education] The school readiness team shall:

401 ~~[(a) shall:]~~

402 (i) develop ~~[a tool]~~ tools to determine whether a school readiness program is a high
403 quality school readiness program; ~~[and]~~

404 (ii) establish how ~~§→ [the board will]~~ to ←§ apply the ~~[tool]~~ tools to make a determination
405 described in ~~[Subsection (4)(a)]~~ this Subsection (4); ~~[and]~~

406 (iii) establish how the school readiness team will assess performance outcome
407 measures; and

408 (iv) adopt benchmarks for success on the performance outcome measures for a grant
409 recipient under this section.

410 (b) The department, in consultation with the school readiness team, may adopt rules in
411 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, for purposes of
412 this Subsection (4).

413 (5) (a) A grant recipient that receives a grant award under Section 35A-15-302 shall
414 annually submit to the school readiness team:

415 (i) the number of students served by the preschool, including:

416 (A) the number of students who are eligible students; and

417 (B) the student's demographic area;

418 (ii) student attendance;

419 (iii) the cost per student; and

420 (iv) assessment results, including the school readiness assessment, and other
421 assessments as determined by the school readiness team.

422 (b) The assessment results under Subsection (5)(a)(iv) shall include:

423 (i) student data assessment data and growth scores; and

424 (ii) the observation tool score.

425 (c) If a student growth or observation score is below the benchmark for success
426 established by the school readiness team, the grant recipient shall:

427 (i) §→ [in-year one] after the first year of not meeting the established benchmark ←§ :

428 (A) develop an action plan informed by a data analysis to inform focus improvement
429 efforts; and

430 (B) submit a mid-year report on the progress of improvement efforts to the school

431 readiness team; ~~§~~→ and ←~~§~~

432 (ii) ~~§~~→ [in-year two] after the second year of not meeting the established benchmark

432a ←~~§~~ :

433 (A) develop an action plan informed by a data analysis to inform focus improvement

434 efforts; and

435 (B) submit a monthly report on the progress of improvement efforts to the school

436 readiness team ~~§~~→ [;and] . ←~~§~~

437 ~~§~~→ [(d) If a student growth or observation score is below the benchmark for success

438 established by the school readiness team after year two, the school readiness team shall assign a

439 coach to:

440 —— (i) meet each month with the grant recipient; and

441 —— (ii) provide the grant recipient with feedback and observations for focused

442 improvement.

443 —— (e) If a student growth or observation score does not reach or exceed the benchmark for

444 success established by the school readiness team after three consecutive years, the grant

445 recipient shall no longer be eligible for grant funding.]

445a (d) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the

445b department, in consultation with the school readiness team, may adopt rules to establish

445c eligibility criteria and grant funding priority for a grant recipient who, after three consecutive

445d years, fails to meet the benchmark for success described in Subsection (5)(c). ←~~§~~

446 [(5) (a) The State Board of Education shall annually prepare a report for the Education

447 Interim Committee in accordance with Section 53E-1-201.]

448 [(b) The report described in Subsection (5)(a) shall include a summary of an evaluation

449 and the efficacy of:]

450 [(i) the grant program described in Section 35A-15-301; and]

451 [(ii) the grant program described in Section 35A-15-302, including whether any

452 recipients failed to meet benchmarks for success on performance outcome measures as

453 described in Subsection 35A-15-302(8)(c).]

454 [(6) The board shall report to the Education Interim Committee by November 30, 2020;

455 on benchmarks adopted by the board under Section 35A-15-302.]

456 Section 7. Section **35A-15-401** is amended to read:

457 **35A-15-401. Requirements for a school readiness program to receive funding**

458 **through a results-based contract.**

459 (1) As used in this section:

460 (a) "Participating program operator" means an eligible LEA, ~~[an eligible]~~ a private

461 provider, or ~~[an eligible]~~ a home-based educational technology provider[;] that is a party to a

524 (B) subject to legislative appropriations; and

525 (iv) a provision that the investor is not eligible to receive or view personally
526 identifiable student data of students funded through the results-based contract.

527 (f) The [board] department may not issue a results-based contract if the total
528 outstanding obligations of results-based contracts that include an investor as a party to the
529 contract would exceed \$15,000,000 at any one time.

530 (3) The [board] department shall require an independent evaluation to determine if a
531 school readiness program meets the performance outcome measures included in a results-based
532 contract.

533 (4) If the [board] department enters into a results-based contract, in accordance with
534 Title 63G, Chapter 6a, Utah Procurement Code, the ~~§~~ [board] department ~~§~~ shall select an
534a independent evaluator
535 with experience in evaluating school readiness programs.

536 (5) (a) At the end of each year of a results-based contract after a student funded through
537 a results-based contract completes kindergarten, the independent evaluator shall determine
538 whether the performance outcome measures set in the results-based contract have been met.

539 (b) The [board] department may not pay an investor unless the evaluation described in
540 Subsection (5)(a) determines that the performance outcome measures in the results-based
541 contract have been met.

542 (6) (a) The [board] department shall ensure that a parent or guardian of an eligible
543 student participating in a program funded through a results-based contract has given permission
544 and signed an acknowledgment that the student's data may be shared for research and
545 evaluation purposes, subject to federal law.

546 (b) The [board] department shall maintain documentation of parental permission
547 required in Subsection (6)(a).

548 Section 9. Section **53E-1-201** is amended to read:

549 **53E-1-201. Reports to and action required of the Education Interim Committee.**

550 (1) In accordance with applicable provisions and Section 68-3-14, the following
551 recurring reports are due to the Education Interim Committee:

552 (a) the report described in Section 9-22-109 by the STEM Action Center Board,
553 including the information described in Section 9-22-113 on the status of the computer science
554 initiative and Section 9-22-114 on the Computing Partnerships Grants Program;

617 program;

618 ~~[(j)]~~ (i) the report described in Section 53G-7-503 by the state board regarding fees that
619 LEAs charge during the 2020-2021 school year;

620 ~~[(k)]~~ (j) the reports described in Section 53G-11-304 by the state board regarding
621 proposed rules and results related to educator exit surveys; and

622 ~~[(l)]~~ (k) the report described in Section 26B-5-113 by the Office of Substance Use and
623 Mental Health, the ~~[State Board of Education]~~ state board, and the Department of Health and
624 Human Service regarding recommendations related to Medicaid reimbursement for
625 school-based health services.

626 Section 10. Section **53E-4-314** is amended to read:

627 **53E-4-314. School readiness assessment.**

628 (1) As used in this section:

629 (a) "School readiness assessment" means a preschool ~~[entry and exit profile that~~
630 ~~measures literacy, numeracy, and lifelong learning practices developed in a student]~~ assessment
631 that ~~§→ :~~

631a **(i) measures literacy and numeracy; and**

631b **(ii) beginning with the 2026-2027 school year,** ~~←§~~ measures growth from the beginning of the
631c year to the end of the year.

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

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

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

636 (2) The state board shall ~~[develop]~~ ~~§→~~ **develop or** ~~←§~~ select a school readiness assessment
636a ~~§→ [that aligns with~~
637 ~~the kindergarten entry and exit assessment described in Section 53G-7-203]~~ ~~←§~~ .

638 (3) A school readiness program shall:

639 (a) ~~§→ [except as provided in Subsection (4);]~~ ~~←§~~ administer to each student who
639a participates in

640 the school readiness program the school readiness assessment at the beginning and end of the
641 student's participation in the school readiness program; and

642 (b) report the results of the assessments described in Subsection (3)(a) ~~§→ [or (4)]~~ ~~←§~~ to
642a the

643 ~~[School Readiness Board created in Section 35A-15-201]~~ state board.

644 ~~§→ [(4) In place of the assessments described in Subsection (3)(a), a school readiness~~
645 ~~program that is offered through home-based technology may administer to each student who~~
646 ~~participates in the school readiness program:~~

647 ~~—— (a) a validated computer adaptive pre-assessment at the beginning of the student's~~

648 ~~participation in the school readiness program; and~~

649 ~~——(b) a validated computer adaptive post-assessment at the end of the student's~~

650 ~~participation in the school readiness program.~~

651 ~~——(5)] (4) ←§ A private care provider or an LEA on behalf of a school that is not participating~~

651a ~~in~~

652 ~~the High Quality Readiness Grant Program, as described in Section 35A-15-301 or~~

653 ~~35A-15-302, may submit school readiness assessment data to the state board.~~

654 ~~[(5) (a) The following may submit school readiness assessment data to the School~~

655 ~~Readiness Board created in Section 35A-15-201:]~~

656 ~~[(i) a private child care provider; or]~~

657 ~~[(ii) an LEA on behalf of a school that is not participating in the High Quality School~~

658 ~~Readiness Grant Program described in Section 35A-15-301:]~~

659 ~~[(b) If a private child care provider or LEA submits school readiness assessment data to~~

660 ~~the School Readiness Board under Subsection (5)(a), the state board shall include the school~~

661 ~~readiness assessment data in the report described in Subsection 35A-15-303(5).]~~

662 Section 11. Section **63I-2-253 (Superseded 07/01/24)** is amended to read:

663 **63I-2-253 (Superseded 07/01/24). Repeal dates: Titles 53 through 53G.**

664 (1) Section 53-1-118 is repealed on July 1, 2024.

665 (2) Section 53-1-120 is repealed on July 1, 2024.

666 (3) Section 53-7-109 is repealed on July 1, 2024.

667 (4) Section 53-22-104 is repealed December 31, 2023.

668 (5) Section 53B-6-105.7 is repealed July 1, 2024.

669 (6) Section 53B-7-707 regarding performance metrics for technical colleges is repealed

670 July 1, 2023.

671 (7) Section 53B-8-114 is repealed July 1, 2024.

672 (8) The following provisions, regarding the Regents' scholarship program, are repealed

673 on July 1, 2023:

674 (a) in Subsection 53B-8-105(12), the language that states, "or any scholarship

675 established under Sections 53B-8-202 through 53B-8-205";

676 (b) Section 53B-8-202;

677 (c) Section 53B-8-203;

678 (d) Section 53B-8-204; and

741 WPU add-on funding and previous at-risk funding, is repealed January 1, 2024.

742 (17) Section 53F-2-524, regarding teacher bonuses for extra work assignments, is
743 repealed July 1, 2024.

744 (18) Section 53F-5-221, regarding a management of energy and water pilot program, is
745 repealed July 1, 2028.

746 (19) Section 53F-9-401 is repealed on July 1, 2024.

747 (20) Section 53F-9-403 is repealed on July 1, 2024.

748 (21) On July 1, 2023, when making changes in this section, the Office of Legislative
749 Research and General Counsel shall, in addition to the office's authority under Section
750 36-12-12, make corrections necessary to ensure that sections and subsections identified in this
751 section are complete sentences and accurately reflect the office's perception of the Legislature's
752 intent.

753 Section 13. **Repealer.**

754 This bill repeals:

755 Section 35A-15-201, **Establishment of the School Readiness Board -- Membership**
756 **-- Funding prioritization.**

757 Section 14. **Effective date.**

758 ~~§→ [(1) Except as provided in Subsection (2), this bill takes effect on May 1, 2024.~~

759 ~~———— (2) The actions affecting Section 63I-2-253 (Effective 07/01/24) take effect on July 1,~~

760 ~~2024.] This bill takes effect on July 1, 2024. ←§~~