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**SCHOOL READINESS AMENDMENTS**  
2024 GENERAL SESSION  
STATE OF UTAH  
**Chief Sponsor: Ann Millner**  
House Sponsor: Katy Hall

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**LONG TITLE**

**General Description:**

This bill amends provisions of preschool programs.

**Highlighted Provisions:**

This bill:

- defines terms;
- repeals the School Readiness Board;
- creates a school readiness team comprised of staff from the Department of Workforce Services' Office of Child Care and staff from the state board to fulfill certain duties regarding the school readiness grant programs;
- renames school readiness grant programs;
- prioritizes grant funding between grant programs;
- requires grant recipients to coordinate with UPSTART providers; and
- makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill provides a special effective date.

**Utah Code Sections Affected:**

AMENDS:

- 35A-15-102**, as last amended by Laws of Utah 2023, Chapters 252, 328
- 35A-15-202**, as last amended by Laws of Utah 2023, Chapter 380
- 35A-15-203**, as renumbered and amended by Laws of Utah 2019, Chapter 342
- 35A-15-301**, as renumbered and amended by Laws of Utah 2019, Chapter 342 and last amended by Coordination Clause, Laws of Utah 2019, Chapter 342

28 **35A-15-302**, as last amended by Laws of Utah 2019, Chapter 186 and renumbered and  
 29 amended by Laws of Utah 2019, Chapter 342 and last amended by Coordination Clause, Laws  
 30 of Utah 2019, Chapter 342

31 **35A-15-303**, as enacted by Laws of Utah 2019, Chapter 342 and last amended by  
 32 Coordination Clause, Laws of Utah 2019, Chapter 342

33 **35A-15-401**, as renumbered and amended by Laws of Utah 2019, Chapter 342 and last  
 34 amended by Coordination Clause, Laws of Utah 2019, Chapter 342

35 **35A-15-402**, as last amended by Laws of Utah 2019, Chapter 186 and renumbered and  
 36 amended by Laws of Utah 2019, Chapter 342 and last amended by Coordination Clause, Laws  
 37 of Utah 2019, Chapter 342

38 **53E-1-201**, as last amended by Laws of Utah 2023, Chapters 1, 328 and 380

39 **53E-4-314**, as last amended by Laws of Utah 2022, Chapter 316

40 **63I-2-253 (Superseded 07/01/24)**, as last amended by Laws of Utah 2023, Chapters 7,  
 41 21, 33, 142, 167, 168, 380, 383, and 467

42 **63I-2-253**, as last amended by Laws of Utah 2023, Chapters 7, 21, 33, 142, 167, 168,  
 43 310, 380, 383, and 467

44 REPEALS:

45 **35A-15-201**, as last amended by Laws of Utah 2022, Chapter 461

46

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

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

49 **35A-15-102 . Definitions.**

50 As used in this chapter:

51 [~~(1) "Board" means the School Readiness Board, created in Section 35A-15-201.~~]

52 [~~(2)] (1) "Department" means the Department of Workforce Services.~~

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

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

58 [~~(4)] (3) (a) "Eligible LEA" means an LEA that [has a data system capacity to collect]~~  
 59 collects longitudinal academic outcome data, including special education use by  
 60 student, by identifying each student with a statewide unique student identifier.

61 (b) "Eligible LEA" includes a program exempt from licensure under Subsection

- 62 26B-2-405(2)(e).
- 63 ~~[(5)]~~ (4) (a) "Eligible private provider" means a child care program that:
- 64 (i) is licensed under Title 26B, Chapter 2, Part 4, Child Care Licensing; or
- 65 (ii) except as provided in Subsection ~~[(5)(b)(ii)]~~ (4)(b)(ii), is exempt from licensure
- 66 under Section 26B-2-405.
- 67 (b) "Eligible private provider" does not include:
- 68 (i) residential child care, as defined in Section 26B-2-401; or
- 69 (ii) a program exempt from licensure under Subsection 26B-2-405(2)(e).
- 70 ~~[(6)]~~ (5) "Eligible student" means a student:
- 71 (a) (i) who is ~~[age-]~~three, four, or five years old; and
- 72 (ii) is not eligible for enrollment under Subsection 53G-4-402(8); and
- 73 (b) (i) ~~[(A)]~~ who is economically disadvantaged; ~~[and]~~
- 74 ~~[(B)]~~ (ii) whose parent or legal guardian reports that the student has experienced at
- 75 least one risk factor;
- 76 ~~[(ii)]~~ (iii) is an English learner; or
- 77 ~~[(iii) is in foster care.]~~
- 78 (iv) has ever been in foster care.
- 79 ~~[(7)]~~ (6) "Evaluation" means an evaluation conducted in accordance with Section
- 80 35A-15-303.
- 81 ~~[(8)]~~ (7) "High quality school readiness program" means a preschool program that:
- 82 (a) is provided by an eligible LEA~~[,]~~ or eligible private provider~~[, or eligible~~
- 83 ~~home-based educational technology provider]~~; and
- 84 (b) meets the elements of a high quality school readiness program described in Section
- 85 35A-15-202.
- 86 ~~[(9)]~~ (8) "Investor" means a person that enters into a results-based contract to provide
- 87 funding to a high quality school readiness program on the condition that the person will
- 88 receive payment in accordance with Section 35A-15-402 if the high quality school
- 89 readiness program meets the performance outcome measures included in the
- 90 results-based contract.
- 91 ~~[(10)]~~ "Kindergarten assessment" means the kindergarten entry assessment described in
- 92 ~~Section 53G-7-203.]~~
- 93 ~~[(11)]~~ (9) "Kindergarten transition plan" means a plan that supports the smooth transition of
- 94 a preschool student to kindergarten and includes communication and alignment among
- 95 the preschool, program, parents, and K-12 personnel.

- 96 [(12)] (10) "Local Education Agency" or "LEA" means a school district or charter school.
- 97 [(13)] (11) "Performance outcome measure" means:
- 98 (a) indicators, as determined by the ~~[board]~~ department, on the school readiness
- 99 assessment~~[- and the kindergarten assessment];~~ or
- 100 (b) for a results-based contract, the indicators included in the contract.
- 101 [(14)] (12) "Results-based contract" means a contract that:
- 102 (a) is entered into in accordance with Section 35A-15-402;
- 103 (b) includes a performance outcome measure; and
- 104 (c) is between the ~~[board]~~ department, a provider of a high quality school readiness
- 105 program, and an investor.
- 106 [(15)] (13) "Risk factor" means:
- 107 (a) having a mother who was 18 years old or younger when the child was born;
- 108 (b) a member of a child's household is incarcerated;
- 109 (c) living in a neighborhood with high violence or crime;
- 110 (d) having one or both parents with a low reading ability;
- 111 (e) moving at least once in the past year;
- 112 ~~[(f) having ever been in foster care;]~~
- 113 ~~[(g)]~~ (f) living with multiple families in the same household;
- 114 ~~[(h)]~~ (g) having exposure in a child's home to:
- 115 (i) physical abuse or domestic violence;
- 116 (ii) substance abuse;
- 117 (iii) the death or chronic illness of a parent or sibling; or
- 118 (iv) mental illness; or
- 119 ~~[(i) the primary language spoken in a child's home is a language other than English; or]~~
- 120 ~~[(j)]~~ (h) having at least one parent who has not completed high school.
- 121 [(16)] (14) "School readiness assessment" means the same as that term is defined in Section
- 122 53E-4-314.
- 123 (15) "School readiness team" means a team comprised of staff from:
- 124 (a) the Department of Workforce Services' Office of Child Care that support preschool
- 125 and early care programs; and
- 126 (b) the state board that oversees preschool programs.
- 127 [(17)] (16) "State board" means the State Board of Education.
- 128 (17) "Tool" means the tool developed in accordance with Section 35A-15-303.
- 129 Section 2. Section **35A-15-202** is amended to read:

130

**Part 2. School Readiness Program**

131

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

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[(+)] A high quality school readiness program that an eligible LEA or eligible private

133

provider runs shall include:

134

[(+)] (1) an evidence-based curriculum that is aligned with all of the developmental domains

135

and academic content areas defined in the Utah core standards for preschool that the [

136

~~State Board of Education~~] state board adopts, and that incorporates:

137

[(+)] (a) intentional and differentiated instruction in whole group, small group, and

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child-directed learning; and

139

[(+)] (b) intentional instruction in key areas of literacy and numeracy, as determined by

140

the [~~State Board of Education~~] state board, that:

141

[(A)] (i) is teacher led or through a partnership with a contractor as defined in Section

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63N-20-101;

143

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

144

awareness; and

145

[(C)] (iii) includes provider monitoring and ongoing professional learning and

146

coaching;

147

[(+)] (2) ongoing, focused, and intensive professional [~~development~~] learning for staff of the

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school readiness program;

149

[(+)] (3) ongoing assessment of a student's educational growth and development that:

150

[(+)] (a) is aligned to the Utah core standards for preschool that the [~~State Board of~~

151

~~Education~~] state board adopts; and

152

[(+)] (b) evaluates student progress to inform instruction;

153

[(+)] (4) administration of the school readiness assessment to each student;

154

[(+)] (5) [~~for a preschool program that an eligible LEA runs,-~~] a class size that does not

155

exceed 20 students, with one adult for every 10 students in the class;

156

[(+)] (6) ongoing program evaluation and data collection to monitor program goal

157

achievement and implementation of required program components;

158

[(+)] (7) family engagement, including ongoing communication between home and school,

159

and parent education opportunities based on each family's circumstances;

160

[(+)] (8) only lead teachers who, by the lead teacher's second year, obtain at least:

161

[(+)] (a) the minimum standard of a child development associate certification; or

162

[(+)] (b) an associate or bachelor's degree in an early childhood education related field;

163 and  
 164 [(+) (9) a kindergarten transition plan.  
 165 [(2) A high quality school readiness program that a home-based educational technology  
 166 provider runs shall meet the requirements as described in Title 63N, Chapter 20,  
 167 UPSTART.]

168 Section 3. Section **35A-15-203** is amended to read:

169 **35A-15-203 . School Readiness Restricted Account -- Creation -- Funding --**  
 170 **Distribution of funds.**

- 171 (1) There is created in the General Fund a restricted account known as the "School  
 172 Readiness Restricted [~~Account~~]. Account."
- 173 (2) The School Readiness Restricted Account consists of:
- 174 (a) money appropriated by the Legislature;
- 175 (b) all income and interest derived from the deposit and investment of money in the  
 176 account;
- 177 (c) federal grants; and
- 178 (d) private donations.
- 179 (3) Subject to legislative appropriations, money in the restricted account may be used:
- 180 (a) to award a grant under Section 35A-15-301 or 35A-15-302;
- 181 (b) to contract with an evaluator;
- 182 (c) to fund the participation of eligible students in a high quality school readiness  
 183 program through a results-based contract; and
- 184 (d) for administration costs and to monitor the programs described in this part.
- 185 (4) Money for awards under Subsection (3)(a) shall be allocated in the following order to:
- 186 (a) pay results-based contracts;
- 187 (b) grant awards under Section 35A-15-302; and
- 188 (c) if any allocated funds remain, grant awards under Section 35A-15-301.

189 Section 4. Section **35A-15-301** is amended to read:

190 **35A-15-301 . Becoming Quality School Readiness Grant Program.**

- 191 (1) The [~~High~~] Becoming Quality School Readiness Grant Program is created to provide  
 192 grants to the following, in order to assist an existing preschool [~~or home-based~~  
 193 ~~educational technology program~~] in becoming a high quality school readiness program:
- 194 (a) an eligible private provider; or
- 195 (b) an eligible LEA[~~;~~ ~~or~~] .
- 196 [~~(c) an eligible home-based educational technology provider.~~]

- 197 (2) ~~[The board, in cooperation with the department and the State Board of Education,]~~ The  
198 department, in consultation with the school readiness team, shall solicit proposals from  
199 eligible LEAs~~;~~ and eligible private providers~~;~~ ~~and eligible home-based educational~~  
200 ~~technology providers~~].
- 201 (3) Subject to legislative appropriations, ~~[and the prioritization described in Section~~  
202 ~~35A-15-201, the board]~~ the department, in consultation with the school readiness team,  
203 shall award grants to ~~[respondents]~~ applicants based on:
- 204 (a) ~~[a respondent's]~~ an applicant's capacity to effectively implement the components  
205 described in Section 35A-15-202;
- 206 (b) the percentage of ~~[a respondent's students who are]~~ eligible students; and
- 207 (c) the level of administrative support and leadership at ~~[a respondent's]~~ an applicant's  
208 program to effectively implement, monitor, and evaluate the program.
- 209 (4) To receive a grant under this section, ~~[a respondent]~~ an applicant shall submit a proposal  
210 to the ~~[board]~~ department detailing:
- 211 (a) the ~~[respondent's]~~ applicant's strategy to implement the high quality components  
212 described in Section 35A-15-202;
- 213 (b) the number of proposed students~~[the respondent plans to serve]~~, categorized by age  
214 and whether the students are eligible students;
- 215 (c) for an eligible LEA or eligible private provider, the number of high quality school  
216 readiness program classrooms the ~~[respondent]~~ applicant plans to operate; and
- 217 (d) the estimated cost per student.
- 218 (5) (a) A grant recipient ~~[of a grant under this section]~~ shall use the grant to move the  
219 recipient's preschool program toward achieving the components described in Section  
220 35A-15-202.
- 221 (b) A grant recipient ~~[of a grant under this section]~~ may not:
- 222 (i) enter into a results-based contract while the recipient receives the grant; or  
223 (ii) receive grant funds under Section 35A-15-302.
- 224 (6) A grant recipient ~~[of a grant under this section]~~ shall ensure that each student who is  
225 enrolled in a classroom ~~[or who uses a home-based educational technology program]~~  
226 supported by the grant has a unique student identifier by:
- 227 (a) if the recipient is an eligible LEA, assigning a unique student identifier to each  
228 student enrolled in the classroom; or
- 229 (b) if the recipient is an eligible private provider ~~[or eligible home-based educational~~  
230 ~~technology provider,]~~ working with the ~~[State Board of Education]~~ state board to

231 assign a unique student identifier to each student enrolled in the classroom~~[-or who~~  
 232 ~~uses the home-based educational technology program].~~

233 ~~[(7) A grant recipient that is an eligible LEA shall report annually to the board and the~~  
 234 ~~State Board of Education the following:]~~

235 ~~[(a) number of students served by the preschool, including the number of students who are~~  
 236 ~~eligible students;]~~

237 ~~[(b) attendance;]~~

238 ~~[(c) cost per student; and]~~

239 ~~[(d) assessment results, including the school readiness assessment, kindergarten~~  
 240 ~~assessment, and other assessments as determined by the board.]~~

241 ~~[(8) A grant recipient that is an eligible private provider or an eligible home-based~~  
 242 ~~educational technology provider shall report annually to the board and the department~~  
 243 ~~the following:]~~

244 ~~[(a) number of students served by the preschool or program, including the number of~~  
 245 ~~students who are eligible students;]~~

246 ~~[(b) attendance;]~~

247 ~~[(c) cost per student; and]~~

248 ~~[(d) assessment results, including the school readiness assessment and other assessments as~~  
 249 ~~determined by the board.]~~

250 ~~[(9)]~~ (7) A grant recipient shall work in cooperation with the UPSTART contractor in  
 251 accordance with Section 63N-20-103 and develop data sharing agreements that include:

252 (a) program information;

253 (b) referrals; and

254 (c) shared student performance outcomes.

255 (8) The [board] department, in consultation with the school readiness team, shall make rules  
 256 to effectively administer and monitor the grant program described in this section,  
 257 including:

258 (a) requiring grant recipients to use assessments, including the school readiness  
 259 assessment, as determined by the [board] school readiness team; and

260 (b) establishing reporting requirements for grant recipients.

261 (9) Subject to funding availability, a grant recipient may receive a grant under this section  
 262 for no longer than three years.

263 Section 5. Section **35A-15-302** is amended to read:

264 **35A-15-302 . High Quality School Readiness Grant Program -- Determination**



265 **of high quality school readiness program.**

266 (1) ~~[There is created the Student Access to]~~ The High Quality School Readiness [Programs-]  
 267 Grant Program is created to expand access to high quality school readiness programs for  
 268 eligible students through grants administered by the ~~[board]~~ department for eligible  
 269 LEAs and ~~[eligible-]~~private providers.

270 (2) ~~The [board, in cooperation with the department and the State Board of Education]~~  
 271 department, in consultation with the school readiness team, shall solicit proposals from  
 272 eligible LEAs and eligible private providers ~~[to fund increases in the number of eligible~~  
 273 ~~students high quality school readiness programs can serve].~~

274 (3) (a) ~~[Except as provided in Subsection (3)(e), a respondent]~~ An applicant shall submit  
 275 a proposal that includes the information described in Subsection (3)(b) to the ~~[board]~~  
 276 department.

277 (b) ~~[A respondent's]~~ An applicant's proposal for the grant solicitation described in  
 278 Subsection (2) shall include:

279 (i) ~~the [respondent's]~~ applicant's existing and proposed school readiness program,  
 280 including:

281 (A) the number of students served by the ~~[respondent's]~~ applicant's school  
 282 readiness program;

283 ~~[(B) the respondent's policies and procedures for admitting students into the~~  
 284 ~~school readiness program;]~~

285 ~~[(C)]~~ (B) the estimated cost per student; and

286 ~~[(D)]~~ (C) any fees ~~[the respondent charges to-]~~ a parent or legal guardian pays for  
 287 the school readiness program;

288 ~~[(ii) the respondent's plan to use funding sources, in addition to a grant described in~~  
 289 ~~this section, including:]~~

290 ~~[(A) federal funding; or]~~

291 ~~[(B) private grants or donations;]~~

292 ~~[(iii) existing or planned partnerships between the respondent and an LEA, eligible~~  
 293 ~~private provider, or eligible home-based technology provider to increase access to~~  
 294 ~~high quality school readiness programs for eligible students;]~~

295 ~~[(iv)]~~ (ii) how the ~~[respondent]~~ applicant would use a grant to:

296 (A) expand the number of eligible students served by the ~~[respondent's]~~ applicant's  
 297 school readiness program; and

298 (B) target the funding toward the highest risk students;

- 299           ~~[(v)]~~ (iii) the results of any evaluations of the ~~[respondent's]~~ applicant's school  
300           readiness program; and
- 301           ~~[(vi)]~~ (iv) a demonstration that the respondent's existing school readiness program  
302           meets performance outcome measures.
- 303           ~~[(e) In addition to the requirements described in Subsection (3)(b), a respondent that is~~  
304           ~~an eligible LEA shall describe in the respondent's proposal the percentage of the~~  
305           ~~respondent's kindergarten through grade 12 students who are economically~~  
306           ~~disadvantaged.]~~
- 307 (4) For each proposal received in response to the solicitation described in Subsection (2),  
308           the ~~[board]~~ school readiness team shall determine if the ~~[respondent]~~ applicant school  
309           readiness program is a high quality school readiness program by:
- 310           (a) applying the ~~[tool]~~ tools; ~~[and]~~  
311           (b) reviewing performance outcome measures~~[-]~~ ; and  
312           (c) implementing the elements of a high quality school readiness program.
- 313 (5) (a) Subject to legislative appropriations and Subsection ~~[(9)]~~ (8), the ~~[board]~~  
314           department, in consultation with the school readiness team, shall award a grant to ~~[a~~  
315           ~~respondent]~~ an applicant.
- 316           (b) The ~~[board]~~ department may only award a grant to ~~[a respondent]~~ an applicant if:  
317           (i) the ~~[respondent]~~ applicant submits a proposal that includes the information  
318           required under Subsection (3); and  
319           (ii) the ~~[board]~~ school readiness team determines that the ~~[respondent's]~~ applicant's  
320           program is a high quality school readiness program in accordance with Subsection  
321           (4).
- 322           (c) (i) A grant recipient ~~[of a grant]~~ may use funds received under this section to  
323           supplement an existing program but not supplant other funding.  
324           (ii) An eligible LEA or an eligible private provider may not receive funding under  
325           this section if the eligible LEA or eligible private provider receives funding under  
326           Section 35A-15-301 or 35A-15-401.
- 327 (6) In evaluating a proposal received in response to the solicitation described in Subsection  
328           (2), the ~~[board]~~ school readiness team shall consider:
- 329           (a) the number and percent of students in the ~~[respondent's]~~ applicant's high quality  
330           school readiness program that are eligible students at the highest risk;  
331           (b) geographic diversity, including whether the ~~[respondent]~~ applicant is urban or rural;  
332           and

- 333        [(e) the extent to which the respondent intends to participate in a partnership with an  
334            LEA, eligible private provider, or eligible home-based technology provider; and]
- 335        [(d) (c) the [respondent's] applicant's level of administrative support and leadership to  
336            effectively implement, monitor, and evaluate the program.
- 337        [(7) A respondent that receives a grant under this section shall:]
- 338        [(a) use the grant to expand access for eligible students to high quality school readiness  
339            programs by enrolling eligible students in a high quality school readiness program;]
- 340        [(b) report to the board annually regarding:]
- 341            [(i) how the respondent used the grant awarded under Subsection (5);]
- 342            [(ii) participation in any partnerships between an LEA, eligible private provider, or eligible  
343            home-based technology provider; and]
- 344            [(iii) the results of any evaluations;]
- 345        [(e) allow classroom or other visits for an evaluation; and]
- 346        [(d) for a respondent that is an eligible LEA, notify a parent or legal guardian who  
347            expresses interest in enrolling the parent or legal guardian's child in the LEA's high  
348            quality school readiness program of each state-funded high quality school readiness  
349            program operating within the eligible LEA's geographic boundaries.]
- 350        (7) A grant recipient shall work in cooperation with the UPSTART contractor in  
351            accordance with Section 63N-20-103 and develop data sharing agreements that include:
- 352            (a) program information;
- 353            (b) referrals; and
- 354            (c) shared student performance outcomes.
- 355        [(8) (a) The board shall establish interventions for a grantee that fails to comply with the  
356            requirements described in this section or meet the benchmarks described in Subsection  
357            (8)(e).]
- 358        [(b) An intervention under this Subsection (8) may include discontinuing or reducing  
359            funding.]
- 360        [(e) (i) The board shall adopt benchmarks for success on the performance outcome  
361            measures for a grant recipient under this section.]
- 362            [(ii) If a grant recipient fails to meet the board's benchmarks for success on the  
363            performance outcome measures, the grant recipient may not receive additional funding  
364            under this section.]
- 365        [(9)] (8) Subject to legislative appropriations, the [board] department shall give [first-]  
366            priority in awarding grants to [a respondent] an applicant that has previously received a

367 grant under this section if the [respondent] applicant:  
 368 (a) makes the annual report described in [~~Subsection (7)(b)~~] Section 35A-15-303;  
 369 (b) participates in the evaluation; and  
 370 (c) continues to offer a high quality school readiness program[~~-as determined during an~~  
 371 ~~annual site visit by:~~  
 372 [~~(i) the State Board of Education, for an eligible LEA; or (ii) the department, for an~~  
 373 ~~eligible private provider~~].

374 [~~(10)~~] (9) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
 375 the [~~board~~] department, in consultation with the school readiness team, shall make rules  
 376 to:

377 (a) implement the [~~tool~~] observation tools; and  
 378 (b) administer the grant program.

379 Section 6. Section **35A-15-303** is amended to read:

380 **35A-15-303 . Evaluation -- Tools -- Reporting.**

381 (1) The [~~State Board of Education~~] school readiness team shall[~~, in consultation with the~~  
 382 ~~board,~~] conduct the ongoing review and evaluation each school year of:

383 (a) a grant recipient under Section 35A-15-301; and  
 384 (b) a grant recipient under Section 35A-15-302.

385 (2) (a) In accordance with Title 63G, Chapter 6a, Utah Procurement Code, the [~~State~~  
 386 ~~Board of Education~~] state board may enter into a contract with an evaluator to assist  
 387 with the evaluation process.

388 (b) An evaluation described in Subsection (1) shall include:

389 (i) outcomes of onsite observations utilizing the [~~tool~~] tools developed under  
 390 Subsection (4) at a frequency and number of classrooms visits established by the [~~board~~]  
 391 department, in consultation with the school readiness team;

392 (ii) performance on the performance outcome measures; [~~and~~]

393 (iii) whether any of the programs improved kindergarten readiness through funding  
 394 provided under Section 35A-15-301 or 35A-15-302[~~;~~] ; and

395 (iv) student demographic data.

396 (3) The [~~board~~] school readiness team shall determine whether there is a correlation between  
 397 the [~~tool~~] tools and the performance outcome measure.

398 (4) (a) [~~The board, in coordination with the department and the State Board of Education~~]

399 The school readiness team shall:

400 [(a) shall:]

- 401 (i) develop ~~[a tool]~~ tools to determine whether a school readiness program is a high  
402 quality school readiness program; ~~[and]~~
- 403 (ii) establish how ~~[the board will]~~ to apply the ~~[tool]~~ tools to make a determination  
404 described in ~~[Subsection (4)(a)]~~ this Subsection (4); ~~[and]~~
- 405 (iii) establish how the school readiness team will assess performance outcome  
406 measures; and
- 407 (iv) adopt benchmarks for success on the performance outcome measures for a grant  
408 recipient under this section.
- 409 (b) The department, in consultation with the school readiness team, may adopt rules in  
410 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, for  
411 purposes of this Subsection (4).
- 412 (5) (a) A grant recipient that receives a grant award under Section 35A-15-302 shall  
413 annually submit to the school readiness team:
- 414 (i) the number of students served by the preschool, including:  
415 (A) the number of students who are eligible students; and  
416 (B) the student's demographic area;
- 417 (ii) student attendance;
- 418 (iii) the cost per student; and
- 419 (iv) assessment results, including the school readiness assessment, and other  
420 assessments as determined by the school readiness team.
- 421 (b) The assessment results under Subsection (5)(a)(iv) shall include:
- 422 (i) student data assessment data and growth scores; and
- 423 (ii) the observation tool score.
- 424 (c) If a student growth or observation score is below the benchmark for success  
425 established by the school readiness team, the grant recipient shall:
- 426 (i) after the first year of not meeting the established benchmark:
- 427 (A) develop an action plan informed by a data analysis to inform focus  
428 improvement efforts; and
- 429 (B) submit a mid-year report on the progress of improvement efforts to the school  
430 readiness team; and
- 431 (ii) after the second year of not meeting the established benchmark:
- 432 (A) develop an action plan informed by a data analysis to inform focus  
433 improvement efforts; and
- 434 (B) submit a monthly report on the progress of improvement efforts to the school

435 readiness team.

436 (d) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
 437 department, in consultation with the school readiness team, may adopt rules to  
 438 establish eligibility criteria and grant funding priority for a grant recipient who, after  
 439 three consecutive years, fails to meet the benchmark for success described in  
 440 Subsection (5)(c).

441 [~~(5) (a) The State Board of Education shall annually prepare a report for the Education~~  
 442 ~~Interim Committee in accordance with Section 53E-1-201.]~~

443 [~~(b) The report described in Subsection (5)(a) shall include a summary of an evaluation~~  
 444 ~~and the efficacy of:]~~

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

446 [~~(ii) the grant program described in Section 35A-15-302, including whether any recipients~~  
 447 ~~failed to meet benchmarks for success on performance outcome measures as described~~  
 448 ~~in Subsection 35A-15-302(8)(c).]~~

449 [~~(6) The board shall report to the Education Interim Committee by November 30, 2020, on~~  
 450 ~~benchmarks adopted by the board under Section 35A-15-302.]~~

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

452 **35A-15-401 . Requirements for a school readiness program to receive funding**  
 453 **through a results-based contract.**

454 (1) As used in this section:

455 (a) "Participating program operator" means an eligible LEA, ~~[an eligible]~~ a private  
 456 provider, or ~~[an eligible]~~ a home-based educational technology provider~~;~~ that is a  
 457 party to a results-based contract.

458 (b) "Program" means a school readiness program funded through a results-based  
 459 contract.

460 (2) (a) Subject to the requirements of this part, an eligible LEA, an eligible private  
 461 provider, or an eligible home-based educational technology provider that operates a  
 462 high quality school readiness program may enter into and receive funding through a  
 463 results-based contract.

464 (b) An eligible LEA, an eligible private provider, or an eligible home-based educational  
 465 technology provider may not enter into a results-based contract while receiving a  
 466 grant under Part 3, Grants for High Quality School Readiness Programs.

467 (3) A participating program operator shall ensure that each student who is enrolled in a  
 468 classroom, or who uses a home-based educational technology, that is part of a

- 469 participating program operator's program has a unique student identifier by:
- 470 (a) if the participating program operator is an eligible LEA, assigning a unique student  
471 identifier to each student enrolled in the classroom; or
- 472 (b) if the participating program operator is an eligible private provider or eligible  
473 home-based technology provider, working with the [~~State Board of Education~~] state  
474 board to assign a unique student identifier to each student enrolled in the classroom  
475 or who uses the home-based educational technology.
- 476 (4) A participating program operator may not use funds received through a results-based  
477 contract to supplant funds for an existing high quality school readiness program, but  
478 may use the funds to supplement an existing high quality school readiness program.
- 479 (5) (a) If not prohibited by the Elementary and Secondary Education Act of 1965, 20  
480 U.S.C. Secs. 6301-6576, a participating program operator may charge a sliding scale  
481 fee, based on household income, to a student enrolled in the participating program  
482 operator's program.
- 483 (b) A participating program operator may use grants, scholarships, or other money to  
484 help fund the program.
- 485 (6) (a) A participating program operator that is an eligible LEA may contract with an  
486 eligible private provider to provide a high quality school readiness program to a  
487 portion of the eligible LEA's eligible students if:
- 488 (i) the results-based contract specifies the number of students to be served by the  
489 eligible private provider; and
- 490 (ii) the eligible private provider meets the requirements described in this section for a  
491 participating program operator.
- 492 (b) An eligible LEA that contracts with an eligible private provider shall provide  
493 supportive services to the eligible private provider, which may include:
- 494 (i) professional [~~development~~] learning;
- 495 (ii) staffing or staff support;
- 496 (iii) materials; or
- 497 (iv) assessments.
- 498 Section 8. Section **35A-15-402** is amended to read:
- 499 **35A-15-402 . Results-based contracts -- Assessment.**
- 500 (1) The [~~board~~] department may enter into a results-based contract to fund participation of  
501 eligible students in a high quality school readiness program in accordance with this part.
- 502 (2) (a) The [~~board~~] department shall include an investor as a party to a results-based

- 503 contract.
- 504 (b) The [board] department may provide for a repayment to an investor to include a  
505 return of investment and an additional return on investment, dependent on  
506 achievement of the performance outcome measures set in the results-based contract.
- 507 (c) The additional return on investment described in Subsection (2)(b) may not exceed  
508 5% above the current Municipal Market Data General Obligation Bond AAA scale  
509 for a 10 year maturity at the time of the issuance of the results-based contract.
- 510 (d) Funding obtained for an early education program through a results-based contract  
511 that includes an investor is not a procurement item under Section 63G-6a-103.
- 512 (e) A results-based contract that includes an investor shall include:
- 513 (i) a requirement that the repayment to the investor be conditioned on achieving the  
514 performance outcome measures set in the results-based contract;
- 515 (ii) a requirement for an independent evaluator to determine whether the performance  
516 outcome measures have been achieved;
- 517 (iii) a provision that repayment to the investor is:
- 518 (A) based upon available money in the School Readiness Restricted Account  
519 described in Section 35A-15-203; and
- 520 (B) subject to legislative appropriations; and
- 521 (iv) a provision that the investor is not eligible to receive or view personally  
522 identifiable student data of students funded through the results-based contract.
- 523 (f) The [board] department may not issue a results-based contract if the total outstanding  
524 obligations of results-based contracts that include an investor as a party to the  
525 contract would exceed \$15,000,000 at any one time.
- 526 (3) The [board] department shall require an independent evaluation to determine if a school  
527 readiness program meets the performance outcome measures included in a results-based  
528 contract.
- 529 (4) If the [board] department enters into a results-based contract, in accordance with Title  
530 63G, Chapter 6a, Utah Procurement Code, the [board] department shall select an  
531 independent evaluator with experience in evaluating school readiness programs.
- 532 (5) (a) At the end of each year of a results-based contract after a student funded through  
533 a results-based contract completes kindergarten, the independent evaluator shall  
534 determine whether the performance outcome measures set in the results-based  
535 contract have been met.
- 536 (b) The [board] department may not pay an investor unless the evaluation described in



- 537 Subsection (5)(a) determines that the performance outcome measures in the  
538 results-based contract have been met.
- 539 (6) (a) The ~~[board]~~ department shall ensure that a parent or guardian of an eligible  
540 student participating in a program funded through a results-based contract has given  
541 permission and signed an acknowledgment that the student's data may be shared for  
542 research and evaluation purposes, subject to federal law.
- 543 (b) The ~~[board]~~ department shall maintain documentation of parental permission required  
544 in Subsection (6)(a).
- 545 Section 9. Section **53E-1-201** is amended to read:
- 546 **53E-1-201 . Reports to and action required of the Education Interim Committee.**
- 547 (1) In accordance with applicable provisions and Section 68-3-14, the following recurring  
548 reports are due to the Education Interim Committee:
- 549 (a) the report described in Section 9-22-109 by the STEM Action Center Board,  
550 including the information described in Section 9-22-113 on the status of the computer  
551 science initiative and Section 9-22-114 on the Computing Partnerships Grants  
552 Program;
- 553 (b) the prioritized list of data research described in Section 53B-33-302 and the report on  
554 research and activities described in Section 53B-33-304 by the Utah Data Research  
555 Center;
- 556 ~~[(e) the report described in Section 35A-15-303 by the State Board of Education on~~  
557 ~~preschool programs;]~~
- 558 ~~[(d)]~~ (c) the report described in Section 53B-1-402 by the Utah Board of Higher  
559 Education on career and technical education issues and addressing workforce needs;
- 560 ~~[(e)]~~ (d) the annual report of the Utah Board of Higher Education described in Section  
561 53B-1-402;
- 562 ~~[(f)]~~ (e) the reports described in Section 53B-28-401 by the Utah Board of Higher  
563 Education regarding activities related to campus safety;
- 564 ~~[(g)]~~ (f) the State Superintendent's Annual Report by the state board described in Section  
565 53E-1-203;
- 566 ~~[(h)]~~ (g) the annual report described in Section 53E-2-202 by the state board on the  
567 strategic plan to improve student outcomes;
- 568 ~~[(i)]~~ (h) the report described in Section 53E-8-204 by the state board on the Utah Schools  
569 for the Deaf and the Blind;
- 570 ~~[(j)]~~ (i) the report described in Section 53E-10-703 by the Utah Leading through

- 571 Effective, Actionable, and Dynamic Education director on research and other  
 572 activities;
- 573 ~~[(k)]~~ (j) the report described in Section 53F-2-522 regarding mental health screening  
 574 programs;
- 575 ~~[(h)]~~ (k) the report described in Section 53F-4-203 by the state board and the independent  
 576 evaluator on an evaluation of early interactive reading software;
- 577 ~~[(m)]~~ (l) the report described in Section 63N-20-107 by the Governor's Office of  
 578 Economic Opportunity on UPSTART;
- 579 ~~[(n)]~~ (m) the reports described in Sections 53F-5-214 and 53F-5-215 by the state board  
 580 related to grants for professional learning and grants for an elementary teacher  
 581 preparation assessment;
- 582 ~~[(o)]~~ (n) upon request, the report described in Section 53F-5-219 by the state board on  
 583 the Local Innovations Civics Education Pilot Program;
- 584 ~~[(p)]~~ (o) the report described in Section 53F-5-405 by the ~~[State Board of Education]~~ state  
 585 board regarding an evaluation of a partnership that receives a grant to improve  
 586 educational outcomes for students who are low income;
- 587 ~~[(q)]~~ (p) the report described in Section 53B-35-202 regarding the Higher Education and  
 588 Corrections Council;
- 589 ~~[(r)]~~ (q) the report described in Section 53G-7-221 by the ~~[State Board of Education]~~ state  
 590 board regarding innovation plans;
- 591 ~~[(s)]~~ (r) the annual report described in Section 63A-2-502 by the Educational  
 592 Interpretation and Translation Service Procurement Advisory Council; and
- 593 ~~[(t)]~~ (s) the reports described in Section 53F-6-412 regarding the Utah Fits All  
 594 Scholarship Program.
- 595 (2) In accordance with applicable provisions and Section 68-3-14, the following occasional  
 596 reports are due to the Education Interim Committee:
- 597 ~~[(a)] the report described in Section 35A-15-303 by the School Readiness Board by~~  
 598 ~~November 30, 2020, on benchmarks for certain preschool programs;]~~
- 599 ~~[(b)]~~ (a) the report described in Section 53B-28-402 by the Utah Board of Higher  
 600 Education on or before the Education Interim Committee's November 2021 meeting;
- 601 ~~[(c)]~~ (b) if required, the report described in Section 53E-4-309 by the state board  
 602 explaining the reasons for changing the grade level specification for the  
 603 administration of specific assessments;
- 604 ~~[(d)]~~ (c) if required, the report described in Section 53E-5-210 by the state board of an

605 adjustment to the minimum level that demonstrates proficiency for each statewide  
 606 assessment;

607 ~~[(e)]~~ (d) in 2022 and in 2023, on or before November 30, the report described in  
 608 Subsection 53E-10-309(5) related to the PRIME pilot program;

609 ~~[(f)]~~ (e) the report described in Section 53E-10-702 by Utah Leading through Effective,  
 610 Actionable, and Dynamic Education;

611 ~~[(g)]~~ (f) if required, the report described in Section 53F-2-513 by the state board  
 612 evaluating the effects of salary bonuses on the recruitment and retention of effective  
 613 teachers in high poverty schools;

614 ~~[(h)]~~ (g) the report described in Section 53F-5-210 by the state board on the Educational  
 615 Improvement Opportunities Outside of the Regular School Day Grant Program;

616 ~~[(i)]~~ (h) upon request, a report described in Section 53G-7-222 by an LEA regarding  
 617 expenditure of a percentage of state restricted funds to support an innovative  
 618 education program;

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

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

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

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

628 **53E-4-314 . School readiness assessment.**

- 629 (1) As used in this section:
- 630 (a) "School readiness assessment" means a preschool ~~[entry and exit profile that~~  
 631 ~~measures literacy, numeracy, and lifelong learning practices developed in a student]~~  
 632 assessment that:
- 633 (i) measures literacy and numeracy; and
- 634 (ii) beginning with the 2026-2027 school year, measures growth from the beginning  
 635 of the year to the end of the year.
- 636 (b) "School readiness program" means a preschool program:
- 637 (i) in which a student participates in the year before the student is expected to enroll  
 638 in kindergarten; and

- 639 (ii) that receives funding under Title 35A, Chapter 15, Preschool Programs.
- 640 (2) The state board shall develop or select a school readiness assessment~~[ that aligns with~~  
641 ~~the kindergarten entry and exit assessment described in Section 53G-7-203].~~
- 642 (3) A school readiness program shall:
- 643 (a) ~~[except as provided in Subsection (4),]~~administer to each student who participates in  
644 the school readiness program the school readiness assessment at the beginning and  
645 end of the student's participation in the school readiness program; and
- 646 (b) report the results of the assessments described in Subsection (3)(a) ~~[or (4)]~~to the [  
647 ~~School Readiness Board created in Section 35A-15-201]~~ state board.
- 648 ~~[(4) In place of the assessments described in Subsection (3)(a), a school readiness program~~  
649 ~~that is offered through home-based technology may administer to each student who~~  
650 ~~participates in the school readiness program:]~~
- 651 ~~[(a) a validated computer adaptive pre-assessment at the beginning of the student's~~  
652 ~~participation in the school readiness program; and]~~
- 653 ~~[(b) a validated computer adaptive post-assessment at the end of the student's participation~~  
654 ~~in the school readiness program.]~~
- 655 (4) A private care provider or an LEA on behalf of a school that is not participating in the  
656 High Quality Readiness Grant Program, as described in Section 35A-15-301 or  
657 35A-15-302, may submit school readiness assessment data to the state board.
- 658 ~~[(5) (a) The following may submit school readiness assessment data to the School~~  
659 ~~Readiness Board created in Section 35A-15-201:]~~
- 660 ~~[(i) a private child care provider; or]~~
- 661 ~~[(ii) an LEA on behalf of a school that is not participating in the High Quality School~~  
662 ~~Readiness Grant Program described in Section 35A-15-301.]~~
- 663 ~~[(b) If a private child care provider or LEA submits school readiness assessment data to the~~  
664 ~~School Readiness Board under Subsection (5)(a), the state board shall include the school~~  
665 ~~readiness assessment data in the report described in Subsection 35A-15-303(5).]~~
- 666 Section 11. Section **63I-2-253** is amended to read:
- 667 **63I-2-253 (Superseded 07/01/24). Repeal dates: Titles 53 through 53G.**
- 668 (1) Section 53-1-118 is repealed on July 1, 2024.
- 669 (2) Section 53-1-120 is repealed on July 1, 2024.
- 670 (3) Section 53-7-109 is repealed on July 1, 2024.
- 671 (4) Section 53-22-104 is repealed December 31, 2023.
- 672 (5) Section 53B-6-105.7 is repealed July 1, 2024.

- 673 (6) Section 53B-7-707 regarding performance metrics for technical colleges is repealed July  
674 1, 2023.
- 675 (7) Section 53B-8-114 is repealed July 1, 2024.
- 676 (8) The following provisions, regarding the Regents' scholarship program, are repealed on  
677 July 1, 2023:
- 678 (a) in Subsection 53B-8-105(12), the language that states, "or any scholarship  
679 established under Sections 53B-8-202 through 53B-8-205";
- 680 (b) Section 53B-8-202;
- 681 (c) Section 53B-8-203;
- 682 (d) Section 53B-8-204; and
- 683 (e) Section 53B-8-205.
- 684 (9) Section 53B-10-101 is repealed on July 1, 2027.
- 685 (10) Subsection [~~53E-1-201(1)(s)~~] 53E-1-201(1)(r) regarding the report by the Educational  
686 Interpretation and Translation Services Procurement Advisory Council is repealed July  
687 1, 2024.
- 688 (11) Section 53E-1-202.2, regarding a Public Education Appropriations Subcommittee  
689 evaluation and recommendations, is repealed January 1, 2024.
- 690 (12) Section 53F-2-209, regarding local education agency budgetary flexibility, is repealed  
691 July 1, 2024.
- 692 (13) Subsection 53F-2-314(4), relating to a one-time expenditure between the at-risk WPU  
693 add-on funding and previous at-risk funding, is repealed January 1, 2024.
- 694 (14) Section 53F-2-524, regarding teacher bonuses for extra work assignments, is repealed  
695 July 1, 2024.
- 696 (15) Section 53F-5-221, regarding a management of energy and water pilot program, is  
697 repealed July 1, 2028.
- 698 (16) Section 53F-9-401 is repealed on July 1, 2024.
- 699 (17) Section 53F-9-403 is repealed on July 1, 2024.
- 700 (18) On July 1, 2023, when making changes in this section, the Office of Legislative  
701 Research and General Counsel shall, in addition to the office's authority under Section  
702 36-12-12, make corrections necessary to ensure that sections and subsections identified  
703 in this section are complete sentences and accurately reflect the office's perception of the  
704 Legislature's intent.
- 705 Section 12. Section **63I-2-253** is amended to read:  
706 **63I-2-253 . Repeal dates: Titles 53 through 53G.**

- 707 (1) Subsection 53-1-104(1)(b), regarding the Air Ambulance Committee, is repealed July 1,  
708 2024.
- 709 (2) Section 53-1-118 is repealed on July 1, 2024.
- 710 (3) Section 53-1-120 is repealed on July 1, 2024.
- 711 (4) Section 53-2d-107, regarding the Air Ambulance Committee, is repealed July 1, 2024.
- 712 (5) In relation to the Air Ambulance Committee, on July 1, 2024, Subsection 53-2d-702(1)(a)  
713 is amended to read:
- 714 "(a) provide the patient or the patient's representative with the following information  
715 before contacting an air medical transport provider:
- 716 (i) which health insurers in the state the air medical transport provider contracts with;  
717 (ii) if sufficient data is available, the average charge for air medical transport services for a  
718 patient who is uninsured or out of network; and  
719 (iii) whether the air medical transport provider balance bills a patient for any charge not paid  
720 by the patient's health insurer; and".
- 721 (6) Section 53-7-109 is repealed on July 1, 2024.
- 722 (7) Section 53-22-104 is repealed December 31, 2023.
- 723 (8) Section 53B-6-105.7 is repealed July 1, 2024.
- 724 (9) Section 53B-7-707 regarding performance metrics for technical colleges is repealed July  
725 1, 2023.
- 726 (10) Section 53B-8-114 is repealed July 1, 2024.
- 727 (11) The following provisions, regarding the Regents' scholarship program, are repealed on  
728 July 1, 2023:
- 729 (a) in Subsection 53B-8-105(12), the language that states, "or any scholarship  
730 established under Sections 53B-8-202 through 53B-8-205";
- 731 (b) Section 53B-8-202;
- 732 (c) Section 53B-8-203;
- 733 (d) Section 53B-8-204; and  
734 (e) Section 53B-8-205.
- 735 (12) Section 53B-10-101 is repealed on July 1, 2027.
- 736 (13) Subsection [~~53E-1-201(1)(s)~~] 53E-1-201(1)(r) regarding the report by the Educational  
737 Interpretation and Translation Services Procurement Advisory Council is repealed July  
738 1, 2024.
- 739 (14) Section 53E-1-202.2, regarding a Public Education Appropriations Subcommittee  
740 evaluation and recommendations, is repealed January 1, 2024.

741 (15) Section 53F-2-209, regarding local education agency budgetary flexibility, is repealed  
742 July 1, 2024.

743 (16) Subsection 53F-2-314(4), relating to a one-time expenditure between the at-risk WPU  
744 add-on funding and previous at-risk funding, is repealed January 1, 2024.

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

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

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

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

751 (21) On July 1, 2023, when making changes in this section, the Office of Legislative  
752 Research and General Counsel shall, in addition to the office's authority under Section  
753 36-12-12, make corrections necessary to ensure that sections and subsections identified  
754 in this section are complete sentences and accurately reflect the office's perception of the  
755 Legislature's intent.

756 Section 13. **Repealer.**

757 This bill repeals:

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

760 Section 14. **Effective date.**

761 (1) This bill takes effect on July 1, 2024.