



- 28           • develop policies and enact rules;
- 29           ▶ requires the board to award grants to qualifying early childhood education programs
- 30 based on recommendations of the State Board of Education and the Department of
- 31 Workforce Services and other criteria;
- 32           ▶ requires the Governor's Office of Management and Budget to staff the board;
- 33           ▶ requires the repayment to private entities to be conditioned on meeting performance
- 34 outcomes set in the contract;
- 35           ▶ requires an independent evaluation of the performance outcomes;
- 36           ▶ allows the board no more than \$15,000,000 of outstanding obligations at any one
- 37 time;
- 38           ▶ exempts the awarding of a results-based contract from general procurement
- 39 requirements; and
- 40           ▶ establishes reporting requirements.

#### 41 **Money Appropriated in this Bill:**

42 This bill appropriates in fiscal year 2015:

- 43           ▶ to the General Fund Restricted - School Readiness ~~H→~~ [~~Special Revenue Fund~~]

43a **Restricted Account** ~~←H~~, as an

44 ongoing appropriation:

- 45           • from the General Fund, \$5,000,000 ~~H→~~ [∴] ; and

45a           ▶ **to Governor's Office - Governor's Office of Management and Budget, as an ongoing**

45b **appropriation:**

- 45c           • **from the School Readiness Restricted Account, \$5,000,000.** ~~←H~~

#### 46 **Other Special Clauses:**

47 This bill provides an effective date.

#### 48 **Utah Code Sections Affected:**

48a ~~H→~~ **AMENDS:**

48b           **63J-1-602.3, as last amended by Laws of Utah 2013, Chapters 117 and 295 and last**

48c **amended by Coordination Clause, Laws of Utah 2013, Chapter 117** ~~←H~~

49 ENACTS:

50           **53A-1b-101**, Utah Code Annotated 1953

51           **53A-1b-102**, Utah Code Annotated 1953

52           **53A-1b-103**, Utah Code Annotated 1953

53           **53A-1b-104**, Utah Code Annotated 1953

54           **53A-1b-105**, Utah Code Annotated 1953

- 55            **53A-1b-106**, Utah Code Annotated 1953
- 56            **53A-1b-107**, Utah Code Annotated 1953
- 57            **53A-1b-108**, Utah Code Annotated 1953
- 58            **53A-1b-109**, Utah Code Annotated 1953

59 [53A-1b-110](#), Utah Code Annotated 1953

60 [53A-1b-111](#), Utah Code Annotated 1953



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

63 Section 1. Section **53A-1b-101** is enacted to read:

64 **CHAPTER 1b. SCHOOL READINESS INITIATIVE**

65 **Part 1. School Readiness Initiative Act**

66 **53A-1b-101. Title.**

67 This chapter is known as "School Readiness Initiative."

68 Section 2. Section **53A-1b-102** is enacted to read:

69 **53A-1b-102. Definitions.**

70 As used in this part:

71 (1) "Board" means the School Readiness Board, created in Section [53A-1b-103](#).

72 (2) "Economically disadvantaged" means a student who:

73 (a) is eligible to receive free lunch;

74 (b) is eligible to receive reduced price lunch; or

75 (c) (i) is not otherwise accounted for in Subsection (2)(a) or (b); and

76 (ii) (A) is enrolled in a Provision 2 or Provision 3 school, as defined by the United

77 States Department of Agriculture;

78 (B) has a Declaration of Household Income on file;

79 (C) is eligible for a fee waiver; or

80 (D) is enrolled at a school that does not offer a lunch program and is a sibling of a

81 student accounted for in Subsection (2)(a) or (b).

82 (3) "Eligible home-based educational technology provider" means a provider that

83 intends to offer a home-based educational technology program.

84 (4) "Eligible LEA" means an LEA that has a data system capacity to collect

85 longitudinal academic outcome data, including special education use by student, by identifying

86 each student with a statewide unique student identifier.

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

88 (i) (A) except as provided in Subsection (5)(b), is licensed under Title 26, Chapter 39,

89 Utah Child Care Licensing Act; or

90 (B) is exempt from licensure under Section [26-39-403](#); and  
 91 (ii) meets other criteria as established by the board, consistent with Utah Constitution,  
 92 Article X, Section 1.

93 (b) "Eligible private provider" does not include residential child care, as defined in  
 94 Section [26-39-102](#).

95 (6) "Eligible student" means a student who is economically disadvantaged.

96 (7) "Local Education Agency" or "LEA" means a school district or charter school.

97 (8) "Performance outcome measure" means a cost avoidance in special education use

98 ←H→ [~~or other remedial services~~] ←H→ for a student funded pursuant to a contract under this part.

99 (9) (a) "Private entity" means a private investor or investors that enter into a  
 100 results-based school readiness contract.

101 (b) "Private entity" includes an authorized representative of the private investor or  
 102 investors.

103 (10) "Results-based school readiness contract" means a contract entered into by the  
 104 board, a private entity, and a provider of early childhood education that may result in  
 105 repayment to a private entity if certain performance outcome measures are achieved.

106 Section 3. Section **53A-1b-103** is enacted to read:

107 **53A-1b-103. Establishment of the School Readiness Board -- Membership.**

108 (1) There is created a School Readiness Board within the Governor's Office of  
 109 Management and Budget composed of:

110 (a) the director of the Department of Workforces Services or the director's designee;

111 (b) one member appointed by the State Board of Education;

112 (c) one member appointed by the chair of the State Charter School Board;

113 (d) one member appointed by the speaker of the House of Representatives; and

114 (e) one member appointed by the president of the Senate.

115 (2) (a) A member described in Subsections (1)(c), (d), and (e) shall serve for a term of  
 116 two years.

117 (b) If a vacancy occurs for a member described in Subsection (1)(c), (d), or (e), the  
 118 person appointing the member shall appoint a replacement to serve the remainder of the  
 119 member's term.

120 (3) A member may not receive compensation or benefits for the member's service.

121 (4) Upon request, the Governor's Office of Management and Budget shall provide staff  
 122 support to the board.

123 (5) (a) The board members shall elect a chair of the board from the board's  
 124 membership.

125 (b) The board shall meet upon the call of the chair or a majority of the board members.

126 Section 4. Section **53A-1b-104** is enacted to read:

127 **53A-1b-104. School Readiness** ~~Ĥ→ [Special Revenue Fund]~~ **Restricted Account** ~~←Ĥ~~ --

127a **Creation -- Funding --**

128 **Distribution of funds.**

129 (1) There is created ~~Ĥ→ [a special revenue fund]~~ ~~←Ĥ~~ in the ~~Ĥ→ [Education]~~ **General** ~~←Ĥ~~  
 129a **Fund** ~~Ĥ→~~ **a restricted account** ~~←Ĥ~~ known as the

130 **"School Readiness** ~~Ĥ→ [Special Revenue Fund]~~ **Restricted Account** ~~←Ĥ~~ **"** to fund:

131 (a) the High Quality School Readiness Grant Program described in Section  
 132 53A-1b-106; and

133 (b) results-based school readiness contracts for eligible students to participate in:

134 (i) a high quality preschool program described in:

135 (A) Section 53A-1b-107; or

136 (B) Section 53A-1b-108; or

137 (ii) an eligible home-based educational technology program described in Section  
 138 53A-1b-109.

139 (2) The ~~Ĥ→ [special revenue fund]~~ **restricted account** ~~←Ĥ~~ consists of:

140 (a) money appropriated to the restricted account by the Legislature;

141 (b) all income and interest derived from the deposit and investment of money in the  
 142 account;

143 (c) federal grants; and

144 (d) private donations.

145 (3) ~~Ĥ→ [The board may annually use funds in the special revenue fund]~~ **Subject to**  
 145a **legislative appropriations, money in the restricted account may be used** ~~←Ĥ~~ **for the following**  
 146 **purposes:**

147 (a) to award grants under the High Quality School Readiness Grant Program described  
 148 in Section 53A-1b-106;

149 (b) to contract with an independent evaluator as required in Subsection 53A-1b-110(3);

150 (c) in accordance with Section 53A-1b-110, to make payments to one or more private  
 151 entities that the board has entered into a results-based contract with if the independent

152 evaluator selected by the board determines that the performance-based results have been met;  
153 and

154 (d) up to 2% annually ~~H~~→ of the amount appropriated by legislature under Subsection  
154a (2)(a), ←H for administration costs and to monitor the programs described  
155 in this part.

156 Section 5. Section **53A-1b-105** is enacted to read:

157 **53A-1b-105. Elements of a high quality school readiness program.**

158 (1) A high quality school readiness program run by an eligible LEA or eligible private  
159 provider shall include the following components:

160 (a) an evidence-based curriculum that is aligned with all of the developmental domains  
161 and academic content areas defined in the Utah Early Childhood Standards adopted by the  
162 State Board of Education, and incorporates intentional and differentiated instruction in whole  
163 group, small group, and child-directed learning, including the following academic content  
164 areas:

165 (i) oral language and listening comprehension;

166 (ii) phonological awareness and prereading;

167 (iii) alphabet and word knowledge;

168 (iv) prewriting;

169 (v) book knowledge and print awareness;

170 (vi) numeracy;

171 (vii) creative arts;

172 (viii) science and technology; and

173 (ix) social studies, health, and safety;

174 (b) ongoing, focused, and intensive professional development for staff of the school  
175 readiness program;

176 (c) ongoing assessment of a student's educational growth and developmental progress  
177 to inform instruction;

178 (d) a pre- and post-assessment, selected by the board in accordance with Section  
179 53A-1b-110, of each student;

180 (e) for a preschool program run by an eligible LEA, a class size that does not exceed 20  
181 students, with one adult for every 10 students in the class;

182 (f) ongoing program evaluation and data collection to monitor program goal

183 achievement and implementation of required program components;

184 (g) family engagement, including ongoing communication between home and school,  
185 and parent education opportunities based on each family's circumstances;

186 (h) for a preschool program run by an eligible LEA, each teacher having at least  
187 obtained:

188 (i) the minimum standard of a child development associate certification; or

189 (ii) an associate or bachelor's degree in an early childhood education related field; and

190 (i) for a preschool program run by an eligible private provider, by a teacher's second  
191 year, each teacher having at least obtained:

192 (i) the minimum standard of a child development associate certification; or

193 (ii) an associate or bachelor's degree in an early childhood education related field.

194 (2) A high quality school readiness program run by a home-based educational

195 technology provider shall:

196 (a) be an evidence-based and age appropriate individualized interactive instruction  
197 assessment and feedback technology program that teaches eligible students early learning skills  
198 needed to be successful upon entry into kindergarten;

199 (b) require regular parental engagement with the student in the student's use of the  
200 home-based educational technology program;

201 (c) be aligned with the Utah early childhood core standards;

202 (d) require the administration of the pre- and post-assessment, designated by the board  
203 in accordance with Section [53A-1b-110](#), of each eligible student; and

204 (e) require technology providers to ensure successful implementation and utilization of  
205 the technology program.

206 Section 6. Section **53A-1b-106** is enacted to read:

207 **53A-1b-106. High Quality School Readiness Grant Program.**

208 (1) The High Quality School Readiness Grant Program is created to provide grants to  
209 the following, in order to upgrade an existing preschool or home-based technology program to  
210 a high quality school readiness program:

211 (a) an eligible private provider;

212 (b) an eligible LEA; or

213 (c) an eligible home-based educational technology provider.



- 214 (2) The State Board of Education shall:  
215 (a) solicit proposals from eligible LEAs; and  
216 (b) make recommendations to the board to award grants to respondents based on  
217 criteria described in Subsection (5).
- 218 (3) The Department of Workforce Services shall:  
219 (a) solicit proposals from eligible private providers and eligible home-based  
220 educational technology providers; and  
221 (b) make recommendations to the board to award grants to respondents based on  
222 criteria described in Subsection (5).
- 223 (4) Subject to legislative appropriations, the board shall award grants to respondents  
224 based on:  
225 (a) the recommendations of the State Board of Education;  
226 (b) the recommendations of the Department of Workforce Services; and  
227 (c) the criteria described in Subsection (5).
- 228 (5) In awarding a grant under Subsection (4), the State Board of Education, Department  
229 of Workforce Services, and the board shall consider:  
230 (a) a respondent's capacity to effectively implement the components described in  
231 Section [53A-1b-105](#);  
232 (b) the percentage of a respondent's students who are economically disadvantaged; and  
233 (c) the level of administrative support and leadership at a respondent's program to  
234 effectively implement, monitor, and evaluate the program.
- 235 (6) To receive a grant under this section, a respondent that is an eligible LEA shall  
236 submit a proposal to the State Board of Education detailing:  
237 (a) the respondent's strategy to implement the high quality components described in  
238 Subsection [53A-1b-105](#)(1);  
239 (b) the number of students the respondent plans to serve, categorized by age and  
240 economically disadvantaged status;  
241 (c) the number of high quality preschool classrooms the respondent plans to operate;  
242 and  
243 (d) the estimated cost per student.
- 244 (7) To receive a grant under this section, a respondent that is an eligible private

245 provider or an eligible home-based educational technology provider shall submit a proposal to  
246 the Department of Workforce Services detailing:

247 (a) the respondent's strategy to implement the high quality components described in  
248 Section 53A-1b-105;

249 (b) the number of students the respondent plans to serve, categorized by age and  
250 economically disadvantaged status;

251 (c) for a respondent that is an eligible private provider, the number of high quality  
252 preschool classrooms the respondent plans to operate; and

253 (d) the estimated cost per student.

254 (8) All recipients of grants under this section shall establish a preschool or home-based  
255 educational technology program with the components described in Section 53A-1b-105.

256 (9) (a) A grant recipient shall allow classroom or other visits by an independent  
257 evaluator chosen by the board in accordance with Section 53A-1b-110.

258 (b) The independent evaluator shall:

259 (i) determine whether a grant recipient has effectively implemented the components  
260 described in Section 53A-1b-105; and

261 (ii) report the independent evaluator's findings to the board.

262 (10) (a) A grant recipient that is an eligible LEA shall assign a statewide unique  
263 student identifier to each eligible student funded pursuant to a grant received under this section.

264 (b) A grant recipient that is an eligible private provider or an eligible home-based  
265 educational technology provider shall work in conjunction with the State Board of Education to  
266 assign a statewide unique student identifier to each eligible student funded pursuant to a grant  
267 received under this section.

268 (11) A grant recipient that is an LEA shall report annually to the board and the State  
269 Board of Education the following:

270 (a) number of students served by the preschool, reported by economically  
271 disadvantaged status;

272 (b) attendance;

273 (c) cost per student; and

274 (d) assessment results.

275 (12) A grant recipient that is an eligible private provider or an eligible home-based

276 educational technology provider shall report annually to the board and the Department of  
 277 Workforce Services the following:

278 (a) number of students served by the preschool or program, reported by economically  
 279 disadvantaged status;

280 (b) attendance;

281 (c) cost per student; and

282 (d) assessment results.

283 (13) The State Board of Education and the Department of Workforce Services shall  
 284 make rules to effectively administer and monitor the High Quality School Readiness Grant  
 285 Program, including:

286 (a) requiring grant recipients to use the pre- and post-assessment selected by the board  
 287 in accordance with Section 53A-1b-110; and

288 (b) establishing reporting requirements for grant recipients.

289 (14) At the request of the board, the State Board of Education and the Department of  
 290 Workforce Services shall ~~report~~ annually share the information received from grant  
 290a recipients described in

291 Subsections (11) and (12) ~~to~~ with the board.

292 Section 7. Section **53A-1b-107** is enacted to read:

293 **53A-1b-107. High quality preschool programs for eligible LEAs.**

294 (1) To receive funding pursuant to a results-based contract awarded under Section  
 295 53A-1b-110, an eligible LEA shall establish or currently operate a high quality preschool with  
 296 the components described in Subsection 53A-1b-105(1).

297 (2) An eligible LEA shall assign a statewide unique student identifier to each eligible  
 298 student funded pursuant to a results-based contract issued under this part.

299 (3) An eligible LEA may not use funds awarded pursuant to a results-based contract to  
 300 supplant funds for an existing high quality preschool program, but may use the funds to  
 301 supplement an existing high quality preschool program.

302 (4) If permitted under Title 1 of the No Child Left Behind Act of 2001, 20 U.S.C. Sec.  
 303 6301-6578, an LEA may charge a sliding scale fee to a student participating in a high quality  
 304 preschool program under this section, based on household income.

305 (5) An LEA that receives funds under this section shall report annually to the board the  
 306 de-identified information described in Section 53A-1b-111.

307 (6) (a) An eligible LEA may contract with an eligible private provider to provide the  
308 high quality preschool program to a portion of the LEA's eligible students funded by a  
309 results-based contract.

310 (b) The board shall determine in a results-based contract the portion of an LEA's  
311 eligible students funded by the results-based contract to be served by an eligible private  
312 provider.

313 (7) To receive funding pursuant to a results-based contract, an eligible private provider  
314 shall:

315 (a) offer a preschool program that contains the components described in Subsection  
316 53A-1b-105(1);

317 (b) allow classroom visits by the evaluator chosen in accordance with Section  
318 53A-1b-110 and the private entity, to ensure the components described in this section are  
319 implemented;

320 (c) allow the evaluator chosen in accordance with Section 53A-1b-110 to administer  
321 the required pre- and post-assessments to eligible students funded under this part; and

322 (d) report the information described in Section 53A-1b-111 to the board and the  
323 contracting LEA.

324 (8) An LEA may provide the eligible private provider with:

325 (a) professional development;

326 (b) staffing or staff support;

327 (c) materials; and

328 (d) assessments.

329 (9) (a) If permitted under Title 1 of the No Child Left Behind Act of 2001, 20 U.S.C.  
330 Sec. 6301-6578, an eligible private provider may charge a sliding scale fee to a student  
331 participating in a high quality preschool program under this section, based on household  
332 income.

333 (b) The eligible private provider may use grants, scholarships, or other funds to help  
334 fund the preschool program.

335 (10) A contractual partnership established under Subsection (6) shall be consistent with  
336 Utah Constitution, Article X, Section 1.

337 (11) The evaluator selected pursuant to Section 53A-1b-110 shall annually evaluate:

338 (a) the quality and outcomes of the high quality preschool program funded by a  
339 results-based contract between a private entity and the board, including:  
340 (i) adherence to required components described in Subsection 53A-1b-105(1); and  
341 (ii) the pre- and post-assessment results of the assessment, designated by the board  
342 under Section 53A-1b-110, of eligible students in the high quality preschool program; and  
343 (b) whether the performance outcome measures set in the results-based contract have  
344 been met, using de-identified data reported in Section 53A-1b-111.

345 Section 8. Section 53A-1b-108 is enacted to read:

346 **53A-1b-108. High quality preschool programs for eligible private providers.**

347 (1) To receive funding pursuant to a results-based contract awarded under Section  
348 53A-1b-110, an eligible private provider shall:

349 (a) establish or currently operate a high quality preschool with the components  
350 described in Subsection 53A-1b-105(1);

351 (b) allow classroom visits by the evaluator chosen in accordance with Section  
352 53A-1b-110 and the private entity, to ensure the components described in Section 53A-1b-110  
353 are being implemented; and

354 (c) allow the evaluator chosen in accordance with Section 53A-1b-110 to administer  
355 the required pre- and post-assessments to eligible students funded under this part.

356 (2) An eligible private provider shall work in conjunction with the State Board of  
357 Education to assign a statewide unique student identifier to each eligible student funded  
358 pursuant to a results-based contract.

359 (3) An eligible private provider may not use funds awarded pursuant to a results-based  
360 contract to supplant funds for an existing high quality preschool program, but may use the  
361 funds to supplement an existing high quality preschool program.

362 (4) (a) If permitted under Title 1 of the No Child Left Behind Act of 2001, 20 U.S.C.  
363 Sec. 6301-6578, an eligible private provider may charge a sliding scale fee to a student  
364 participating in a high quality preschool program under this section, based on household  
365 income.

366 (b) The eligible private provider may use grants, scholarships, or other funds to help  
367 fund the preschool program.

368 (5) An eligible private provider that receives funds under this section shall report

369 annually to the board the de-identified information described in Section 53A-1b-111.

370 (6) The State Board of Education shall ~~report~~ annually ~~to~~ share with  
 370a the board aggregated

371 longitudinal data on eligible students currently receiving funding under this section and any

372 eligible students who previously received funding under this section, including:

373 (a) academic achievement outcomes;

374 (b) special education use; and

375 (c) English language learner services.

376 (7) The evaluator selected pursuant to Section 53A-1b-110 shall annually evaluate:

377 (a) the quality and outcomes of a high quality preschool program funded by a

378 results-based contract between a private entity and the board, including:

379 (i) adherence to required components described in Subsection 53A-1b-105(1); and

380 (ii) the pre- and post-assessment results of the assessment, designated by the board  
 381 under Section 53A-1b-110, of eligible students in the high quality preschool program; and

382 (b) whether the performance outcome measures set in the results-based contract have  
 383 been met, using de-identified or aggregated data reported in Subsections (5) and (6).

384 Section 9. Section 53A-1b-109 is enacted to read:

385 **53A-1b-109. Home-based educational technology for school readiness.**

386 (1) To receive funding pursuant to a results-based contract awarded under Section  
 387 53A-1b-110, an eligible home-based educational technology provider shall administer a  
 388 home-based educational technology program designed to prepare eligible students for  
 389 kindergarten.

390 (2) An eligible home-based educational technology provider described in Subsection  
 391 (1) shall establish or currently operate a high quality school readiness program with the  
 392 components described in Subsection 53A-1b-105(2).

393 (3) An eligible home-based educational technology provider shall work in conjunction  
 394 with the State Board of Education to assign a statewide unique student identifier to each  
 395 eligible student funded pursuant to a results-based contract.

396 (4) An eligible home-based educational technology provider that receives funds under  
 397 this section shall report annually to the board the following de-identified information for  
 398 eligible students funded in whole or in part pursuant to a results-based contract:

399 (a) number of eligible students served by the home-based educational technology

400 program, reported by economically disadvantaged status and English language learner status;

401 (b) average time, and range of time usage, an eligible student spent using the program

402 per week;

403 (c) cost per eligible student;

404 (d) assessment results of the pre- and post-assessments selected by the board; and

405 (e) number of eligible students served by the home-based educational technology

406 program who participated in any other public or private preschool program, including the type

407 of preschool attended.

408 (5) The State Board of Education shall ~~report~~ annually ~~to~~ share with

408a the board aggregated

409 longitudinal data on eligible students currently receiving funding under this section and any

410 eligible students who previously received funding under this section, including:

411 (a) academic achievement outcomes;

412 (b) special education use; and

413 (c) English language learner services.

414 (6) The evaluator selected pursuant to Section 53A-1b-110 shall annually evaluate:

415 (a) the quality and outcomes of a home-based educational technology program funded

416 by a results-based contract between a private entity and the board, including the pre- and

417 post-assessment results, on the assessment designated by the board under Section 53A-1b-110,

418 of eligible students in the program; and

419 (b) whether the performance outcome measures set in the results-based contract have

420 been met, using de-identified or aggregated data reported in Subsections (4) and (5).

421 Section 10. Section 53A-1b-110 is enacted to read:

422 **53A-1b-110. Results-based school readiness contracts -- Board duties --**

423 **Independent evaluator.**

424 (1) (a) The board may negotiate and enter into a results-based contract with a private

425 entity, selected through a competitive process, to fund:

426 (i) a high quality preschool program described in Section 53A-1b-107;

427 (ii) a high quality preschool program described in Section 53A-1b-108; or

428 (iii) a home-based education technology program described in Section 53A-1b-109.

429 (b) The board may not issue a results-based contract if the total outstanding obligations

430 of results-based contracts issued by the board under this part would exceed \$15,000,000 at any

431 one time.

432 (c) The board may provide for a repayment to a private entity to include a return of  
 433 investment and an additional return on investment, dependent on achievement of specific  
 434 performance outcome measures set in the results-based contract.

435 (d) The additional return on investment described in Subsection (1)(c) may not exceed  
 436 5% above ~~the yield to maturity for~~ the current ~~rate the state receives for the state's~~  
 436a general  
 437 ~~obligation bonds~~ **Municipal Market Data General Obligation Bond AAA scale for a 10 year**  
 437a maturity ~~at~~ at the time of the issuance of the results-based school readiness contract.

438 (e) Funding obtained for an early education program under this part is not a  
 439 procurement item under Section [63G-6a-103](#).

440 (2) A contract shall include:

441 (a) a requirement that the repayment to the private entity be conditioned on specific  
 442 performance outcome measures set in the results-based contract;

443 (b) a requirement for an independent evaluator to determine whether the performance  
 444 outcomes have been achieved;

445 (c) a provision that repayment to the private entity is:

446 (i) based upon available money in the School Readiness Special Revenue Fund; and

447 (ii) subject to legislative appropriation; and

448 (d) that the private entity is not eligible to receive or view any personally identifiable  
 449 student data of students funded through a results-based contract.

450 (3) The board shall select an independent, nationally recognized early childhood  
 451 education evaluator, selected through a request for proposals process, to annually evaluate:

452 (a) performance outcome measures set in a results-based contract of the board; and

453 (b) a High Quality School Readiness Grant Program recipient's program.

454 (4) The board shall select a uniform assessment that:

455 (a) is a nationally norm-based measure of age-appropriate cognitive or language skills;

456 (b) has established reliability; and

457 (c) has established validity with other similar measures and with later school outcomes.

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

461 (b) If the independent evaluator determines under Subsection (5)(a) that the



462 performance outcome measures have been met, the board may pay the private entity according  
463 to the terms of the results-based contract.

464 (6) (a) The board shall ensure that a parent or guardian of an eligible student  
465 participating in a program funded pursuant to a results-based contract has given permission and  
466 signed an acknowledgment that the student's data may be shared with an independent evaluator  
467 for research and evaluation purposes.

468 (b) The board shall maintain documentation of parental permission required in  
469 Subsection (6)(a).

470 Section 11. Section **53A-1b-111** is enacted to read:

471 **53A-1b-111. Reporting requirements for recipients of a results-based school**  
472 **readiness contract -- Reporting requirements for the School Readiness Board.**

473 (1) An eligible LEA, eligible private provider, or eligible home-based educational  
474 technology provider that receives funds pursuant to a results-based contract under this part  
475 shall report annually to the board the following de-identified information for eligible students  
476 funded in whole or in part pursuant to a results-based contract:

477 (a) number of eligible students served by the recipient's preschool or home-based  
478 educational technology program, reported by economically disadvantaged status and English  
479 language learner status;

480 (b) attendance;

481 (c) cost per eligible student;

482 (d) assessment results of the pre- and post-assessments selected by the board; and

483 (e) aggregated longitudinal data on eligible students currently receiving funding under  
484 this part and any eligible students who previously received funding under this part, including:

485 (i) academic achievement outcomes;

486 (ii) special education use; and

487 (iii) English language learner services.

488 (2) For each year of a results-based contract, the board shall report to the Education  
489 Interim Committee the following:

490 (a) information collected under Subsection (1) for each participating LEA, private  
491 provider, and home-based educational technology provider; and

492 (b) the terms of the results-based contract, including:

- 493 (i) the name of each private entity and funding source;  
 494 (ii) the amount of money each private entity has invested;  
 495 (iii) the performance outcome measures set in the results-based contract by which  
 496 repayment will be determined; and  
 497 (iv) the repayment schedule to the private entity if the performance outcomes are met.

497a **H→ Section 12. Section 63J-1-602.3 is amended to read:**

497b **63J-1-602.3 List of nonlapsing funds and accounts -- Title 46 through Title 60.**

497c **(1) Funding for the Search and Rescue Financial Assistance Program, as provided in**  
 497d **Section 53-2a-1101.**

497e **(2) Appropriations made to the Division of Emergency Management from the State**  
 497f **Disaster Recovery Restricted Account, as provided in Section 53-2a-603.**

497g **(3) Appropriations made to the Department of Public Safety from the Department of**  
 497h **Public Safety Restricted Account, as provided in Section 53-3-106.**

497i **(4) Appropriations to the Motorcycle Rider Education Program, as provided in Section**  
 497j **53-3-905.**

497k **(5) Appropriations from the Utah Highway Patrol Aero Bureau Restricted Account**  
 497l **created in Section 53-8-303.**

497m **(6) Appropriations from the DNA Specimen Restricted Account created in Section**  
 497n **53-10-407.**

497o **(7) The Canine Body Armor Restricted Account created in Section 53-16-201.**

497p **(8) The School Readiness Restricted Account created in Section 53A-1b-104.**

497q **~~[(8)]~~ (9) Appropriations to the State Board of Education, as provided in Section**  
 497r **53A-17a-105.**

497s **~~[(9)]~~ 10 Money received by the State Office of Rehabilitation for the sale of certain**  
 497t **products or services, as provided in Section 53A-24-105.**

497u **~~[(10)]~~ 11 Certain funds appropriated from the General Fund to the State Board of**  
 497v **Regents for teacher preparation programs, as provided in Section 53B-6-104.**

497w **~~[(11)]~~ 12 A certain portion of money collected for administrative costs under the**  
 497x **School Institutional Trust Lands Management Act, as provided under Section 53C-3-202.**

497y **~~[(12)]~~ 13 Certain surcharges on residential and business telephone numbers imposed**  
 497z **by the Public Service Commission, as provided in Section 54-8b-10.**

497aa **~~[(13)]~~ 14 Certain fines collected by the Division of Occupational and Professional**  
 497ab **Licensing for violation of unlawful or unprofessional conduct that are used for education and**  
 497ac **enforcement purposes, as provided in Section 58-17b-505.**

497ad **~~[(14)]~~ 15 Certain fines collected by the Division of Occupational and Professional**  
 497ae **Licensing for use in education and enforcement of the Security Personnel Licensing Act,**  
 497af **as provided in Section 58-63-103.**

