

SCHOOL READINESS AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ann Millner

House Sponsor: _____

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



28 **35A-15-202**, as last amended by Laws of Utah 2023, Chapter 380

29 **35A-15-203**, as renumbered and amended by Laws of Utah 2019, Chapter 342

30 **35A-15-301**, as renumbered and amended by Laws of Utah 2019, Chapter 342 and last
31 amended by Coordination Clause, Laws of Utah 2019, Chapter 342

32 **35A-15-302**, as last amended by Laws of Utah 2019, Chapter 186 and renumbered and
33 amended by Laws of Utah 2019, Chapter 342 and last amended by Coordination
34 Clause, Laws of Utah 2019, Chapter 342

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

37 **35A-15-401**, as renumbered and amended by Laws of Utah 2019, Chapter 342 and last
38 amended by Coordination Clause, Laws of Utah 2019, Chapter 342

39 **35A-15-402**, as last amended by Laws of Utah 2019, Chapter 186 and renumbered and
40 amended by Laws of Utah 2019, Chapter 342 and last amended by Coordination
41 Clause, Laws of Utah 2019, Chapter 342

42 **53E-1-201**, as last amended by Laws of Utah 2023, Chapters 1, 328 and 380

43 **53E-4-314**, as last amended by Laws of Utah 2022, Chapter 316

44 **63I-2-253 (Superseded 07/01/24)**, as last amended by Laws of Utah 2023, Chapters 7,
45 21, 33, 142, 167, 168, 380, 383, and 467

46 **63I-2-253 (Effective 07/01/24)**, as last amended by Laws of Utah 2023, Chapters 7, 21,
47 33, 142, 167, 168, 310, 380, 383, and 467

48 REPEALS:

49 **35A-15-201**, as last amended by Laws of Utah 2022, Chapter 461

50

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

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

53 **35A-15-102. Definitions.**

54 As used in this chapter:

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

56 [~~(2)~~] (1) "Department" means the Department of Workforce Services.

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

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]~~

81 ~~[(iii) is 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) living with multiple families in the same household;

117 (h) 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;
- 122 (i) the primary language spoken in a child's home is a language other than English; or
- 123 (j) 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 ~~[(1)]~~ 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;

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

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

154 ~~Education]~~ state board adopts; and

155 ~~[(ii)]~~ (b) evaluates student progress to inform instruction;

156 ~~[(d)]~~ (4) administration of the school readiness assessment to each student;

157 ~~[(e)]~~ (5) ~~[for a preschool program that an eligible LEA runs;]~~ a class size that does not
158 exceed 20 students, with one adult for every 10 students in the class;

159 ~~[(f)]~~ (6) ongoing program evaluation and data collection to monitor program goal
160 achievement and implementation of required program components;

161 ~~[(g)]~~ (7) family engagement, including ongoing communication between home and
162 school, and parent education opportunities based on each family's circumstances;

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

164 ~~[(i)]~~ (a) the minimum standard of a child development associate certification; or

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

166 and

167 ~~[(i)]~~ (9) a kindergarten transition plan.

168 ~~[(2)]~~ ~~A high quality school readiness program that a home-based educational technology~~
169 ~~provider runs shall meet the requirements as described in Title 63N, Chapter 20, UPSTART.]~~

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

171 **35A-15-203. School Readiness Restricted Account -- Creation -- Funding --**

172 **Distribution of funds.**

173 (1) There is created in the General Fund a restricted account known as the "School
174 Readiness Restricted ~~[Account".]~~ Account."

175 (2) The School Readiness Restricted Account consists of:

176 (a) money appropriated by the Legislature;

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

179 (c) federal grants; and

180 (d) private donations.

181 (3) Subject to legislative appropriations, money in the restricted account may be used:

182 (a) to award a grant under Section [35A-15-301](#) or [35A-15-302](#);

- 183 (b) to contract with an evaluator;
- 184 (c) to fund the participation of eligible students in a high quality school readiness
- 185 program through a results-based contract; and
- 186 (d) for administration costs and to monitor the programs described in this part.
- 187 (4) Money for awards under Subsection (3)(a) shall be allocated in the following order

188 to:

- 189 (a) pay results-based contracts;
- 190 (b) grant awards under Section 35A-15-302; and
- 191 (c) if any allocated funds remain, grant awards under Section 53A-15-301.

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

193 **35A-15-301. Becoming Quality School Readiness Grant Program.**

194 (1) The [High] Becoming Quality School Readiness Grant Program is created to

195 provide grants to the following, in order to assist an existing preschool [~~or home-based~~

196 ~~educational technology program~~] in becoming a high quality school readiness program:

- 197 (a) an eligible private provider; or
- 198 (b) an eligible LEA[; ~~or~~].
- 199 [~~(c) an eligible home-based educational technology provider.~~]

200 (2) [~~The board, in cooperation with the department and the State Board of Education,~~]

201 The department, in consultation with the school readiness team, shall solicit proposals from

202 eligible LEAs[;] and eligible private providers[; ~~and eligible home-based educational~~

203 ~~technology providers~~].

204 (3) Subject to legislative appropriations, [~~and the prioritization described in Section~~

205 ~~35A-15-201, the board~~] the department, in consultation with the school readiness team, shall

206 award grants to [~~respondents~~] applicants based on:

- 207 (a) [~~a respondent's~~] an applicant's capacity to effectively implement the components
- 208 described in Section 35A-15-202;
- 209 (b) the percentage of [~~a respondent's students who are~~] eligible students; and
- 210 (c) the level of administrative support and leadership at [~~a respondent's~~] an applicant's
- 211 program to effectively implement, monitor, and evaluate the program.

212 (4) To receive a grant under this section, [~~a respondent~~] an applicant shall submit a

213 proposal to the [~~board~~] department detailing:

214 (a) the ~~[respondent's]~~ applicant's strategy to implement the high quality components
215 described in Section [35A-15-202](#);

216 (b) the number of proposed students ~~[the respondent plans to serve]~~, categorized by age
217 and whether the students are eligible students;

218 (c) for an eligible LEA or eligible private provider, the number of high quality school
219 readiness program classrooms the ~~[respondent]~~ applicant plans to operate; and

220 (d) the estimated cost per student.

221 (5) (a) A grant recipient ~~[of a grant under this section]~~ shall use the grant to move the
222 recipient's preschool program toward achieving the components described in Section
223 [35A-15-202](#).

224 (b) A grant recipient ~~[of a grant under this section]~~ may not:

225 (i) enter into a results-based contract while the recipient receives the grant; or

226 (ii) receive grant funds under Section [35A-15-302](#).

227 (6) A grant recipient ~~[of a grant under this section]~~ shall ensure that each student who
228 is enrolled in a classroom ~~[or who uses a home-based educational technology program]~~
229 supported by the grant has a unique student identifier by:

230 (a) if the recipient is an eligible LEA, assigning a unique student identifier to each
231 student enrolled in the classroom; or

232 (b) if the recipient is an eligible private provider ~~[or eligible home-based educational~~
233 ~~technology provider;]~~ working with the ~~[State Board of Education]~~ state board to assign a
234 unique student identifier to each student enrolled in the classroom ~~[or who uses the~~
235 ~~home-based educational technology program]~~.

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

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

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

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

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

244 ~~[(8) A grant recipient that is an eligible private provider or an eligible home-based~~

245 educational technology provider shall report annually to the board and the department the
246 following:]

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

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

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

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

253 ~~[(9)]~~ (7) A grant recipient shall work in cooperation with the UPSTART contractor in
254 accordance with Section 63N-20-103 and develop data sharing agreements that include:

255 (a) program information;

256 (b) referrals; and

257 (c) shared student performance outcomes.

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

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

263 (b) establishing reporting requirements for grant recipients.

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

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

267 **35A-15-302. High Quality School Readiness Grant Program -- Determination of**
268 **high quality school readiness program .**

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

273 (2) ~~The [board, in cooperation with the department and the State Board of Education]~~
274 department, in consultation with the school readiness team, shall solicit proposals from eligible
275 LEAs and eligible private providers ~~[to fund increases in the number of eligible students high~~

276 ~~quality school readiness programs can serve].~~

277 (3) (a) ~~[Except as provided in Subsection (3)(c), a respondent]~~ An applicant shall
278 submit a proposal that includes the information described in Subsection (3)(b) to the ~~[board]~~
279 department.

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

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

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

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

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

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

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

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

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

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

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

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

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

302 ~~[(v)]~~ (iii) the results of any evaluations of the ~~[respondent's]~~ applicant's school
303 readiness program; and

304 ~~[(vi)]~~ (iv) a demonstration that the respondent's existing school readiness program
305 meets performance outcome measures.

306 ~~[(e) In addition to the requirements described in Subsection (3)(b), a respondent that is~~

307 an eligible LEA shall describe in the respondent's proposal the percentage of the respondent's
 308 kindergarten through grade 12 students who are economically disadvantaged.]

309 (4) For each proposal received in response to the solicitation described in Subsection
 310 (2), the [board] school readiness team shall determine if the [respondent] applicant school
 311 readiness program is a high quality school readiness program by:

312 (a) applying the [tool] tools; [and]

313 (b) reviewing performance outcome measures[-]; and

314 (c) implementing the elements of a high quality school readiness program.

315 (5) (a) Subject to legislative appropriations and Subsection [(9)] (8), the [board]
 316 department, in consultation with the school readiness team, shall award a grant to [a
 317 respondent] an applicant.

318 (b) The [board] department may only award a grant to [a respondent] an applicant if:

319 (i) the [respondent] applicant submits a proposal that includes the information required
 320 under Subsection (3); and

321 (ii) the [board] school readiness team determines that the [respondent's] applicant's
 322 program is a high quality school readiness program in accordance with Subsection (4).

323 (c) (i) A grant recipient [~~of a grant~~] may use funds received under this section to
 324 supplement an existing program but not supplant other funding.

325 (ii) An eligible LEA or an eligible private provider may not receive funding under this
 326 section if the eligible LEA or eligible private provider receives funding under Section
 327 [35A-15-301](#) or [35A-15-401](#).

328 (6) In evaluating a proposal received in response to the solicitation described in
 329 Subsection (2), the [board] school readiness team shall consider:

330 (a) the number and percent of students in the [respondent's] applicant's high quality
 331 school readiness program that are eligible students at the highest risk;

332 (b) geographic diversity, including whether the [respondent] applicant is urban or rural;
 333 and

334 [~~(c) the extent to which the respondent intends to participate in a partnership with an~~
 335 ~~LEA, eligible private provider, or eligible home-based technology provider; and]~~

336 [(d)] (c) the [respondent's] applicant's level of administrative support and leadership to
 337 effectively implement, monitor, and evaluate the program.

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

- 369 (a) makes the annual report described in [~~Subsection (7)(b)~~] Section 35A-15-303;
 370 (b) participates in the evaluation; and
 371 (c) continues to offer a high quality school readiness program [~~as determined during an~~
 372 ~~annual site visit by:~~]

373 [~~(i) the State Board of Education, for an eligible LEA; or~~
 374 ~~(ii) the department, for an eligible private provider].~~

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

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

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

381 **35A-15-303. Evaluation -- Tools -- Reporting.**

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

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

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

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

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

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

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

396 (iv) student demographic data.

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

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

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 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:

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;

432 (ii) in year two:

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.

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

462 results-based contract.

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

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

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

472 (3) A participating program operator shall ensure that each student who is enrolled in a
473 classroom, or who uses a home-based educational technology, that is part of a participating
474 program operator's program has a unique student identifier by:

475 (a) if the participating program operator is an eligible LEA, assigning a unique student
476 identifier to each student enrolled in the classroom; or

477 (b) if the participating program operator is an eligible private provider or eligible
478 home-based technology provider, working with the [~~State Board of Education~~] state board to
479 assign a unique student identifier to each student enrolled in the classroom or who uses the
480 home-based educational technology.

481 (4) A participating program operator may not use funds received through a
482 results-based contract to supplant funds for an existing high quality school readiness program,
483 but may use the funds to supplement an existing high quality school readiness program.

484 (5) (a) If not prohibited by the Elementary and Secondary Education Act of 1965, 20
485 U.S.C. Secs. 6301-6576, a participating program operator may charge a sliding scale fee, based
486 on household income, to a student enrolled in the participating program operator's program.

487 (b) A participating program operator may use grants, scholarships, or other money to
488 help fund the program.

489 (6) (a) A participating program operator that is an eligible LEA may contract with an
490 eligible private provider to provide a high quality school readiness program to a portion of the
491 eligible LEA's eligible students if:

492 (i) the results-based contract specifies the number of students to be served by the

493 eligible private provider; and

494 (ii) the eligible private provider meets the requirements described in this section for a
495 participating program operator.

496 (b) An eligible LEA that contracts with an eligible private provider shall provide
497 supportive services to the eligible private provider, which may include:

498 (i) professional [~~development~~] learning;

499 (ii) staffing or staff support;

500 (iii) materials; or

501 (iv) assessments.

502 Section 8. Section **35A-15-402** is amended to read:

503 **35A-15-402. Results-based contracts -- Assessment.**

504 (1) The [~~board~~] department may enter into a results-based contract to fund participation
505 of eligible students in a high quality school readiness program in accordance with this part.

506 (2) (a) The [~~board~~] department shall include an investor as a party to a results-based
507 contract.

508 (b) The [~~board~~] department may provide for a repayment to an investor to include a
509 return of investment and an additional return on investment, dependent on achievement of the
510 performance outcome measures set in the results-based contract.

511 (c) The additional return on investment described in Subsection (2)(b) may not exceed
512 5% above the current Municipal Market Data General Obligation Bond AAA scale for a 10
513 year maturity at the time of the issuance of the results-based contract.

514 (d) Funding obtained for an early education program through a results-based contract
515 that includes an investor is not a procurement item under Section [63G-6a-103](#).

516 (e) A results-based contract that includes an investor shall include:

517 (i) a requirement that the repayment to the investor be conditioned on achieving the
518 performance outcome measures set in the results-based contract;

519 (ii) a requirement for an independent evaluator to determine whether the performance
520 outcome measures have been achieved;

521 (iii) a provision that repayment to the investor is:

522 (A) based upon available money in the School Readiness Restricted Account described
523 in Section [35A-15-203](#); and

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 shall select an 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;

555 (b) the prioritized list of data research described in Section 53B-33-302 and the report
556 on research and activities described in Section 53B-33-304 by the Utah Data Research Center;
557 [~~(c)~~] the report described in Section 35A-15-303 by the State Board of Education on
558 preschool programs;]

559 [~~(d)~~] (c) the report described in Section 53B-1-402 by the Utah Board of Higher
560 Education on career and technical education issues and addressing workforce needs;

561 [~~(e)~~] (d) the annual report of the Utah Board of Higher Education described in Section
562 53B-1-402;

563 [~~(f)~~] (e) the reports described in Section 53B-28-401 by the Utah Board of Higher
564 Education regarding activities related to campus safety;

565 [~~(g)~~] (f) the State Superintendent's Annual Report by the state board described in
566 Section 53E-1-203;

567 [~~(h)~~] (g) the annual report described in Section 53E-2-202 by the state board on the
568 strategic plan to improve student outcomes;

569 [~~(i)~~] (h) the report described in Section 53E-8-204 by the state board on the Utah
570 Schools for the Deaf and the Blind;

571 [~~(j)~~] (i) the report described in Section 53E-10-703 by the Utah Leading through
572 Effective, Actionable, and Dynamic Education director on research and other activities;

573 [~~(k)~~] (j) the report described in Section 53F-2-522 regarding mental health screening
574 programs;

575 [~~(l)~~] (k) the report described in Section 53F-4-203 by the state board and the
576 independent 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 preparation
581 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~~]
585 state board regarding an evaluation of a partnership that receives a grant to improve educational

586 outcomes for students who are low income;

587 ~~[(q)]~~ (p) the report described in Section 53B-35-202 regarding the Higher Education
588 and Corrections Council;

589 ~~[(r)]~~ (q) the report described in Section 53G-7-221 by the ~~[State Board of Education]~~
590 state 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
596 occasional 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 administration of
603 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 assessment;

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

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

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

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

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

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 measures growth from the beginning of the 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~~] select a school readiness assessment 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 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 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) A private care provider or an LEA on behalf of a school that is not participating 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

679 (e) Section 53B-8-205.

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

681 (10) Subsection [~~53E-1-201(1)(s)~~] 53E-1-201(1)(r) regarding the report by the
682 Educational Interpretation and Translation Services Procurement Advisory Council is repealed
683 July 1, 2024.

684 (11) Section 53E-1-202.2, regarding a Public Education Appropriations Subcommittee
685 evaluation and recommendations, is repealed January 1, 2024.

686 (12) Section 53F-2-209, regarding local education agency budgetary flexibility, is
687 repealed July 1, 2024.

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

690 (14) Section 53F-2-524, regarding teacher bonuses for extra work assignments, is
691 repealed July 1, 2024.

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

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

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

696 (18) On July 1, 2023, when making changes in this section, the Office of Legislative
697 Research and General Counsel shall, in addition to the office's authority under Section
698 36-12-12, make corrections necessary to ensure that sections and subsections identified in this
699 section are complete sentences and accurately reflect the office's perception of the Legislature's
700 intent.

701 Section 12. Section 63I-2-253 (Effective 07/01/24) is amended to read:

702 **63I-2-253 (Effective 07/01/24). Repeal dates: Titles 53 through 53G.**

703 (1) Subsection 53-1-104(1)(b), regarding the Air Ambulance Committee, is repealed
704 July 1, 2024.

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

706 (3) Section 53-1-120 is repealed on July 1, 2024.

707 (4) Section 53-2d-107, regarding the Air Ambulance Committee, is repealed July 1,
708 2024.

709 (5) In relation to the Air Ambulance Committee, on July 1, 2024, Subsection

710 [53-2d-702\(1\)\(a\)](#) is amended to read:

711 "(a) provide the patient or the patient's representative with the following information
712 before contacting an air medical transport provider:

713 (i) which health insurers in the state the air medical transport provider contracts with;

714 (ii) if sufficient data is available, the average charge for air medical transport services
715 for a patient who is uninsured or out of network; and

716 (iii) whether the air medical transport provider balance bills a patient for any charge not
717 paid by the patient's health insurer; and".

718 (6) Section [53-7-109](#) is repealed on July 1, 2024.

719 (7) Section [53-22-104](#) is repealed December 31, 2023.

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

721 (9) Section [53B-7-707](#) regarding performance metrics for technical colleges is repealed
722 July 1, 2023.

723 (10) Section [53B-8-114](#) is repealed July 1, 2024.

724 (11) The following provisions, regarding the Regents' scholarship program, are
725 repealed on July 1, 2023:

726 (a) in Subsection [53B-8-105\(12\)](#), the language that states, "or any scholarship
727 established under Sections [53B-8-202](#) through [53B-8-205](#)";

728 (b) Section [53B-8-202](#);

729 (c) Section [53B-8-203](#);

730 (d) Section [53B-8-204](#); and

731 (e) Section [53B-8-205](#).

732 (12) Section [53B-10-101](#) is repealed on July 1, 2027.

733 (13) Subsection [~~[53E-1-201\(1\)\(s\)](#)~~] [53E-1-201\(1\)\(r\)](#) regarding the report by the
734 Educational Interpretation and Translation Services Procurement Advisory Council is repealed
735 July 1, 2024.

736 (14) Section [53E-1-202.2](#), regarding a Public Education Appropriations Subcommittee
737 evaluation and recommendations, is repealed January 1, 2024.

738 (15) Section [53F-2-209](#), regarding local education agency budgetary flexibility, is
739 repealed July 1, 2024.

740 (16) Subsection [53F-2-314\(4\)](#), relating to a one-time expenditure between the at-risk

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 631-2-253 (Effective 07/01/24) take effect on July 1,
760 2024.