	SCHOOL READINESS AMENDMENTS
	2024 GENERAL SESSION
	STATE OF UTAH
	Chief Sponsor: Ann Millner
	House Sponsor: Katy Hall
= 1	LONG TITLE
(General Description:
	This bill amends provisions of preschool programs.
ł	Highlighted Provisions:
	This bill:
	 defines terms;
	 repeals the School Readiness Board;
	 creates a school readiness team comprised of staff from the Department or
I	Workforce Services' Office of Child Care and staff from the state board to fulfill
C	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.
Ι	Money Appropriated in this Bill:
	None
(Other Special Clauses:
	This bill provides a special effective date.
l	Utah Code Sections Affected:
ŀ	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44	63I-2-253 (Superseded 07/01/24), as last amended by Laws of Utah 2023, Chapters 7,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	631-2-253 (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; $\hat{S} \rightarrow [and] \leftarrow \hat{S}$
78	$\left[\frac{(B)}{(B)}\right]$ (ii) whose parent or legal guardian reports that the student has experienced at
79	least one risk factor Ŝ→ [[;].] ; ←Ŝ
80	Ŝ→ [{(ii)–is an English learner; or]] <u>(iii) is an English learner; or</u> ←Ŝ
81	Ŝ→ [[(iii)–is in foster care.]] <u>(iv) has ever been in foster care.</u> ←Ŝ
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	Ŝ→ [(f) having ever been in foster care;
116	(g) (f) $\leftarrow \hat{S}$ living with multiple families in the same household;
117	$\hat{S} \rightarrow [(h)] (g) \leftarrow \hat{S}$ 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; Ŝ→ <u>or</u> ←Ŝ
122	Ŝ→ [(i) the primary language spoken in a child's home is a language other than English; or
123	(j) (h) $\leftarrow \hat{S}$ 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	$\left[\frac{(a)}{(a)}\right]$ 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	$\left[\frac{(B)}{(B)}\right]$ (ii) includes specific literacy and numeracy skills, such as phonological
147	awareness; and
148	$\left[\frac{(C)}{(III)}\right]$ 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	[(c)] (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	$\left[\frac{(d)}{(d)}\right]$ 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	$\left[\frac{(g)}{2}\right]$ (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	<u>to:</u>
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; <u>or</u>
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	[(c) 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 $\hat{S} \rightarrow [the board will] to \leftarrow \hat{S}$ 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) $\hat{S} \rightarrow [\frac{in \ year \ one}{2}]$ after the first year of not meeting the established benchmark $\leftarrow \hat{S}$:
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	<u>readiness team;</u> $\hat{S} \rightarrow \underline{and} \leftarrow \hat{S}$
432	(ii) $\hat{S} \rightarrow [\underline{in \ year \ two}]$ after the second year of not meeting the established benchmark
432a	← Ŝ <u>:</u>
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	<u>readiness team</u> Ŝ→ [; and] . ←Ŝ
437	$\hat{S} \rightarrow [\underline{(d)}]$ 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	<u>coach to:</u>
440	<u>(i) meet each month with the grant recipient; and</u>
441	<u>(ii) provide the grant recipient with feedback and observations for focused</u>
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	<u>recipient shall no longer be eligible for grant funding.</u>]
445a	(d) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
445b	<u>department, in consultation with the school readiness team, may adopt rules to establish</u>
445c	eligibility criteria and grant funding priority for a grant recipient who, after three consecutive
445d	years, fails to meet the benchmark for success described in Subsection (5)(c). $\leftarrow \hat{S}$
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

S.B. 220

462 results-based contract.

463 (b) "Program" means a school readiness program funded through a results-based464 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.

(b) An eligible LEA, an eligible private provider, or an eligible home-based
educational technology provider may not enter into a results-based contract while receiving a
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 student476 identifier to each student enrolled in the classroom; or

(b) if the participating program operator is an eligible private provider or eligible
home-based technology provider, working with the [State Board of Education] state board to
assign a unique student identifier to each student enrolled in the classroom or who uses the
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 to488 help fund the program.

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

492

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

eligible private provider; and

493

S.B. 220

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 of eligible students in a high quality school readiness program in accordance with this part. 505 506 (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. (c) The additional return on investment described in Subsection (2)(b) may not exceed 511 512 5% above the current Municipal Market Data General Obligation Bond AAA scale for a 10 year maturity at the time of the issuance of the results-based contract. 513 (d) Funding obtained for an early education program through a results-based contract 514 515 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: (i) a requirement that the repayment to the investor be conditioned on achieving the 517 518 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: (A) based upon available money in the School Readiness Restricted Account described 522 523 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 $\hat{S} \rightarrow [board] \underline{department} \leftarrow \hat{S}$ shall select an
534a	independent evaluator
535	with experience in evaluating school readiness programs.
536	(5) (a) At the end of each year of a results-based contract after a student funded through
537	a results-based contract completes kindergarten, the independent evaluator shall determine
538	whether the performance outcome measures set in the results-based contract have been met.
539	(b) The [board] department may not pay an investor unless the evaluation described in
540	Subsection (5)(a) determines that the performance outcome measures in the results-based
541	contract have been met.
542	(6) (a) The [board] department shall ensure that a parent or guardian of an eligible
543	student participating in a program funded through a results-based contract has given permission
544	and signed an acknowledgment that the student's data may be shared for research and
545	evaluation purposes, subject to federal law.
546	(b) The [board] department shall maintain documentation of parental permission
547	required in Subsection (6)(a).
548	Section 9. Section 53E-1-201 is amended to read:
549	53E-1-201. Reports to and action required of the Education Interim Committee.
550	(1) In accordance with applicable provisions and Section 68-3-14, the following
551	recurring reports are due to the Education Interim Committee:
552	(a) the report described in Section 9-22-109 by the STEM Action Center Board,
553	including the information described in Section 9-22-113 on the status of the computer science
554	initiative and Section 9-22-114 on the Computing Partnerships Grants Program;

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	[(i)] (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	[(1)] (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	$\left[\frac{(m)}{(l)}\right]$ 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	$[(\mathbf{o})]$ (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	$\frac{(s)}{(s)}$ (r) the annual report described in Section 63A-2-502 by the Educational
592	Interpretation and Translation Service Procurement Advisory Council; and
593	$\left[\frac{(t)}{(s)}\right]$ 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	$\left[\frac{(c)}{(c)}\right]$ (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	$\left[\frac{(d)}{(d)}\right]$ (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	$[\frac{(j)}{(j)}]$ (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	$\left[\frac{k}{2}\right]$ (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	[(1)] (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	<u>that</u> $\hat{S} \rightarrow :$
631a	(i) measures literacy and numeracy; and
631b	(ii) beginning with the 2026-2027 school year, $\leftarrow \hat{S}$ measures growth from the beginning of the
631c	year to the end of the year.
632	(b) "School readiness program" means a preschool program:
633	(i) in which a student participates in the year before the student is expected to enroll in
634	kindergarten; and
635	(ii) that receives funding under Title 35A, Chapter 15, Preschool Programs.
636	(2) The state board shall [develop] $\hat{S} \rightarrow \underline{develop \ or} \leftarrow \hat{S} \underline{select}$ a school readiness assessment
636a	Ŝ→ [that aligns with
637	the kindergarten entry and exit assessment described in Section 53G-7-203] $\leftarrow \hat{S}$.
638	(3) A school readiness program shall:
639	(a) $\hat{S} \rightarrow [except as provided in Subsection (4),] \leftarrow \hat{S}$ administer to each student who
639a	participates in
640	the school readiness program the school readiness assessment at the beginning and end of the
641	student's participation in the school readiness program; and
642	(b) report the results of the assessments described in Subsection (3)(a) $\hat{S} \rightarrow [or (4)] \leftarrow \hat{S}$ to
642a	the
643	[School Readiness Board created in Section 35A-15-201] state board.
644	$\hat{S} \rightarrow [(4)$ 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
	Senate 3rd Reading Amendments 2-21-2024 lp/rb2

- 21 - Senate 2nd Reading Amendments 2-20-2024 lp/rb2

648	Oparticipation in the school readiness program; and
649	(b) a validated computer adaptive post-assessment at the end of the student's
650	participation in the school readiness program.
651	(5) $(4) \leftarrow \hat{S}$ A private care provider or an LEA on behalf of a school that is not participating
651a	in
652	the High Quality Readiness Grant Program, as described in Section 35A-15-301 or
653	35A-15-302, may submit school readiness assessment data to the state board.
654	[(5) (a) The following may submit school readiness assessment data to the School
655	Readiness Board created in Section 35A-15-201:]
656	[(i) a private child care provider; or]
657	[(ii) an LEA on behalf of a school that is not participating in the High Quality School
658	Readiness Grant Program described in Section 35A-15-301.]
659	[(b) If a private child care provider or LEA submits school readiness assessment data to
660	the School Readiness Board under Subsection (5)(a), the state board shall include the school
661	readiness assessment data in the report described in Subsection 35A-15-303(5).]
662	Section 11. Section 63I-2-253 (Superseded 07/01/24) is amended to read:
663	63I-2-253 (Superseded 07/01/24). Repeal dates: Titles 53 through 53G.
664	(1) Section 53-1-118 is repealed on July 1, 2024.
665	(2) Section 53-1-120 is repealed on July 1, 2024.
666	(3) Section 53-7-109 is repealed on July 1, 2024.
667	(4) Section 53-22-104 is repealed December 31, 2023.
668	(5) Section 53B-6-105.7 is repealed July 1, 2024.
669	(6) Section 53B-7-707 regarding performance metrics for technical colleges is repealed
670	July 1, 2023.
671	(7) Section 53B-8-114 is repealed July 1, 2024.
672	(8) The following provisions, regarding the Regents' scholarship program, are repealed
673	on July 1, 2023:
674	(a) in Subsection $53B-8-105(12)$, the language that states, "or any scholarship
675	established under Sections 53B-8-202 through 53B-8-205";
676	(b) Section 53B-8-202;
677	(c) Section 53B-8-203;
678	(d) Section 53B-8-204; and

679	(e) Section 53B-8-205.
680	(9) Section 53B-10-101 is repealed on July 1, 2027.
681	(10) Subsection $[\frac{53E-1-201(1)(s)}{53E-1-201(1)(r)}]$ 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 $[\frac{53E-1-201(1)(s)}{53E-1-201(1)(r)}]$ 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	Ŝ→ [(1) Except as provided in Subsection (2), this bill takes effect on May 1, 2024.
759	<u>(2) The actions affecting Section 631-2-253 (Effective 07/01/24) take effect on July 1,</u>
760	<u>2024.]</u> This bill takes effect on July 1, 2024. ←Ŝ