

1 UPSTART AMENDMENTS

2 2017 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: J. Stuart Adams**

5 House Sponsor: Bradley G. Last

7 **LONG TITLE**

8 **General Description:**

9 This bill amends provisions related to the UPSTART program.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ repeals provisions describing UPSTART as a pilot program, including provisions
13 that would have repealed the UPSTART program;
- 14 ▶ requires the State Board of Education to issue a request for two-year pilot proposals
15 from certain educational technology providers;
- 16 ▶ requires a contractor to work with the Department of Workforce Services and the
17 State Board of Education to solicit certain families to participate in UPSTART;
- 18 ▶ authorizes a contractor to request certain information to verify an individual's
19 income; and
- 20 ▶ makes technical corrections.

21 **Money Appropriated in this Bill:**

22 None

23 **Other Special Clauses:**

24 None

25 **Utah Code Sections Affected:**

26 AMENDS:

27 **53A-1a-1001**, as last amended by Laws of Utah 2014, Chapter 102

28 **53A-1a-1002**, as last amended by Laws of Utah 2014, Chapter 102

29 **53A-1a-1003**, as enacted by Laws of Utah 2008, Chapter 397

30 **53A-1a-1004**, as last amended by Laws of Utah 2014, Chapter 102
31 **63I-2-253**, as last amended by Laws of Utah 2016, Chapters 128, 229, 236, 271, and
32 318

33

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

35 Section 1. Section **53A-1a-1001** is amended to read:

36 **53A-1a-1001. Definitions.**

37 As used in this part:

38 (1) "Contractor" means the educational technology provider selected by the State Board
39 of Education under Section **53A-1a-1002**.

40 (2) "Low income" means an income below 185% of the federal poverty guideline.

41 (3) "Preschool children" means children who are:

42 (a) age four or five; and

43 (b) have not entered kindergarten.

44 (4) "UPSTART" means the [~~pilot~~] project established by Section **53A-1a-1002** that
45 uses a home-based educational technology program to develop school readiness skills of
46 preschool children.

47 Section 2. Section **53A-1a-1002** is amended to read:

48 **53A-1a-1002. UPSTART program to develop school readiness skills of preschool**
49 **children.**

50 (1) UPSTART, a [~~pilot~~] project that uses a home-based educational technology
51 program to develop school readiness skills of preschool children, is established within the
52 public education system.

53 (2) UPSTART is created to:

54 (a) evaluate the effectiveness of giving preschool children access, at home, to
55 interactive individualized instruction delivered by computers and the Internet to prepare them
56 academically for success in school; and

57 (b) test the feasibility of scaling a home-based curriculum in reading, math, and science

58 delivered by computers and the Internet to all preschool children in Utah.

59 (3) (a) The State Board of Education shall contract with an educational technology
60 provider, selected through a request for proposals process, for the delivery of a home-based
61 educational technology program for preschool children that meets the requirements of
62 Subsection (4).

63 (b) (i) The State Board of Education shall, on or before July 1, 2019, issue a request for
64 proposals for two-year pilot proposals from one or more educational technology providers that
65 do not have an existing contract under this part with the state for the delivery of a home-based
66 educational technology program for preschool children that meets the requirements of
67 Subsection (4).

68 (ii) After the two-year pilots described in Subsection (3)(b)(i), the State Board of
69 Education may enter into a contract with one or more educational technology providers that
70 have participated in a Utah pilot.

71 (c) Every five years after July 1, 2021, the State Board of Education may issue a new
72 request for proposals described in this section.

73 (4) A home-based educational technology program for preschool children shall meet
74 the following standards:

75 (a) the contractor shall provide computer-assisted instruction for preschool children on
76 a home computer connected by the Internet to a centralized file storage facility;

77 (b) the contractor shall:

78 (i) provide technical support to families for the installation and operation of the
79 instructional software; and

80 (ii) provide for the installation of computer and Internet access in homes of low income
81 families that cannot afford the equipment and service;

82 (c) the contractor shall have the capability of doing the following through the Internet:

83 (i) communicating with parents;

84 (ii) updating the instructional software;

85 (iii) validating user access;

- 86 (iv) collecting usage data;
- 87 (v) storing research data; and
- 88 (vi) producing reports for parents, schools, and the Legislature;
- 89 (d) the program shall include the following components:
 - 90 (i) computer-assisted, individualized instruction in reading, mathematics, and science;
 - 91 (ii) a multisensory reading tutoring program; and
 - 92 (iii) a validated computer adaptive reading test that does not require the presence of
 - 93 trained adults to administer and is an accurate indicator of reading readiness of children who
 - 94 cannot read;
 - 95 (e) the contractor shall have the capability to quickly and efficiently modify, improve,
 - 96 and support the product;
 - 97 (f) the contractor shall work in cooperation with school district personnel who will
 - 98 provide administrative and technical support of the program as provided in Section
 - 99 [53A-1a-1003](#);
 - 100 (g) the contractor shall solicit families to participate in the program as provided in
 - 101 Section [53A-1a-1004](#); and
 - 102 (h) in implementing the home-based educational technology program, the contractor
 - 103 shall seek the advise and expertise of early childhood education professionals within the Utah
 - 104 System of Higher Education on issues such as:
 - 105 (i) soliciting families to participate in the program;
 - 106 (ii) providing training to families; and
 - 107 (iii) motivating families to regularly use the instructional software.
 - 108 (5) (a) The contract shall provide funding for a home-based educational technology
 - 109 program for preschool children [~~for one year with an option to extend the contract for~~
 - 110 ~~additional years or to expand the program to a greater number of preschool children~~], subject to
 - 111 the appropriation of money by the Legislature for UPSTART.
 - 112 (b) An appropriation for a request for proposals described in Subsection (3)(b)(i) shall
 - 113 be separate from an appropriation described in Subsection (5)(a).

114 ~~[(6) (a) The State Board of Education shall issue a request for proposals for a~~
115 ~~home-based educational technology program for preschool children that takes effect upon the~~
116 ~~expiration of the pilot project on July 1, 2019, provided that the Legislature reauthorizes and~~
117 ~~funds the program.]~~

118 ~~[(b)]~~ (b) The State Board of Education shall evaluate a proposal based on:

119 ~~[(i)]~~ (a) whether the home-based educational technology program meets the standards
120 specified in Subsection (4);

121 ~~[(ii)]~~ (b) the results of an independent evaluation of the home-based educational
122 technology program;

123 ~~[(iii)]~~ (c) the experience of the home-based educational technology program provider;
124 and

125 ~~[(iv)]~~ (d) the per pupil cost of the home-based educational technology program.

126 Section 3. Section **53A-1a-1003** is amended to read:

127 **53A-1a-1003. School district participation in UPSTART.**

128 (1) A school district may participate in UPSTART if the local school board agrees to
129 work in cooperation with the contractor to provide administrative and technical support for ~~[the~~
130 ~~pilot project]~~ UPSTART.

131 (2) Family participants in UPSTART shall be solicited from school districts that
132 participate in UPSTART.

133 (3) A school district that participates in UPSTART shall:

134 (a) receive funding for:

135 (i) paraprofessional and technical support staff; and

136 (ii) travel, materials, and meeting costs of the program;

137 (b) participate in program training by the contractor; and

138 (c) agree to adopt standardized policies and procedures in implementing ~~[the pilot~~
139 ~~project]~~ UPSTART.

140 Section 4. Section **53A-1a-1004** is amended to read:

141 **53A-1a-1004. Family participation in UPSTART -- Low income family**

142 **verification.**

143 (1) The contractor shall:

144 (a) solicit families to participate in UPSTART through a public information campaign
145 and referrals from participating school districts[-]; and

146 (b) work with the Department of Workforce Services and the State Board of Education
147 to solicit participation from families of children experiencing intergenerational poverty, as
148 defined in Section 35A-9-102, to participate in UPSTART.

149 (2) (a) Preschool children who participate in UPSTART shall:

150 (i) be from families with diverse socioeconomic and ethnic backgrounds; [~~and~~]

151 (ii) reside in different regions of the state in both urban and rural areas[-]; and

152 (iii) be given preference to participate if the preschool child's family resides in a rural
153 area with limited prekindergarten services.

154 (b) (i) If the number of families who would like to participate in UPSTART exceeds
155 the number of participants funded by the legislative appropriation, the contractor shall give
156 priority to preschool children from low income families and preschool children who are
157 English language learners.

158 (ii) At least 30% of the preschool children who participate in UPSTART shall be from
159 low income families.

160 (3) A low income family that cannot afford a computer and Internet service to operate
161 the instructional software may obtain a computer and peripheral equipment on loan and receive
162 free Internet service for the duration of the family's participation in [~~the pilot project~~]
163 UPSTART.

164 (4) (a) The contractor shall make the home-based educational technology program
165 available to families at a cost agreed upon by the State Board of Education and the contractor if
166 the number of families who would like to participate in UPSTART exceeds the number of
167 participants funded by the legislative appropriation.

168 (b) The State Board of Education and the contractor shall annually post on their
169 websites information on purchasing a home-based educational technology program as provided

170 in Subsection (4)(a).

171 (5) (a) The contractor shall:

172 (i) determine if a family is a low income family for purposes of this part; and

173 (ii) use the same application form as described in Section 35A-9-401 or create an

174 application form that requires an individual to provide and certify the information necessary for

175 the contractor to make the determination described in Subsection (5)(a)(i).

176 (b) The contractor may:

177 (i) require an individual to submit supporting documentation; and

178 (ii) create a deadline for an individual to submit an application, if necessary.

179 Section 5. Section **63I-2-253** is amended to read:

180 **63I-2-253. Repeal dates -- Titles 53, 53A, and 53B.**

181 (1) Section 53A-1-403.5 is repealed July 1, 2017.

182 (2) Section 53A-1-411 is repealed July 1, 2017.

183 (3) Section 53A-1-709 is repealed July 1, 2020.

184 (4) Subsection 53A-1a-513(4) is repealed July 1, 2017.

185 (5) Section 53A-1a-513.5 is repealed July 1, 2017.

186 [~~(6) Title 53A, Chapter 1a, Part 10, UPSTART, is repealed July 1, 2019.~~]

187 [~~(7)~~] (6) Title 53A, Chapter 8a, Part 8, Peer Assistance and Review Pilot Program, is
188 repealed July 1, 2017.

189 [~~(8)~~] (7) Sections 53A-24-601 and 53A-24-602 are repealed January 1, 2018.

190 [~~(9)~~] (8) (a) Subsections 53B-2a-103(2) and (4) are repealed July 1, 2019.

191 (b) When repealing Subsections 53B-2a-103(2) and (4), the Office of Legislative
192 Research and General Counsel shall, in addition to its authority under Subsection 36-12-12(3),
193 make necessary changes to subsection numbering and cross references.

194 [~~(10)~~] (9) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project, is
195 repealed July 1, 2023.