

R277-493 received final approval by the Utah State Board of Education on May 7, 2020. R277-493 will be published in the June 1, 2020 Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of July 8, 2020.

~~[R277. Education, Administration.~~

~~R277-493. Kindergarten Supplemental Enrichment Program.~~

~~R277-493-1. Authority and Purpose.~~

~~—— (1) This rule is authorized by:~~

~~—— (a) Utah Constitution Article X, Section 3, which vests general control and supervision over public education in the Board;~~

~~—— (b) Subsection 53E-3-401(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law.~~

~~—— (c) Subsection 53F-4-205(7), which directs the Board to adopt rules to implement the kindergarten supplemental enrichment program.~~

~~—— (2) The purpose of this rule is to make rules to establish reporting procedures and administer the kindergarten supplemental enrichment program established in Section 53F-4-205.~~

~~R277-493-2. Definitions.~~

~~—— (1)(a) "Eligible school" has the same meaning as defined in Subsection 53F-4-205.~~

~~—— (b) "Eligible school" does not include a school that receives funds under Section 53F-2-507, Enhanced kindergarten early intervention program.~~

~~—— (2) "Kindergarten supplemental enrichment program" has the same meaning as defined in Subsection 53F-4-205.~~

~~R277-493-3. Program Administration.~~

~~—— (1) An LEA with an eligible school may apply for kindergarten supplemental enrichment program funds by filing a grant application following a form approved by the Superintendent no later than May 15 annually.~~

~~—— (2) An application filed in accordance with Subsection (1) shall include:~~

~~—— (a) evidence of an eligible school's overall need for a kindergarten supplemental~~

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~~enrichment program based on the results of the eligible school's current kindergarten entry assessments and programming;~~

~~—— (b) a description of how the eligible school will use the Board approved uniform entry assessment to determine which students to target for the kindergarten supplemental enrichment program;~~

~~—— (c) a description of how the eligible school's program will coordinate with the Superintendent and LEA personnel to meet the annual reporting requirements of this rule;~~

~~—— (d) a description of how the eligible school will use funds to meet the requirements of Subsection 53F-4-205(4);~~

~~—— (e) if an eligible school is applying based on their percentage of students experiencing intergenerational poverty, a description of the learning strategies the school will employ to design and implement a program that is developed with the unique needs of students experiencing intergenerational poverty in mind; and~~

~~—— (f) other information as requested by the Superintendent.~~

~~—— (3)(a) If an eligible school has previously received funding through the kindergarten supplemental enrichment program, an application under Subsection (1) shall also include data from Board entry and exit exams to establish success in changing student outcomes in comparison to similarly situated peers who weren't able to receive the benefit of the kindergarten supplemental enrichment program.~~

~~—— (b) If an LEA submits a renewal application for a school that has previously been deemed eligible and received funding through the kindergarten supplemental enrichment program, the Superintendent may continue to deem the school as eligible based on the school's eligibility described in Subsection 53F-4-205(1)(b) from its initial application year.~~

~~—— (4) The Superintendent shall recommend distribution of funds by the Board in accordance with Subsection 53F-4-205(2).~~

~~—— (5) An eligible school that receives kindergarten supplement enrichment program funds shall comply with the assessment and reporting requirements of Section R277-489-3.~~

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~~————(6) The Superintendent shall require an eligible school that receives funds in accordance with this rule to demonstrate compliance with federal supplanting requirements.~~

**~~R277-493-4. Eligibility to Apply for 2019-20 School Year Grant Funds.~~**

~~————(1) The Superintendent shall review data gathered from 2018-19 kindergarten entry and exit assessments to determine the following performance measures:~~

~~————(a) average percentage of students state-wide with increases in literacy scores;~~

~~————(b) average percentage of students state-wide with increases in numeracy scores;~~

~~————(c) average percentage of students state-wide with decreases in literacy scores;~~

~~————(d) average percentage of students state-wide with decreases in numeracy scores;~~

~~————(2)(a) An eligible school that received program funds for the 2018-19 school year may reapply to receive program funds for the 2019-20 school year if the eligible school performs better than the state average in at least three of the four performance measures outlined in Subsection (1).~~

~~————(b) An eligible school that does not meet the performance standards outlined in Subsection (2)(a) may not apply for program funds for the 2019-20 school year.~~

**~~KEY: kindergarten, supplementals, enrichments~~**

**~~Date of Enactment or Last Substantive Amendment: July 2, 2019~~**

**~~Notice of Continuation: April 8, 2019~~**

**~~Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53E-3-401; 53F-4-205(7)}~~**