

1 **R277. Education, Administration.**

2 **R277-489. Kindergarten Entry and Exit Assessment - Enhanced Kindergarten**  
3 **Program.**

4 **R277-489-1. Authority and Purpose.**

5 (1) This rule is authorized by:

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

8 (b) Subsection [53E-3-401](#)(4), which permits the Board to make rules to execute  
9 the Board's duties and responsibilities under the Utah constitution and state law; and

10 (c) Section [53F-2-507](#), which directs the Board to distribute funds appropriated for  
11 the enhanced kindergarten program to LEAs that apply for the funds.

12 (2) The purpose of this rule is to require LEAs to administer a kindergarten entry  
13 and exit assessment and establish criteria and procedures to administer the enhanced  
14 kindergarten program.

15 **R277-489-2. Definitions.**

16 (1) "Enhanced Kindergarten [p]Program" means a program that provides  
17 additional instruction to kindergarten age students[?].

18 [~~—(a) as additional hours before or after school;~~

19 ~~—(b) full day; or~~

20 ~~—(c) through other means.]~~

21 (2) "Enrollment" means class enrollment of not more than the student enrollment  
22 of other kindergarten classes within the school.

23 (3) "LEA plan" means the enhanced kindergarten program plan submitted by an  
24 LEA and approved and accepted for funding by the Superintendent.

25 (4) "Kindergarten System of Support" means interventions to improve kindergarten  
26 literacy outcomes, numeracy outcomes, or both.

27 (5) Utah eTranscript and Record Exchange" or "UTREx" means a system that  
28 allows individual detailed student records to be exchanged electronically between public

29 education LEAs and the Board, and allows electronic transcripts to be sent to any post-  
30 secondary institution, private or public, in-state or out-of-state, that participates in the e-  
31 transcript service.

32 **R277-489-3. Administration of Kindergarten Entry and Exit Assessments.**

33 (1) Except as provided in Subsection (2), an LEA shall administer:

34 (a) a kindergarten entry assessment, approved by the Superintendent, to each  
35 kindergarten student sometime ~~[within:~~

36 ~~— (i) three weeks before the first day of kindergarten; and~~

37 ~~— (ii) three weeks after the first day of kindergarten]~~ during the three weeks before  
38 through the three weeks after the first day of kindergarten; and

39 (b) a kindergarten exit assessment, approved by the Superintendent, to each  
40 kindergarten student sometime during the four weeks before the last day of school.

41 (2) ~~[A charter school]~~ An LEA that does not participate in the enhanced  
42 kindergarten program or the ~~[K-3]~~Early Interactive Reading Software Program described  
43 in Rule R277-496 is not required to administer the kindergarten entry and exit  
44 assessments.

45 (3) The days used for the assessment shall be consistent with Subsection R277-  
46 419-11(3)(e)5(6)(d).

47 (4) An LEA shall submit to the Data Gateway:

48 (a) kindergarten entry assessment data by September 30; and

49 (b) kindergarten exit assessment data by June 15.

50 (5) In accordance with Section R277-114, the Superintendent may recommend  
51 action to the Board, including withholding of funds, if an LEA fails to provide complete,  
52 accurate, and timely reporting under Subsection (4).

53 **R277-489-4. Use of Kindergarten Entry and Exit Assessment Data.**

54 (1) The Superintendent or an LEA may use entry and exit assessment data

55 obtained in accordance with Section R277-489-3 to:

56 (a) provide insights into current levels of academic performance upon entry and  
57 exit of kindergarten;

58 (b) identify students in need of early intervention instruction and promote  
59 differentiated instruction for all students;

60 (c) understand the effectiveness of programs, such as extended-day kindergarten  
61 and ~~[pre-school]~~preschool;

62 (d) provide opportunities for ~~[data]~~ data-informed decision making and cost-benefit  
63 analysis of early learning initiatives;

64 (e) identify effective instructional practices or strategies for improving student  
65 achievement outcomes in a targeted manner; and

66 (f) understand the influence and impact of full-day kindergarten on at-risk students  
67 in both the short- and long-term.

68 (2) An LEA may not use entry and exit assessment data obtained in accordance  
69 with Section R277-489-3 to:

70 (a) justify early enrollment of a student who is not currently eligible to enroll in  
71 kindergarten, such as a student with a birthday falling after September 1;

72 (b) evaluate an educator's teaching performance; or

73 (c) determine whether a student should be retained or promoted between grades.

74 **R277-489-5. Enhanced Kindergarten Program.**

75 (1) The Superintendent shall accept applications from LEAs for enhanced  
76 kindergarten programs that satisfy the requirements of Section [53F-2-507](#), and the  
77 provisions of this rule.

78 (2) The Superintendent shall establish timelines for submission of applications.

79 (3) An LEA application for enhanced kindergarten program funds shall include:

80 (a) the names of schools for which program funds ~~[must]~~ shall be used;

81 (b) a description of the delivery methods that may be used to serve eligible  
82 students, such as:

- 83 (i) full-day kindergarten;  
84 (ii) ~~extra~~ additional hours; or  
85 (iii) other means.  
86 (c) a description of the evidence-based early intervention model used by the LEA;  
87 (d) a description of how the program focuses on age-appropriate literacy and  
88 numeracy skills; ~~and~~  
89 (e) a description of how the program targets at-risk students; and  
90 ~~(g)f~~ other information as requested by the Superintendent ~~[and approved by the~~  
91 ~~Board]~~.

92 (4) An LEA shall submit the appropriate kindergarten UTREx code to the  
93 Superintendent through UTREx by June 15 annually.

94 ~~(4)5~~ The Superintendent shall distribute funds to eligible charter schools based  
95 on a formula identifying the percentage of students in public schools and the percentage  
96 of students with the greatest need for an enhanced kindergarten program consistent with  
97 Subsection [53F-2-507](#)(4)(a).

98 ~~(5)6~~ The Superintendent shall distribute funds to eligible school districts by  
99 determining the number of students eligible to receive free lunch in the prior school year  
100 for each school district and prorating the remaining funds based on the number of  
101 students eligible to receive free lunch in each school district.

102 ~~(6)7~~ The Superintendent shall establish timelines for distribution of enhanced  
103 kindergarten program funds.

104 ~~—(7) The Superintendent shall require all funded programs to submit an annual~~  
105 ~~report.]~~

106 (8) An LEA may not require a student to participate in an enhanced kindergarten  
107 program.

108 **R277-489-6 Eligibility for Enhanced Kindergarten Programs Grant Funds--Use of**  
109 **Funds.**

110 (1)a The Superintendent shall review data gathered from previous year

111 kindergarten entry and exit assessments to determine ~~[the following performance~~  
112 ~~measures:]~~an LEA's ongoing eligibility for enhanced kindergarten program grant funds.

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

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

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

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

118 ~~—(2)(a) An eligible LEA that received program funds for the current school year may~~  
119 ~~reapply to receive program funds for the next school year if 50% of the participating LEA's~~  
120 ~~schools performed better than the state average in at least three of the four performance~~  
121 ~~measures outlined in Subsection (1);]~~

122 (b) The Superintendent shall calculate individual student performance on the  
123 kindergarten entry and exit assessment and then average school-level results to  
124 determine whether a participating school meets the cut score.

125 (2) An eligible LEA shall have 75% of its participating schools achieve a school-  
126 level cut score of meets expectations, which includes the school-level average progress  
127 score in literacy and numeracy.

128 ~~[(b)3] If an eligible LEA does not meet performance measures, as defined in~~  
129 ~~Subsection (2)[(a)], the Superintendent shall require the LEA ~~[shall be]~~to participate in the~~  
130 ~~[enhanced kindergarten system of support]Kindergarten System of Support ~~[and required~~  
131 ~~to participate in interventions]~~to improve outcomes.~~

132 ~~[(c) An eligible LEA that does not meet the performance standards outlined in~~  
133 ~~Subsection (2)(a) for three consecutive years will have funding reduced to exclude failing~~  
134 ~~programs.]~~

135 ~~[(3)4] The Superintendent shall establish the strategies, interventions, and~~  
136 ~~techniques for LEAs that are in the ~~[enhanced kindergarten system of support]~~~~  
137 ~~Kindergarten System of Support to help schools achieve performance outcomes on the~~  
138 ~~[KEEP]kindergarten entry and exit assessment.~~

139 ~~[(4)5] An LEA governing board shall use program money for enhanced~~

140 kindergarten programs and supports that have proven to significantly increase the  
141 percentage of students who are proficient in literacy and mathematics, including:  
142       (a) salary and benefits for individuals teaching and supporting enhanced  
143 kindergarten programs; and  
144       (b) evidence-based intervention curriculum.

145 **KEY: enhanced kindergarten**

146 **Date of Enactment or Last Substantive Amendment: July 9, 2020**

147 **Notice of Continuation: June 6, 2017**

148 **Authorizing, and Implemented or Interpreted Law: Art X Sec 3; [53E-3-401\(4\)](#); [53F-2-](#)**  
149 **[507](#)**