

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001  
4

*As Engrossed: S3/1/01*

## A Bill

Act 775 of 2001  
SENATE BILL 443

5 By: Senator Argue  
6  
7

### For An Act To Be Entitled

9 AN ACT TO AMEND VARIOUS PROVISIONS OF THE SCHOOL  
10 REPORT CARD ACT; TO AMEND THE SCHOOL PERFORMANCE  
11 REPORT ACT; TO CHANGE THE ISSUANCE DATE OF THE SCHOOL  
12 PERFORMANCE ACT; AND FOR OTHER PURPOSES.  
13

### Subtitle

14 AN ACT TO AMEND VARIOUS PROVISIONS OF  
15 THE SCHOOL REPORT CARD ACT; TO AMEND THE  
16 SCHOOL PERFORMANCE REPORT ACT; TO CHANGE  
17 THE ISSUANCE DATE OF THE SCHOOL  
18 PERFORMANCE ACT.  
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21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
23

24 SECTION 1. Arkansas Code 6-15-801 is repealed.

25 ~~6-15-801. Title.~~

26 ~~This subchapter shall be known and may be cited as the "School Report~~  
27 ~~Cards Act".~~  
28

29 SECTION 2. Arkansas Code 6-15-802 is amended to read as follows:

30 6-15-802. Legislative intent.

31 In order to enhance the public's access to public school performance  
32 indicators and to better measure the dividends paid on the increasing public  
33 investment in Arkansas' schools, the General Assembly finds that a ~~separate~~  
34 office section of accountability should be established within the Department  
35 of Education. The foremost obligation of this ~~office~~ section shall be to  
36 ~~publish annual school report cards assessing the performance of schools and~~

1 ~~school districts serving students in grades kindergarten through twelve (K-12)~~  
 2 ~~inclusive, with comparable characteristics such as socio-economic~~  
 3 ~~characteristics, size of districts, etc., across a range of indicators and~~  
 4 ~~over a period of time, and providing information to set future performance~~  
 5 ~~goals for each school or school district and report academic progress. A~~  
 6 ~~equal obligation of this office is to be accurate and open with the~~  
 7 ~~department, the advisory committee, the subcommittee, and the public.~~

8  
 9 SECTION 3. Arkansas Code 6-15-803 is amended to read as follows:

10 6-15-803. Creation - ~~Coordinator~~ and Appropriate staff.

11 (a) There is created ~~the Office of Accountability~~ an accountability  
 12 section within the Department of Education.

13 (b) The Director of the Department of Education shall establish a  
 14 ~~coordinator~~ an upper level management position and appropriate staff for the  
 15 ~~office~~ section.

16 ~~(c) The coordinator and staff shall assist the citizens' advisory~~  
 17 ~~committee on accountability in the annual publication of school report cards,~~  
 18 ~~as defined in this subchapter, and the performance of other duties as set~~  
 19 ~~forth herein.~~

20  
 21 SECTION 4. Arkansas Code 6-15-804 is repealed.

22 ~~6-15-804. Advisory Committee on Accountability.~~

23 ~~(a) To assist the Office of Accountability, there is established the~~  
 24 ~~Advisory Committee on Accountability to be composed of the following members~~  
 25 ~~who must be willing to devote adequate time to the work of the committee:~~

26 ~~(1) The Director of the Department of Education, or his designee,~~  
 27 ~~who shall act as secretary to the advisory committee;~~

28 ~~(2) Three (3) members of the business community with knowledge in~~  
 29 ~~the particular areas of concern;~~

30 ~~(3) One (1) member of the Senate;~~

31 ~~(4) One (1) member of the House of Representatives;~~

32 ~~(5) One (1) person from a list of three (3) names submitted by~~  
 33 ~~the Arkansas Association of Educational Administrators;~~

34 ~~(6) One (1) person from a list of three (3) names submitted by~~  
 35 ~~the Arkansas Education Association;~~

36 ~~(7) One (1) parent of a school-aged child; and~~

1           ~~(8) One (1) person from a list of three (3) names submitted by~~  
2 ~~the deans of the colleges of education of the institutions of higher learning~~  
3 ~~in the state.~~

4           ~~(b)(1) The three (3) members from the business community, the parent,~~  
5 ~~the Arkansas Education Association representative, the Arkansas Association of~~  
6 ~~Educational Administrators representative, and the representative of the deans~~  
7 ~~shall be appointed by the Governor, subject to confirmation of the Senate.~~

8           ~~(2) The President Pro Tempore of the Senate shall appoint the~~  
9 ~~Senate member to a two-year term.~~

10           ~~(3) The Speaker of the House of Representatives shall appoint the~~  
11 ~~House of Representatives member to a two-year term.~~

12           ~~(4) All voting members shall serve four-year terms. All terms~~  
13 ~~shall expire on April 1. Membership is limited to two (2) terms.~~

14           ~~(5) The director or designee and the legislative members of the~~  
15 ~~committee shall serve as advisory members without voting privileges.~~

16           ~~(c) Nonstate employee committee members and legislative members of the~~  
17 ~~committee shall serve without compensation, but:~~

18           ~~(1) The legislative members shall be entitled to reimbursement of~~  
19 ~~expenses and mileage allowances for attendance at committee meetings at the~~  
20 ~~same rate as is authorized by law for legislators' attendance at meetings of~~  
21 ~~interim committees of the General Assembly; and~~

22           ~~(2) The nonlegislative members may receive expense reimbursement~~  
23 ~~in accordance with § 25-16-901 et seq.~~

24  
25       SECTION 5. Arkansas Code 6-15-806 is repealed.

26       ~~6-15-806. Annual report—School report card.~~

27       ~~(a) The Office of Accountability shall issue an annual report on the~~  
28 ~~performance of each public school district in the state and, where feasible,~~  
29 ~~on the performance of each school within a school district. This report will~~  
30 ~~be known as the "school report card" and shall be an index of each school or~~  
31 ~~school district's performance measured against statewide standards for~~  
32 ~~comparable school districts and schools. The school report card shall make~~  
33 ~~comparisons to a school or school district's performance in preceding years~~  
34 ~~and project goals in performance categories.~~

35       ~~(b) The school report card shall contain, but not be limited to, the~~  
36 ~~school district's or school's:~~

- 1                   ~~(1) Drop-out rate;~~
- 2                   ~~(2) Retention in grade rate;~~
- 3                   ~~(3) College-going rate;~~
- 4                   ~~(4) Attendance rate;~~
- 5                   ~~(5) Test scores on nationally normed tests;~~
- 6                   ~~(6) Corporal punishment rate broken down according to the~~

7 following:

- 8                                 ~~(A) Sex;~~
- 9                                 ~~(B) Race;~~
- 10                                ~~(C) Age;~~
- 11                                ~~(D) Special education or regular classes;~~
- 12                                ~~(E) Type of offense; and~~
- 13                                ~~(F) Number of offenses;~~
- 14                   ~~(7) Number of students required to take remedial courses in high~~
- 15 ~~school and college; and~~
- 16                   ~~(8) Ratio of expenditures per pupil on administrative, athletic,~~
- 17 ~~and gifted and talented expenses.~~

18                 ~~(c) The school report card must be published no later than December 1~~  
 19 ~~of each year, and it shall be published in a format that can be easily~~  
 20 ~~understood by parents and other members of the community who are not~~  
 21 ~~professional educators.~~

22

23                 SECTION 6. Arkansas Code 6-15-807 is amended to read as follows:  
 24                 6-15-807. Duties.

25                 ~~In addition to the annual issuance of the school report cards, the~~  
 26 ~~Office of Accountability~~ The accountability section shall be responsible for  
 27 the following:

- 28                                 ~~(1) Development of automated data systems for financial and~~
- 29 ~~educational reporting to the department from the schools and school districts;~~
- 30                                 ~~(2)~~(1) Development of longitudinal student and school reporting
- 31 for accurate and fair comparative analysis for purposes of school improvement;
- 32                                 ~~(3)~~(2) Development of methods to determine attitudes toward
- 33 educational matters;
- 34                                 ~~(4)~~(3) Establishment of schedules for publication of information
- 35 to keep the public and media informed on a regular and timely basis; and
- 36                                 ~~(5)~~(4) Working with program approval and certification sections

1 of the Department of Education, the Department of Higher Education, and the  
2 individual colleges to provide information that will contribute to reasonable,  
3 equitable, and excellent preparation of certified personnel in the  
4 institutions, both public and private, of higher education;\_

5 ~~(6) Cooperation with other sections of the Department of~~  
6 ~~Education through contractual arrangements to conduct research on educational~~  
7 ~~issues of concern; and~~

8 ~~(7) Reduction of the number of reports presently required by the~~  
9 ~~Department of Education from the various school districts by no fewer than~~  
10 ~~twenty five (25).-~~

11  
12 SECTION 7. Arkansas Code 6-15-809 is repealed.

13 ~~6-15-809. Findings and recommendations.-~~

14 ~~(a) The Advisory Committee on Accountability shall submit prior to~~  
15 ~~January 1 each year a written report containing its findings and~~  
16 ~~recommendations in regard to its specific areas of concern to the House and~~  
17 ~~Senate Interim Committees on Education and the State Board of Education.-~~

18 ~~(b) The members of the committee shall receive, under the direction of~~  
19 ~~the Director of the Department of Education, assistance and cooperation of the~~  
20 ~~staff of the Office of Accountability and other related divisions within the~~  
21 ~~Department of Education, the Department of Higher Education, the Department of~~  
22 ~~Information Systems, and all other branches of state government as directed by~~  
23 ~~the respective agency directors.-~~

24  
25 SECTION 8. Arkansas Code 6-15-1402 is amended to read as follows:

26 6-15-1402. Purpose - Report - Confidentiality - Rules and regulations.

27 (a) In order to generally improve public school accountability, to  
28 provide benchmarks for measuring individual school improvement, and to empower  
29 parents and guardians of children enrolled in Arkansas public schools by  
30 providing them with the information to judge the quality of their schools, the  
31 Department of Education shall annually prepare and publish a school  
32 performance report for each individual public school in the state, including  
33 the Arkansas School for the Deaf, the Arkansas School for the Blind, and the  
34 Arkansas School for Mathematics and Sciences, and shall distribute the report  
35 to every parent or guardian of a child in kindergarten through grade twelve  
36 (K-12) in the public schools of Arkansas.

1 (b)(1) The annual school performance report shall be based on reliable  
 2 statistical information uniformly required to be collected and submitted by  
 3 each local school district to the Department of Education and shall be  
 4 published in a format that can be easily understood by parents or guardians  
 5 who are not professional educators and distributed to the parents or guardians  
 6 of children enrolled in the public schools via the postal service. Individual  
 7 school reports shall also be made available via the Internet. The information  
 8 necessary to produce the school performance report, including the names and  
 9 addresses of parents and guardians, shall be filed with the department. The  
 10 department is strongly encouraged to contract with individuals or businesses  
 11 knowledgeable in the areas of graphic and computer design to ensure that the  
 12 school performance reports required by this subchapter are published in a  
 13 format that encourages their utilization by the citizens of the state. The  
 14 department may enter into a contract arrangement with other parties in order  
 15 to provide appropriate printing and distribution services.

16 (2) The report for elementary schools shall ~~include:~~

17 (A) Include three-year trend data and allow parents or  
 18 guardians to compare the ~~schools'~~ school's performance with state and national  
 19 averages in areas and shall include, but not be limited to, the following  
 20 measures:

21 ~~(A)(i) School safety;~~

22 ~~(B) Discipline;~~

23 ~~(C)(ii) Norm-referenced test results;~~

24 ~~(D)(iii) Criterion-referenced test results;~~

25 ~~(E) Percentage of students promoted to the next grade~~

26 ~~level;~~

27 ~~(F)(iv) Certified staff qualifications;~~

28 ~~(G)(v) Total per pupil spending;~~

29 ~~(H)(vi) Assessment of the local taxpayer investment~~

30 ~~in the school district;~~

31 ~~(I)(vii) Percentage of students eligible to receive~~

32 ~~free or reduced-price meals;~~

33 ~~(J)(viii) Average salary of the staff; and~~

34 ~~(K)(ix) Average attendance rates for students; and~~

35 (B) Indicate separately whether:

36 (i) The school distributed the school's student

1 discipline policy to parents; and

2 (ii) The school's teachers, administrators,  
 3 classified school employees, and volunteers have been provided with  
 4 appropriate student discipline training.

5 (3) The report for middle schools, junior high schools, and high  
 6 schools shall include:

7 (A) Include three-year trend data and allow parents or  
 8 guardians to compare the school's performance with state and national averages  
 9 in areas which shall include, but not be limited to, the following:

10 ~~(A)(i) School safety;~~

11 ~~(B) Discipline;~~

12 ~~(C)(ii) Norm-referenced test results;~~

13 ~~(D)(iii) Criterion-referenced test results;~~

14 ~~(E) Percentage of students promoted to the next grade~~  
 15 ~~level;~~

16 ~~(F)(iv) Certified staff qualifications;~~

17 ~~(G)(v) Per pupil spending;~~

18 ~~(H)(vi) Assessment of the local taxpayer investment~~  
 19 ~~in the school district;~~

20 ~~(I)(vii) Percentage of students eligible to receive~~  
 21 ~~free or reduced-price reduced-price meals;~~

22 ~~(J)(viii) Average salary of the staff; and~~

23 ~~(K)(ix) Average attendance rates for students;~~

24 ~~(L)(x) Drop-out rate;~~

25 ~~(M)(xi) Graduation or completion rates;~~

26 ~~(N)(xii) College remediation rate for high schools~~  
 27 ~~only; and~~

28 ~~(O)(xiii) Collegiate admission test results; and~~

29 (B) Indicate separately whether:

30 (i) The school distributed the school's student  
 31 discipline policy to parents; and

32 (ii) The school's teachers, administrators,  
 33 classified school employees, and volunteers have been provided with  
 34 appropriate student discipline training.

35 (c) School districts may prepare and distribute supplemental materials  
 36 concerning the information contained in the school performance reports.

1 (d) The department is encouraged to include with school performance  
2 reports explanatory material regarding efforts to improve the state's public  
3 schools. The department is also encouraged to explore the feasibility of  
4 incorporating the school improvement plans developed by schools and school  
5 districts with the school performance reports.

6 (e) The school performance report shall not include individual student  
7 information if the information is reported in a manner which would identify a  
8 particular student.

9 (f) The department shall not disclose parent or guardian names,  
10 addresses, or other identifying information under any circumstances, and the  
11 department shall require any vendor, contractor, or supplier utilized to  
12 provide services under this subchapter to sign a confidentiality agreement  
13 which shall prohibit the disclosure of parent or guardian names, addresses, or  
14 other identifying information.

15 (g) The Arkansas School for the Blind and the Arkansas School for the  
16 Deaf shall submit to the department the results of the appropriately adopted  
17 student achievement tests for the students enrolled at these schools. In  
18 addition, the Arkansas School for the Blind and the Arkansas School for the  
19 Deaf shall submit to the department a list of other schools' programs to which  
20 these schools can be compared.

21 (h) The department is authorized to promulgate rules and regulations  
22 reasonably necessary to carry out the purposes of this subchapter regarding  
23 the annual school performance report.

24 (i) The department shall issue the first annual school performance  
25 report no later than ~~September 15, 2000~~ March 15th of each school year.

26 /s/ Argue

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29 APPROVED: 3/14/2001  
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