

1 State of Arkansas
2 84th General Assembly
3 Second Extraordinary Session, 2003
4

As Engrossed: H12/19/03
A Bill

Call Item4

HOUSE BILL 1057

5 By: Representative White
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7

For An Act To Be Entitled

9 AN ACT TO AMEND THE ARKANSAS BETTER CHANCE FOR
10 SCHOOL SUCCESS PROGRAM TO REMOVE MATCHING
11 REQUIREMENTS AND SET IMPLEMENTATION GOALS; AND
12 FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT TO AMEND THE ARKANSAS BETTER
16 CHANCE FOR SCHOOL SUCCESS PROGRAM TO
17 REMOVE MATCHING REQUIREMENTS AND SET
18 IMPLEMENTATION GOALS.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 6-45-106 is amended to read as follows:
25 6-45-106. Application process - Allocation of funding.

26 (a)(1)(A) Any early childhood program accredited and quality approved
27 by the Department of Human Services according to standards approved by the
28 Department of Education ~~and quality approved by the Department of Education~~
29 may apply for funding, regardless of the sponsorship of the program. Local
30 school districts may apply for funding to operate early childhood programs,
31 not including public school kindergarten, but an appropriate early childhood
32 program need not be affiliated with a school district in order to receive
33 funding.

34 (B) All applications submitted by sectarian or sectarian-
35 affiliated programs must first be reviewed to assure that any approval of
36 funding will not result in a violation of the United States Constitution,



1 Amendment One.

2 (2)(A)(i) A local-to-state match will be required in the ratio
3 of forty-sixty (40:60), except in school districts that have been designated
4 by the Department of Education as being in academic distress.

5 (ii) The Division of Child Care and Early Childhood
6 Education shall assist school districts in identifying funding sources to
7 provide local-to-state match requirements.

8 (B) If the Division of Child Care and Early Childhood
9 Education determines that a school district is unable to provide local-to-
10 state match requirement, the division may waive the requirement.

11 ~~(B)(C)~~ The local match may consist of cash or appropriate
12 in-kind services.

13 (b) In order to be considered, an application must contain all
14 information required by the Department of Education's regulatory guidelines.

15 ~~(c)(1) The Department of Education, with the advice of the Arkansas~~
16 ~~Early Childhood Commission, shall fund those applications which comply with~~
17 ~~the programmatic standards and other relevant criteria.~~

18 ~~(2) If the Department of Education receives more applications~~
19 ~~that qualify for funding than can be fully funded with the funds available~~
20 ~~for this program, the Department of Education, after seeking the advice of~~
21 ~~the commission, shall determine whether to prorate the available funds among~~
22 ~~all qualified applicants or to allocate the available funds among fewer than~~
23 ~~all applicants which qualify for funding.~~

24 ~~(3) In allocating funding, priority consideration shall be given~~
25 ~~to programs which have demonstrated their capacity to identify and serve~~
26 ~~young children birth through five (5) years of age whose family circumstances~~
27 ~~suggest significant educational deprivation.~~

28 ~~(4)(c)(1)~~ In allocating funding for the Arkansas Better Chance
29 for School Success Program, priority consideration shall be given to:

30 (A) School districts that have seventy-five percent (75%)
31 or more students scoring below proficiency on the primary benchmark exams, or
32 other exams designated by the Department of Education, in the preceding two
33 (2) school years; and

34 (B) School districts that have been designated by the
35 Department of Education as being in academic distress.

36 (2) The goal of the state is to make available an Arkansas

1 Better Chance for School Success Program for an additional one-fifth (1/5) of
2 the qualifying students each year over a period of five (5) years at which
3 time programs shall be available in all school districts statewide.

4 ~~(5)~~(3) The priority considerations for funding under the
5 Arkansas Better Chance for School Success Program shall not affect the
6 funding of the Arkansas Better Chance Program and shall not create any
7 priority for funding the Arkansas Better Chance for School Success Program
8 over the Arkansas Better Chance Program.

9
10 SECTION 2. Arkansas Code § 6-45-108 is amended to read as follows:

11 6-45-108. Criteria for determining need.

12 (a)(1) All children three (3) years of age and four (4) years of age
13 who are members of a family with a gross family income not exceeding two
14 hundred percent (200%) of the federal poverty guidelines are eligible to
15 attend an Arkansas Better Chance for School Success Program if there is a
16 program available in the school district where the child resides and if there
17 is available space for the child to attend the program.

18 (2) The Department of Education and the *Division Child Care and*
19 *Early Childhood Education within the Department of Human Services* may develop
20 a fee schedule and establish eligibility based on family income for children
21 who are not eligible under subdivision (a)(1) of this section, but priority
22 enrollment shall be allowed to children eligible under subdivision (a)(1) of
23 this section.

24 (b) The Department of Education and the ~~Arkansas Early Childhood~~
25 ~~Commission~~ *Division of Child Care and Early Childhood Education within the*
26 *Department of Human Services* shall review various criteria for identifying
27 and targeting the areas of the state with the greatest need for early
28 childhood programs.

29 (c) The State Board of Education with the advice and assistance of the
30 ~~commission~~ *Division of Child Care and Early Childhood Education within the*
31 *Department of Human Services* shall adopt the appropriate criteria for
32 identifying Arkansas children with the greatest need to participate in
33 Arkansas Better Chance-funded early childhood programs.

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35 SECTION 3. Arkansas Code Title 6, Chapter 45, Subchapter 1 is amended
36 to add an additional section to read as follows:

1 6-45-110. Assessment.

2 (a)(1) The Division of Child Care and Early Childhood Education within
3 the Department of Human Services shall be responsible for assessment of
4 students enrolled in the Arkansas Better Chance for School Success Program.

5 (2)(A) Assessment shall begin upon enrollment in the program and
6 continue until each child completes the fourth grade.

7 (B) The Division of Child Care and Early Childhood
8 Education within the Department of Human Services and the Department of
9 Education shall work cooperatively to ensure that the assessments are
10 conducted as required by this section.

11 (b)(1) Children in the Arkansas Better Chance for School Success
12 Program shall be assessed annually to provide an indication of each child's
13 progress towards school readiness.

14 (2) This annual assessment shall be directly aligned with the
15 Arkansas Early Childhood Education Framework/Early Learning Guidelines and
16 shall serve to promote curriculum development and instructional methods that
17 assist in achievement of the intended outcome of readiness for kindergarten.

18 (3)(A) The assessment shall address a child's strengths,
19 progress, and needs and shall serve as a central part of an effective early
20 childhood program.

21 (B) The assessment will be used in making sound decisions
22 about teaching and learning and to identify areas of concern that may require
23 focused intervention.

24 (c)(1) A comprehensive research study shall be implemented to evaluate
25 the Arkansas Better Chance for School Success Program to ensure that the
26 program goals and intended child outcomes are being achieved.

27 (2) The study shall be designed to use sound research-based
28 evidence to determine whether the programs meet the expected standards of
29 quality and whether they are achieving the intended child outcomes.

30 (3) This research shall include children entering the program at
31 ages three (3) and four (4) years and follow the children through completion
32 of the fourth grade benchmark exams.

33 (d) Research results will be provided annually to the Governor and the
34 Senate Interim Committee on Education and the House Interim Committee on
35 Education.

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/s/ White