

MEETING SUMMARY
JOINT MEETING
OF THE
HOUSE AND SENATE INTERIM COMMITTEES ON EDUCATION

Monday, July 14, 2014
10:00 A.M.
Room 171, State Capitol
Little Rock, Arkansas

Senator Johnny Key, the Chair of the Senate Interim Committee on Education, called the meeting to order at 10:00 a.m.

MEMBERS OF THE SENATE INTERIM COMMITTEE ON EDUCATION IN ATTENDANCE: Senator Johnny Key, Chair; Senator Joyce Elliott, Vice Chair; Senator Eddie Cheatham; Senator Alan Clark; Senator Jim Hendren; Senator Bruce Holland; Senator Uvalde Lindsey; and Senator Jason Rapert.

MEMBERS OF THE HOUSE INTERIM COMMITTEE ON EDUCATION IN ATTENDANCE: Representative Ann Clemmer, Vice Chair; Representative Charles L. Armstrong; Representative Bruce Cozart; Representative Robert Dale; Representative Gary Deffenbaugh; Representative Jody Dickinson; Representative Charlotte Vining Douglas; Representative Debra Hobbs; Representative Karen Hopper; Representative Sheilla Lampkin; Representative Homer Lenderman; and Representative James Ratliff.

NON-VOTING MEMBERS OF THE HOUSE INTERIM COMMITTEE ON EDUCATION IN ATTENDANCE: Representative Randy Alexander; Representative Harold Copenhaver; Representative Jim Dotson; Representative Stephen Meeks; and Representative Jeff Wardlaw.

OTHER MEMBERS OF THE GENERAL ASSEMBLY IN ATTENDANCE: Senator Linda Chesterfield; Senator Jonathan Dismang; Senator Jane English; Senator Jimmy Hickey; Senator Jeremy Hutchinson; Senator Bill Sample; Senator David Sanders; Representative Scott Baltz; Representative John Hutchison; Representative Mark McElroy; Representative Betty Overbey; Representative John Payton; Representative Sue Scott; Representative Tommy Thompson; and Representative Wes Wagner.

Morning Session

Minutes:

Without objection, the minutes of May 12, 2014, May 13, 2014, June 9, 2014, and June 10, 2014, were approved as written.

Exhibits:

Exhibit C1 – 05/12/14 Minutes
Exhibit C2 – 05/13/14 Minutes
Exhibit C3 – 06/09/14 Minutes
Exhibit C4 – 06/10/14 Minutes

Reports from Members Who Attended Recent Meetings Concerning Public or Higher Education

The Honorable Joyce Elliott, State Senator, District 31, was recognized, and reported on the annual meeting of the Southern Regional Education Board (SREB) that took place in Louisville, Kentucky in June. She said the

meeting provided the participants with pertinent information on teacher effectiveness and several other issues. She noted that the SREB staff will be invited to discuss these issues at a future joint meeting of the Committees. She said the SREB Career and Technical Education Commission, on which she served, will soon issue a report on recommendations covering the skills gap, alternative pathways to achieving certificates and degrees, and transitions to 4-year colleges. She stated that Governor Steve Beshear of Kentucky was elected to a second term as chair of the SREB and that he had announced the formation of the SREB Commission on Prekindergarten Education which will take up pre-K as the next major issue to be studied.

The Honorable Sheilla Lampkin, State Representative, District 9, was recognized. Representative Lampkin commented that she was proud of Senator Elliott, who had been elected vice chair of the SREB's Legislative Advisory Council for next year as a representative of Arkansas.

Senator Key announced that **Senator Gene Jeffress**, a former colleague and member of these Committees, had suffered a series of strokes in recent weeks. He requested that Senator Jeffress and his family be remembered in members' prayers.

Introduction of New Administrative Team at the Arkansas Department of Education

Senator Key welcomed Mr. Tony Wood as the new Commissioner of Education.

Mr. Tony Wood, Commissioner, Arkansas Department of Education (ADE), was recognized. Mr. Wood made opening remarks regarding his new role at the ADE and the revamped Leadership Team for the agency.

The new members of the Leadership Team, in turn, introduced themselves and discussed their professional backgrounds.

Mr. Mike Hernandez, Deputy Commissioner

Ms. Deborah Coffman, Chief of Staff

Dr. Eric Saunders, Assistant Commissioner for Fiscal and Administrative Services

Ms. Ivy Pfeffer, Assistant Commissioner for Human Resources, Educator Effectiveness and Licensure

Dr. Deborah Jones, Assistant Commissioner for Learning Services

Ms. Annette Barnes, Assistant Commissioner for Public School Accountability

In closing, Mr. Wood discussed the continuing commitment of the ADE to support educational progress in Arkansas.

Handout:

Arkansas Department of Education Leadership Team

Discussion of the El Dorado School District's High School Completion Program

Presenters:

Mr. Jonathan Crossley, 2014 Arkansas Teacher of the Year

Ms. Ann Hays, Counselor, El Dorado High School, El Dorado School District

Ms. Alice Mahony, Member, Arkansas Exemplary Educators Network (AEEN)

Colonel Cary Shillcutt, Chief of Staff, Joint Force Headquarters, Arkansas National Guard

Mr. Tom Simmons, District Math Chair, El Dorado School District

Mr. Jim Tucker, Superintendent, El Dorado School District

Ms. Susan Waggener, Member, Arkansas Exemplary Educators Network (AEEN), *Moderator*

Ms. Waggener was recognized, and thanked the Committees for the opportunity to share a concern as they strive to help all Arkansas students find success in the classroom. She raised the issue of graduation rates and the troubling statistic that 5,240 Arkansas students dropped out of high school in SY2012-13. She stated that dropping out of high school has dire consequences for young people and for society as a whole. She said that slightly more than one-third of young dropouts find work, and only 11% of them earn wages above the poverty level. Ms. Waggener said high school graduation is imperative for a student to gain the ability and training to earn a living wage or to enter the military. She moderated a group of presenters who focused on the GED (General Educational Development) Program as one possible solution to positively impact the graduation rate as well as the well-being of the student. Utilizing a PowerPoint Presentation, Ms. Waggener and the other presenters covered the history of the GED, Arkansas School Laws, ESEA Waiver, Dropouts and Withdrawals, Accountability Workbook, High School Completion Alternative Pathway To A High School Diploma, High School Completion/Graduation, National Guard Youth Challenge, YC (Youth Challenge) Graduation Rates, High School Completion and Alternative Pathway to a Diploma, Alternative Pathway to Graduate, and Other Diplomas.

Contributor to the Discussion

Mr. Tony Wood, Commissioner, Arkansas Department of Education

Issues Included in the Discussion:

- explanation of the Individualized Graduation Plan (IGP),
- involving other partners,
- gateway year for counseling high school students,
- starting the program at the elementary level,
- parental involvement programs and empowering parents to become leaders in children's lives,
- the GED, ALE (Alternative Learning Environment), and the school district,
- the military's perception of those with a GED,
- managing the message of an alternative high school diploma,
- cost as a factor in deterring students from applying for a GED,
- industries actively encouraging and assisting employees to get a GED or certificate,
- system of tracking students,
- looking at funding to offset the cost of a GED,
- necessity of counseling to turn students around,
- addressing the number of suspensions and expulsions,
- shifting the responsibility for counseling to curriculum coaches,
- targeted leadership as a solution to the overabundance of student referrals to ALE,
- teachers as community leaders,
- recommendation that the Alternative Pathway to Graduation Program be a pilot program for SY2014-15, and
- having legislative days in school districts.

Senator Key recognized Mr. Crossley to discuss teachers' involvement in the policy development process. Mr. Crossley stated that teachers want to have a voice and to be engaged in the process. He said that if teacher involvement and engagement continues, the effectiveness of educational reform will continue and will benefit all students in Arkansas.

PowerPoint Presentation:

Alternative Pathway To A Diploma

Handout:

Alternative Pathway To A Diploma

Update on Technology Issues

Presenters:

Mr. Mike Hernandez, Deputy Commissioner, Arkansas Department of Education, *Moderator*

Mr. Jeff Cantrell, Assistant Superintendent, Jasper School District

Mr. Mark Gotcher, Superintendent, Atkins School District

Mr. J. Carroll Purtle, Superintendent, Wonderview School District

Ms. Teresa Ragsdale, Superintendent, Hartford School District

Mr. Hernandez was recognized, and moderated a presentation of school districts' experiences and issues with Broadband availability and service, including current and projected needs for bandwidth, technology initiatives, technology resources, and related costs.

Issues Included in the Discussion:

- using fund balances for outside connection costs,
- public accessibility to ARE-ON,
- cost for Jasper School District to lay fiber, and eligibility for E-Rate,
- renewing contracts with Broadband providers,
- weighing advantages of going to ARE-ON,
- necessity for students to have connectivity,
- paying membership fees to ARE-ON,
- changes to E-Rate that are being discussed,
- getting comprehensive data from school districts regarding bandwidth needs,
- necessity of having all of the connectivity options for Broadband available to explore,
- technology as a major way to respond to needs of children with dyslexia,
- expanding Broadband through the use of APSCN (Arkansas Public School Computer Network) connections, and
- accessibility to Broadband that is not being utilized.

Recess:

The meeting recessed for lunch at 12:57 p.m.

Afternoon Session

Senator Key reconvened the meeting at 1:45 p.m.

Discussion of Partnership for Assessment of Readiness for College and Careers (PARCC) Assessment from a School-Level Perspective

Presenter:

Ms. Heather Rainbolt, Testing Coordinator, Central High School, Little Rock School District, was recognized, and provided the Committees with ADE Commissioner's Memos outlining testing schedules. Ms. Rainbolt said she was testifying both as a parent and as an educator. She said she would not testify for or against the Common Core State Standards (CCSS), but about how PARCC assessments that are aligned with the CCSS will increase the amount of testing for teachers. Ms. Rainbolt discussed her concerns, including state participation, what the testing entails, the conflict between the testing schedule and ADE guidelines for planned instruction time, and the conflict of time spent on testing being in violation of the state's mandate of six hours per day, 30 hours per week. She said, additionally, that districts, schools, teachers, and students are given 178 days for teaching and learning curriculum by the Arkansas Standards for Accreditation. She said this would decrease to 138 days with PARCC. Ms. Rainbolt stated that students will participate in at least double the standardized testing under PARCC, robbing them of valuable instructional time. Ms. Rainbolt spoke on direct and indirect costs of the PARCC assessments. She asked that use of PARCC be reconsidered.

Issues Included in the Discussion:

- ◆ student reaction to computer-based testing,
- ◆ clarifying participation in the voluntary, universal ACT Program,
- ◆ clarification of PARCC as the new incarnation of testing in Arkansas,
- ◆ clarification of the need for and role of PARCC,
- ◆ teaching students with and without "scaffolding",
- ◆ making adjustments to PARCC down the road rather than throwing it out,
- ◆ reasons for all of the different tests given to students,
- ◆ number of hours students spend in testing,
- ◆ explanation of "40 days of lost classroom time",
- ◆ perception by teachers that additional requirements after not meeting goals is a punishment,
- ◆ changes with regard to the ACT and possibility for its use as the state's sole assessment,
- ◆ other options for testing, and
- ◆ categorizing students.

At the request of Senator Key, members of the ADE made additional comments and clarifications pertinent to testing.

Contributors to the Discussion:

Mr. Tony Wood, Commissioner, Arkansas Department of Education

Dr. Deborah Jones, Assistant Commissioner for Learning Services, Arkansas Department of Education

Ms. Melody Morgan, Director of Student Assessment, Division of Learning Services, Arkansas Department of Education

Issues Included in the Discussion:

- meeting the needs of special needs children with regard to student achievement,
- the assessment window to allow time for testing,
- PARCC assessments are designated for specific purposes,
- PARCC's windows for scoring,
- examples of testing content and testing times for PARCC and Benchmark,

- percent of the instructional year used for testing,
- number of districts (63) that participated in the Voluntary Universal ACT Assessment (VUAA),
- true cost to the state to implement PARCC, and cost for the Benchmark,
- developing an exit strategy from CCSS for Arkansas, and developing an initiative specific to the state,
- option for the State Board to delay implementation of CCSS,
- decrease in out-of-pocket expenses for ADE with PARCC,
- significance of increased testing time under PARCC,
- commentary on results from field testing,
- clarification of “project-based” assessment vs. “performance-based” assessment,
- bidding process for vendors,
- covering content prior to testing,
- adjusting testing dates because of inclement weather,
- involvement of the state in PARCC meetings,
- teaching to the test for a test that’s so new,
- managing expectations about results from the new assessments, and
- process and time needed to get results from testing.

Handout:

ADE Commissioner’s Memos, LS-13-070 and LS-14-063, with Talking Points

Discussion of the U.S. Department of Education’s Determination of Arkansas’s Status for 2014 Under Section 616 of the Individuals with Disabilities Education Act (IDEA)

Presenter:

Ms. Lisa Haley, Associate Director, Special Education, Arkansas Department of Education, was recognized. Ms. Haley discussed the recent determination from the Office of Special Education Programs (OSEP), which oversees states’ implementation of the Individuals with Disabilities Education Act (IDEA). She noted that states receive determinations annually, based on a number of indicators specific to students with disabilities. She stated there are four possibilities for the determination: “meets requirements,” “needs assistance,” “needs intervention,” or “needs substantial intervention.” Ms. Haley said that the letter from OSEP, dated June 23, 2014, states that Arkansas is in “needs assistance.” She said the letter also states that OSEP’s focus has changed from one that is heavy on compliance to one with a more balanced focus on results and compliance. Ms. Haley commented that there have always been results indicators and compliance indicators, and targets have always been set for those indicators. She said Arkansas fell short of targets in the results indicators in the current report. She discussed graphics of results for this year, including those showing how determinations were made. Ms. Haley agreed that Arkansas should be on “needs assistance.” She stated that Arkansas students with disabilities are not performing at a level on which we would like them to perform, and assistance is being sought to make improvements.

Handout:

Letter, Office of Special Education and Rehabilitative Services, United States Department of Education

Review of Arkansas Department of Education Rule Referred to the Committees by the Administrative Rules and Regulations Subcommittee of the Arkansas Legislative Council Concerning the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) and the Academic Distress Program

Presenter:

Mr. Jeremy Lasiter, General Counsel, Arkansas Department of Education, was recognized. Mr. Lasiter explained that most of the changes in the rules are the direct result of laws that were passed during the 2013 General Assembly. He stated the changes pertain to new criteria for placement of individual schools in Academic Distress, particular sanctions that could be applied to schools and school districts in Academic Distress, and other

technical changes and revisions to make the rules consistent with the laws passed in 2013. Mr. Lasiter pointed out that in a rule that was reviewed by the Rules and Regulations Subcommittee, the ADE recommended the repeal of the End-of Course (EOC) rules and are asking to merge them with the ACTAAP rules.

Issue Included in the Discussion:

- projected changes in testing for the National Assessment of Educational Progress (NAEP) exam.

Senator Key called for a motion to send the rules back to the Administrative Rules and Regulations Subcommittee of the Arkansas Legislative Council as having been favorably reviewed by the Committees.

Pursuant to a motion by Representative Homer Lenderman, and without objection, the motion was carried.

Exhibit J:

Exhibit J - Proposed ACTAAP Rule, ADE Rules Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) and the Academic Distress Program

Next Scheduled Meetings:

Tuesday, July 15, 2014, at 9:00 a.m. in Room 171 of the State Capitol in Little Rock

Tuesday, July 15, 2014 at 1:30 p.m. in Room 149 of the State Capitol in Little Rock, *State and Public School Life and Health Insurance Program Legislative Task Force*

Tuesday, July 22, 2014, at 8:30 a.m. at the Wyndham Riverfront Hotel, North Little Rock, *meeting with the House and Senate Interim Committees on Judiciary*

Adjournment:

The meeting adjourned at 4:14 p.m.

Approved: 08/11/14