

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

**Monday, November 17, 2014**  
**1:00 P.M.**  
**Room 171, State Capitol**  
**Little Rock, Arkansas**

Senator Joyce Elliott, the Vice Chair of the Senate Interim Committee on Education, called the meeting to order at 1:00 p.m.

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

**MEMBERS OF THE HOUSE INTERIM COMMITTEE ON EDUCATION IN ATTENDANCE:** Representative James McLean, Chair; Representative Ann Clemmer, Vice Chair; Representative Charles L. Armstrong; Representative Les Carnine; Representative Bruce Cozart; Representative Robert Dale; Representative Gary Deffenbaugh; Representative Charlotte Vining Douglas; Representative Jon Eubanks; Representative Debra Hobbs; Representative Sheilla Lampkin; Representative Homer Lenderman; Representative Mark Lowery; Representative James Ratliff; and Representative Brent Talley.

**NON-VOTING MEMBERS OF THE HOUSE INTERIM COMMITTEE ON EDUCATION IN ATTENDANCE:** Representative Randy Alexander; Representative Harold Copenhaver; Representative David Fielding; and Representative Stephen Meeks.

**OTHER MEMBERS OF THE GENERAL ASSEMBLY IN ATTENDANCE:** Senator Linda Chesterfield; Senator Jane English; Senator Stephanie Flowers; Representative Denny Altes; Representative Scott Baltz; Representative Ken Bragg; Representative Jeremy Gillam; Representative Fonda Hawthorne; Representative John Hutchison; Representative Mark McElroy; Representative John Walker; and Representative Marshall Wright.

**MEMBERS-ELECT OF THE GENERAL ASSEMBLY IN ATTENDANCE:** Representative-Elect Camille Bennett; Representative-Elect Mary Bentley; Representative-Elect Charles Blake; Representative-Elect Karilyn Brown; Representative-Elect Michael John Gray; and Representative-Elect James Sturch.

Minutes:

Without objection, the minutes of October 13, 2014, and October 27, 2014, were approved as written.

Exhibits:

Exhibit C1 – 10/13/14 Minutes  
Exhibit C2 – 10/27/14 Minutes

Senator Elliott recognized new members of the House and Senate Education Committees and incoming members of the 90<sup>th</sup> General Assembly who were present at the meeting.

Incoming members of the House and Senate Education Committees:

Senator Jane English, incoming Senate Chair  
Representative Mark McElroy  
Representative John Walker

Incoming members of the 90<sup>th</sup> General Assembly:

Representative-Elect Camille Bennett  
Representative-Elect Mary Bentley  
Representative-Elect Charles Blake  
Representative-Elect Karilyn Brown  
Representative-Elect Michael John Gray  
Representative-Elect James Sturch

Discussion of Interim Study Proposal (ISP) 2013-050 by Representative Kizzia, TO AMEND VARIOUS PROVISIONS OF TITLE 6 OF THE ARKANSAS CODE CONCERNING EARLY CHILDHOOD EDUCATION.

Presenters:

**The Honorable David Kizzia**, State Representative, District 26, was recognized. Representative Kizzia related the story of the Greek mythological figure, Tantalus, who was cursed with eternal deprivation of nourishment. Representative Kizzia felt this story of having something desirable being just out of reach was analogous to the current state of early childhood education in Arkansas. He stated that early childhood education is a way all children can start on an even playing field as they begin school. He said children who are involved in pre-K programs with qualified teachers and reasonable class sizes are more likely to graduate high school, complete college, live independently and work on their own, own a home, own a car, have a family, pay taxes, and be considered successful people. He said children who are involved in pre-K programs are less likely to need special education, to drop out of high school, or to be touched by the criminal justice system. Mr. Kizzia asked the Committees to take steps to ensure that children are given the opportunity for success.

**Ms. Jerri Derlikowski**, Director of Education Policy and Finance, Arkansas Advocates for Children and Families, was recognized, and introduced testimony via Skype.

**The Honorable Slade Blackwell**, State Senator, District 15, State of Alabama (*via Skype*), was recognized. Senator Blackwell discussed Alabama's first-class pre-K program, the support it has received, funding, and its progress since it was started in 2010. He stated three things were mandated at the onset: 1) the program must have standards, 2) all teachers must have bachelor's degrees, and 3) the program must have a 1-10 teaching ratio with a maximum of 18 students. He said doing this for the first couple of years resulted in the program being rated #1 in the nation in quality last year. He added that in 2013 every third grader who attended pre-K scored proficient in reading. Senator Blackwell counseled that two things must be considered: invest in education and invest in children. He urged the Committees to consider continuing the funding for pre-K programs.

**The Honorable Lee Denney**, State Representative, District 33, State of Oklahoma (*via Skype*), was recognized. Representative Denney discussed Oklahoma's pre-K program, pilots for which were started in 1980. She stated that the state passed a law in 1998 providing free access to pre-K for all of the state's four-year-olds. She said that, although it was not required, three quarters of the state's families sent children to pre-K in 1998. She said the program has been very successful throughout the state, and Tulsa is the textbook model. She stated that in 2013 Tulsa public schools served around 2,900 4-year-olds in four programs. Representative Denney discussed funding, and noted that a local philanthropist has taken an interest in pre-school education in Tulsa, and has made extensive donations. She commented that the state has dedicated another \$133.6 million to the pre-K program in the hopes that early intervention will pay off down the road.

Ms. Derlikowski noted that recommendations for Arkansas early childhood education programs were included in the ISP handouts. She said Pre-K has not received an increase in funding for eight years and requested that one be considered in the upcoming General Session.

Ms. Derlikowski next showed a video in which **Mr. Tommy Thornton**, a parent in Concord, Arkansas, presented testimony about the value of pre-K for children.

Issues Included in the Discussion:

- effect of the distribution of funds on early childhood education programs, and
- half- or full-day program; concurrent with K-12 calendar or 12-month program.

Handouts:

ISP 2013-050

ISP 2013-050, Pre-Kindergarten Interim Study Legislative Speakers Biographies

ISP 2013-050, Report, Executive Summary, The Effective Use of State Resources and Coordination of Programs to Improve Educational Outcomes for Children from Birth to Age Five

ISP 2013-050, Report, The Effective Use of State Resources and Coordination of Programs to Improve Educational Outcomes for Children from Birth to Age Five

**The Honorable Ann Clemmer**, State Representative, District 23, and Vice Chair of the House Interim Committee on Education, was recognized. Representative Clemmer thanked members for the condolences expressed at her loss of a member of her family.

Senator Elliott announced that there would be a deviation from the agenda, and Item E, Update on Arkansas Advanced Initiative for Math and Science (AAIMS), would be rescheduled for the joint meeting on December 17. She said the Committees would next take up Item F.

Handouts for Item E:

AAIMS Legislative Memo

AAIMS PowerPoint Handout

Recognition of Adequacy-Related Education Issues for Consideration by the 90<sup>th</sup> General Assembly

Senator Elliott referred to a list of items in members' packets that are not directly a part of the Adequacy Study, but are related issues. She strongly urged that all members and members-elect read the documents. She recognized Representative Les Carnine who made a significant contribution to the compilation of the list.

Handout:

Issues Related to Adequacy for Consideration by the 90<sup>th</sup> Arkansas General Assembly

Senator Elliott announced that the Committees would next take up Item G.

Update on the Implementation of the Teacher Excellence and Support System (TESS)

Presenters:

**Ms. Ivy Pfeffer**, Assistant Commissioner, Division of Human Resources, Educator Effectiveness and Licensure, Arkansas Department of Education, was recognized. Ms. Pfeffer acknowledged that teachers and school leaders are influential factors that directly impact a student's success. She stated that providing the very best teachers for students and the very best leaders for schools is of the utmost importance. She said the new evaluation system must be a system to develop and support successful practice, to provide data for educators to use, and to make

good decisions for the benefit of kids. She introduced a panel of educators who gave a perspective of TESS and its impact in schools.

**Ms. Tiffany Bone**, Assistant Superintendent, Pine Bluff School District, was recognized. Ms. Bone discussed TESS and its ability and capacity to transform teaching and learning in the state, its transparency through the use of BloomBoard, its new level of accountability, and its capacity to help teachers engage students.

**Mr. Mark Wagner**, Teacher, White County Central High School, White County Central School District, was recognized, and addressed personal challenges faced and the benefits derived from TESS.

**Ms. Tracie Gatewood**, Teacher, Southeast Middle School, Pine Bluff School District, was recognized. Ms. Gatewood discussed the use of BloomBoard, the challenges of TESS regarding time and understanding, the Arkansas Ideas website and professional development, and the influence of TESS on student learning.

**Ms. Karla Tarkington**, Principal, Badger Elementary, Beebe School District, was recognized, and discussed benefits that TESS brings to the learning process.

**Mr. Gary Logan**, Assistant Principal, Woodrow Cummins Elementary, Conway School District, was recognized. Mr. Logan described his experiences with TESS from the perspective of both a teacher and an administrator.

Issues Included in the Discussion:

- difficulties of talking to teachers about becoming better,
- role of student disciplinary issues in evaluating teachers,
- informal evaluations prior to planned evaluations,
- when the promulgation of the TESS Rules occurred,
- factors provided in TESS that have shown to be effective,
- criteria addressing outcomes of students instead of being a process,
- measurements by viewing objective data,
- recommendations on what needs to be “tweaked,”
- availability of other tools that take a shorter time, and
- looking at the correlation of student outcomes to teacher effectiveness.

Handout:

ADE TESS Update

Continued Discussion of the Report Mandated by Act 107 of 2013, TO REQUIRE A STUDY OF THE READINESS AND CAPABILITIES OF PUBLIC SCHOOLS FOR PREVENTING AND RESPONDING TO ACTS OF VIOLENCE AGAINST STUDENTS AND SCHOOL PERSONNEL AT SCHOOL.

Presenter:

**The Honorable Linda Chesterfield**, State Senator, District 30, was recognized. Senator Chesterfield walked the Committees through the Report discussing school preparedness, and services provided by the Center for Preparedness and Recovery at Arkansas Tech University (ATU), the Arkansas Department of Information Services (DIS), the Arkansas Criminal Justice Institute (CJI), Security Services and School Resource Officers (SROS), Community Oriented Policing Services (COPS), Active Shooter Training, including ALICE (alert, lockdown, inform, counter, and evacuate), and the Arkansas Attorney General’s Office. She discussed school discipline statistics, bullying, and guns in schools. Senator Chesterfield asked for acceptance of the Report.

Contributor to the Discussion:

**Ms. Nell Smith**, Administrator, Policy Analysis and Research Section, Bureau of Legislative Research

Issues Included in the Discussion:

- ◆ schools that participated in the survey for school discipline,
- ◆ areas of concern and concentration in the study,
- ◆ concern for numbers in **Table 10. Disciplinary Infractions by District with Expulsions**,
- ◆ addressing physical bullying and being sensitive to other forms of bullying,
- ◆ utilizing ALICE training for teachers, and
- ◆ working more closely with the 911 Task Force in securing schools.

Handouts:

Act 107 of 2013

A Study of the Readiness of Public Schools in Response to Natural Disasters and Acts of Violence

Discussion of Interim Study Proposal (ISP) 2013-140 by Representative Alexander, TO SUSPEND ADMINISTRATIVE REORGANIZATIONS OF SCHOOL DISTRICTS; TO REQUIRE A STUDY OF ADMINISTRATIVE REORGANIZATIONS AND STUDENT TRANSPORTATION IN SELECTED SCHOOL DISTRICTS; AND TO DECLARE AN EMERGENCY.

Presenter:

**The Honorable Randy Alexander**, State Representative, District 88, was recognized. Representative Alexander, utilizing a PowerPoint presentation, discussed the history and goals of Act 60 of the Second Extraordinary Session of 2003 (Act 60). He continued his discussion referencing several studies, primarily those findings and recommendations found in a comprehensive National Education Policy Center (NEPC) study, *the Consolidation of Schools & Districts, What the Research Says and What it Means*. Representative Alexander went on to review the actual impact of Act 60 as opposed to its expected benefits, including increased student travel times, increased district transportation expenses, and its impact on student performance. Representative Alexander concluded his presentation by discussing the potential impact of the repeal of Act 60.

Issues Included in the Discussion:

- setting limits for a minimum school size,
- setting limits for how large a school should be before requiring deconsolidation,
- correlation between school size and salaries,
- adding data from charter schools,
- conflating the numbers with academic achievement with regard to the law first being put into place,
- revisiting those adversely affected in small school districts, and
- diminished opportunities for students on the bus to participate in community service for scholarship awards.

Handouts:

ISP 2013-140 Information Packet

ISP 2013-140 PowerPoint Handout

Review of Arkansas Department of Education Rule Referred to the Committees by the Administrative Rules and Regulations Subcommittee of the Arkansas Legislative Council Governing The Public School Rating System on Annual School Report Cards

Presenters:

**Mr. Tony Wood**, Commissioner, Arkansas Department of Education, was recognized. Mr. Wood explained why this ADE rule is back before the Committees. He said this topic is in relation to Act 696 of 2013 that deals with a rating system for all 1,058 Arkansas schools. He said that rating system is specific to placing a letter grade to

each of those schools. He said these rules had gone through public comment, and, in the last State Board meeting at which final approval was sought, discussion centered around the six (6) Alternative Learning Environments (ALEs) in the State of Arkansas. Mr. Wood reviewed the four (4) changes to the rules the ADE would like the Committees to consider.

Contributor to the Discussion:

**Ms. Annette Barnes**, Assistant Commissioner, Public School Accountability, Arkansas Department of Education

Issues Included in the Discussion:

- consideration of the Arkansas Juvenile Assessment & Treatment Center in Alexander in relation to the rule,
- consideration of a school in academic distress in relation to the rule,
- clarification of Targeted Achievement Gap Group (TAGG),
- consideration of Hamilton Learning Academy in Little Rock,
- length of stay required for students at ALEs,
- replacing the 1 through 5 rating with the A through F rating, and
- flexibility in setting targets with regard to the Elementary Secondary Education Act (ESEA).

Relevant Action:

**The Honorable Jim Hendren**, State Senator, District 2, was recognized, and made the motion that, following examination of the proposed rule, testimony from representatives of the Arkansas Department of Education (ADE), and discussion by the Committees, the Committees considered and recommend the following changes as presented by the ADE:

1. Remove section 4.04 from the proposed rules. (This is the section that exempted Alternative Learning Environments (ALEs) that have their own LEA numbers from the A-F grading system).
2. Add new language to the proposed rules reading that for purpose of schools receiving an A-F grade, ALE students will be returned to their area school.
3. Repeal the existing A-F emergency rules.
4. Put the newly-drafted proposed A-F rules out for public comment.

Pursuant to the motion by Senator Hendren, and without objection, the motion was carried.

Exhibit:

Exhibit J – ADE Rules Governing the Public School Rating System on Annual School Report Cards (Emergency Rule) – Effective October 13, 2014

Next Scheduled Meeting:

Wednesday, December 17, 2014, at 1:30 p.m. in Room 171 of the State Capitol in Little Rock

Adjournment:

The meeting adjourned at 3:53 p.m.

Approved: 12/17/14