

# **Thoughts on Adequate Funding of Public Education in Arkansas**

**A Report for the Joint Adequacy Evaluation  
Oversight Subcommittee**

**Submitted by the Arkansas School Boards Association**



ARKANSAS  
SCHOOL BOARDS  
ASSOCIATION

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The initial adequacy report of September 1, 2003 recognized that “the definition of adequacy is a dynamic, not a static concept . . .” The Arkansas School Boards Association (ASBA) appreciates the General Assembly’s interest in receiving our input as it re-evaluates the dynamic nature of adequacy and equity. Over the last several years, the General Assembly has encountered many difficult issues and made strong decisions that have been instrumental in moving public education forward in Arkansas. We offer our comments in an effort to help continue this momentum.

The matrix has now been part of Arkansas’s education landscape for several years. Since the Arkansas Supreme Court “blessed” the matrix as a component of the General Assembly’s response to Lake View, the matrix has undergone no substantive revision. ASBA appreciates the political and economic realities that enter into funding and implementing the State’s responsibility to provide an adequate and equitable public education. At the same time, we take to heart Act 57 of the Second Extraordinary Session of 2003 (as amended) which acknowledged the dynamic nature of adequacy and the need to re-examine adequacy’s components.

While some of our testimony is similar to what we have previously submitted, the luxury of having had time to experience the matrix has allowed us to see some of its components from new perspectives. We wish to stress that our present offering is made with the students of this state in mind and the hope that re-evaluating adequacy improves opportunity and achievement for all of them.

### **Culture**

While “culture” may not seem to be an “adequacy” issue, we believe changing the culture of public education is both the most important and most difficult aspect of significantly improving Arkansas’s future. The state’s education culture as a whole certainly affects student achievement, but in this testimony we will only deal with culture in relation to adequacy.

In the September 1, 2003 report, Picus and Odden state that, “Full implementation of this . . .adequate education program with the proposed resources will require that each school rethink if not restructure its entire education program, and allocate all current and any new resources to this restructured and more effective educational program.” This is a strong statement and will only be accomplished through a cultural shift within public education. Such a shift won’t happen quickly due to the size and complexity of the ship we’re turning around. But when viewing adequacy, it’s important to keep its complexity in mind to prevent unintended conflicts contained within the matrix from slowing the turnaround.

A central issue with the matrix is whether it allots sufficient staffing positions to enable districts to hire the staff necessary to support teachers in their professional development and thus change school culture in ways that could improve student achievement. Having too few positions can result in a district not being able to hire the key personnel that could realign the district’s culture and heighten student achievement.

### **Teacher Staffing**

ASBA believes a conflict may exist between the number of staff allotted in the matrix and the number of staff required by the Standards of Accreditation (Standards). As we have done in our previous two testimonies concerning adequacy recalibration, ASBA once again urges the General Assembly to initiate

a real world study of school staffing to determine the number of staff positions required to implement the Standards. The complexities of teacher licensure, coupled with the challenges of developing class schedules, strongly suggest that the study should be guided by education professionals who have expertise in this area.

Before looking at the prototypical school actually contained in the matrix, we begin by considering, for ease of apportioning numbers, a district with 100 students per grade for a total enrollment of 1300. This theoretical district has chosen to have a K-4 elementary school of 500 students (five grades, each grade with 100 students). The Standards permit:

- kindergarten classes no larger than 20 students (or 22 with one, half-time instructional aide). Our model school would require five kindergarten teachers.
- grades 1-3 averaging no more than 23 students per classroom. Thus our model school would require five classrooms per grade for a total of 15 teachers.
- fourth grade averaging no more than 25 students per classroom so our model school would require a total of 4 teachers.

In sum, a district would have to hire 24 teachers to meet the requirements of the Standards. The matrix allocates 20.8 teachers for every 500 students. This means our sample district, when it abides by the Standards' requirements, would be underfunded by 3.2 teachers for its 500-student K-4 elementary school.

For discussion purposes, we offer the following to further explain our underlying concerns with the matrix's staffing numbers. The calculations below are complicated, but incredibly important. They are predicated on our belief that the General Assembly must sufficiently fund what it requires districts to provide. Requirements contained in the Standards fall under this funding obligation.

The Standards require districts to average no more than a specified number of students per classroom in any grade. This means that when a school's fourth grade enrollment exceeds 25 students, the school must have two fourth grade classes to avoid violating section 24.02 of the Standards. This section of the Standards places districts in Probationary Status for improper ratios and class sizes not caused by unexpected population shifts. The consequences for probationary violations can be severe. A.C.A. § 6-15-207(b) reads, "The State Board of Education may take any number of the actions listed in subsection (c) of this section to address a school or school district failure to meet standards for accreditation any time after the school or school district has received notice of being placed on probationary status pursuant to §§ 6-15-203 and 6-15-203." The options available to the State Board include annexation and consolidation.

On paper, the student-to-teacher ratios in the matrix appear to follow the Standards and correctly generate the allocated 13.8 teachers. However, the number of students per grade in the matrix don't accurately correlate with the staff schools are **required** by the Standards to provide. One way of looking at the core subject staffing allocations contained in the matrix is to examine their derivation. The matrix is based on a K-12 school with an enrollment of 500. It assumes 8% are kindergarten students for a total of 40 students, 23% are in grades 1-3 for a total of 115 students, and 69% are in grades 4-12 for a total of 345 students.

With 20 students permitted in each classroom, 40 kindergarten students neatly correlate to two staffing positions, the same as provided in the matrix. With 23 students permitted in grades 1-3 classrooms, 115 grades 1-3 students neatly correlate to five staffing positions, the same as provided in the matrix. The

problems are with staffing the nine grades of 4-12. The 345 students allocated in the matrix for grades 4-12 equate to 38.3 students per grade. For ease of calculations, we assume students in grades 4-6 have one classroom teacher during the day. Because the Standards permit no more than an average of 25 students per classroom, each grade will require two teachers for a total of six teachers out of the 13.8 allotted for grades 4-12 in the matrix. That leaves 7.8 matrix-funded teachers to teach **all** of the core subjects in grades 7-12. The Standards permit 30 students per classroom, but, again, the matrix school has 38.3 students per grade, which requires schools to have two classes per grade per course. In addition to the courses required in grades 7-8 are the required 38 units that must be taught each year in grades 9-12.

It's important to note a wild card in this discussion which is the mandate (A.C.A. § 6-16-1204) that schools offer at least one AP course in each of the four core areas of math, English, science, and social studies. Except in rare instances (see A.C.A. § 6-15-214), schools must offer the AP courses **in addition** to the other 38 required courses. ASBA contends that for matrix staffing appropriations, the AP courses must be taken into consideration.

As we stated in the beginning of this section of our testimony, determining the number of teachers necessary to deliver the required courses is difficult, but for discussion purposes let's look at English as an example. English for grades 7-12 in a school with the matrix's student enrollment will require two class periods per grade for a total of 12 class periods. An English teacher who is licensed to teach grades 7-12 and works in a school using an 8-period day could teach seven of those classes. Two teachers could teach a combined 14 class periods. **Assuming** at least one of the teachers has the necessary licensure, the two teachers could teach the twelve classes of English plus the requirements of oral communications, drama, and journalism. So, other than the required AP English course, theoretically, two English teachers could teach all of the required courses for grades 7-12. However, even with an 8-period day, the AP requirement would necessitate an additional teacher or portion thereof for a total of two-plus English teachers for grades 7-12.

Assuming teacher licensure requirements for science, math, and social studies for grades 7-12 work out similarly to our English example (and the only reliable way of knowing is by conducting a real world study), each subject area would require two-plus teachers. The staffing necessary would total at least 8.4 positions, but the matrix only provides 7.8 teachers after factoring in the six teachers necessary for grades 4-6.

In the matrix, the shortage of core staff positions is compounded by an insufficient allotment of PAM teachers. Our understanding is that, in the original derivation of the matrix, PAM stood for physical education, art, and music. Apparently, the PAM definition changed to also include "all non-core classroom teachers" in the 2008 re-calibration (page 43 Volume 1, *Report on Legislative Hearings for the 2008 Interim Study on Educational Adequacy*, 12/30/2008). This change is enormously significant. From a scheduling perspective, it was our understanding the PAM teachers were originally intended to enable elementary teachers to have their daily planning periods. Expanding PAM teachers to include all non-core classroom teachers makes the current matrix staffing and funding situation untenable.

The matrix apportions PAM teachers at the rate of 20% of the core teacher allocation, which originally resulted in 4.2 teachers; this was recalibrated to 4.14 teachers in fiscal year 2008. If, in fact, 4.14 PAM teachers have to teach all the non-core K-12 subjects, we believe 4.14 is insufficient. Consider that, just for grades 9-12, the Standards require the following:

- 9.03.4.4 – two units of the same foreign language;
- 9.03.4.5 – three and ½ units of Fine Arts;
- 9.03.4.6 – one unit computer applications;
- 9.03.4.8 – ½ unit of economics;
- 9.03.4.9 – one and ½ units of health, safety, and physical education;
- 9.03.4.10 – nine units of career and technical education representing **three** occupational areas.

Given the number of licensures these requirements cover, we don't believe 4.14 positions are sufficient to meet the Standards, especially when adding in the requirements for grades K-8. Again, however, we believe the most reliable way to determine the actual number of necessary positions is for expert, real world practitioners to create a class schedule that considers the various scheduling options coupled with teacher licensure considerations.

To the extent that a real world examination of the staffing necessary to meet the requirements of the Standards determines the matrix allots an insufficient number of staffing positions, the only alternative we can see to increasing the staffing to the necessary level is to lower the requirements contained in the Standards such that it aligns to the current staffing levels provided in the matrix. We do not believe, however, that lowering the Standards is an acceptable alternative.

### Data Collection

In the Arkansas Supreme Court's 12-12-05 ruling on *Lake View School District No. 25 of Phillips County, Arkansas, et al vs. Huckabee*, the Court held that, "Without a continual assessment of what constitutes an adequate education, without accounting and accountability by the school districts, without an examination of school district expenditures by the House and Senate Interim Committees, and without reports to the Speaker of the House and the President of the Senate by September 1 before each regular session, the General Assembly is flying blind with respect to determining what is an adequate foundation-funding level." ASBA agrees that collecting data is important, but data are merely numbers that don't tell the whole story without the **context** of the decisions made by the school districts that generated the data.

When school expenditure data are being collected, it is important they not be merely numbers. For example, a district may not be spending funding on technology as envisioned in the matrix because it chose to institute an education program to benefit student achievement, although not funded by the matrix. Another example is substitute pay, which was reduced in the matrix in the 2006 recalibration based on BLR data. The fact that districts didn't pay their substitutes at the level funded in the matrix may reflect allocation decisions by districts to maintain fiscal integrity rather than an unawareness of the need and goal to increase pay for substitute teachers.

There are inherent conflicts within the matrix itself, as well as between the matrix and the ADE Rules that operate outside the matrix, but govern district behavior. Without explanations of why districts made their staffing and curriculum decisions, the General Assembly has insufficient information on which to base its adequacy re-evaluation. A good example is the Picus and Odden Web-based survey results from March 16, 2006. Picus and Odden castigated districts for not having the instructional facilitators and tutors Picus and Odden had envisioned in their original matrix staffing design that had been adopted by the Joint Interim Committees. Instructional facilitators are a source of conflict within the matrix, and we will

discuss this in our testimony. Tutors as a matrix item were neither adopted nor funded by the House and Senate Interim Committees on Education as Picus and Odden had envisioned.

Especially as part of an ongoing effort, the most beneficial data would be that collected by distress intervention teams. At a minimum, distress interveners should be familiar with the funding formula matrix and have part of their evaluation based on a distressed school's or district's implementation of the matrix. This information coupled with similar evaluations of districts that are not in distress could serve as a good resource for future matrix revisions.

### **ADE Funding**

While ASBA acknowledges the General Assembly's oversight responsibilities regarding district expenditures, it is important to keep in mind that districts can face ADE intervention for academic, fiscal, and facilities distress, as well as failure to attain NCLB proficiency requirements. In essence, the ADE is the enforcement arm of the General Assembly and is its eye into the health of K-12 public education. ASBA urges legislators to rely on the ADE to help districts understand the design and intent of the matrix. Dr. Tom Kimbrell, the Commissioner of the ADE, has appropriately pointed out that while the ADE is the enforcement arm of the General Assembly, it also has to be the support center to help districts improve student learning. ASBA urges the General Assembly to work closely with the ADE to ensure it has adequate funding both to enforce accountability and to support district efforts to raise student achievement and close the achievement gap.

While available revenue to schools is always an important consideration, we believe that for now the issue is as much about how Arkansas's definition of adequacy is implemented as it is about its financial components. It's not just the collection of data, but the context of the realities behind the data, specifically: What are the reasons behind the numbers? Why are the successful schools succeeding, and why are failing schools failing?

### **Instructional Facilitators**

This is a source of conflict between the matrix and the need to change school culture. The matrix funds 2.5 positions for instructional facilitators. ASBA believes the matrix should fund 4.0 instructional facilitators positions based on the following reasons:

- One desired culture change is to have the principal be his/her school's instructional leader. For this to happen, the principal must do more than "manage" the school and handle student discipline. Section 15.02 of the Standards requires a half-time assistant principal, instructional supervisor, or curriculum specialist for schools over 500. ASBA believes an assistant principal is a necessary position if a principal is to be the school's instructional leader. While the Standards theoretically give schools a choice, it does so at the expense of truly staffing the positions needed to run an efficient, orderly, safe, and achieving school. Districts should not have to choose between hiring an instructional facilitator to assist in improving instruction for students and an assistant principal whose task is to help maintain an orderly and safe school environment for learning. A fulltime assistant principal is necessary to enable the principal to be the school's instructional leader.

- In our March 17, 2008 testimony, we discussed the need for more than a half-time technology position in the matrix. That need still exists and is necessary for several reasons. First, the likelihood that a good technology person would also be a good instructional facilitator is low. It is also not likely that many licensed teachers will have the needed technology expertise to be able to efficiently accomplish technology-related tasks while also having the necessary skills of being an instructional facilitator for technology. Second, district technology needs are many. In fact, Section 5 of the Arkansas School Facility Manual suggests up to seven positions describing varying responsibilities for implementing and maintaining a district's technology infrastructure. The manual does not assume any of these positions would also double as an instructional facilitator.

We believe there is a difference between a technology “expert” being able to help a teacher with technology-related issues and that same person being able to facilitate the teacher in creating lesson plans and incorporating technology into the teacher’s classroom instruction. Technology staffing in the matrix is insufficient, and overlapping technology with instructional facilitation is unrealistic. We believe a minimum of one fulltime position is necessary for a school of 500.

- Instructional facilitators will be most productive when facilitating within their field of expertise. As we strive to improve our students’ math and literacy achievement, to enable effective facilitation there should be at least two instructional facilitators, separate from the assistant principal and technology positions.

### **Technology**

As we discussed in our March 17, 2008 testimony, the world of technology continues to change at an ever-increasing pace, requiring careful monitoring for its adequacy implications. Not many years ago, “generation” was a term used in conjunction with biology and was considered to be about 20 years. Now a generation is also a technology term that can be as short as three to five years. From both an education and a societal perspective, fifth graders in 2015 will face a significantly different technological world than fifth graders in 2010. If public education doesn’t adopt a 21<sup>st</sup> century approach to classroom technology, the technology gap will grow between students and teachers. Arkansas graduates may be technologically handicapped if we don’t invest in instructional technology hardware, software and, most importantly, professional development for teachers.

ASBA is concerned that the recalibrated adequacy funding for hardware, software, and instructional technology staff may be insufficient. In costing out technology, the present matrix appears to base its calculation on the declining costs of “old technology.” If we expect students to graduate with the technology skills necessary for career success, we can’t train them on obsolete hardware and software. We acknowledge that costs for comparable hardware and software decline over time, and we are not asserting that schools should buy every piece of new technology. But we do believe that our students must be much more advanced than mere “keyboarders” if we want them to compete globally.

### **Librarians**

A source of conflict districts face is when statutory or ADE Rule requirements are out of alignment with the staffing provisions of the matrix. Another example of this applies to librarians. Section 16.02.3 of the

Standards requires, “*Each school with fewer than three hundred (300) students enrolled shall employ at least a half-time, licensed library media specialist. A school with three hundred (300) or more students enrolled shall employ a full-time licensed library media specialist.*” The matrix is based on schools of 500 which requires one fulltime librarian according to the Standards of Accreditation. The matrix, however, only funds .825 of a librarian position. Even if a district chooses to have two schools of 250, they would still have to have two half-time librarians for a total of one full position. The matrix is out of alignment with the Standards’ requirement and underfunds it.

### **Professional Development**

The 7/20/2006 Picus and Odden Report reads, “Effective professional development (PD) is defined as PD that produces change in teachers’ classroom-based instructional practice which can be linked to improvements in student learning.” Picus and Odden note that “...there is little support in this research for the development of individually oriented professional development plans; the research implies a much more systemic and all-teachers-in-the-school approach.” As it relates to changing the culture of public education, effective professional development is crucial. The 9/1/2003 Picus and Odden report reads, “...all the resources recommended in this report need to be transformed into high quality instruction in order to transform them into increases in student learning. And effective professional development is the primary way those resources get transformed into effective and productive instructional practices.”

Prior to Lake View, teachers were required to have 30 hours of PD annually. Picus and Odden encouraged Arkansas to raise the number to 100 or even 200 hours. The General Assembly settled on 60 hours. Inherent in the proposed increase to 100 or 200 hours, but still relevant for 60 hours, is a change in the understanding of what constitutes PD. While Picus and Odden believe in intensive summer training institutes, they also encourage continuous, ongoing, embedded, data-driven PD that would occur all year long. It could consist of time spent with instructional facilitators, as well as collaborative time with fellow teachers to help align curriculum or work on addressing individual student needs. The revised scope of what constitutes PD makes 60, 100, or even 200 hours more easily attainable, and would work to accelerate positive change in our education culture and student achievement.

Currently, A.C.A. § 6-17-117 requires a minimum of 200 minutes of planning time per week for each teacher in increments of no less than 40 minutes. The Arkansas Attorney General has opined (2005-299) that the law prohibits administrators from stipulating teachers’ use of their planning time. This statutory impediment to implementing “collaborative” PD needs to be addressed in the 2011 session. Teachers need planning time, but administrators also need to be able to organize collaborative professional development activities during the school day. A legislative compromise needs to be reached.

### **Recess**

A.C.A. § 6-16-102 stipulates the length of the “school day,” which it defines as, “...a day in which classes are in session and students receive at least six (6) hours of **instructional** (emphasis added) time.” A growing body of research shows the importance of recess in improving student learning and helping students gain lifelong problem-solving skills. But in Arkansas recess is not approved by the ADE as part of the instructional day. In fact, Section 24.06 of the Standards places a school in probationary status for an instructional day less than six hours. This makes including recess as part of the school day an



unnecessarily costly decision due to the need to lengthen the school day and consequently having to increase teacher salaries proportionally if the school wishes to offer recess.

A.C.A. § 6-16-132 which governs the physical education/physical activity requirement schools must offer was amended in 2007. A portion of the amendment stipulates that recess can be included as part of the required 90 minutes per week of physical activity, but since recess is not part of the instructional day, it doesn't really help districts meet the mandated activity. ASBA encourages the General Assembly to amend A.C.A. § 6-16-102 to clarify that a specified number of minutes spent in recess will count as part of the instructional day.

Further information on the value of recess is available at the following links:

Ginsburg, Kenneth R. The Importance of Play in Promoting Healthy Child Development and Maintaining Strong Parent-Child Bonds *Pediatrics* Volume 119, Number 1, January 2007 in the American Academy of Pediatrics <http://www.aap.org/pressroom/playFINAL.pdf>

Waite-Stupiansky, Sandra, Findlay, Marcia. The fourth R: Recess and its link to learning. The Educational Forum. Fall 2001 [http://findarticles.com/p/articles/mi\\_qa4013/is\\_200110/ai\\_n8993009/](http://findarticles.com/p/articles/mi_qa4013/is_200110/ai_n8993009/)

Gallup Survey of Principals on School Recess, February 2010, Robert Wood Johnson Foundation, Princeton, NJ. <http://www.playworks.org/files/StateOfPlayFeb2010.pdf>

### **Instructional Materials**

In FY 2008, \$25 per student was pulled out of this matrix category to be used in providing formative assessments (redefined by Race to the Top as interim assessments) statewide. The appropriation was not funded, which has resulted in districts not receiving the funding for the assessments. Given the increased emphasis on using formative assessments to help improve student learning, districts need the funding restored to the matrix.

### **Gifted and Talented**

Another conflict between the funding provided in the matrix and statutory and ADE Rules involves gifted and talented (GT) programs. Section 18 of the Standards requires a district to have a GT program and 24.12 of the Standards puts a district into probation for failure to have a GT program. Prior to the present funding formula, districts were required by law to spend a specified percentage of their student funding on GT. That requirement was in A.C.A. § 6-20-310 which was repealed by Act 59 of the Second Extraordinary Session of 2003. Given the insufficient number of PAM teachers, this will further strain district budgets. GT is a desirable program, but it is not funded in the matrix.

### **Coordinated School Health**

ASBA believes the goals of education need to be greater than students' test scores. There is a difference between the performance of a student on a test and the same student's ability to be a functioning, contributing, thriving participant in society. Partnering with the community to provide students an

engaging, well-rounded education that develops the whole child should be the paramount goal of public education.

ASBA encourages support of initiatives that encourage schools, agencies and the community to work together efficiently and seamlessly to provide needed services for children and their families. This is a fiscally prudent way to build a healthy school environment and promote the health of students, school faculty and staff. A coordinated approach to school health improves wellness and the capacity for teaching and learning.

### **Unknowns**

As of the date of this testimony, there are at least two major unknowns that could have a significant impact on education funding and even the requirements and/or definition of adequacy.

One unknown is the re-authorization of the Elementary and Secondary Education Act (previously NCLB). It is certainly too early to predict if it will be re-authorized prior to the start of the 88<sup>th</sup> General Assembly, but while it's not likely, it cannot be ruled out. The *Blueprint for Reform* issued by the USDOE on March 10, 2010 includes a desire to change significant portions of federal aid and have it based on competitive grants. Our understanding is that such grants will not favor rural states. Creating an uncertain funding stream stands to disrupt districts' staffing and program offerings. At the same time, however, the *Blueprint* pushes a cultural shift in how schools operate which could work to Arkansas's advantage in using a fully funded matrix to promote fundamental change as envisioned in the original matrix derivation.

Arkansas's Race to the Top (RTTT) application was very comprehensive and designed to significantly move education forward and close the achievement gap. Elements contained within the state's RTTT application should be considered for their relevancy to providing an adequate education. This is especially important when considered in light of working to change schools' cultures while addressing the changing world our graduates are entering. Two prime examples for consideration are EAST and the Real World Design Challenge, both of which require a significantly different approach to teaching (EAST teachers are called facilitators due to the change in the classroom's culture). Our state's application discussed the potential need to rearrange programs and funding sources when RTTT funding expired. This indicates to ASBA that the state understands the importance of continuously modifying the definition and implementation of adequacy.

A companion unknown directly linked to the other two is how adoption of the Common Core standards will affect assessment, professional development, curriculum frameworks, and basic classroom lesson plans. The common core standards likely will affect education's culture, but regardless of how improved the standards may be, a short-term effect will be further stress on the system.