

MINUTES

JOINT ADEQUACY EVALUATION OVERSIGHT SUBCOMMITTEE

1:30 P.M.

Wednesday, May 19, 2010

Room 171, State Capitol

Little Rock, Arkansas

Representative Bill Abernathy, the House Chair of the Joint Adequacy Evaluation Oversight Subcommittee, called the meeting to order at 1:30 p.m.

MEMBERS OF THE JOINT ADEQUACY EVALUATION OVERSIGHT SUBCOMMITTEE IN

ATTENDANCE: Representative Bill Abernathy, House Co-Chair; Senator Jimmy Jeffress, Senate Vice-Chair; Representative Eddie Cheatham, House Vice-Chair; Senator Gene Jeffress; Senator Johnny Key; Senator Mary Anne Salmon; Representative Monty Betts; Representative Toni Bradford; Representative Les Carnine; and Representative David Rainey.

OTHER MEMBERS OF THE GENERAL ASSEMBLY IN ATTENDANCE: Senator Paul Bookout; Senator Randy Laverty; Senator David Wyatt; Representative Tommy Lee Baker; Representative Nancy Blount; Representative Jerry Brown; Representative John Burris; Representative Eddie Cooper; Representative Robert Dale; Representative Jody Dickinson; Representative Jane English; Representative Billy Gaskill; Representative Nathan George; Representative Debra Hobbs; Representative Uvalde Lindsey; Representative Buddy Lovell; Representative Mark Martin; Representative Walls McCrary; Representative Robert Moore; Representative Jim Nickels; Representative Mike Patterson; Representative Tracy Pennartz; Representative Roy Ragland; Representative R. Gregg Reep; Representative Tiffany Rogers; and Representative Garry Smith.

Without objection, the minutes of May 4, 2010, were approved as written.

Discussion of National School Lunch Act (NSLA) Categorical Funding

Ms. Jerri Derlikowski, Administrator, Policy Analysis and Research Services, Bureau of Legislative Research, was recognized. Prior to presenting a report about the Arkansas categorical funding program for schools with high percentages of students in poverty, Ms. Derlikowski discussed how school districts' expenditures are being mapped to the Matrix, Arkansas's K-12 education funding formula. She then continued with the PowerPoint presentation, "National School Lunch Act (NSLA) Categorical Funding for Arkansas Districts and Schools."

Ms. Derlikowski walked the Subcommittee through several parts of the report. Starting with page 2, she described the three levels of NSLA funding per student. On page 3, she differentiated between two other programs, through which school districts may receive additional money: NSLA growth funding and NSLA transitional funding. She added that there are other types of funding, both state and federal, that support poverty programs. The state has a high-priority teacher recruitment and retention funding program, and a College Preparatory Enrichment Program (CPEP), designed to help at-risk students prepare for college entrance exams. There are three federal programs: Title 1 of the Elementary and Secondary Education Act, the 21st Century Community Learning Centers, and the Education for Homeless Children and Youth program. On page 5, she pointed out the eligible uses of NSLA funding. Page 7 of the report presents the NSLA Expenditure Analysis, and Ms. Derlikowski explained how the financial coding was grouped to facilitate analysis of the purposes for which NSLA funding was used. She concluded the report with a review and discussion of the Tutoring Programs chart on page 9, the Extended Day Programs chart on page 10, and the Summer Programs chart on page 11.

Ms. Derlikowski mentioned that, while this report is only concerned with funding, and does not track the progress of students from high poverty schools, a detailed report will be coming out this fall showing the results of pairing

elementary, middle, and high schools to see what practices are in which schools, and what's happening with student achievement. The report will cover about six school districts. Also coming out this fall will be an achievement gap assessment, pairing schools that are similar in minority and poverty makeup, that looks at track records and the differences that might exist in otherwise comparable districts.

A discussion session followed the report. The topics raised included:

- o Identification of similar model programs;
- o Tutoring programs;
- o Provision 2 funding;
- o Salary differences in high NSLA districts and low NSLA districts;
- o An explanation of the categories on Appendix A;
- o Funding cuts for summer programs;
- o A comparison of the three levels of funding to the eight eligible uses of NSLA funding to determine program productivity; other comparisons to the eligible uses of NSLA funding;
- o Attributing achievement gains to programs; and
- o Monitoring and evaluating programs.

Representative Abernathy thanked Ms. Derlikowski for the report.

Discussion of Alternative Learning Environment (ALE) Categorical Funding

Dr. Brent Benda, Senior Research Specialist, Bureau of Legislative Research, was recognized. Dr. Benda delivered a report, "Alternative Learning Environment, 2010 Report," using a PowerPoint presentation. He explained that ALE is a student intervention program in compliance with Ark. Code Ann. §§ 6-18-508 and 6-18-509, that seeks to eliminate traditional barriers to student learning. He described state standards and the purpose of ALE programs, noting that the fundamental premise underlying ALE is that all students can learn if provided with the right educational environment. Nationally, 12% of students are in ALE programs. The most prevalent use of ALE is for students labeled "at risk."

Dr. Benda next reviewed and discussed the content of the report that included:

- Funding
 - ⇒ Table 1: Fund Balances as a Percentage of FY09 ALE Funding
- Overview of Alternative Learning Environments (ALE) in Arkansas
 - ⇒ Chart 1: Reasons for ALE Referral
 - ⇒ Chart 2: Length of ALE
 - ⇒ Chart 3: Type of ALE
 - ⇒ Chart 4: Number of ALE Students by Grade Level in Arkansas
 - ⇒ Table 2: Summary Statistics of ALE Programs in Arkansas
 - ⇒ Chart 5: Number of ALE Students

Dr. Benda reported that at least four issues concerning ALE practices have been identified in Bureau of Legislative Research (BLR) surveys and interviews with teachers, district administrators, and Arkansas Department of Education (ADE) officials. These issues are: 1) lack of sanctions on school districts that do not provide ALE programs, 2) funding allowed for students placed sporadically in ALE programs, 3) preparation of teachers for ALE, and 4) limited funding for technology, supplies, and facility upgrades.

Dr. Benda said studies show variability in programming in every aspect of ALE programs across the country. There is no model ALE program. Variances occur in staffing, qualifications of staff, duration of programs, eligibility to get into the programs, etc. The programs were originally created in isolation from one another to meet locally-defined needs, and little effort was made to achieve uniformity or link the programs. He said that

some common characteristics of ALE programs are: small class size, emphasis on one-on-one interaction between teachers and students, emphasis on supportive environments, individualized pacing and curriculum, activities designed to help a student succeed, linkage between community services and the program, and, in some programs, mandatory parental involvement. Dr. Benda continued with a description of the most widely used typology of ALE programs that had been created by education scholar, Dr. Mary Anne Raywid. He said that in practice, most programs are a hybrid of Dr. Raywid's three types.

Dr. Benda cited evidence that ALE programs do favorably change the behavior and academic performance of students. He discussed a meta-analysis conducted by Cox, Davidson, and Bynum (1995) that found ALE programs had significant positive effects on school performance, attitudes towards school, and self-esteem, but had no significant effect on delinquency.

Dr. Benda concluded with a discussion of best practices, including guidelines, intervention, teacher training, and collaboration.

A question and answer session followed the report. **Ms. Lori Lamb**, Director of Alternative Education, Alternative Learning Environments, Arkansas Department of Education, was recognized and assisted Dr. Benda with the discussion. Topic raised included:

- ◇ Funding for in-school suspension types of activities;
- ◇ Eleventh grade as a transition time for students; recidivism of students;
- ◇ Due diligence in conforming to ALE best practices;
- ◇ Legislation necessary for the concept of an ALE environment to be enforced as a rule;
- ◇ Improving funding to meet the needs of the whole child;
- ◇ Reasons for having the majority of ALE programs in grades 7-12;
- ◇ Success in implementing ALE programs at the elementary level;
- ◇ Situations in which ALE funding will follow a student who has been court-ordered/referred to attend an alternative school;
- ◇ Judging effectiveness of programs from district to district;
- ◇ Placing a student in an ALE program is a decision made by committee in each school district;
- ◇ Labeling a student as needing alternative education in order to receive ALE funding; and
- ◇ Certification for teachers in ALE education.

Representative Abernathy thanked Dr. Benda for an excellent report.

Discussion of English Language Learners (ELL) Categorical Funding

Ms. Jerri Derlikowski, Administrator, Policy Analysis and Research Services, Bureau of Legislative Research, was recognized. Ms. Derlikowski presented a report, "English Language Learners (ELL) Categorical Funding for Arkansas Districts and Schools," about the Arkansas funding program that supports students who are not proficient in English. Arkansas does not have an English as a Second Language (ESL) certification, but has an ELL endorsement. There are about 27,589 ELL students in the state. She said that in FY2008-09 ELL categorical expenditures totaled \$12.5 million in 132 districts. Ms. Derlikowski discussed the funding sources that support the needs of ELL students, State and Federal Requirements, and Selected District and School ELL Activities. Included in the activities were ELL Student Demographics, ELL Placement, Instructional Strategies, District ELL Efforts and Springdale Language Academy. She reviewed the map on page 6, and charts on pages 7 through 10. Ms. Derlikowski concluded with a description of language and education barriers to graduation that exist for some ELL students.

Topics raised during the discussion that followed included:

- Differences/similarities between ESL and ELL students;

- State contribution to the education of ELL students; and
- The meaning of “Twenty districts concentrate ELL students in one school...” on page 12.

Representative Abernathy announced that the next meeting of the Joint Adequacy Evaluation Oversight Subcommittee would be at 9:30 a.m. on May 20, 2010, in Room 171 of the State Capitol.

There being no further business, the meeting adjourned at 3:35 p.m.