

MEETING SUMMARY

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

ADEQUACY

Tuesday, January 7, 2020

9:00 A.M.

Room A, MAC

Little Rock, Arkansas

Senator Jane English, the Chair of the Senate Interim Committee on Education, called the meeting to order at 9:00 a.m.

MEMBERS OF THE SENATE INTERIM COMMITTEE ON EDUCATION IN ATTENDANCE: *Senators:* Jane English, Chair; Joyce Elliott, Vice Chair; Eddie Cheatham, Linda Chesterfield, Lance Eads, Mark Johnson, and James Sturch

MEMBERS OF THE HOUSE INTERIM COMMITTEE ON EDUCATION IN ATTENDANCE: *Representatives:* Reginald Murdock, Vice Chair; Fred Allen, Rick Beck, LeAnne Burch, Jana Della Rosa, Jim Dotson, Jon S. Eubanks, Brian Evans, Denise Garner, Grant Hodges, and Mark Lowery

OTHER MEMBERS OF THE GENERAL ASSEMBLY IN ATTENDANCE: *Senators:* Jonathan Dismang, Kim Hammer, Missy Irvin, and David Wallace. *Representatives:* Sonia Eubanks Barker, Stan Berry, Harlan Breaux, Les Eaves, Kenneth B. Ferguson, David Fielding, Lanny Fite, Vivian Flowers, Jimmy Gazaway, Justin Gonzales, Monte Hodges, Lane Jean, Jack Ladyman, Fredrick J. Love, Roger Lynch, Tippi McCullough, Johnny Rye, Jamie Scott, Keith Slape, Stu Smith, James Sorvillo, Dwight Tosh, and Carlton Wing

Representative Jon S. Eubanks was recognized, and requested that an item pertinent to the \$60 million the Governor budgeted to offset costs of teachers' salaries be put on next month's agenda. He stated this action may be producing some unintended consequences. He asked that one or two superintendents appear before the Committees to report on how this issue has affected their school districts.

Review of Division of Legislative Audit Report, "Department of Education Grants Summarized by the Division of Legislative Audit for the Year Ended June 30, 2019"

Presenter:

Mr. Joey Buddenberg, CPA, Supervising Senior Auditor, Division of Legislative Audit, was recognized. Mr. Buddenberg submitted the annual summary of all grants distributed by the Arkansas Department of Education. He said the FY2019 report summarizes the \$3.4 billion that was provided as grants to school districts, charter schools, education cooperatives, and other entities.

PowerPoint Presentation:

Department of Education Grants Report for the Year Ended June 30, 2019

Exhibits:

Exhibit C - Department of Education Grants Report for the Year Ended June 30, 2019, PowerPoint

Exhibit C1 - Summary of Presentation

Exhibit C2 - Department of Education Grants Summarized by Arkansas Legislative Audit for the Year Ended June 30, 2019

Discussion of Issues Related to Academic Standards

Presenter:

Ms. Julie Holt, Legislative Analyst, Policy Analysis and Research Section, Bureau of Legislative Research, was recognized. Ms. Holt initially presented updates on surveys pertinent to adequacy currently underway. Utilizing a PowerPoint presentation, she continued with a comprehensive report on academic standards, focusing on four areas related to adequacy and equity: academic standards, advanced educational courses, learning barriers, and student-focused learning.

Issues Included in the Discussion:

- frequency with which the required 38 units are reviewed and approved,
- concern over journalism not being required or offered,
- impact of school-based counseling on students vs. counseling provided by outside third-parties,
- identification of, and accountability for, Medicaid dollars coming into schools,
- clarification of whether referenced Advanced Placement (AP) courses are part of the four AP courses required to be offered,
- whether schools are using “student re-engagement” legislation,
- distinction between “elements of physics” and “physics,” and
- benefits of personal learning for students and schools.

PowerPoint Presentation:

Learning Expectations

Handouts:

Adequacy Tracking Sheet

Handout D1 – Learning Standards Highlights

Handout D2 – Arkansas’s Learning Expectations for Students

Handout D3 – Learning Expectations, PowerPoint

Discussion of Issues Related to the Fiscal Distress Designation

Presenter:

Ms. Elizabeth Bynum, Legislative Analyst, Policy Analysis and Research Section, Bureau of Legislative Research, was recognized. Ms. Bynum stated that Fiscal Distress is the state program used to identify and correct school districts that are struggling to maintain fiscal stability. She said it is one of the topics that the Committees are required to review as part of the adequacy process. Ms. Bynum discussed the History of the Program, Act 929 of 2019, Districts Currently in Distress, Characteristics of Districts in Distress, and whether any commonality exists among the distressed districts.

Contributors to the Discussion:

Mr. Johnny Key, Commissioner, Division of Elementary & Secondary Education (DESE)

Ms. Taylor Loyd, Legislative Attorney, Bureau of Legislative Research

Issues Included in the Discussion:

- whether the Division of Legislative Audit or a private auditing firm was being used by a school district at the time it was moving into fiscal distress,
- definition of “fiscal integrity,”
- number of school districts in fiscal distress currently and since the beginning of the program,
- clarification of the process of the early warning program,
- school districts in the early warning program,
- repeat findings as triggers for early warning,

- coordination within the DESE when a school district is in fiscal or academic distress,
- impact of fiscal instability on a district,
- whether there is a correlation between academic and fiscal distress,
- whether rules are in place at DESE that set minimum qualifications for a district treasurer, business manager, bookkeeper, etc., or whether it is a school district's decision,
- effect of fluctuation in property taxes on a school district,
- particular events that could cause early removal of a school district from fiscal distress, and
- whether the School Board is notified when a school district is in the early warning program.

Handouts:

Handout E1 – Fiscal Distress Highlights

Handout E2 – Fiscal Distress Report

Discussion of Issues Related to Special Education

Presenter:

Ms. Adrienne Beck, Legislative Analyst, Policy Analysis and Research Section, Bureau of Legislative Research, was recognized. Ms. Beck presented a detailed report on special education funding and expenditures. Her discussion also covered other issues related to special education, including details about Arkansas students with disabilities, their performance on state and national assessments, special education teachers, and survey results from principals and teachers regarding special education. She said this is a required item to be reviewed as part of the Adequacy Study.

Contributors to the Discussion:

Mr. Johnny Key, Commissioner, Division of Elementary & Secondary Education

Ms. Lisa Tyler, Learning Advisor, Learning Services, Division of Elementary & Secondary Education

Issues Included in the Discussion:

- total dollars associated with each of the 12 categories of disabilities,
- definition of emotional disturbance, and whether this category of disability is addressed by mental health counselors having a presence on campus,
- the change in methodology for evaluating states' special education programs that the United States Department of Education (U.S. DOE) instituted in 2014,
- whether the overload of paperwork in special education has been addressed by DESE,
- involvement of Community Based Instruction (CBI) instructors in special education,
- reimbursement to school districts for meeting extraordinary needs of students,
- other states using ACT/Aspire for assessments,
- requirements for having CBI classes in school districts, and
- using R.I.S.E. (Reading Initiative for Student Excellence) and other initiatives to improve student outcomes.

Handouts:

Handout F1 – Special Education Highlights

Handout F2 – Special Education Funding and Expenditures

Next Scheduled Meetings:

Monday, February 10, 2020, at 1:30 p.m. in MAC, Room A, Little Rock (*Joint Education/Adequacy*)

Tuesday, February 11, 2020, at 9:00 a.m. in MAC, Room A, Little Rock (*Adequacy*)

Adjournment:

The meeting adjourned at 12:20 p.m.