

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4

As Engrossed: S1/27/97 S3/10/97

A Bill

ACT 1108 OF 1997
SENATE BILL 57

5 By: Senators Russ and Malone
6 By: Representatives Pollan, McGinnis, and Bisbee
7

For An Act To Be Entitled

9 "AN ACT TO AMEND AND REPEAL VARIOUS SECTIONS OF ARKANSAS
10 CODE ANNOTATED § 6-15-1001 ET SEQ. RELATIVE TO ARKANSAS
11 EDUCATION GOALS AND PERFORMANCE ACCOUNTABILITY; AND FOR
12 OTHER PURPOSES."
13

Subtitle

14 "TO AMEND AND REPEAL VARIOUS SECTIONS OF
15 ARK. CODE ANN. § 6-15-1001 ET SEQ.
16 RELATIVE TO ARKANSAS EDUCATION GOALS AND
17 PERFORMANCE ACCOUNTABILITY."
18

19
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. Arkansas Code Annotated § 6-15-1001 is amended to read as
23 follows:

24 "6-15-1001. Title.

25 This subchapter may be cited as ~~"Meeting the National Education Goals:
26 Schools for Arkansas' Future"~~ the Arkansas Public Education Act of 1997."
27

28 SECTION 2. Arkansas Code Annotated § 6-15-1002 is amended to read as
29 follows:

30 "6-15-1002. ~~National education goals - Achievement~~ Legislative findings.

31 ~~----- (a) One (1) year ago the President and the nation's governors adopted
32 the following national education goals:~~

33 ~~----- (1) By the year 2000, all children in America will start school ready to
34 learn.~~

35 ~~----- (2) By the year 2000, the high school graduation rate will be increased
36 to at least ninety percent (90%).~~

1 ~~— (3) By the year 2000, American students will leave grades four (4), eight~~
2 ~~(8), and twelve (12) having demonstrated competency over challenging subject~~
3 ~~matter including English, mathematics, science, history, and geography, and~~
4 ~~every school in America will ensure that all students learn to use their minds~~
5 ~~well, so they may be prepared for responsible citizenship, further learning,~~
6 ~~and productive employment in our modern economy.~~

7 ~~— (4) By the year 2000, United States students will be first in the world~~
8 ~~in mathematics and science achievement.~~

9 ~~— (5) By the year 2000, every adult American will be literate and will~~
10 ~~possess the knowledge and skills necessary to compete in a global economy and~~
11 ~~exercise the rights and responsibilities of citizenship.~~

12 ~~— (6) By the year 2000, every school in America will be free of drugs and~~
13 ~~violence and will offer a disciplined learning environment conducive to~~
14 ~~learning.~~

15 ~~— (b) These goals are ambitious, but they can and must be achieved. They~~
16 ~~set standards for student performance that Arkansas schools, as well as those~~
17 ~~in every other state, are far from achieving.~~

18 ~~— (c) Achieving these goals will require a serious reexamination of every~~
19 ~~aspect of Arkansas' education system, and fundamental changes in our schools.~~
20 ~~The State of Arkansas, through the State Board of Education, and the General~~
21 ~~Education Division of the Department of Education, must determine what~~
22 ~~students must know and be able to do in order to meet the goals. This will~~
23 ~~not simply require more students to learn what is already taught. Instead, it~~
24 ~~will require a curriculum that places a greater emphasis on teaching students~~
25 ~~to think, and to apply methods that are appropriate to ensure that all~~
26 ~~students will master the more challenging curriculum.~~

27 ~~— (d) In order to achieve these new levels of performance within existing~~
28 ~~and limited resources, Arkansas must fundamentally restructure its education~~
29 ~~system. This means providing educators in every school with the flexibility~~
30 ~~and tools they need to determine the best way to achieve the goals with their~~
31 ~~students. It means providing them with the training they need to teach new~~
32 ~~materials in new ways, and with leadership and other skills they need to work~~
33 ~~together in new ways and succeed in a new education environment. Institutions~~
34 ~~of higher education must commit themselves to effectively providing new~~
35 ~~teachers with the content knowledge and pedagogical skills required to help~~
36 ~~all students achieve the goals. Arkansas schools need new student performance~~

1 ~~assessment tools that are well matched to new standards for student~~
2 ~~performance, and that accurately measure what is taught. The results of these~~
3 ~~performance assessment tools must be incorporated into school report cards so~~
4 ~~that parents and the general public will be informed as to what students are~~
5 ~~expected to know and to be able to do and how well Arkansas public schools are~~
6 ~~performing.~~

7 (a) The General Assembly recognizes that students in Arkansas deserve
8 the best education that the citizens can provide and establishes a goal to
9 provide a quality educational opportunity to every public school student in
10 every community and in every school district in the state.

11 (b) The General Assembly acknowledges that the State of Arkansas must:

12 (1) Raise student academic achievement in the basic curriculum;

13 and

14 (2) Increase the number of students who complete the courses
15 required for graduation; and

16 (3) Ensure that students graduate with the knowledge and
17 preparation to be contributing members of society.

18 (c) The General Assembly further acknowledges that every
19 school district in Arkansas must graduate academically competent students,
20 have qualified teachers and administrators provide a safe, efficient, and
21 accountable program, and be supported by and assisted by the State.

22 (d) The General Assembly finds that in order for all involved in the
23 education of our young people to work to meet this challenge, a revision of
24 existing statutes is necessary.

25

26 SECTION 3. Arkansas Code Annotated § 6-15-1003 is amended to read as
27 follows:

28 "6-15-1003. ~~Learner outcomes generally~~ Academically competent students.

29 ~~— The State Board of Education shall by July 1, 1991, adopt learner~~
30 ~~outcomes that define what Arkansas students must know and be able to do in~~
31 ~~order to be competitive nationally and internationally, in the context of the~~
32 ~~national education goals. The learner outcomes should also link to~~
33 ~~expectations for success in college and should include the implementation of~~
34 ~~feedback mechanisms from higher education institutions to public schools.~~

35 (a) Arkansas public school students will achieve competency in the
36 basic core of knowledge and skills.

1 (1) Students will meet required standards in academic areas of
2 the curriculum that will serve as a basis for students to pursue immediate and
3 lifelong educational and employment opportunities.

4 (2) Students will achieve competency in language arts (writing,
5 spelling, speaking, listening, and reading), math (computation, measurement,
6 probability and statistics, problem solving, basic algebra, data analysis, and
7 geometry concepts), science (physical and life science knowledge, and
8 scientific problem solving), and social studies (history, geography,
9 economics, and civic education).

10 (b) Arkansas public school students will apply practical knowledge and
11 skills.

12 (1) Students will meet required academic standards in those areas
13 that will better prepare them for lifelong career opportunities.

14 (2) Students will achieve competency at the local level in
15 computer science and other technologies, practical economic and consumer
16 skills, and be offered courses in vocational-preparation skills.

17 (c) Arkansas public school students will demonstrate achievement.

18 (1) Students will participate in the state assessments in the
19 basic core of knowledge and skills as defined by the State Department of
20 Education in the Arkansas Comprehensive Testing and Assessment Program.

21 (2) The students' numerical and percentage scores on the High
22 School Proficiency Examination will be recorded on their transcripts, and the
23 examination will be a part of the local school grading system in a way to be
24 determined by the local school district.

25 (3) Each local school district shall report to the State
26 Department of Education how it will incorporate the assessment system required
27 by this subsection into the district's grading system."

28

29 SECTION 4. Arkansas Code Annotated § 6-15-1004 is amended to read as
30 follows:

31 "~~6-15-1004. Linking curriculum, assessment, and professional preparation~~
32 ~~and development to learner outcomes - Task force~~ Qualified teachers in
33 every public school classroom.

34 ~~(a)(1) The General Education Division of the State Department of~~
35 ~~Education shall develop and present to the State Board of Education a proposed~~
36 ~~plan for working toward integrating statewide curricula frameworks, student~~

1 ~~performance assessment tools, and professional development programs to support~~
2 ~~restructuring the Arkansas education system. In developing the plan, the~~
3 ~~division may seek the assistance of any national organization for educational~~
4 ~~reform.~~

5 ~~— (2) The Director of General Education shall appoint a task force to~~
6 ~~advise the General Education Division in the development of this plan. The~~
7 ~~fifteen-member task force shall include curriculum experts, assessment~~
8 ~~experts, discipline experts, staff developers, and teachers and administrators~~
9 ~~from restructuring schools. At least three (3) members of the task force~~
10 ~~shall be faculty members of institutions of higher education. Once a plan has~~
11 ~~been developed, the task force shall remain in existence to advise the~~
12 ~~director on its implementation on an ongoing basis.~~

13 ~~— (3) The State Board of Education shall accept written comments on the~~
14 ~~proposed plan from July 1 through August 1, 1991. The State Board of Higher~~
15 ~~Education shall review the proposed plan during the comment period and provide~~
16 ~~appropriate comments and recommendations regarding those components of the~~
17 ~~plan which relate to the responsibilities of institutions of higher education.~~

18 ~~— (b)(1) Curriculum frameworks will define the broad themes and topics for~~
19 ~~instruction that will prepare students to demonstrate the learner outcomes.~~

20 ~~— (2) New learner outcomes and curriculum frameworks will establish new and~~
21 ~~higher standards for student performance. Tests currently in use will not be~~
22 ~~adequate to judge student learning against these new standards. Therefore,~~
23 ~~new student performance assessment tools, not limited to standardized tests,~~
24 ~~will be used to judge student progress. As more appropriate assessment tools~~
25 ~~become available, they will be phased in to replace tests currently in use.~~

26 ~~— (3) Professional development programs will include, but not be limited~~
27 ~~to, providing teachers, principals, and other administrators, with content~~
28 ~~knowledge and pedagogical skills required to help all students achieve the~~
29 ~~learner outcomes.~~

30 ~~— (c) By July 1, 1992, the State Board of Education shall submit a report~~
31 ~~to the Governor and the General Assembly that describes the implementation of~~
32 ~~the activities contained in the plan and identifies any legislation which may~~
33 ~~be needed in order to continue to link curriculum, assessment, and~~
34 ~~professional development to the learner outcomes in order to achieve the~~
35 ~~national education goals.~~

36 (a) Arkansas teachers will demonstrate competency in subject matter

1 content on identified assessments appropriate to their teaching area in order
2 to be granted an initial license to teach in the state.

3 (b) In order to obtain a teaching license, Arkansas teachers will
4 demonstrate the ability to increase student academic achievement by
5 demonstrating competency on identified assessments of teaching methods that
6 result in increased student achievement.

7 (c) In order for teachers to be able to renew a license, they must have
8 participated in a continuing education and a professional development program
9 based on their school improvement plans, performance evaluation results, and
10 student achievement scores.

11

12 SECTION 5. Arkansas Code Annotated § 6-15-1005 is amended to read as
13 follows:

14 "6-15-1005. ~~Teacher and administrator licensure standards~~ Safe,
15 equitable, and accountable public schools.

16 ~~— (a) The Director of General Education shall appoint a task force to~~
17 ~~recommend how to design and implement a system of outcome-based licensure of~~
18 ~~teachers and administrators.~~

19 ~~— (1) The task force shall be composed of not more than seventeen (17)~~
20 ~~persons and shall include teachers and administrators from restructuring~~
21 ~~schools, subject matter experts, higher education faculty and administrators,~~
22 ~~and public and business representatives.~~

23 ~~— (2) At least three (3) members shall be higher education faculty or~~
24 ~~administrators who shall be nominated by the Director of the Department of~~
25 ~~Higher Education.~~

26 ~~— (3) The Director of the Department of Higher Education shall also serve~~
27 ~~as an ex officio member of the task force.~~

28 ~~— (4) The task force shall:~~

29 ~~— (A) Define standards for what beginning teachers and administrators~~
30 ~~must know and be able to do, with specific reference to content knowledge and~~
31 ~~pedagogical skills, and the knowledge, skills, and capacity to assume~~
32 ~~beginning professional roles and responsibilities in restructured schools;~~

33 ~~— (B) Determine the assessment systems and tools required to assess the~~
34 ~~performance of candidates. Such tools shall not be limited to pencil and~~
35 ~~paper tests; they must include performance and demonstrations of the ability~~
36 ~~to apply knowledge and skills to real or simulated educational settings.~~

1 ~~— (5) The task force shall submit its recommendations to the State Board of~~
2 ~~Education by January 1, 1992. The State Board of Education shall adopt the~~
3 ~~recommendations of the task force or make such modification in the~~
4 ~~recommendations as the board deems appropriate consistent with this mandate~~
5 ~~that the licensure standards be outcome based.~~

6 ~~— (b) The licensure standards and assessment tools developed through this~~
7 ~~process and adopted by the State Board of Education shall be applied in the~~
8 ~~same fashion to candidates for licensure who have completed conventional~~
9 ~~teacher preparation programs as well as those who have prepared themselves~~
10 ~~through alternative routes.~~

11 (a) Arkansas schools will have safe and functional facilities.

12 (1) All school buildings will meet existing state and federal
13 requirements.

14 (2) Instructional facilities will be designed and structured to
15 support learning.

16 (b) The school climate will promote student achievement.

17 (1) Every school and district will enforce school district
18 policies to ensure the safety of every student during school hours at school-
19 sponsored activities. These policies will include, at a minimum, policies on
20 weapons, violence, tobacco, alcohol, other drugs, gangs, and sexual
21 harassment.

22 (2) Every school and district will enforce a code of behavior for
23 students that respects the rights of others and maintains a safe and orderly
24 environment.

25 (3) Every school and district will have in place a policy on
26 addressing disruptive students.

27 (4) Every school and district will offer appropriate alternative
28 education programs organized to serve those students whose educational
29 progress deviates from the standard expected for a successful transition to a
30 productive life and those students whose behavior interferes with their own
31 learning or the educational process of others. School districts may serve the
32 needs of these students through regional or cooperative efforts with other
33 districts.

34 (c) Local schools will work with parents, families, business and
35 community members to incorporate responsibility, character, self-discipline,
36 civic responsibility, and positive work habits into adult contacts with

1 students and to promote student demonstration of these behaviors.

2 (d) Every school will offer opportunities for students to be able to
3 study and participate in the visual and performing arts, health and physical
4 education, and languages.

5 (e) All public schools will participate in the state school improvement
6 process:

7 (1) Every school will engage in the collection and analysis of
8 perceptual, archival, and achievement data in order to establish school and
9 district goals to improve student academic achievement. Students shall not be
10 surveyed on values and beliefs.

11 (2) Every school will develop and implement a data-driven school
12 improvement plan based on these analyses that leads to increased student
13 achievement and continuous school improvement.

14 (3) Every school will monitor and adjust the plan of action as
15 necessary to promote increased student achievement and continuous school
16 improvement.

17 (f) All public schools will have a program of parental involvement.

18 (1) Every school will have a plan for allowing parents to be
19 involved in the education of their children. These plans will address
20 communication with parents, volunteering, learning activities that support
21 classroom instruction, participation in school decisions, and collaboration
22 with the community.

23 (2) Every school will involve parents in developing school goals
24 and priorities and evaluating the effectiveness of the school improvement
25 plan.

26 (g) All public schools will be accountable to the public they serve.

27 (1) All schools will participate in the Arkansas Comprehensive
28 Testing and Assessment Program.

29 (2) All schools will report the results of all assessments
30 conducted to measure the achievement progress of their children to the
31 parents.

32 (3) The highest performing schools will be recognized and
33 rewarded. Schools reaching pre-determined high levels of achievement will be
34 granted charter status with approval of charter petition by the State
35 Department of Education.

36 (4) Each school will issue a school achievement report to the

1 community on all state-required assessments.

2 (h) All public schools will be led by qualified administrators.

3 (1) All administrators will demonstrate content knowledge in
4 leadership, finance, organization, school climate, curriculum, and evaluation.

5 (2) In order for administrators to be able to renew a license,
6 they must have participated in a continuing education and professional
7 development program based on their school improvement plans, performance
8 evaluation results, and student achievement scores.

9 SECTION 6. Arkansas Code Annotated § 6-15-1006 is amended to read as
10 follows:

11 "6-15-1006. ~~Support for the restructuring process~~ Assistance and
12 support.

13 ~~— (a) The General Education Division of the State Department of Education~~
14 ~~shall make available to all schools and school districts involved in a~~
15 ~~restructuring process the training, technical assistance, networking, and~~
16 ~~other support they require. In performing these duties, the division may seek~~
17 ~~the assistance of any national organization for educational reform. The~~
18 ~~director shall designate no fewer than ten (10) nor more than twenty-five (25)~~
19 ~~schools or school districts which have begun the restructuring process to~~
20 ~~serve as examples for other schools and school districts.~~

21 ~~— (b) The General Education Division of the Department of Education shall~~
22 ~~provide workshops, seminars, visits to schools involved in restructuring,~~
23 ~~summer programs, and other means of learning so that schools not yet involved~~
24 ~~in the restructuring process can make informed determinations about the~~
25 ~~requirements and expectations of involvement.~~

26 ~~— (c) The General Education Division of the Department of Education, from~~
27 ~~funds appropriated for such purposes, may provide grants of up to twenty~~
28 ~~thousand dollars (\$20,000) to schools and school districts involved in the~~
29 ~~restructuring process. The grants shall be provided on a competitive basis~~
30 ~~for the purposes of:~~

31 ~~— (1) Planning and professional development activities to accelerate the~~
32 ~~restructuring process within a school or district; or~~

33 ~~— (2) Assisting other schools to learn about school restructuring.~~

34 ~~— (d) Schools and school districts participating in the restructuring~~
35 ~~process shall be given priority by the General Education Division of the~~
36 ~~Department of Education in the allocation of federal funds provided to the~~

1 ~~division for improvement of math and science education.~~

2 (a) The Department of Education will be structured to provide
3 leadership, service, and support to public schools. Department of Education
4 professional staff will demonstrate mastery of knowledge in learning theory,
5 best educational practices, resource utilization, research and data analysis,
6 school law, instructional leadership, and school administration.

7 (b) Department of Education staff will conduct, sponsor, participate
8 in, and support continuing education and professional development.

9 (c) The continuing education and professional development will be based
10 on overall organizational improvement, performance evaluation results,
11 statewide student achievement results, and current educational research and
12 practice.

13 (d) The Department of Education will provide leadership in marshaling
14 support for a quality and equitable educational system in the state.
15 Department of Education resources will be committed to supporting policy
16 development and procedures that enable the Governor, the Arkansas General
17 Assembly, the State Board of Education, and business and professional
18 organizations to work together in a positive and consistent manner to improve
19 education in Arkansas."

20

21 SECTION 7. Arkansas Code Annotated § 6-15-1007 is amended to read as
22 follows:

23 "~~6-15-1007. Academy for Leadership Training and School Based Management~~
24 Arkansas Leadership Academy.

25 (a) There is ~~hereby~~ established the ~~Academy for Leadership Training and~~
26 ~~School Based Management~~ Arkansas Leadership Academy.

27 (b) The academy will provide a variety of training programs and
28 opportunities to develop the knowledge base and leadership skills of school
29 principals, as well as teachers, superintendents and other administrators, and
30 school board members.

31 (c) ~~The academy need not be located in a single institution or~~
32 ~~organization; it may be a consortia of institutions of higher education, local~~
33 ~~school districts, and other educational institutions or organizations.~~

34 ~~(d) By September 1, 1991, the General Education Division of the~~
35 ~~Department of Education shall develop and publish a request for proposals for~~
36 ~~the initial structure and operation of the academy. An award for the~~

1 ~~operation of the academy for its initial term shall be made by the State Board~~
2 ~~of Education not later than January 1, 1992.~~ The State Board of Education
3 shall have the authority to issue ~~subsequent~~ requests for proposals if the
4 board should determine to change the operator or the location of the academy."
5

6 SECTION 8. Arkansas Code Annotated § 6-15-1008 is repealed.

7 ~~§ 6-15-1008. Reorienting the General Education Division of the~~
8 ~~Department of Education to support restructuring.~~

9 ~~(a)(1) The leadership and support of the General Education Division of~~
10 ~~the Department of Education is essential to facilitate the process of~~
11 ~~restructuring the Arkansas education system. In order to fulfill this~~
12 ~~function, the role, mission, operations, and resources of the division need to~~
13 ~~be substantially reoriented, and the staff needs training and support. The~~
14 ~~General Education Division of the State Department of Education shall develop~~
15 ~~a plan to accomplish this. In developing the plan, the division may seek the~~
16 ~~assistance of any national organization for educational reform.~~

17 ~~(2) This plan shall address the increased importance of providing support~~
18 ~~and assistance to schools and districts, the allocation and reallocation of~~
19 ~~resources, the establishment of comprehensive data bases for planning and~~
20 ~~monitoring, the need to shift from discreet programmatic efforts to more~~
21 ~~integrated and cohesive strategies supportive of the goals for education,~~
22 ~~staff roles and responsibilities, organizational structure, training and~~
23 ~~professional development needs, and other topics deemed necessary. In~~
24 ~~developing and implementing this plan, the General Education Division of the~~
25 ~~Department of Education must model the types of changes required by schools in~~
26 ~~the restructuring process.~~

27 ~~(b) Upon determination by the Director of the General Education Division~~
28 ~~of the Department of Education that a reallocation of the resources of the~~
29 ~~division is necessary to provide support and assistance to schools and school~~
30 ~~districts in restructuring and in meeting the goals of this subchapter, the~~
31 ~~director, after receiving approval of the Governor, shall request from the~~
32 ~~Chief Fiscal Officer of the State a transfer of positions, appropriations, and~~
33 ~~funds within or between appropriations or programs of the General Education~~
34 ~~Division of the Department of Education. Prior to acting on the requested~~
35 ~~transfer, the Chief Fiscal Officer of the State shall submit the transfer~~
36 ~~request with his recommendation to the Legislative Council.~~

1 ~~— (c) If the Chief Fiscal Officer of the State approves the requested~~
2 ~~transfer, he shall initiate the necessary transfer documents to reflect the~~
3 ~~transfer on the fiscal records of the Auditor of State, the Treasurer of~~
4 ~~State, the Chief Fiscal Officer of the State, and the General Education~~
5 ~~Division of the Department of Education.~~

6

7 SECTION 9. Arkansas Code Annotated § 6-15-1009 is repealed.

8 ~~— § 6-15-1009. Development of a long-term plan for restructuring Arkansas'~~
9 ~~education system.~~

10 ~~— (a) The General Education Division of the Department of Education shall~~
11 ~~develop and submit to the State Board of Education a proposed ten-year plan~~
12 ~~for restructuring the Arkansas education system in order to achieve the~~
13 ~~national education goals. The proposed plan shall include provisions for~~
14 ~~managing the change process and monitoring progress toward the goals. The~~
15 ~~definitions of learner outcomes adopted pursuant to § 6-15-1003; the plan for~~
16 ~~linking curriculum, assessment and professional preparation and development to~~
17 ~~learner outcomes adopted pursuant to § 6-15-1004; the outcome-based system of~~
18 ~~teacher and administrator licensure adopted pursuant to § 6-15-1005; and the~~
19 ~~plan for reallocation of the resources of the General Education Division of~~
20 ~~the Department of Education adopted pursuant to § 6-15-1008 shall be~~
21 ~~components of the long-term plan. The proposed plan shall take into account~~
22 ~~needed policy and administrative changes at district and state levels to~~
23 ~~provide a supportive environment for schools to restructure and be presented~~
24 ~~to the State Board of Education not later than January 1, 1992.~~

25 ~~— (b) The board, after soliciting and reviewing written comments, shall~~
26 ~~adopt a long-term restructuring plan not later than April 1, 1992.~~

27

28 SECTION 10. Arkansas Code Annotated § 6-15-1010 is repealed.

29 ~~— § 6-15-1010. Advisory committee.~~

30 ~~— The director shall appoint an advisory committee comprised of~~
31 ~~individuals from organizations representing teachers, administrators, school~~
32 ~~board members, and other educators in Arkansas, to provide ongoing advice to~~
33 ~~the State Board of Education and the director regarding the development and~~
34 ~~implementation of each of the plans required by the above sections.~~

35

36 SECTION 11. Title 6, Chapter 15, Subchapter 10 of the Arkansas Code

