

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

As Engrossed: H3/23/11

A Bill

HOUSE BILL 2088

5 By: Representative Allen
6

For An Act To Be Entitled

8 AN ACT TO PROVIDE TRANSPARENCY AND PUBLIC INFORMATION
9 CONCERNING SUPPLEMENTAL EDUCATIONAL SERVICES PROVIDED
10 TO ARKANSAS PUBLIC SCHOOL STUDENTS; AND FOR OTHER
11 PURPOSES.
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Subtitle

14 THE SUPPLEMENTAL EDUCATIONAL SERVICES
15 TRANSPARENCY ACT.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. DO NOT CODIFY. LEGISLATIVE INTENT. (a) The General
22 Assembly finds that under the No Child Left Behind Act of 2001, 20 U.S.C. §
23 6301 et seq., students from low-income families attending schools that do not
24 make adequate yearly progress for three (3) or more years are eligible to
25 receive supplemental educational services.

26 (b) To ensure that students needing service are served by quality
27 supplemental services providers, the General Assembly enacts this
28 Supplemental Educational Services Transparency Act.
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30 SECTION 2. Arkansas Code Title 6, Chapter 15, Subchapter 20 is amended
31 to add an additional section to read as follows:

32 6-15-2011. Supplemental Educational Services Transparency Act.

33 (a) This section shall be known and may be cited as the "Supplemental
34 Educational Services Transparency Act."

35 (b) The purposes of this section are to:

36 (1) Increase academic performance of students and reduce student



1 remediation rates;

2 (2) Ensure that students who qualify for supplemental
3 educational services receive the services they need;

4 (3) Assist parents in making informed decisions when selecting
5 supplemental educational service providers; and

6 (4) Assist policy makers in reviewing the effectiveness of the
7 supplemental educational service providers.

8 (c) As used in this section:

9 (1) "Provider" means a person or entity that:

10 (A) Provides supplemental educational services to Arkansas
11 public school students; and

12 (B) Is identified on the list of approved supplemental
13 educational service providers published by the Department of Education; and

14 (2)(A) "Supplemental educational services" means academic
15 instruction:

16 (i) Provided to public school students in addition
17 to the instruction provided during a school day; and

18 (ii) Designed to increase the academic achievement
19 of students enrolled in public schools that have been identified as being in
20 year two (2) or higher of school improvement.

21 (B) "Supplemental educational services" includes without
22 limitation academic assistance such as tutoring, remediation, and other
23 supplemental academic enrichment services that are:

24 (i) Consistent with the content and instruction used
25 by the school district where the provider's students are enrolled; and

26 (ii) Aligned with the state's academic content and
27 achievement standards.

28 (d)(1) A provider shall prepare an annual report and:

29 (A) Submit the annual report to the department and to the
30 school district where the supplemental educational services are provided; and

31 (B) Place a copy of the annual report on the provider's
32 website.

33 (2) The report shall include without limitation the following
34 information:

35 (A) By race and gender, the improvement in student
36 achievement for each student served based on the statewide benchmark tests or

1 other statewide assessment of student achievement;

2 (B) Student attendance rates;

3 (C) The amount of funds the provider received per student;

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5 (D) By school district, the total number of supplemental
6 educational services contracts and the total amount of funds received under
7 those contracts;

8 (E) The total number of years supplemental educational
9 services have been provided and the total number of students served for all
10 years; and

11 (F) The results of parent satisfaction surveys.

12 (e) A school district shall include the provider's report on the
13 school district's website.

14 (f)(1) Annually, the department shall review the report of a provider
15 before placing the provider on the department's list of state-approved
16 providers.

17 (2) The department shall include a link for parents to access
18 information concerning approved providers on its website.

19 (g) By January 15, 2012, and by January 15 of each year thereafter, a
20 provider of supplemental educational services shall also prepare an annual
21 progress report containing at least the information required under subsection
22 (d) of this section to the House Committee on Education and the Senate
23 Committee on Education.

24 (h) The State Board of Education shall promulgate rules to implement
25 this section.

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27 /s/Allen

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30 **APPROVED: 03/31/2011**