



Research Report

Arkansas Educational Support and Accountability System

Formerly Known As:

Arkansas Comprehensive Testing, Assessment, and Accountability Program (ACTAAP)

August 22, 2017

Prepared for

THE HOUSE INTERIM COMMITTEE ON EDUCATION
AND THE SENATE INTERIM COMMITTEE ON EDUCATION



BUREAU OF LEGISLATIVE RESEARCH

One Capitol Mall, 5TH Floor | Little Rock, Ark., 72201 | (501) 682-1937

CONTENTS

Introduction..... 2
 A Brief History of Educational Accountability in Arkansas 2

From ACTAAP/No Child Left Behind To the Arkansas Educational Support and Accountability Act/Every Student Succeeds Act..... 4
 Academic Standards 4
 Educators 4
 Student-focused Learning..... 5
 Statewide Student Assessment System 7
 Student Performance Levels 8
 Holding Schools and School Districts Accountable 8
 School Districts in Level 5 – Intensive Support16
 School-level Improvement Plans and School District Support Plans19

School Recognition Program.....19

Major Differences Between AESAA and ACTAAP Eras20

Key Dates in the Support and Accountability Act21

INTRODUCTION

Act 930 §2 of 2017, The Arkansas Education Support and Accountability Act, provides the state with its newest educational accountability system. Because the Arkansas Constitution makes it the state's responsibility to "adopt all suitable means to secure to the people the advantages and opportunities of education," the burden for providing an education to students ultimately falls on the state. For most of the past two decades, the Arkansas Comprehensive Testing, Assessment and Accountability Program, initially enacted by the legislature with Act 999 in 1999, has acted as the comprehensive system to ensure that school districts and schools use the resources defined and provided by the state in efficient and effective ways to adequately educate all public school students in Arkansas. Act 999 – as does this year's Act 930 – addressed curriculum and teaching as well as statewide assessments and accountability and consequences.

The courts have said it is important for Arkansas to have a viable educational accountability system. The Arkansas Supreme Court in its 2002 decision in the landmark Lake View school funding case called the elements of the accountability program "the paramount initiatives by the State to correct the course of education deficiencies in Arkansas," though these initiatives, the court found, were not yet fully implemented in 2002.¹ The Court, in its 2007 Lake View opinion holding that Arkansas had "taken the required and necessary legislative steps to assure that the school children of this state are provided an adequate education and a substantially equal educational opportunity," referred to the comprehensive system of accounting and accountability as "[a] critical component of this undertaking."²

Major and minor differences exist between the Arkansas Comprehensive Testing, Assessment and Accountability Program, commonly called ACTAAP, and the new Arkansas Education Support and Accountability Act, both in approach and in application. Three worth noting here are:

- Instead of the Department of Education intervening directly with schools, the department will now work to support school districts so that they in turn will support and improve their schools.
- The label of "academic distress" for schools and schools districts will be no more, though school districts determined to be in most need of support and interventions will be classified as in need of Level 5 – Intensive support.
- Education delivery will adhere to a student-focused education model.

This report will relay these and other differences between Act 930 and the repealed ACTAAP as well as provide context for how the new system will be implemented as gleaned from the state's Consolidated Plan for the Every Student Succeeds Act, which is scheduled to be submitted to the federal government for approval in September 2017, and from observations of Arkansas Department of Education (ADE) and State Board of Education meetings as well as dialog with ADE staff.

A BRIEF HISTORY OF EDUCATIONAL ACCOUNTABILITY IN ARKANSAS

Arkansas's first real stab at holding schools accountable for student achievement came during the early years of Gov. Bill Clinton's administration. In 1983, the Arkansas Supreme Court decided in *DuPree v. Alma School Dist. No. 30* that the state's system of funding education violated the Arkansas Constitution by not providing children of this state an equal educational opportunity that amounts to a "general, suitable and efficient system of free public schools."

¹ Supreme Court of Arkansas: Lake View School District No. 25 of Phillips County, Arkansas, et al., Appellants, v. Governor Mike Huckabee et al; decided Nov. 21, 2002.

² Supreme Court of Arkansas: Lake View School District No. 25 of Phillips County, Arkansas, et al, (Now Barton Lexa), Appellants/Appellees v. Mike Huckabee, Governor of the State of Arkansas et al., Appellees/Appellants; decided May 31, 2007.

Soon after, Gov. Clinton appointed his wife, Hillary Rodham Clinton, a lawyer with a background in child advocacy, to lead a task force to improve education. As she told her committee, they were to pursue the best in policy recommendations and her husband's job was to find a way to pay for them.³ One of the 1983 reforms was Act 54, which sought to hold schools accountable for students' mastery of "basic skills." By 1987, each school was to have at least 85% of its students pass the Minimum Competency Test administered to students in grades 3, 6 and 8 -- or enter into a school improvement program with the Arkansas Department of Education (ADE).

The next big push in school accountability started under Gov. Mike Huckabee with Act 999 of 1999, in which the state expanded its assessment and accountability program by creating the Arkansas Comprehensive Testing, Assessment and Accountability Program, or ACTAAP. Codified in ACA §§ 6-15-401 et seq., ACTAAP encompassed curriculum standards, assessment and consequences to form a comprehensive system. ACTAAP shifted the focus from mastering basic skills to demonstrating proficiency by requiring testing of literacy and math in elementary and middle grades as well as a grade 11 literacy test and end-of-course exams in algebra and geometry. As the law stated, it was the state's "multiyear commitment to assess the academic progress and performance of Arkansas's public school students, classrooms, schools, and school districts."

ACTAAP, with some amendments by the legislature, also fit in nicely with the General Assembly's education reforms enacted after the landmark 2002 Lake View decision by the Arkansas Supreme Court as well as with President George W. Bush's No Child Left Behind Act mandates. No Child Left Behind required criterion-based testing – tests in which performance is judged against the material -- in grades 3-8 and end-of-course exams for Algebra I, geometry and 11th grade literacy. (Science Benchmarks for grades 5 and 7 and an end-of-course biology exam were added later.) Because Arkansas lawmakers also wanted to know how Arkansas students performed compared with other students in the nation, Arkansas's testing also included norm-referenced testing which reported a student's score as a percentile to indicate where he or she performed in relation to other students tested at that grade level in the nation. The norm-referenced tests were stand alone tests initially (Iowa Test of Basic Skills) but, in an effort to decrease time students spent testing, norm-referenced questions were then "augmented" into the Benchmarks to cut down on testing time. Students' scores fell into either Below Basic, Basic, Proficient or Advanced categories. A sample of Arkansas students also took the National Assessment of Educational Progress, or NAEP, every other year to provide a similar national comparison.

Under ACTAAP, an Academic Distress label and corresponding support and sanctions were applied to school districts – and, after Act 600 of 2013, to individual schools -- in which too few students demonstrated proficiency on the Benchmarks. (The state's Benchmark exams were replaced by Partnership for Assessment of Readiness for College and Career (PARCC) exams in 2014-15 and then the ACT Aspire exams in 2015-16.)

In 2017, the General Assembly passed Act 930 to repeal ACTAAP and replace it with the Arkansas Educational Support and Accountability Act (codified as ACA §§ 6-15-2901 et seq.). As stated in 6-15-2902 (4)(B), the legislature asserted that the new Support and Accountability Act would be valuable for schools facing the burden of students performing below expectations because "[a]n accountability system that provides increasing levels of state assistance would help the local government or the local public school district board of directors to meet this burden, while allowing state intervention to occur if the local government chronically fails to

³ "The Long, Hot Summer Hillary Became a Politician," www.politico.com/magazine/story/2015/04/hillary-clinton-2016-arkansas-116939

meet the burden in spite of the state assistance.” Act 930 also parallels the state’s plan to conform to the federal Every Student Succeeds Act, the most recent reauthorization of the Elementary and Secondary Education Act of 1965. The state’s plan will be submitted to the US Department of Education in September 2017 for approval for implementation beginning with the 2018-2019 school year.⁴

FROM ACTAAP/NO CHILD LEFT BEHIND TO THE ARKANSAS EDUCATIONAL SUPPORT AND ACCOUNTABILITY ACT/EVERY STUDENT SUCCEEDS ACT

As stated earlier, the Arkansas Educational Support and Accountability Act differs from ACTAAP in significant ways. The sections below describe the specific components of the new accountability law and, where appropriate, point out how they differ from what the law called for under ACTAAP. In addition, the state’s Consolidated Plan for the Every Student Succeeds Act often contains more detail about how some of the components of Act 930 will actually be carried out by the Arkansas Department of Education or the school districts and schools. When this is the case, these details are included as well.

ACADEMIC STANDARDS

Arkansas’s academic standards guide the curriculum to be taught in each school as they define what students should know and be able to do in each content area at each grade level. Currently, the Arkansas academic standards in English language arts and mathematics are customized from the previously used Common Core State Standards, which were a set of standards created by national committees of educators and content experts in 2010 and used on a voluntary basis by a majority of states. The state’s science standards are based on the Next Generation Science Standards, which are also the product of a national group of science educators and experts. Standards for other content areas are reviewed and updated in regular intervals by committees of Arkansas educators, as are the English language arts, math and science standards.

The state’s academic standards will be explored more fully later in the adequacy study.

EDUCATORS

Act 930 states that the General Assembly intends for all students to be taught by excellent educators and specifically that low-income or minority students are not to be taught at disproportionate rates by educators who are ineffective, unqualified or teaching a subject for which they are not licensed. To that end, Act 930 authorizes the State Board of Education to promulgate rules that promote this goal that include:

- Systems to support educator effectiveness
- The method for schools and school districts to report educator effectiveness, including without limitation:
 - The professional qualifications of educators
 - The percentage of teachers, principals and school leaders who are inexperienced
 - The percentage of educators with emergency or provisional credentials
 - The percentage of educators who are teaching a subject for which they are not licensed

⁴ “The Arkansas Every Student Succeeds Act Draft Consolidated State Plan,” <https://www.arkansasessa.org/>

- The methods of calculating and reporting the rate at which low-income and low-minority students are taught disproportionately by ineffective, inexperienced or out-of-area teachers.

In addition, each public school and school district shall report the data ADE needs to identify and evaluate educator effectiveness in compliance with federal reporting requirements and ensure that educators are providing instruction that aligns to Arkansas academic standards.

The basis for this law is found in the Arkansas Equitable Access to Excellent Educators Plan that ADE submitted to the US Department of Education in 2015, which is also a required component of the state's Consolidated Plan for the Every Student Succeeds Act that is to be submitted to the US Department of Education in September 2017. The purpose, again, is to ensure that low-income and minority students are not taught disproportionately by teachers who are inexperienced, unqualified or teaching out of area.

While not a part of ACTAAP, a similar but now-defunct mandate under No Child Left Behind was for all students to be taught by Highly Qualified Teachers, a status determined by an educator's licensure, education level and experience. The Arkansas Qualified Teacher rules preserve much of this (See http://www.arkansased.gov/public/userfiles/rules/Current/2016/ADE_342_Arkansas_Qualified_Teacher.pdf)

The Arkansas Equitable Access to Excellent Educators Plan will be explored in more detail in a future adequacy report.

STUDENT-FOCUSED LEARNING

Two years ago, the Department of Education created its current vision statement: "The Arkansas Department of Education is transforming Arkansas to lead the nation in student-focused education."⁵ This vision undergirds much of Act 930.

Specifically, the act's §6-15-2901 mandates the move to student-focused learning systems for all schools. Beginning with the 2017-2018 school year, the Department of Education is to collaborate with school districts as they transition to a system of student-focused learning with the goal of supporting success for all students. In the student-focused learning model, educators use multiple academic measures to determine whether a student needs additional support or is able to work at an accelerated pace. The idea is that time becomes the variable, while content mastery becomes the constant. For example, Act 872 of 2017 allows school districts to submit plans to the department for awarding credit for high school courses based on the subject matter mastery rather than completing a certain number of hours of classroom instruction. The Department is exploring the development of a competency-based system, which allows students to move to the next learning level as they demonstrate mastery of content rather than having students move together by grade level.⁶

To assess individual student performance, Act 930 says that school districts must consider a student's scores on statewide academic assessments and may also use, without limit:

- Subject grades
- Student work samples
- Local assessment scores

Then, starting with the 2018-2019 school year, each student shall have a student success plan mapped out for him or her by the end of his or her 8th grade year. The plan will be developed

⁵ Arkansas Department of Education Vision Statement: <https://v3.boardbook.org/Public/PublicItemDownload.aspx?ik=39254741>

⁶ July 18, 2017 meeting with Arkansas Department of Education staff (Deborah Coffman, Lori Freno, Dr. Richard Wilde, Elbert Harvey, LaDonna Spain and Courtney Sales-Ford).

collaboratively by school personnel, the student and the student's parents, and it will be reviewed and updated annually. At a minimum, it is to:

- Guide students along pathways to graduation
- Address accelerated learning opportunities
- Address academic deficits and interventions
- Include planning for college and career

Individualized education programs (IEPs) for special education students will serve as a student success plan if the IEP addresses academic deficits and intervention needs and includes a transition plan that addresses college and career planning components.

The law allows the State Board to promulgate rules addressing those situations when a student enrolls in or transfers to a public school district in the state for the first time. In addition, public schools districts are to use students' data from college- and career-readiness assessments such as the ACT to:

- Update student success plans
- Assist students with college- and career-ready skills, selecting high school courses and improving academic achievement
- Provide the basis for counseling students about post-secondary preparation programs
- Support strategies or programs to increase college preparation rates, decrease college remediation rates and increase the attainment of career credentials or technical certificates through expanded opportunities

Act 930 also allows public school districts to use community engagement components as part of either their student-focused learning system or of individual student success plans. Department staff say that community engagement components include such things as the possibility of internships at local businesses or simply involving the concept of a student's potential community involvement as an adult into the overall planning.⁷

This approach to student-focused learning under Act 930 expands on previous concepts that were part of the ACTAAP era. For instance, under ACTAAP, students who did not score proficient on the state Benchmark exam were to have an academic improvement plan developed for them to help them make up any learning deficits illuminated by their test performance. Also under ACTAAP, all grade 8 students were to take a college- and career-ready assessment that would guide course selection and provide the basis for counseling for post-secondary preparation programs. (Act 930 does not mandate this assessment, though it does say that college- and career assessment data will be used to update student success plans.) Student-focused learning builds on this concept largely by adding into every student's success plan the potential for accelerated learning or for additional time and opportunities to address academic deficiencies.

Student success plans will be reviewed and revised annually. Department staff says the student success planning process will be much more student-focused and much more about developing positive relationships between the student and his or her teachers and maximizing and personalizing the process of education rather than simply selecting courses that will ensure graduation.⁸

⁷ July 18, 2017, meeting with Arkansas Department of Education staff.

⁸ July 18, 2017, meeting with Arkansas Department of Education staff.

STATEWIDE STUDENT ASSESSMENT SYSTEM

Statewide testing is a key component of the state's educational accountability system as this has been the most common means of measuring individual student progress and making determinations about school and school district performance.

Act 930 requires the following assessments for all public school students in Arkansas:

- K-2 literacy and mathematics assessments that are developmentally appropriate
- Assessments to measure achievement levels in mathematics, English language arts (ELA) and science as identified by the State Board (grade levels are not specified in the law); Arkansas will continue its use of the ACT Aspire in grades 3-10
- English language proficiency exams for all English learners – this is the only new test to be mandated under Act 930, and it is necessary to meet federal requirements under the Every Student Succeeds Act
- College- and career-readiness assessment, such as the ACT, during grades 10-12 (school districts may pay for additional college- and career-readiness assessments for their students)
- Additional assessments at additional grade levels and/or in additional subjects (civics, government or science) can be administered at the direction of the State Board of Education. Science is part of the ACT Aspire test that is used for Arkansas students.
- National Assessment of Education Progress (NAEP, a national exam administered to a sample of students across the nation)

All students are to participate in the exams, which are given during a set testing window. The tests are to be valid, reliable and aligned to Arkansas's academic standards. Test security procedures include who can administer and proctor the exams. Scores are to be reported to local school districts and schools by July 1 of each year.

Beginning with the 2015-2016 school year, Arkansas students have been taking the ACT Aspire exams for accountability purposes. The exams are administered to students in grades 3-10 in English, writing, reading, mathematics and science. Under the ESSA plan, the state will continue its use of ACT Aspire at those grades. Act 930 does not specify that any test other than NAEP be used for national comparisons. (As was noted at the July 2017 Arkansas State Board of Education meeting, participation on the ACT Aspire is largely by students in Arkansas and three other states – Alabama, South Carolina and Wyoming.⁹)

The tables below show the planned assessment systems included in the state's ESSA plan.

Table 1: Assessments Available for Use by Arkansas to Measure Achievement and/or Growth

Grade Bands	Assessment	Notes
3-8	ACT Aspire	These grades will continue to be tested with ACT Aspire.
9-10	ACT Aspire	Administering the ACT Aspire at grades 9-10 will allow for these scores to be used to determine growth of students in these upper grades.

⁹ July Arkansas State Education Board meeting archived video:
<https://www.youtube.com/watch?v=h1tYmwP0hU8&feature=youtu.be> (6:19:00 forward)

Grade Bands	Assessment	Notes
Alternative Assessment for Cognitively Disabled Students	Multi-State Alternative Assessment (MSAA) 2017-18 Dynamic Learning Maps under construction for 2018 forward	This exam is used for the most severe special education students.
11	ACT: Optional for students	Potential Growth Measure (see Student Growth, p 8), grades 10-11 % meeting Readiness Benchmark in 2 or more areas (potential Student Success indicator (See School Quality and Student Success p. 9)
K-12	English Language Proficiency Assessment for 21 st Century (ELPA21)	To measure the percent of English language learners meeting the readiness benchmark for English language proficiency

Table 2: Other Assessment Options Available for Future Use

Grade Bands	Assessment	Notes
K-2	Northwest Evaluation Association (NWEA) I-Station Renaissance	To be used for achievement and growth indicators
High School	WorkKeys Armed Services Vocational Aptitude Battery Industry Recognized Certifications PSAT	To be used for student success indicators

STUDENT PERFORMANCE LEVELS

Act 930 directs the Department of Education to recommend student performance levels for the statewide assessments – to be approved by the State Board -- for English language arts, mathematics and science that indicate the skills and competencies required for college- and career-readiness by the completion of high school.

The student performance levels identified in ADE's ESSA plan, which are the same as those already used with the ACT Aspire, are:

- Level 1 (In Need of Support)
- Level 2 (Close)
- Level 3 (Ready)
- Level 4 (Exceeding)

The Bureau will present a more in-depth report on this topic later in the Adequacy Study.

HOLDING SCHOOLS AND SCHOOL DISTRICTS ACCOUNTABLE

One of the big shifts with the Arkansas Educational Support and Accountability Act is to return local control by having the state support school districts, often through a collaborative process, and then for school districts to determine how best to support their schools.

However, while the state puts its focus on the school district level, federal accountability under the Every Student Succeeds Act remains at the school level, with the lowest performing schools to be identified as being in need of support and improvement. Even so, the federal law does not

prescribe specific interventions for these schools. Therefore, while the Arkansas Department of Education is responsible for identifying the lowest-performing schools, Act 930 places the school district at the forefront of working with those schools to improve student achievement levels.

Under the state's accountability system, school districts will receive one of five levels of support prescribed by the Act 930, ranging from "general" to "intensive" support. This brings us to another big shift: Instead of schools and school districts receiving labels in regard to student performance as they did under ACTAAP, Act 930 names the actual levels of support. Department staff will work with school districts to determine the level of support needed, though districts will not necessarily be identified by its level of support publicly.

ESSA School Index

Both the state's and the federal government's accountability systems call for the use of multiple indicators to measure academic performance. The federal Every Student Succeeds Act allows states to devise their own system – within certain guidelines. The Arkansas Department of Education has been working on this measure – the ESSA School Index – for nearly a year with its Vision for Excellence in Education and Arkansas Accountability System Steering Committee.

In addition to being used to identify low-performing schools as required by the federal Every Student Succeeds Act, the ESSA School Index will also form the backbone of the state's school rating system. That system, codified in ACA §§ 6-15-2101 et seq., is used as a means of public reporting of student, student subgroup and school performance annually.

In prior years, the school rating relied mainly on state-mandated test scores and, for high schools, graduation rates. Act 744 still calls for the annual reports for school accountability to list separately the following measures for schools:

- Student performance on state-mandated tests
- Student academic growth based on state-mandated test scores
- For secondary schools, graduation rates
- Any other criteria required by law or State Board rule

The act also gives parameters for multiple measures to be used in the school rating system. The indicators, which are to provide meaningful differentiation in school performance as well as be valid, reliable, comparable and applicable statewide, include without limitation:

- Academic achievement on the statewide annual assessment
- Student growth on the statewide annual assessment
- School level graduation rate(s)
- English learner progress in acquiring English
- At least one or more of the following indicators:
 - Closing the achievement gap
 - Academic growth of student subgroups
 - Percentage of grade 9 cohort on track with completed course credits
 - Equity in resource allocation
 - Percentage of students who earn Advanced Placement, concurrent credit and/or International Baccalaureate credits or who earn industry-recognized certificates
 - Access to multiple flexible learning continua, including but not limited to personalized, competency or mastery learning
 - Access to preschool offered by the school district
 - Proportional percentage of qualified educators who hold National Board for Professional Teaching Standards certification or have advanced degrees
 - District and community partnerships

Many, but not all of these indicators, will be included in the ESSA School Index as “School Quality or Student Success Indicators.”

The index included in the final version of the Consolidated State Plan for the Every Student Succeeds Act incorporates weighted academic achievement, growth (both academic content and English language proficiency), graduation rates and school quality and student success (SQSS) indicators.

Weighted Academic Achievement: Students’ individual performance on the ACT Aspire will fall into one of the four student performance levels mentioned on page 7 – In Need of Improvement, Close, Ready or Exceeding. Schools will receive points for each student corresponding to their score category, with additional points potentially rewarded for students in the top tier. The system is referred to as weighted because it is designed to reward schools for higher performance across the board as opposed to simply pushing students over the Proficiency line as was the in-effect goal under No Child Left Behind and ACTAAP. According to Act 930, the scores of English learners who have not been enrolled in a public or private school in the United States for at least 24 months will not be included in the achievement measure.

Student Growth: A value-added model uses students’ past performances on exams to predict current year performances. When a student scores higher on the exam than his predicted score, the school is credited for producing growth at higher-than-expected levels. The converse is true when students score below their predicted performance. The differences between each student’s actual score and expected score are added together and then averaged for the school’s Content Value-Added Score. That result is then converted mathematically for use in the model. Growth under ACTAAP was calculated more as a gains model, which measured year-over-year improvement in performance but not actual improvement compared with expected improvement.

In addition, the Every Student Succeeds Act, as does Act 744 of 2017, calls for progress in English language proficiency by English learners to be part of the differentiated accountability formula. Arkansas is proposing in its Consolidated Plan for a value-added model to be used with English learners, all of whom will be assessed with the English Language Proficiency Assessment 21st Century (ELPA21). This measure has not been used in Arkansas as part of the state accountability system before now.

The Student Growth score will be a weighted sum of the Content Value-Added Score and the English Language Proficiency Value-Added Score so that the level of growth in English proficiency at each school is reflected in the final Student Growth Indicator in proportion with the proportion of English learners at the school.

Graduation Rates: Arkansas’s index will include two graduation rates, the traditional four-year rate and the first-time-used five-year graduation rate in recognition that some students need more time to master content. More value is awarded for students graduating in four years, however. This indicator applies only to high schools. The four-year graduation rate was included in the former school rating model.

School Quality and Student Success Indicators (SQSS): Again, these measures are new to Arkansas’s accountability system and have undergone a great deal of change during the department’s ESSA Visioning process. As stated in the Consolidated Plan:

Stakeholders communicated a desire to have multiple measures included in this indicator as soon as possible. ADE created a student-focused aggregation of indicators to align with the goals of the Vision. ... In essence, the School Quality and Student Success Indicator will provide a measure which combines engagement, access, readiness, completion, and success criteria.

The indicators and the grades they apply to will be:

Indicators	Grades
Student Engagement (based on chronic absenteeism)	K-11
Science Achievement	3-10
Science Growth	4-10
Reading at Grade Level	3-10
ACT/WorkKeys	12
Bonus for ACT Readiness Benchmark	12
GPA 2.9 or Better on a 4.0 Scale	12
Community Service Learning Credits Earned	12
On-time Credits	9-11
Computer Science Course Credits Earned	12
Advanced Placement / International Baccalaureate / Concurrent Credit Courses (ACE included)	12

Each of the above indicators are assigned per-student points specific to each measure.

To combine the above measures into the final ESSA School Index, the weights applied to the indicators vary by school level. This chart from the proposed Consolidated State Plan for ESSA indicates how much each indicator will contribute to the final rating:

Component	Weight of indicator Grade Spans K-5 and 6-8	Weight of indicator Grade Span 9-12
Weighted Achievement	35%	35%
Student Growth	50%	35%
Graduation Rate		15% total
4-year adjusted cohort	NA	10%
5-year adjusted cohort		5%
School Quality & Student Success	15%	15%

For the state's purposes of rating schools, the ESSA School Index score will be converted to an A-F scale. Each school will receive a letter grade for its combined performance on the multiple indicators. In addition, the school will receive a letter grade corresponding to its score on each individual indicator. The proposal in the state's ESSA plan is for subgroups to have at least 15 members to be reported separately.

School Level Accountability Under the Every Student Succeeds Act

The Every Student Succeeds Act calls for states to identify several categories of low performing schools. The first group to be identified -- Comprehensive Support and Improvement Schools -- are the lowest performing 5% of schools based on all students' ESSA School Index score or any high school with a graduation rate lower than 66.667%. Then, starting in the 2020-2021 school year, schools with consistently underperforming student subgroup populations will be identified as Targeted Support and Improvement Schools. Still another category the federal law calls for the state to identify are schools in need of Additional Targeted Support and Improvement. Those are schools in which a subgroup of its students has an ESSA School Index score equivalent to the ESSA School Index score of the all student group of the bottom 5% of schools.

Student subgroups will be included in the calculations anytime a school has at least 15 students classified in one of the following six groups: English language learner, special education, economically disadvantaged, African American, Hispanic or Caucasian.

Prior calculations for federal accountability purposes were based on state standardized scores and graduation rates alone. Under the federal Elementary and Secondary Act Flexibility Program implemented in 2011, which bridged the span between the 2002 reauthorization of the

law called No Child Left Behind and the 2015 reauthorization called the Every Student Succeeds Act, low performing schools were called Priority (all students) and Focus (achievement gaps) schools.

Act 930 does not designate consequences or support for Comprehensive or Targeted Support Schools, though it does indicate that Comprehensive or Targeted Support schools can be considered when the department is determining the level of support a school district needs (to be discussed below). Department officials say the federal labels will serve as another signal for school districts in determining the type and level of support to direct to their schools. This process may be more spelled out in the rules that the department expects to have drafted by late fall 2017.¹⁰

District Level Support

Act 930 directs the Department of Education to provide – and the State Board of Education to promulgate rules to establish – levels of differentiated support and improvement for school districts. This methodology is still being created, but will result in the following categories for support that becomes increasingly more directive with each level.

The five levels of support for school districts are:

- Level 1 – General
- Level 2 – Collaborative
- Level 3 – Coordinated
- Level 4 – Directed
- Level 5 – Intensive

And, according to information provided in the Consolidated Plan that the department will submit to the federal government, a general description of the actions that could occur at each level of support are reflected in the chart on the next page:

¹⁰ July 20, 2017, email from Arkansas Department of Education Assistant Commissioner Deborah Coffman.

		General	Collaborative	Coordinated	Directed	Intensive
Cycle of		<i>ADE provides:</i>	<i>ADE provides:</i>	<i>ADE provides:</i>	<i>ADE provides:</i>	<i>ADE provides:</i>
Plan	Consultation	<ul style="list-style-type: none"> Electronic consultation to disseminate information and/or answer questions Regional assistance upon request On-site consultation upon request 	<ul style="list-style-type: none"> Review of TSI school-level improvement plan, upon request LEA support to build capacity for schools' improvement Assistance with Needs Assessment template 	<ul style="list-style-type: none"> Assistance in needs assessment, fiscal analysis, LEA planning for improvement and support Guidance for LEA-created Plan of Support for school improvement plan(s) 	<ul style="list-style-type: none"> Review of intervention analysis for LEAs with schools not making progress towards exit criteria Identification of more rigorous interventions or supports 	<ul style="list-style-type: none"> Comprehensive systems analysis and recommendation to the State Board of Education for interventions and actions to be enacted as requirements for the LEA Guidance of allocation of resources targeting building needs
	Technical Assistance	<ul style="list-style-type: none"> Assistance in identifying evidence-based practices 		<ul style="list-style-type: none"> Technical assistance from the SEA unit most closely aligned to identified subgroup (i.e., Special Education) Approval of LEA-created evidence-based practices, including levels of evidence, the context for implementation and potential barriers 	<ul style="list-style-type: none"> LEA support with development of revised school-level improvement plan Approval of LEA/SEA developed school-level improvement plan and LEA Plan of Support for each school 	
	Tools	<ul style="list-style-type: none"> LEA support in collecting, analyzing and using relevant data to create a school-level improvement plan (Needs Assessment) LEA support in prioritizing use of data and evidence when creating plans Template support for LEA Plan of Support 	<ul style="list-style-type: none"> Guidance documents to identify root cause(s), current practices to address issue(s), barriers that may impact the ability to address the problem, etc. 	<ul style="list-style-type: none"> Assistance with guidance documents 	<ul style="list-style-type: none"> Guidance for assessing root causes and current practices 	<ul style="list-style-type: none"> Requirement for LEA to provide evidence of use of tools

Cycle of		General	Collaborative	Coordinated	Directed	Intensive
		<i>ADE provides:</i>	<i>ADE provides:</i>	<i>ADE provides:</i>	<i>ADE provides:</i>	<i>ADE provides:</i>
Do	Consultation	<ul style="list-style-type: none"> Electronic trainings, recorded and live 	<ul style="list-style-type: none"> Verification of the LEA-approved school-level improvement plan(s) and monitored implementation 	<ul style="list-style-type: none"> Assistance with monitoring and implementation of school-level improvement plan(s) 	<ul style="list-style-type: none"> On-site technical assistance addressing concerns, barriers, and communication strategies 	<ul style="list-style-type: none"> Training and guidance for interventions and actions as identified in the SEA-conducted comprehensive needs analysis
	Professional Development	<ul style="list-style-type: none"> Regional training available through consortiums and/or education service cooperatives, STEM Centers, Arkansas IDEAS, and Educational Renewal Zones Networking LEAs with similar needs through coops 				
	Tools	<ul style="list-style-type: none"> Sharing of tools to support implementation 				

Cycle of		General	Collaborative	Coordinated	Directed	Intensive
		<i>ADE provides:</i>	<i>ADE provides:</i>	<i>ADE provides:</i>	<i>ADE provides:</i>	<i>ADE provides:</i>
Check	Monitoring	<ul style="list-style-type: none"> Support budgeting of funds, upon request 	<ul style="list-style-type: none"> Assistance in budgeting of funds Assistance with resource allocation Follow up technical assistance related to semi-annual on-site monitoring of plan(s) fidelity 	<ul style="list-style-type: none"> Monitoring expenditure of funds Assistance with resource allocation analysis Monitoring of LEA's analysis of plan's implementation 	<ul style="list-style-type: none"> Guidance to the LEA for analysis of equity in school resources Guidance for LEA-monitored use of tools throughout the school year 	
	Assess/Reflect	<ul style="list-style-type: none"> Support LEA in collecting, analyzing, and using relevant data to revise school-level improvement plan (Needs Assessment) Support in prioritizing use of data and evidence when revising plans Support LEA in analyzing formative and summative assessment data Training in self-monitoring of progress and fidelity of implementation of improvement plan available upon request Support for LEA in monitoring and providing evidence for use of tools, upon request 	<ul style="list-style-type: none"> Resource review to identify equity gaps 	<ul style="list-style-type: none"> Support to the LEA for analysis of equity in school resources Support for LEA in monitoring and providing evidence of use of tools Review of LEA monitored use of tools throughout the school year 		

Source: Arkansas Consolidated Plan for the Every Student Succeeds Act, Aug. 1, 2017 draft.

Act 930 does not specify the criteria to use to identify which districts fall into which level of support, leaving that decision to rulemaking. Department of Education staff said they do not plan to identify definitive criteria for each level as the criteria (and the level of need) may vary from district to district. What's more, department staff say they will build relationships with school district leaders and work with them to determine how much, if any, support a school district wants or needs from the department. That will allow the department to keep tallies of how many schools require each level of support. For instance, they say that Level 1-General Support will be provided to all districts, so 100 percent will qualify for that level. Some school districts may ask for more "collaborative" support, and some may require more "directed" support. School districts needing Level 5-Intensive Support, department staff say, will be those districts that don't have the capacity to resolve issues that are leading to poor academic performance or other negative indicators. According the state's ESSA plan, these school districts will be recommended to the State Board of Education for state interventions and supports – and some of these school districts will be recommended for state control. This notification to the State Board will be the first official identification of a school district as being in any support level, according to department staff.¹¹

Act 930 further stipulates that school districts that do not comply with the requirements placed on them by the State Board regarding district support will be considered in violation of the Standards of Accreditation. This will be an addition to the Rules Governing the Arkansas Standards of Accreditation, which are being revised.

Again, though Act 930 outlines five levels of support, department officials indicate they won't be formally categorizing every district and publishing a list each year. Instead, only the districts that are in need of Level 5 – Intensive support will be identified publicly as 6-15-2915(c)(2) says that a "public school district shall be classified as in need of Level 5 – Intensive support and receive support upon final determination by the state board." State Board actions are public.

Act 930 permits some schools to be excluded from the differentiated support system, if the State Board of Education develops alternative accountability systems for them:

- Alternative Learning Environment schools
- Open-enrollment or conversion charter schools that have a mission of serving students who have dropped out of school or who are at risk of doing so
- The School for the Blind
- The School for the Deaf

SCHOOL DISTRICTS IN LEVEL 5 – INTENSIVE SUPPORT

ACTAAP's "Academic Distress" will disappear as a label for both schools and school districts under the Arkansas Educational Support and Accountability Act.

To ease the transition between the two systems, however, Section 3 of Act 930 does specify that "the Department of Education shall continue to provide supports and interventions to the state's existing priority schools, focus schools, and public schools and public school districts in academic distress or under state authority to meet current state and federal requirements." Schools that meet the exit criteria for academic distress, priority or focus labels shall be removed from that classification. Public school districts with schools in any of the classifications will work with the department to develop transition support plans, according to the law.

School districts that are in Academic Distress and under state control are to transition to being Level 5-Intensive school districts. As such, during the July 2017 State Board of Education meeting, the State Board voted to keep two school districts – Little Rock and Dollarway – under

¹¹ July 18, 2017, meeting with Arkansas Department of Education staff.

state control by classifying them as in need of Level 5- Intensive support using the authority of Section 3 (b)(1)(A) of Act 930, which states: “(b)As part of the transition process: (1) Public school districts classified as being in academic distress and under state authority as of the effective date of this act shall: (A) Be classified by the State Board of Education as in need of Level 5 - Intensive support.” In July 2017, Dollarway was a district in academic distress and under state control; however, Little Rock was under state control, but it had not been classified as being a district in Academic Distress. Instead, the state has assumed control of the district because it had six schools that fell under the academic distress classification.

The process for classifying future school districts in need of Level 5 – Intensive support that could potentially come under state control will be detailed in the rules promulgated by the State Board of Education. Again, department staff say the rules will not contain a specific list of criteria used to classify districts in Level 5.¹² This no doubt makes the process much more akin to the state’s Fiscal and Facilities Distress classification, which depend on a good deal of professional judgment by department staff and State Board approval. It’s a sharp contrast to the Academic Distress classification, which in recent years was applied to a school or school district anytime it had fewer than 49.5% of its students scoring proficient on the state mandated tests.

Any other school districts classified as needing Level 5 – Intensive support will receive the most intervention by the Department of Education to address its student achievement issues. Once a school district has been recommended as in need of Level 5-Intensive support (the department makes the recommendation for the classifications and the State Board approves it) the district’s superintendent and school board president will receive a written notice from the department. The district may appeal the recommended Level 5 classification to the State Board, and, if not satisfied with the State Board ruling, may then appeal it to the Pulaski County Circuit Court under the Arkansas Administrative Procedure Act (§25-15-201 et seq.)

Once a school district is classified by the State Board as being in Level 5, students may transfer to another school district not classified as needing Level 5 - Intensive support. Furthermore, the law gives the State Board of Education and the Department of Education a great deal of authority over districts classified as in need of Level 5 – Intensive support, much akin to what happened under ACTAAP with schools and school districts in Academic Distress. The chart below compares the consequences for Academic Distress with those of Level 5:

Academic Distress Possible Actions (ACTAAP)	Level 5 – Intensive Possible Actions (AESAA)
Up to 5 years to be removed (additional time granted if majority of State Board finds it wasn't able to rectify the issues due to factors beyond their control)	Up to 5 years to be removed
After 5 years, face consolidation, annexation or reconstitute the school or school district	After 5 years, face consolidation, annexation or reconstitute the school or school district
If a school district is in academic distress, the state board may:	If a school district is in Level 5 Support, the State board may:
	<i>Direct the Commissioner of Education to conduct an analysis of all school district systems and make recommendations to the State Board</i>
Remove permanently, reassign or suspend on a temporary basis the superintendent	Remove permanently, reassign or suspend on a temporary basis the superintendent
Suspend or remove all members of the school	Suspend or remove all members of the school board

¹² July 18, 2017, meeting with Arkansas Department of Education staff.

Academic Distress Possible Actions (ACTAAP)	Level 5 – Intensive Possible Actions (AESAA)
board and call for an election of a new board	and call for an election of a new board
Require the school district to operate without a school board under the supervision of the superintendent or an appointee by the Commissioner of Education	Require the school district to operate without a school board under the supervision of the superintendent or an appointee by the Commissioner of Education
Direct the Commissioner to act in lieu of the school board	<i>Remove on a temporary basis some or all of the powers and duties granted to the current school board. The State Board will define the powers and duties of the school board. The school board will act in an advisory capacity to the Commissioner regarding all other duties and powers maintained by the Commissioner</i>
Waive the application of Arkansas law except for Teacher Fair Dismissal and School Employee Fair Hearing Acts and corresponding rules and regulations	<i>Waive the application of Arkansas law and corresponding rules except for special education programs, criminal background checks and health and safety codes</i>
Require the annexation, consolidation or reconstitution of the district	Require the annexation, consolidation or reconstitution of the district
	<i>Require reassignment of some or all of the administrative instruction or support staff of a public school</i>
	<i>Require a public school to institute and fully implement a student curriculum based on academic standards</i>
	<i>Require a public school to provide professional development for teachers and administrators based on ADE's review of educators' professional growth plans. School district to pay professional development costs</i>
	<i>Remove one or more public schools from the school district and establish alternative governance and supervision</i>
	<i>Require reorganization, closure or dissolution of one or more public schools within a district</i>
Take any other necessary and proper action	Take any other necessary and proper action.
Return the school district to local control if the state board determines that the school or school district has corrected all issues that caused the classification of academic distress	<i>Level 5 – Intensive exit criteria to be determined by State Board rules</i>
<i>Italics indicate places in the law where the wording differs.</i>	

For any Level 5 school district under the authority of the State Board of Education, Act 930 stipulates that the State Board will review on a quarterly basis the progress Level 5 school districts have made in improving the issues that led to Level 5 classification. In addition, at any time during the second full school year following the assumption of authority – or anytime after that – the State Board may direct the Commissioner to update the analysis of all school district systems to determine the amount of progress made toward correcting its issues. The

commissioner may also recommend that the State Board take additional action or that the school district be returned to local control.

When the State Board returns a school district to local control, it does so through the appointment or election of a new school board or through the return of control to the existing board. However, Act 930 gives the State Board the power to limit the new school board's authority and duties by allowing it to operate under the direction and approval of the Commissioner. In that case, the school board will act in an advisory capacity in all those areas for which the Commissioner has control. The State Board can increase the school board's authority if the district proves it is making progress correcting the issues that caused it to be categorized as a Level 5 school district. If, after five years, sufficient progress has not been made by the school district, the State Board shall annex, consolidate or reconstitute it.

The State Board is to promulgate rules detailing the criteria by which a school district may exit Level 5 – Intensive support.

SCHOOL-LEVEL IMPROVEMENT PLANS AND SCHOOL DISTRICT SUPPORT PLANS

During the ACTAAP years, the Arkansas Department of Education approved plans for school improvement that schools submitted to the department as part of the Arkansas Comprehensive School Improvement Planning (ACSIP) process. The Arkansas Educational Support and Accountability Act changes this approach in accordance with the goal for the state to support school districts so that school districts then support their schools. Therefore, beginning in 2018, by each May 1, a public school will submit a school-level improvement plan to its school district for approval. The plan will be posted on the school district website by Aug. 1 of each year and implemented by each school during the following school year. The district shall monitor for fidelity of implementation throughout the year and ascertain that the plan is indeed meeting its goals.

Except for those school districts receiving only Level 1-General support, Act 930 says that school districts must submit to the Arkansas Department of Education by Sept. 1 of each year (again, beginning in 2018) a district-level support plan according to rules to be developed by the department. The plan will detail “without limitation” how it will support its schools that are identified as needing comprehensive or targeted support, or both, under ESSA. The support plan, which does not have to be approved by the department under Act 930, must be posted to the district's website within 10 days of its submission to the department. Department staff say school districts will know through their relationships with department staff if these plans are required for submission since there will be no actual identification of districts by support level.¹³

SCHOOL RECOGNITION PROGRAM

The Arkansas School Recognition program, which the General Assembly created to provide financial rewards to public schools with high student performance and high student growth based on state-mandated assessments, remains in statute under the new accountability system. Act 744, however, revised the law to say that in addition student achievement, growth and graduation rates, other achievement measures may be used. The department is drafting rules for the program and expects to have a draft ready for stakeholder input later this fall.¹⁴ The law says that, if funds are available, a public school or public charter school will receive \$100 per student enrolled in the school if in the top 5% when ranked by the final measures and \$50 per student if ranked in the top 6% - 10%.

¹³ July 18, 2017, meeting with Arkansas Department of Education staff.

¹⁴ Aug. 15, 2017, email from Courtney Sales-Ford, Arkansas Department of Education attorney.

Before Act 869 of 2017, priority and focus schools were not eligible for rewards in the program. (The current statute does not specify any treatment of schools identified as Comprehensive or Targeted.) If fewer funds are available than needed, the state may disburse the money on a pro rata basis.

Act 869 §5 of 2017 repeals an earlier provision of the law that said that all schools that receive funding must turn in a plan for spending the money that meets ADE approval. The funds may be used as:

- One-time bonuses to faculty and staff
- One-time expenditures for educational equipment or materials that will help maintain or improve student performance
- Temporary personnel for the school to assist in maintaining and improving student performance

In 2016, 201 awards totaling \$6,797,700 were distributed to schools. Seven potential awards were withheld from schools because they were classified as either focus (6) or priority schools (1 – North Little Rock’s Crestwood Elementary).

MAJOR DIFFERENCES BETWEEN AESAA AND ACTAAP ERAS

	AESAA	ACTAAP
Focus/Goal	Identification & Support ADE supports district, district supports school Growth for all	Labels/Sanctions/Intervention ADE direct intervention with schools and districts Focus on “bubble” kids
Learning Approach	Student-focused learning Student Success Plans for all by the end of grade 8	Adequacy/Proficiency for all AIPs and IEPs for some
School/District Identification	Levels of Support (1-5) A-F School Rating System	Academic Distress, Needs Improvement A-F Ratings
School Rating Indicators	ESSA School Index including weighted achievement, growth (value added), graduation rates and SQSS	Achievement and Growth/Gains (based on year-to-year comparison of scores)
English Learners	English language proficiency included in accountability	EL scores included in overall and subgroup reporting/identification
School Improvement Plans	School improvement plans to district; Level 2+ district support plans to ADE	ACSIP
Educators	Educator Excellence (qualified, experienced, teaching in area)	Highly Qualified

KEY DATES IN THE SUPPORT AND ACCOUNTABILITY ACT

2017-18 school year – ADE will collaborate with public school districts to transition to a student-focused learning system to support success for all students.

2018-19 school year – beginning with this year each student will have by the end of 8th grade a student success plan developed by school personnel in collaboration with parents and the student. The plan will be reviewed and updated annually. Planning year for implementing Consolidated Plan for Every Student Succeeds Act.

May 1, 2018 (and every May 1 thereafter) – the due date for public schools to submit to their district offices a school improvement plan.

Aug. 1, 2018 (and every Aug. 1 thereafter) – school districts shall have their school improvement plans posted to their websites

Sept. 1, 2018 (and every Sept. 1 thereafter) – due date for schools districts in Levels 2-5 to submit a public school district support plan. The plans should include the support the district will provide to public schools identified as needing targeted and/or comprehensive support under ESSA. These plans must be posted on the districts' websites within 10 days.

July 1, 2019 – Full implementation of AESAA.