

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

INTERIM STUDY PROPOSAL 2009-079

State of Arkansas

As Engrossed: S2/17/09 S2/23/09 S3/12/09

87th General Assembly

A Bill

Regular Session, 2009

SENATE BILL 304

By: Senator Crumbly

Filed with: Senate Interim Committee on Education
pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

AN ACT TO ENSURE THAT STUDENTS MAKE SATISFACTORY
ACADEMIC PROGRESS IN PUBLIC ELEMENTARY AND
*SECONDARY SCHOOLS; TO PROVIDE AN INTENSIVE
LEARNING PROGRAM TO STUDENTS WHO DO NOT ACHIEVE
GRADE LEVEL PROFICIENCY AT KINDERGARTEN OR BY THE
END OF GRADE THREE; AND FOR OTHER PURPOSES.*

Subtitle

TO ENSURE THAT STUDENTS MAKE
SATISFACTORY ACADEMIC PROGRESS IN PUBLIC
SCHOOLS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 6, Chapter 15, Subchapter 20, is amended to add an additional section to read as follows:

6-15-2011. Pilot program for satisfactory student academic progress.

(a)(1) A six-year pilot program is established under the direction of the Department of Education to provide intensive monitoring of public school students who enter kindergarten in the 2010-2011 school year to assure the students make sufficient academic progress through the end of grade *three (3)* and score at the proficient level on state benchmark assessments at the end of grade *three (3)*.



1 (2) Public schools and public school districts participating in
2 the pilot program shall use continuous monitoring and assessment, an
3 intensive learning program, and student longitudinal data to evaluate and
4 address the needs of students, public schools, and public school districts
5 participating in the program.

6 (3) At the end of six (6) years, the department will provide the
7 General Assembly with information that is based on evidence from the program
8 that will assist the General Assembly in determining how to implement the
9 program statewide.

10 (b) As used in this section, "participating school" or "participating
11 school district" means a public school or public school district that
12 participates in the pilot program created under this section.

13 (c) Each public school district meeting the following criteria may
14 participate in the six-year pilot program created under this section:

15 (1) The public school district serves students in any
16 combination of kindergarten through grade eight (K-8);

17 (2) At least seventy percent (70%) of the public school
18 district's previous school year's enrolled students are national school lunch
19 students; and

20 (3) Fifty percent (50%) or more of the school district's
21 previous school year's enrolled students scored basic or below basic on final
22 state benchmark assessments for the previous school year.

23 (d) A participating public school district or participating public
24 school that participates in the first year of the pilot program shall
25 continue participation for the full six (6) years of the pilot program.

26 (e) A participating school district shall provide all student
27 management data requested by the department that the department deems
28 necessary for the evaluation of the pilot program.

29 (f) Beginning with the 2010-2011 school year, a participating school
30 shall closely monitor the academic progress of students entering kindergarten
31 in the 2010-2011 school year using:

32 (1) Classroom assessments at the beginning of each school year;

33 (2) Classroom assessments during each school year; and

34 (3) Student longitudinal data available through the department.

35 (g) A participating school shall provide a student who is identified
36 under subsections (i)-(j) of this section with the following:

1 (1)(A) An intensive learning program that uses research-based
2 intervention strategies and services needed for the students to make
3 satisfactory academic progress toward proficiency by the end of grade three
4 (3), as determined by the monitoring of student progress under subsection (f)
5 of this section.

6 (B) A participating school district may fund the intensive
7 learning program with:

8 (i) National school lunch student categorical
9 funding under § 6-20-2305;

10 (ii) Department of Education grants;

11 (iii) Other federal and state funds available to the
12 participating school district for improving student academic achievement and
13 closing the achievement gap; and

14 (iv) Private donations.

15 (C) An intensive learning program shall include without
16 limitation:

17 (i) Reading Recovery or other research-based reading
18 and literacy intervention programs approved by the department that are
19 designed to accelerate reading and literacy skills of young children;

20 (ii) Intensive math instruction;

21 (iii) After-school tutoring for not less than four
22 (4) days per week for a minimum of twenty-four (24) weeks during the school
23 year;

24 (iv) A six-week summer program designed to help
25 students focus on areas of need and maintain learning between school years;
26 and

27 (v) Any other research-based intervention strategy
28 approved by the department.

29 (D) A student identified under subsections (i)-(j) of this
30 section shall attend and remain in the intensive learning program until the
31 public school determines by the monitoring and assessment conducted under
32 this section that the student is grade-level proficient; and

33 (2) An intensive parental involvement program that includes
34 without limitation:

35 (A) Additional parent conferences, which may include home
36 visitation by the school; and

1 (B) Instruction to parents for utilizing the resources of
2 the school and the department for working with students at home.

3 (h) The department shall develop and make available to a participating
4 school district training for the licensed teachers and nonlicensed employees
5 needed to implement the research-based intervention strategies used in an
6 intensive learning program.

7 (i) Beginning with the 2010-2011 school year, if a participating
8 school district determines from the school readiness screening administered
9 to a student entering kindergarten under § 6-15-404 that the student is not
10 at grade level for kindergarten, the participating school district shall
11 place the kindergarten student in an intensive learning program.

12 (j)(1) A participating school shall not advance to grade (4) a student
13 who entered kindergarten in the 2010-2011 school year and does not score at
14 the proficient level or above on the state-mandated grade three (3) benchmark
15 assessment if:

16 (A) The department has developed multiple administrations
17 of the grade three (3) state-mandated benchmark assessment; and

18 (B) The student does not score proficient or above on the
19 grade (3) state-mandated benchmark assessment after taking a subsequent
20 administration of the assessment.

21 (2) If the department has not developed multiple administrations
22 of the grade three (3) state-mandated benchmark assessment, the parent may
23 elect to authorize the participating school to:

24 (A) Retain the student in grade (3); or

25 (B) Advance the student to grade (4) if the student scored
26 below proficient on the grade three (3) benchmark assessment but passed grade
27 three (3).

28 (3) A student who is subject to this subdivision (j), whether or
29 not the student is advanced to grade four (4), shall remain in the intensive
30 learning program through grade six (6).

31 (4) At the end of a school year in which a student repeated
32 grade three (3) under this subsection (j), the department shall determine the
33 criteria for the student's advancement to the next grade, including without
34 limitation that the student shall remain in the intensive learning program.

35 (5) A student who enters grade three (3) as a new student in a
36 school district and who scores below proficient on the state benchmark

1 assessment for grade three (3) is not required to repeat grade three (3) but
2 shall participate in the intensive learning program.

3 (k)(1) Upon a student entering kindergarten in the 2010-2011 school
4 year, a participating school district shall provide to the parent of the
5 student an outline that includes:

6 (A)(i) That a student who does not test proficient at
7 grade level may not be advanced to grade four (4) under the provisions of
8 subsection (j) of this section.

9 (ii) The outline shall advise the parent of the
10 options for retaining or advancing the student;

11 (B)(i) That a student who is subject to the provisions of
12 subsection (j) of this section will be placed in the intensive learning
13 program where the student will be tested annually and shall remain in the
14 intensive learning program through grade six (6).

15 (ii) The outline shall describe the intervention
16 strategies and services the participating school will use in the intensive
17 learning program; and

18 (C) That a student identified as not testing proficient at
19 grade level shall attend:

20 (i) The twenty-four week tutoring sessions under
21 subdivision (g)(1)(C)(iii) of this section; and

22 (ii) The six-week summer institute under subdivision
23 (g)(1)(C)(iv).

24 (1)(1) The department shall use the state's student longitudinal data
25 tracking system to monitor and evaluate the attendance, academic progress,
26 and persistence of students in the pilot program.

27 (2) The department shall provide a participating school district
28 with access to the necessary equipment and training for the use of the
29 student longitudinal data tracking system.

30 (m) The school district assisted by the department shall survey the
31 parents of students in the pilot program and evaluate the comments provided
32 by the parents.

33 (n)(1) By September 1, 2017, the department shall evaluate the pilot
34 program and report its findings and recommendations to the Senate Committee
35 on Education and the House Committee on Education.

36 (2) By September 1, 2018, the Senate Committee on Education and

1 the House Committee on Education, or any joint subcommittee appointed by them
2 to evaluate educational adequacy under § 10-3-2101 et seq., shall review the
3 department's report and forward *recommendations from the pilot program* to the
4 General Assembly.

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6 /s/ Crumbly
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