

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.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003

A Bill

HOUSE BILL 1422

4
5 By: Representatives C. Johnson, White
6
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For An Act To Be Entitled

8
9 AN ACT TO CREATE THE "COMMISSION ON CLOSING THE
10 ACADEMIC ACHIEVEMENT GAP IN ARKANSAS"; AND FOR
11 OTHER PURPOSES.
12
13

Subtitle

14
15 AN ACT TO CREATE THE "COMMISSION ON
16 CLOSING THE ACADEMIC ACHIEVEMENT GAP IN
17 ARKANSAS".
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. (a) There is established a commission to be known as the
23 "The Commission on Closing the Achievement Gap in Arkansas".

24 (b) The commission shall consist of twelve (12) members as follows:

25 (1)(A) Three (3) persons appointed by the Governor;

26 (B) One (1) of the Governor's appointees shall be a member
27 of the faculty of a historically black college in the state; and

28 (C) One (1) of the Governor's appointees shall be a
29 minority who has demonstrated a commitment to education;

30 (2)(A) Three (3) persons appointed the President Pro Tempore of
31 the Senate;

32 (B) One (1) of the President Pro Tem pore's appointees
33 shall be a member of the faculty of a historically black college in the
34 state; and

35 (C) One (1) of the President Pro Tem pore's appointees
36 shall be a minority who has demonstrated a commitment to education;



1 (3)(A) Three (3) persons appointed by the Speaker of the House
 2 of Representatives;

3 (B) One (1) of the Speaker of the House of
 4 Representatives' appointees shall be a Hispanic person; and

5 (C) One (1) of the Speaker of the House of
 6 Representatives' appointees shall be a minority who has demonstrated a
 7 commitment to education; and

8 (4) Three (3) persons appointed by the Black Caucus of the
 9 General Assembly.

10 (c) The appointed commission members shall be residents of the State
 11 of Arkansas at the time of appointment and throughout their terms.

12 (d)(1) In 2003, three (3) members shall be appointed by the Speaker of
 13 the House of Representatives as follows:

14 (A) One (1) for a term to expire June 30, 2005;

15 (B) One (1) for a term to expire June 30, 2006; and

16 (C) One (1) for a term to expire June 30, 2007; and

17 (2) In 2003, three (3) members shall be appointed by the
 18 President Pro Tempore of the Senate as follows:

19 (A) One (1) for a term to expire June 30, 2005;

20 (B) One (1) for a term to expire June 30, 2006; and

21 (C) One (1) for a term to expire June 30, 2007; and

22 (3) In 2003, three (3) members shall be appointed by the
 23 Governor as follows:

24 (A) One (1) for a term to expire June 30, 2005;

25 (B) One (1) for a term to expire June 30, 2006; and

26 (C) One (1) for a term to expire June 30, 2007; and

27 (4) In 2003, three (3) members shall be appointed by the Black
 28 Caucus as follows:

29 (A) One (1) for a term to expire June 30, 2005;

30 (B) One (1) for a term to expire June 30, 2006; and

31 (C) One (1) for a term to expire June 30, 2007; and

32 (5) Subsequent appointments are for a term of four (4) years.

33 (e)(1) If a vacancy occurs in an appointed position, for any reason,
 34 the vacancy shall be filled in the same manner as the original appointment.

35 (2) The new appointee shall serve for the remainder of the
 36 unexpired term.

1 (f) The Black Caucus shall designate one of its appointees to serve as
 2 chairperson.

3 (g)(1) The commission shall meet at times and places the chairperson
 4 deems necessary, but no less than four (4) times per calendar year.

5 (2) No meetings shall be held outside of the State of Arkansas.

6 (3) A majority of the members of the commission shall constitute
 7 a quorum for the purpose of transacting business.

8 (4) All action of the commission shall be by a majority vote of
 9 the full membership of the commission.

10 (h) The commission shall:

11 (1) Develop a plan for the state designed to enable all public
 12 school students to meet the state's student academic achievement standards
 13 while working toward the goal of narrowing the achievement gaps in public
 14 schools for the following subgroups:

15 (A) Economically disadvantaged students; and

16 (B) Students from major racial and ethnic groups; and

17 (2)(A) Monitor the Department of Education efforts to comply
 18 with federal guidelines on improving the academic achievement of the
 19 disadvantaged, specifically including but not limited to the No Child Left
 20 Behind Act.

21 (B) Monitor the Department of Education identification of
 22 population groups to be motivated in closing the achievement gap efforts.

23 (C) The commission may expand the role and scope of the
 24 commission to cover specific population groups as identified by the
 25 Department of Education as target groups for closing the achievement gaps;
 26 and

27 (3) File a report with the chairpersons of the House and Senate
 28 Interim Committees on Education, the Governor and the State Board of
 29 Education no later than November 1 of each year.

30 (i)(1) The Department of Education shall provide staff and office
 31 space to the commission.

32 (2)(A) Members of the commission shall serve without pay.

33 (B) Members of the commission may receive expense
 34 reimbursement in accordance with Arkansas Code § 25-16-902, to be paid by the
 35 Department of Higher Education to the extent money is available.

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1 SECTION 2. Students who have been placed at risk of academic failure;
2 Personal education plans.

3 (a)(1) Local school districts shall identify students in all grades
4 who have been placed at risk for academic failure and shall implement a
5 personal education plan for academic improvement with focused intervention
6 and performance benchmarks.

7 (2) Identification shall occur as early as can reasonably be
8 done and can be based on grades, observations, and other factors that
9 teachers and administrators consider appropriate, without having
10 to await the results of end-of-grade or end-of-course tests.

11 (b)(1) At the beginning of the school year a personal education plan
12 shall be developed for any student not performing at least at grade level, as
13 identified by the state end-of-grade test.

14 (2) If a student’s performance appears to be falling below state
15 proficiency standards at any time during the school year, a personal
16 education plan shall be developed.

17 (c) Focused intervention and acceleration activities may include,
18 among other things, summer school, Saturday school, and extended days.

19 (d) Local school districts shall provide the activities identified in
20 subdivision (c) of this section, and transportation, free of charge to
21 students.

22
23 SECTION 3. Establishment of Local Task Forces on Closing the
24 Achievement Gap.

25 (a)(1) The State Board of Education shall adopt a policy for local
26 school district to establish local task forces on closing the achievement
27 gap.

28 (2) The purpose of each task force is to advise and work with
29 its local board of directors and administration on closing the gap in
30 academic achievement and on developing a collaborative plan for achieving
31 that goal.

32 (b) The policy shall include the following:

33 (1) Each task force shall report to its local board of
34 directors;

35 (2) Each task force shall include key stakeholders in the
36 community who are committed to improving the education of all children,

1 especially those who are underachieving, and who agree to attend, on a
2 regular basis, task force meetings, take an active role in discussions and
3 activities, listen to the ideas, suggestions, and comments of other task
4 force members as well as community members, inform other members of the
5 school and community of the work of the task force, participate in any
6 training for the task force members such as consensus building, problem-
7 solving, and group dynamics, and seek actively data-driven solutions to
8 improving the achievement of all students; and

9 (3) Task force members shall be representative of community
10 demographics, race, ethnic, gender, and socio-economic diversity, and it is
11 strongly recommended that they include:

12 (A)(i) Three (3) parents, as selected by the local school
13 district’s parent organization.

14 (ii) One (1) parent who has a child at an elementary
15 school, one (1) who has a child at a junior high or middle school, and one
16 (1) who has a child at a high school;

17 (B) School administrators, teachers, instructional support
18 personnel, exceptional children personnel, and second language specialists,
19 each of whom shall be selected by the superintendent;

20 (C) One (1) member of the local board of education, as
21 selected by that board;

22 (D) One (1) representative of the local department of
23 social services;

24 (E) At least one (1) juvenile court counselor;

25 (F) At least one (1) representative of local law
26 enforcement;

27 (G) One (1) representative of the local Communities in
28 Schools program, if present in the local school district, as selected by the
29 executive director of that program;

30 (H) At least one (1) representative of local businesses,
31 as selected by the local chamber of commerce;

32 (I) Representatives from community-based organizations, as
33 selected by the superintendent upon recommendation from those organizations;

34 (J) At least one (1) representative of a university school
35 of education, if there is one in the area, as selected by the chairperson of
36 the local board of education;

1 (K) Two (2) high school students, as recommended by their
2 student councils and elected by the chairperson of the local board of
3 education; and

4 (L) Any other community representatives, as selected by
5 the superintendent.

6 (c) The superintendent shall name the chair of the task force, who
7 shall call the first meeting of the task force.

8 (d) Each task force shall:

9 (1) Decide on training that it may need;

10 (2) Determine what information and data the task force will
11 need, plan and schedule presentations on the information and data, which
12 shall be disaggregated by race, ethnicity, gender, and socio-economic status.
13 Examples may include state test data, discipline statistics, teacher-student
14 ratio, student and teacher attendance data, faculty composition by race,
15 gender, and ethnicity, and professional preparation of educators;

16 (3) Define the communication process and person responsible for
17 disseminating information to the public. Communication shall include the
18 posting of information on a website and shall provide appropriate
19 translations, as needed;

20 (4) Establish a policy statement on closing the achievement gap
21 for the local school administrative unit. This statement shall address why
22 closing the achievement gap is important to the entire community;

23 (5)(A) Set aside specific meetings to analyze and synthesize
24 data and information.

25 (B) The task force shall use the data to identify and
26 prioritize the problems with student achievement;

27 (6) Identify and review current effective programs and
28 instructional strategies that address student achievement needs, identify
29 criteria used to determine their effectiveness, determine changes to improve
30 the effectiveness, identify gaps in services, identify needed information to
31 determine research-based programs and strategies that are effective in
32 addressing the gaps; and

33 (7) Develop a report to the school and community that includes
34 an implementation plan, benchmarks, and the monitoring process.

35 (e)(1) Each task force may establish subcommittees to research answers
36 to the critical questions.

1 (2) If subcommittees are established, they shall present their
2 findings to the full task force.

3
4 SECTION 4. Teachers shall base their student promotion decisions on
5 multiple measures of student achievement and school success, including, but
6 not limited to, end-of-grade and end-of-course tests, factors such as
7 classroom work, grades, and quality of instruction received, and a student's
8 best educational interests.

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10 SECTION 5. Reporting Dropout Rates, Suspensions, Expulsions, and
11 Alternative Placements.

12 (a) The State Board of Education shall report annually to the Joint
13 Interim Oversight Committee on Education Reform and the Commission on Closing
14 the Academic Achievement Gap in Arkansas on the numbers of students who have
15 dropped out of school, been suspended, been expelled, or placed in an
16 alternative program.

17 (b) The data shall be reported in a disaggregated manner and be
18 readily available to the public.

19 (c) The state board shall not include students that have been expelled
20 from school when calculating the dropout rate.

21 (d) The board shall maintain a separate record of the number of
22 students who are expelled from school.

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