

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 85th General Assembly
3 Regular Session, 2005

A Bill

HOUSE BILL 2824

4
5 By: Representative Mahony
6
7

For An Act To Be Entitled

8
9 AN ACT PERTAINING TO PUBLIC SCHOOL ASSESSMENTS
10 AND REMEDIATION; AND FOR OTHER PURPOSES.
11

Subtitle

12
13 AN ACT PERTAINING TO PUBLIC SCHOOL
14 ASSESSMENTS AND REMEDIATION.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
18

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

21 6-15-2009. Public School Assessments and Remediation.

22 (a)(1) Each student shall participate in the statewide program of
23 educational assessment required in §§ 6-15-419 and 6-15-433 by the State
24 Board of Education.

25 (2) Students in grades three through eight (3-8) shall
26 participate in those benchmark assessments required in §§ 6-15-419 and 6-15-
27 433 as established by the State Board of Education.

28 (3) Students in appropriate grades shall participate in those
29 end-of-course assessments required by §§ 6-15-419 and 6-15-433 as established
30 by the State Board of Education.

31 (4) The State Board of Education shall determine a satisfactory
32 passing level score of student performance on each assessment required in
33 (a)(1), (2), and (3).

34 (5) The State Board of Education shall promulgate the passing
35 levels of student performance in rules and regulations.

36 (b)(1) Each student identified as not meeting the satisfactory pass



1 levels in the immediate previously administered benchmark assessment shall
2 participate in his or her remediation activities as required in his or her
3 individualized academic improvement plan in the school year the assessment
4 results are reported.

5 (2) School districts shall notify the student's parent,
6 guardian, or caregiver of the parent's role and responsibilities as well as
7 the consequences for the student's failure to participate in the plan. This
8 notice may be provided via student handbooks issued to students.

9 (3) Beginning with the 2005-2006 school year, students in grades
10 three through eight (3-8) identified as not passing a benchmark assessment
11 and who fail to participate in the subsequent academic improvement plan shall
12 be retained and shall not be promoted to the next appropriate grade until:

13 (A) The student is deemed to have participated in an
14 academic improvement plan; or

15 (B) The student passes the benchmark assessment for the
16 current grade level in which the student is retained.

17 (c)(1) Beginning with the 2005-2006 school year, any student required
18 to take an end-of-course assessment that is identified as not meeting the
19 satisfactory pass levels for a particular assessment shall participate in his
20 or her remediation activities as required in his or her individualized
21 academic improvement plan in the school year the assessment results are
22 reported.

23 (2)(A) The individualized academic improvement plan shall, in
24 addition to remediation activities, provide for up to three (3) opportunities
25 for the student to take and pass an equivalent end-of-course assessment.

26 (B) The State Board of Education shall promulgate rules
27 that establish and govern the process for districts to provide multiple
28 opportunities for a student to take and pass an end-of-course assessment.

29 (3) Until the 2009-2010 school year, students that are
30 identified as not meeting the satisfactory pass levels for an end-of-course
31 assessment shall not receive credit on their transcript for the course
32 related to the end-of-course assessment until the students are identified as
33 having participated in remediation through an individualized academic
34 improvement plan. Prior to the 2009-2010 school year, remediation does not
35 require that a student must pass a subsequent end-of-course assessment in
36 order to receive credit for a course.

1 (d)(1)(A) Beginning with the 2009-2010 school year, all initial end-
 2 of-course assessments shall be administered by grade ten (10) for each
 3 student.

4 (B) Any student that does not meet the satisfactory pass
 5 level on the initial assessment shall participate in an individualized
 6 academic improvement plan that shall include remediation activities and
 7 multiple opportunities for a student to take and pass subsequent equivalent
 8 end-of-course assessments.

9 (2) For any student required to participate in an individualized
 10 academic improvement plan in (b)(1), the individualized academic improvement
 11 plan shall identify the student's specific areas of deficiency on the end-of-
 12 course exam, the desired levels of performance necessary for the student to
 13 meet the satisfactory pass levels, and the instructional and support services
 14 to be provided to meet the desired levels of performance.

15 (3) Schools shall also provide for the frequent monitoring of
 16 the student's progress in meeting the desired levels of performance.
 17 Remedial activities and instruction provided during high school shall not be
 18 in lieu of English, mathematics, science, history, or other core courses
 19 required for graduation.

20 (e)(1) Beginning with the 2009-2010 school year, no student identified
 21 as not passing an initial end-of-course assessment shall receive a credit on
 22 his or her transcript for the course related to the end-of-course assessment
 23 until:

24 (A) The student is identified as meeting a satisfactory
 25 pass level on a subsequent equivalent end-of-course assessment; or

26 (B) The student is identified as having, by the end of
 27 grade twelve (12), finished an appropriate Alternative exit course and is
 28 identified as having met a satisfactory pass level on an Alternative
 29 assessment directly related to the Alternative exit course pursuant to § 6-
 30 15-2009.

31 (2) Any student identified as having not met the satisfactory
 32 pass levels of an initial end-of-course assessment shall not receive credit
 33 on his or her transcript for the related course until the student meets the
 34 requirements of subsection (c)(1) above. If a student does not meet the
 35 satisfactory pass levels on an initial end-of-course assessment or does not
 36 satisfy the remedial requirements of subsection (c), that student shall not

1 be entitled to graduate with a high school diploma from an Arkansas high
2 school or charter school.

3 (f)(1) The State Board of Education shall establish the transition
4 process from the current end-of-course assessment program to the end-of-
5 course assessment program required beginning in the 2009-2010 school year.
6 Throughout this process, the end-of-course assessment program shall ever be
7 maintained in such a manner as to meet the requirements of state and federal
8 law.

9 (2)(A) The superintendent of each school district shall be
10 responsible for the proper administration of this subsection and those rules
11 promulgated by the State Board of Education to implement the requirements of
12 this subsection.

13 (B) To the extent any school district is determined to
14 have knowingly failed to administer these provisions of law or rules, the
15 superintendent's teaching license shall be subject to probation, suspension,
16 or revocation pursuant to the process set forth in accordance with § 6-117-
17 410.

18 (3) The State Board of Education shall promulgate any rules
19 necessary to administer the provisions of this subsection.

20
21 6-15-2010. Alternative Exit Course and Alternative Course Exam.

22 (a)(1) No student that is identified as having failed to meet the
23 satisfactory pass levels on an initial end-of-course assessment shall be
24 entitled to take more than three (3) additional subsequent equivalent end-of-
25 course assessments.

26 (2) Any student that fails to be identified as meeting the
27 satisfactory pass levels after taking at least three (3) subsequent
28 equivalent end-of-course exams shall be required to take and pass an
29 Alternative exit course and meet a satisfactory Alternative level score on a
30 subsequent Alternative assessment prior to being entitled to graduate with a
31 high school diploma from an Arkansas high school or open-enrollment charter
32 school.

33 (3) When providing additional multiple opportunities to take and
34 pass any of the three (3) subsequent equivalent end-of-course assessments, no
35 assessment may be administered within two (2) calendar months of the prior
36 end-of-course assessment, and the student must participate in an

1 individualized academic improvement plan in the interim between assessments.

2 (b) The Alternative exit course may be offered through a distance
 3 learning class and may be offered by the district outside the course of the
 4 normal school day.

5 (c) The State Board of Education shall promulgate any rules necessary
 6 to administer the provisions of this subsection.

7
 8 SECTION 2. Arkansas Code § 6-15-203 is repealed.

9 ~~§ 6-15-2003. Public school student progression Remedial instruction~~
 10 ~~Reporting requirements Assessment and remediation.~~

11 ~~(a)(1) Each student shall participate in the statewide program of~~
 12 ~~educational assessment required by § 6-15-433 and shall participate in an~~
 13 ~~academic improvement plan when required as a result of the assessments. The~~
 14 ~~Department of Education shall determine satisfactory proficiency levels and~~
 15 ~~shall promulgate rules and regulations of the student's academic improvement~~
 16 ~~plan.~~

17 ~~(2)(A)(i) After the development of the plan, each student~~
 18 ~~identified as not meeting satisfactory proficiency levels in the previous~~
 19 ~~spring's test shall participate in his or her activities outlined in his or~~
 20 ~~her academic improvement plan.~~

21 ~~(ii) The district shall notify the student's parent~~
 22 ~~of the parent's role and responsibilities as well as the consequences for the~~
 23 ~~student's failure to participate in the plan.~~

24 ~~(B)(i) Beginning with the 2005-2006 school year, students~~
 25 ~~in grades one through six (1-6) identified for an academic improvement plan~~
 26 ~~who do not participate in the program shall be retained.~~

27 ~~(ii) Retention for failure to participate in the~~
 28 ~~academic improvement plan shall expand by at least one (1) grade level for~~
 29 ~~each subsequent academic year after implementation.~~

30 ~~(C)(i) The department shall submit a report to the House~~
 31 ~~Interim Committee on Education and the Senate Interim Committee on Education~~
 32 ~~prior to September 2004 of the established additional course requirements for~~
 33 ~~failure to achieve proficiency on end-of-course examinations. These~~
 34 ~~requirements shall become effective beginning with the 2009-2010 school year.~~

35 ~~(ii) Multiple opportunities to pass end-of-course~~
 36 ~~examinations shall be provided as defined by the department.~~

