

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 87th General Assembly  
3 Regular Session, 2009  
4

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

# A Bill

SENATE BILL 304

5 By: Senator Crumbly  
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## For An Act To Be Entitled

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

## Subtitle

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18 TO ENSURE THAT STUDENTS MAKE  
19 SATISFACTORY ACADEMIC PROGRESS IN PUBLIC  
20 SCHOOLS.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. Arkansas Code Title 6, Chapter 15, Subchapter 20, is  
26 amended to add an additional section to read as follows:

27 6-15-2011. Pilot program for satisfactory student academic progress.

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

34 (2) Public schools and public school districts participating in  
35 the pilot program shall use continuous monitoring and assessment, an  
36 intensive learning program, and student longitudinal data to evaluate and



1 address the needs of students, public schools, and public school districts  
2 participating in the program.

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

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

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

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

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

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

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

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

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

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

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

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

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

34 (1)(A) An intensive learning program that uses research-based  
35 intervention strategies and services needed for the students to make  
36 satisfactory academic progress toward proficiency by the end of grade three

1 (3), as determined by the monitoring of student progress under subsection (f)  
2 of this section.

3 (B) A participating school district may fund the intensive  
4 learning program with:

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

7 (ii) Department of Education grants;

8 (iii) Other federal and state funds available to the  
9 participating school district for improving student academic achievement and  
10 closing the achievement gap; and

11 (iv) Private donations.

12 (C) An intensive learning program shall include without  
13 limitation:

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

17 (ii) Intensive math instruction;

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

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

24 (v) Any other research-based intervention strategy  
25 approved by the department.

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

30 (2) An intensive parental involvement program that includes  
31 without limitation:

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

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

36 (h) The department shall develop and make available to a participating

1 school district training for the licensed teachers and nonlicensed employees  
2 needed to implement the research-based intervention strategies used in an  
3 intensive learning program.

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

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

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

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

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

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

22 (B) Advance the student to grade (4) if the student scored  
23 below proficient on the grade three (3) benchmark assessment but passed grade  
24 three (3).

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

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

32 (5) A student who enters grade three (3) as a new student in a  
33 school district and who scores below proficient on the state benchmark  
34 assessment for grade three (3) is not required to repeat grade three (3) but  
35 shall participate in the intensive learning program.

36 (k)(1) Upon a student entering kindergarten in the 2010-2011 school

1 year, a participating school district shall provide to the parent of the  
2 student an outline that includes:

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

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

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

12 (ii) The outline shall describe the intervention  
13 strategies and services the participating school will use in the intensive  
14 learning program; and

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

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

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

21 (1)(1) The department shall use the state's student longitudinal data  
22 tracking system to monitor and evaluate the attendance, academic progress,  
23 and persistence of students in the pilot program.

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

27 (m) The school district assisted by the department shall survey the  
28 parents of students in the pilot program and evaluate the comments provided  
29 by the parents.

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

33 (2) By September 1, 2018, the Senate Committee on Education and  
34 the House Committee on Education, or any joint subcommittee appointed by them  
35 to evaluate educational adequacy under § 10-3-2101 et seq., shall review the  
36 department's report and forward recommendations from the pilot program to the

1 General Assembly.

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*/s/ Crumbly*

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