

MINUTES
JOINT MEETING
OF THE
HOUSE AND SENATE INTERIM COMMITTEES ON EDUCATION

Tuesday November 8, 2011
10:00 A.M.
Room 171, State Capitol
Little Rock, Arkansas

Senator Jimmy Jeffress, the Chair of the Senate Interim Committee on Education, called the meeting to order at 10:00 a.m.

MEMBERS OF THE SENATE INTERIM COMMITTEE ON EDUCATION IN ATTENDANCE:

Senator Jimmy Jeffress, Chair; Senator Mary Anne Salmon, Vice-Chair; Senator Joyce Elliott; Senator Gene Jeffress; and Senator Johnny Key.

MEMBERS OF THE HOUSE INTERIM COMMITTEE ON EDUCATION IN ATTENDANCE:

Representative Eddie Cheatham, Chair; Representative Johnnie Roebuck, Vice-Chair; Representative Duncan Baird; Representative Toni Bradford; Representative Jerry Brown; Representative Les Carnine; Representative Ann Clemmer; Representative Jody Dickinson; Representative Jane English; Representative Debra Hobbs; Representative James McClean; Representative Bobby Pierce; Representative Randy Stewart; Representative Tim Summers; Representative Kathy Webb; and Representative Tommy Wren.

NON-VOTING MEMBERS OF THE HOUSE INTERIM COMMITTEE ON EDUCATION IN ATTENDANCE: Representative John Catlett; Representative Gary Deffenbaugh; Representative Jeremy Gillam; Representative Homer Lenderman; Representative Kelley Linck; Representative Tiffany Rogers; and Representative Garry Smith.

OTHER MEMBERS OF THE GENERAL ASSEMBLY IN ATTENDANCE: Senator Cecile Bledsoe; Senator Paul Bookout; Senator Mike Fletcher; Senator Missy Irvin; Senator David Wyatt; Representative Tommy Lee Baker; Representative David Branscum; Representative John Burris; Representative Billy Gaskill; Representative Hudson Hallum; Representative Sheilla Lampkin; Representative Buddy Lovell; Representative Stephanie Malone; Representative Loy Mauch; Representative Leslee Milam Post; Representative James Ratliff; Representative Charolette Wagner; Representative Jeffrey Wardlaw; and Representative Jon Woods.

Without objection, the minutes of October 11, 2011, were approved as written.

Senator Jeffress announced that the Committees would discuss all items through Item G on the Agenda before taking a lunch recess. He advised members that, following lunch, the discussion would resume with Item H, the first part of the Adequacy Study.

Morning Session

Receipt and Discussion of the Annual Report of the School Leadership Coordinating Council

Dr. Mary Gunter, Chair, School Leadership Coordinating Council, **Dr. Debbie Davis**, Director, Arkansas Leadership Academy, **Ms. Belinda Aiken**, School Support Program Leader, Arkansas Leadership Academy, and **Ms. Denise Airola**, Research Specialist, Curriculum and Instruction, Arkansas Leadership Academy, were recognized for the purpose of delivering the required Annual Report on Act 222 of 2009 to the Joint Education Committees. Using a PowerPoint presentation, Dr. Gunter briefly reviewed Act 222, An Act to Strengthen the System of Arkansas Educational Leadership Development. Dr. Gunter stated that the report and update on the work done in year two of the existence of the School Leadership Coordinating Council would be given in two sections. She said that she would report on Section One which deals specifically with the role and the function of the School Leadership Coordinating Council, and that Dr. Davis would report on Section Two which deals with the Arkansas Leadership Academy School Support Program.

Dr. Gunter explained the three purposes of the School Leadership Coordinating Council:

1. Serve as a central body to coordinate the leadership development system efforts across the state;
2. Assist the Department of Education, the Department of Higher Education, the Department of Workforce Education, the Arkansas Leadership Academy and other leadership and school support efforts; and
3. Aid in the development of model evaluation tools for use in the evaluation of school administrators.

Dr. Gunter discussed the 13-member School Leadership Coordinating Council. She commented that the Council has been very active and takes issues of school leadership seriously. Dr. Gunter said the first thing the group did was to model effective leadership by establishing a vision and a mission. The vision is to create a culture of systems thinking which builds leadership capacity and results in student and adult growth, success, and achievement. The mission is to develop and recommend a state leadership system for public education in Arkansas. She said the Council next identified six (6) core beliefs that are key and foundational to the work of uniting together and moving forward according to the Act and to the desires of those promoting school leadership. Dr. Gunter then discussed the focus and the results of three prior meetings of the Council. She reported on the work plan for the Council, looking at deficient areas of school leadership, and at innovative programs to address the deficient areas. She described the progress made and the future plans to improve school leadership:

1. Develop a strategic plan for an Arkansas Leadership System
2. Recommend a superintendent's evaluation rubric and professional development for school boards
3. Support changes in licensure

Dr. Gunter concluded her portion of the report and commented that constituent groups and shareholders have brought important input to the table and, with one voice, are helping to make the best possible decisions regarding school leadership for the state.

Dr. Debbie Davis took the podium and introduced Section Two of the report. She first thanked the Committees on behalf of the fifty (50) partners of the Arkansas Leadership Academy for the opportunity to share some of the work, research, results, and knowledge being gained from working with schools and school leaders across the state. Aided by a PowerPoint presentation and a handout, Dr. Davis said the Arkansas Leadership Academy believes in innovation and works to bring new ideas and ways of building leadership for teachers and administrators in order to positively impact the system and effect positive growth in student and adult learning. She explained that one portion of Act 222 dealt specifically with the Arkansas Leadership Academy, expanding its physical presence across the state with satellite offices, and allowing for the growth of its School Support Program. Using a map, Dr. Davis identified its main office at the University of Arkansas at Fayetteville and satellite offices across the state. She commented that the satellite offices have allowed opportunities for collaborative work and easier access to schools that are served. Dr. Davis then introduced Ms. Belinda Aiken to share pertinent information about schools served and the systems approach that is used. She said that Ms. Denise Airola, who leads the group in data, research, and evaluation, would share results and knowledge gained from working with the schools and the leaders.

Ms. Belinda Aiken explained that the School Support Program provides support for a minimum of three consecutive school years to applicable schools or school districts in School Improvement. She said its objectives include building the leadership capacity of the school and district personnel, training a diverse school leadership team, providing a cadre of experienced, trained capacity building leaders to work in the school, facilitating leadership activities and providing follow-up on Professional Development implementation, working with the school board to accomplish goals in the school, meeting with the community, and providing an avenue for students to have a voice in their own educational opportunities. Ms. Aiken discussed the Arkansas Leadership Academy's staff, and steps that might be taken to develop leadership skills in key players in the schools for the purpose of building a better learning opportunity for students. She said the key to the Arkansas Leadership Academy's work is threefold: 1) use a systems approach, 2) build strong relationships, and 3) individualize support according to a school's needs. Ms. Aiken explained fee structure, the weekly reports and monthly meetings of the capacity builders, and growth trends in the number of schools served.

Ms. Denise Airola continued the report on Section Two with a discussion of some of the outcomes of the work with teachers, leaders, and students. She reiterated that the primary goal of the School Support Program is to build leadership capacity that will support systemic change within schools; evidence supports a leader's affect on student achievement. Ultimately, the School Support Program is intended to impact teaching and learning so that a student's achievement improves over time. She said that research shows that change is a process and a lot needs to happen in the first three years of working with a low-performing school in order to support long-term, sustained success for students. Recognizing how change occurs, monitoring the adult and student indicators of change, and providing quick and responsive action to assist schools are critical components of the work of the School Support Program. Student achievement is the ultimate outcome, but is also an indirect effect. It happens because of the actions of adults, the leaders and teachers who interact most closely with students on a day-to-day basis. Ms. Airola stated that it's important to look at the adult indicators and understand what the challenges are in each of the unique environments within which the School Support Program is involved. One of the principles found in research that helps in the understanding of how to support and build capacity for long-term change is called *efficacy*. The School Support Program has started to measure leadership efficacy and teacher efficacy, as well as teacher concerns. The more familiar terms are *leading* and *lagging* indicators. Looking at adult actions and looking at adult efficacy, the confidence in one's ability to accomplish the tasks specific to one's job, are leading indicators that are predictive of or drive the

types of changes that should occur in student achievement. Ms. Airola elaborated on the concept of *efficacy*, and discussed in detail the data that had been collected for the first time this year on school leaders and their sense of efficacy in management, instructional leadership, and moral leadership. She discussed Leadership Efficacy for Principals, and additionally provided data for Annual Yearly Progress (AYP) 2010 for School Support Schools, School Performance for Literacy and Math, and Subgroup Performance. In conclusion, Ms. Airola said there has been improvement in closing the achievement gap with the work being done in the School Support Program. As the Program builds efficacy in schools, and as that sense of confidence in the ability to lead instructionally plays out over time, changes should also be seen in student achievement.

A discussion ensued following the report. Topics included:

- Amount of time that superintendents and principals spend in the classroom,
- Opportunities for superintendents and principals to identify their weaknesses,
- Identifying with the classroom teacher and what's going on in the classroom,
- Components in the Program for recruiting or dismissing principals,
- Number of students involved in the Program,
- Annual cost of the Program; annual cost of private companies doing similar work,
- Number and description of leadership programs in the state; accreditation; requirements for licensure,
- Bringing student voices into the schools,
- Franklin Covey's Elementary Education Solutions - *The Leader in Me*,
- How the School Support Program gets into schools,
- Pulaski County Special School District (PCSSD) and the School Support Program, and
- The way that different programs work together.

Senator Jeffress asked members of the School Leadership Coordinating Council in the audience to stand and be recognized. He thanked Dr. Gunter, Dr. Davis, Ms. Aiken, and Ms. Airola for the reports.

Senator Jeffress recognized former State Representative David Cook in the audience and commended him for his work in passing much of the legislation under discussion while he was a member of the General Assembly.

Discussion of the Imagination Library Program

Ms. MaryAnne Williams, Facilitator, Arkansas Partnerships for Preschool Literacy Education, and Coordinator, Imagination Library of Prairie and Woodruff Counties, was recognized. Ms. Williams, using a PowerPoint presentation with several handouts, described the Imagination Library as a project that was started in 1995 by Dolly Parton in Sevier County, Tennessee to inspire a love of reading and to make a difference in the lives of preschool children and their families. She said the program was designed to provide a library of sixty (60) age-appropriate books to all children from birth until their fifth birthday. The project was launched nationwide in 2000, in Canada in 2006, and in the United Kingdom in 2007. The Dollywood Foundation partners with communities willing to bring the program to children in their area. These community partners fund the cost of the books, postage, and mailing, and are responsible for registering children and promoting the program. The Dollywood Foundation covers all administrative costs. Since its inception, 47 million books have been mailed. In 2010, over 7 million books were mailed. Ms. Williams discussed the importance of the program, its cost, and its

benefits to children, parents, and the community. She said that 1,500 communities have sponsored the Imagination Library, providing books each month to 670,000 children. Ms. Williams provided a map noting areas in Arkansas that have partnered with the Imagination Library program.

A brief discussion on eligibility for the program and on its original sponsorship by Delta Kappa Gamma in Prairie and Woodruff Counties followed the presentation.

Senator Jeffress thanked Ms. Williams for the presentation.

Preliminary Discussion of Act 593 of 2011, TO STUDY THE ADVANTAGES AND DISADVANTAGES OF AN EXTENDED SCHOOL YEAR.

The Honorable Johnny Key, State Senator, District 1, was recognized. Senator Key stated that two staff attorneys from the Bureau of Legislative Research, **Ms. Cheryl Reinhart** and **Ms. Sarah Ganahl**, would be attending a December 2011 conference on the subject of an extended school year. Reports from discussions of this issue at the conference will provide input with which to ascertain the challenges that will be faced in this study and on which a platform can be based for meetings going forward.

Senator Jeffress said he had long been an advocate of consideration for this issue. He cited the list of items for consideration in Act 593, and requested that Committee members submit additional items for study to either Senator Key or a staff member. Senator Jeffress thanked Senator Key.

Discussion of Motion to Refer Interim Study Proposal 2011-030 by Representative Mauch, TO AMEND THE REQUIREMENTS FOR THE MINIMUM AGE FOR ENROLLMENT IN PUBLIC SCHOOL KINDERGARTEN, to the Early Childhood Subcommittee of the House Interim Committee on Education

The Honorable Eddie Cheatham, State Representative, District 9, and Chair, House Interim Committee on Education, was recognized, and moved adoption of Interim Study Proposal 2011-030, and requested that it be sent to the Early Childhood Subcommittee of the House Interim Committee on Education. Pursuant to the motion of Representative Cheatham, and without objection, the motion to adopt the Interim Resolution was carried.

At 11:30 a.m., Senator Jeffress called for a recess of the meeting until 1:00 p.m.

Afternoon Session

Senator Jeffress called the afternoon session of the meeting to order at 1:00 p.m., and said the meeting would pick up with Item H on the Agenda.

Discussion of Case Studies Concerning Student Achievement and School Improvement

Ms. Nell Smith, Senior Research Specialist, Bureau of Legislative Research, was recognized. Using a PowerPoint presentation with a handout, Ms. Smith presented a report on which she worked with Dr. Brent Benda. She stated that the report covers case studies completed on three Arkansas schools: Wonder Elementary School in West Memphis, Osceola Middle School in Osceola, and Dollarway High School in Pine Bluff. She explained that the report builds on the work done last year on six case study schools. Ms. Smith said there were two main objectives for this project: 1) to examine schools that had dramatically raised student test scores and compare them with the experience of schools that have been unable to make much progress, and 2) to better understand how all the resources and requirements that go along with No Child Left Behind (NCLB) and the school improvement process fit together under one roof. She said that data from the Arkansas Department of Education (ADE) and from the National Office for Research on Management and Evaluation Systems (NORMES) was used to select the schools and a variety of documentation on each of the schools was reviewed. Much of the documentation was provided by the ADE. Ms. Smith said that each school had been visited in May of 2011, and interviews had been conducted with the superintendent, the principal, and teachers.

Ms. Smith reported that Wonder Elementary School was chosen for the extraordinary improvements it has achieved in the last five years. It is the only school in Arkansas to have been in school improvement for six years or longer and to get out of school improvement. Ms. Smith's discussion included the school's demographics and location, district and school administration, student achievement, school improvement, school improvement interventions, and progress. She stated that Osceola Middle School was visited because it was listed as one of the state's fourteen (14) "persistently failing schools." Her discussion included the school's demographics and location, scholastic audit, school improvement, student achievement, district issues, fiscal distress, charter schools, school teachers and administration, school improvement interventions, and progress. Dollarway High School was also designated as one of the state's "persistently failing schools." Ms. Smith's comments included demographics and location, student achievement, scholastic audit, school improvement, district and school administration, school teachers, student and parent issues, school improvement interventions, and progress.

Dr. Brent Benda, Senior Research Specialist, Bureau of Legislative Research, was recognized. Dr. Benda, in a PowerPoint presentation, made some generalizations and delivered some observations that were compiled based on the interviews conducted at Wonder Elementary School, Osceola Middle School, and Dollarway High School in May 2011, and which also drew from the case studies conducted in the six schools visited in 2010. Dr. Benda said that in all of the case studies that were conducted, the same interview protocol was used which allowed for probing for greater detail and unforeseen issues to arise. He concluded that the willingness to articulate goals, strategies for achieving goals, and indicators of progress toward goals are crucial to effective school leadership. Dr. Benda discussed the Role of Superintendent, Role of Principal, Role of Academic Coach, and Role of Teachers in both successful and struggling schools. Dr. Benda finally reviewed the Efficiency Analyses done to look at the relationship between total instructional costs and performance on state Benchmark Exams, and discussed Results of Efficiency Analyses.

Mr. David Cook, former Arkansas State Representative and Assistant Superintendent, Osceola School District, was recognized, and participated in the discussion that followed the report. Topics included:

- Common steps taken by low-performing schools that are now making progress,
- Eudora's progress in math and literacy,
- Osceola's progress, especially in math in 2010-11,
- Data available on what happens after consultants leave a school,

- Building capacity and sustainability within a school,
- Scholastic audits,
- Requiring data collected in a scholastic audit to be used by the contracted outside consultant,
- Cost of an outside consultant vs. Arkansas Leadership Academy, and
- Possibility of Act 1209 of 2011 by Representative Roebuck correcting some of the problems.

Senator Jeffress thanked Ms. Smith and Dr. Benda for the informative report.

Senator Jeffress announced that there would be a deviation from the published agenda to hear an update on responses to the district adequacy survey.

Mr. Richard Wilson, Assistant Director for Research Services, Bureau of Legislative Research, was recognized. Mr. Wilson advised the Committees that the district surveys were sent out on October 17, with replies requested by October 31. He stated that as of 11:00 a.m. this morning, there were 201 completions, leaving 38 yet to reply. He commented that this is a typical response, and that an email would be sent out to those districts that are late.

Senator Jeffress thanked Mr. Wilson for the update.

Senator Jeffress said the Committees would now return to Item I on the agenda

Dr. Karen Cushman was granted permission by the Chair to start her presentation with Item J, followed by Item I.

Discussion of Issues Related to Out-of-Area Waivers

Dr. Karen Cushman, Assistant Commissioner, Division of Human Resources, Arkansas Department of Education, was recognized. Dr. Cushman referred to charts on a two-sided handout, "Summary of Waivers by Area 2010-2011" and "Out-of-Area Waiver Requests 2011-2012 as of 11/3/11." She pointed out that Special Education is the largest area for waiver requests, with close to 37% for 2010-2011, and sitting at 34% as of 11/3/11. In 2010-2011 there were 1,377 total waivers, and as of 11/3/11, there were 1,309 total waivers. She said that in total numbers of waiver requests, Special Education is followed by Gifted & Talented, School Counselor, Middle Childhood Education, and Library Media. She noted that while the numbers in these other areas have remained about the same for the past two years, they are far distant to Special Education. Dr. Cushman said that to address making these numbers go down, one of the things being looked at is changing the licensure for Special Education. She explained that currently, if a person wants to teach Special Education, the person has to license in another area and add Special Education to that area. Meetings have been held with the Arkansas Department of Higher Education (ADHE) regarding this issue and one of the considerations is going to a K-12 Special Education license, that is, going back to an initial licensure program so that a person wanting to teach Special Education does not have to license in another area and then add Special Education.

Dr. Cushman explained that the ADE has a Non-Traditional Licensure Program (NTLP) and some institutions of higher education offer a Master of Arts in Teaching (MAT) program, both of which are

alternative routes to teacher licensure. She referred to charts on another two-sided handout, “NTL Teachers Licensed and Working in Year One of Program by Licensure Area 2009-2011,” and “Master of Arts in Teaching (MAT) Program Performance at Arkansas Institutions, Academic Year 2009-2011.” She commented that both the NTLP and the MAT programs are helping to put teachers in Arkansas school districts.

A discussion followed the presentation and included the following topics:

- Availability of licensed Special Education teachers to fill all positions,
- Remedies for lack of licensed Special Education teachers,
- Clarification of waivers in Coaching Endorsement,
- Adding undergraduate degrees in Special Education,
- Clarification of why superintendents and assistant superintendents are on waivers,
- Differences in MAT programs,
- Step-by-step explanation of the waiver process,
- Testing and other requirements for a certified teacher to teach in another area,
- Early Childhood P-4 considered a glut area, yet still in NTLP,
- Limitations on students admitted to MAT programs,
- Discouraging students from going through traditional programs,
- UTeach program, and
- Reciprocity with other states regarding acceptance of certified teachers.

Discussion of Issues Related to Educator Licensure

Dr. Karen Cushman, Assistant Commissioner, Division of Human Resources, Arkansas Department of Education, was recognized. Dr. Cushman briefly described the 2010-11 Report “Allegations/Cases before the Professional Licensure Standards Board,” dated July 28, 2011. She touched on Act 1178 of 2011, TO AMEND THE ARKANSAS TEACHER LICENSURE AND RECIPROCITY LAWS, which changed various aspects of teacher licensure, including reciprocity and non-traditional, and explained the new Provisional Professional Teaching License, a new type of non-traditional licensure for someone who has work experience in a content area and wants to go into the teaching field. Dr. Cushman concluded her presentation by saying that the Teacher Licensure Task Force, made up of administrators, teachers, and ADHE staff, has been meeting and looking at changes in the current licensure system and will make recommendations to the Arkansas Professional Licensure Standards Board in January.

Senator Jeffress thanked Dr. Cushman for the information.

Discussion of Issues Related to Fiscal Distress

Mr. Tony Wood, Deputy Commissioner, Arkansas Department of Education, was recognized. At the request of Senator Jeffress, Mr. Wood introduced Ms. Kathleen Crain, who is serving as Interim Assistant Commissioner at ADE, taking over the position vacated by Mr. Bill Goff, who left to become Chief Financial Officer at the Pulaski County Special School District (PCSSD).

Ms. Kathleen Crain, Interim Assistant Commissioner, Fiscal and Administrative Services, Arkansas Department of Education, was recognized. Ms. Crain said she was honored to be given the opportunity to serve education, and looked forward to working with the Committees and with staff.

Mr. Wood resumed his presentation and discussed Fiscal Distress Services, a subdivision of Fiscal and Administrative Services, and said its overall goal is to support school districts in maintaining fiscal stability. Speaking from a handout, he made comments on a listing of ten (10) school districts classified in the Fiscal Distress Program as of November 4, 2011. He said that of that listing, it will be recommended to the State Board of Education (State Board) next week that Armored and Yellville-Summit be removed from fiscal distress. It will also be recommended to the State Board in December that Hermitage and Cutter-Morning Star be placed on fiscal distress. If the State Board supports these recommendations, a total of ten (10) districts will remain on fiscal distress. Mr. Wood told how the Fiscal Distress Unit supports school districts, and mentioned Act 798 of 2009 which, he said, has been beneficial to school districts in terms of early intervention. This Act specifically requires that a superintendent of a school district, or the ADE, or both, make notice prior to August 31 if a district has two indicators of fiscal distress so that early intervention can be addressed in the hopes that the district will not be recommended to go on fiscal distress. This year, five (5) districts have been placed on early intervention. Mr. Wood concluded by noting the listing of reporting requirements on the handout.

A discussion ensued following the report. Topics included:

- Activities that can lead to fiscal distress,
- Instances when a declining fund balance would not be an indicator of fiscal distress,
- Appropriateness of transfers between funds,
- Procedures for reduction in staff when a school goes on fiscal distress, and
- Long-term real estate values and schools in fiscal distress.

Senator Jeffress thanked Mr. Wood for the input.

Senator Jeffress announced that the next joint meetings of the House Interim Committee on Education and the Senate Interim Committee on Education would be at 1:30 p.m. on Monday, November 14, 2011, and at 9:00 a.m. on Tuesday, November 15, 2011, at the L.E. "Gene" Durand Center, Center Campus, North Arkansas College in Harrison, Arkansas. He said the next joint meeting in Room 171 of the State Capitol in Little Rock, Arkansas would be at 10:00 a.m. on December 6, 2011.

There being no further business, the meeting adjourned at 2:55 p.m.