



Bureau Brief

2013 Legislation Related to ACTAAP

As part of the adequacy study, Arkansas Code §10-3-2102 requires the House and Senate Education Committees to review “legislation enacted or rules promulgated during the biennium covered by the study to determine the impact of the legislation and rules on educational adequacy-related public school costs.” The following acts have been identified as “adequacy-related” legislation that falls under the topic area of the Arkansas Comprehensive Testing, Assessment, and Accountability Program (ACTAAP). While ACTAAP is technically the section of Arkansas code between §6-15-401 and §6-15-441 (all of Subchapter 4), school accountability has long been considered to extend more broadly to other code sections. This document describes the 2013 ACTAAP-related legislation and provides information from each bill’s fiscal impact.

Act 1081 of 2013: An act to amend and update the Arkansas Comprehensive Testing, Assessment, and Accountability Program and to align postsecondary preparatory programs with the state assessment system

The legislative findings included in this Act note that the State Board of Education and ADE are working to transition to “a common set of next-generation assessments” to facilitate the adoption of the Common Core State Standards. Those assessments are the Partnership for Assessment of Readiness for College and Careers (PARCC) tests that are scheduled to be administered for the first time in the 2014-15 school year.

In addition to replacing the existing state assessments in English language arts and math, the Education Department intends to add new tests for high school students. Currently high school students take a Grade 11 literacy exam and end of course exams in Algebra I and Geometry. The new assessment system will introduce English language arts tests for 9th and 10th grade students and an Algebra II exam.

This act eliminates the requirement that students take and pass high stakes end of course exams for Algebra I and English II in order to receive credit for the courses and graduate. Under the previous statute, 10th grade

students beginning with the class of 2014 would have been required to pass the Algebra I end of course exam to graduate and 10th grade students beginning with the class of 2017 would have been required to pass the English II end of course exam.

Fiscal Impact: Act 1081 is expected to result in the administration of more tests, but the cost of each test will be lower. ADE anticipated that the measure would be cost neutral.

Act 585 of 2013: An Act to enhance college and career readiness and postsecondary completion in Arkansas and to establish the council on postsecondary education and career readiness

This legislation creates a Council on Postsecondary Education and Career Readiness with members representing K-12 education, higher education, adult education and economic development. The Council is responsible for developing a strategy to reduce remediation rates and increase college completion rates, develop guidelines for high school intervention programs and guidelines for professional development for teachers of transitional courses to help remediate students in high school.

Fiscal Impact: Act 585 is expected to have no impact to the state treasury.

Act 696 of 2013: An Act to clarify for parents the public school rating system on annual school report cards

Beginning with the 2014-15 school year, the annual public school report card will report individual schools’ performance on an A to F grading scale. For each of the school classifications established in the state’s ESEA Flexibility Plan, the scale will assign the following grades:

- Exemplary = A
- Achieving = B
- Needs Improvement = C
- Focus = D
- Priority = F

Fiscal Impact: Act 696 is expected to have no impact to the state treasury.

Act 1429 of 2013: An Act to amend provisions of Arkansas law concerning the Arkansas School Recognition and Reward Program and other provisions concerning the school rating system

Repealed one school rating system measuring a school's annual improvement. This rating system was also known as the gains rating. The legislation also eliminated much of the statute governing the school performance rating system, which is also known as the status rating. The Act left the performance rating system in statute, but eliminated the details of how it would operate. Instead, the statute calls for the State Board of Education to define the performance category levels.

The Act also changes the Arkansas School Recognition Program. Prior to the change the statute established a monetary award system for schools receiving high marks under the rating system that Act 1429 eliminates. Instead under the new law, ADE is allowed to reward schools that "experience high student performance, student academic growth and for a secondary school, a high graduation rate." If funding is available, the new law allows ADE to provide \$100 per student to the top 10% of schools in the state and \$50 per student to the schools that are between the top 11% and 20% of schools.

In October, Gov. Beebe released \$7 million in General Improvement Funding for payment of the School Recognition Program awards. As of the printing of this document, the list of schools that will receive awards based on their 2012-13 performance has not been released.

The legislation also allows students in academically distressed districts to transfer to another district, even those that are not contiguous to their own. Under previous law, students were allowed to transfer only to a contiguous district.

This legislation also removes the requirement that ADE send a copy of the annual school performance report cards to all parents. Instead ADE must only make a hard copy of the report card available. The legislation continues to require the reports to be posted on ADE's website and creates a new requirement that school districts post the report cards on their own websites.

Fiscal Impact: The legislation was anticipated to provide \$100 per student if funding was provided. The legislation was also expected to produce a savings of \$360,000 for ADE because the department is no longer required to mail the school report cards to parents.

Act 600 of 2013: An Act to extend the time for which a public school or school district may be classified as in academic, fiscal, or facilities distress; to allow a public school to be classified as in academic distress; to modify the criteria, sanctions and procedures for a public school or school district in academic, fiscal, or facilities distress; to provide for capacity building and interim leadership in a public school or school district in academic, fiscal, or facilities distress; to amend the Arkansas Opportunity Public School Choice Act of 2004; and to clarify the terminology of the academic facilities distress program

While this legislation amends all three distress programs, only the changes addressing academic distress are directly related to ACTAAP. Act 600 of 2013 created an academic distress designation for individual schools. Previously the academic distress program had been a designation for school *districts* only. Act 600 also extended the time that districts can remain in academic distress from two years to five and allows several new sanctions for schools and districts in academic distress.

Fiscal Impact: This legislation is expected to have no impact to the state treasury.

Act 601 of 2013: An Act to improve education in Arkansas by creating districts of innovation

This legislation allows the Education Commissioner to approve a public school as a school of innovation. The designation allows it to experiment with new strategies for improving teaching and learning. The law allows schools that have been designated as schools of innovation to request exemptions from local policies and some state laws and rules. The school must submit a plan to the Education Commissioner that documents how it will reduce the achievement gap, motivate students through innovative teaching strategies and transform the school's culture, among other things. At least 60% of the school's employees must vote to become a school of innovation before the Education Commissioner can designate it as such. The rules for this program are currently being developed.

Fiscal Impact: This legislation could potentially require additional ADE personnel, but the fiscal impact presented did not specify an amount.