

**MEETING SUMMARY**  
**JOINT MEETING**  
**OF THE**  
**HOUSE AND SENATE INTERIM COMMITTEES ON EDUCATION**

**ADEQUACY**

**Monday, June 18, 2018**

**1:30 P.M.**

**Room 151, State Capitol**

**Little Rock, Arkansas**

Senator Jane English, the Chair of the Senate Interim Committee on Education, called the meeting to order at 1:30 p.m.

**MEMBERS OF THE SENATE INTERIM COMMITTEE ON EDUCATION IN ATTENDANCE:** *Senators:* Jane English, Chair; Joyce Elliott, Vice Chair; Linda Chesterfield; Alan Clark; Blake Johnson; and Uvalde Lindsey.

**MEMBERS OF THE HOUSE INTERIM COMMITTEE ON EDUCATION IN ATTENDANCE:** *Representatives:* Bruce Cozart, Chair; Rick Beck; Frances Cavanaugh; Andy Davis; Gary Deffenbaugh; Jana Della Rosa; Jon S. Eubanks; Mickey Gates; Grant Hodges; Mark D. McElroy; Stephen Meeks; Nelda Speaks; James Sturch; Dan Sullivan; and DeAnn Vaught.

**OTHER MEMBERS OF THE GENERAL ASSEMBLY IN ATTENDANCE:** *Senator:* Trent Garner; *Representatives:* Fred Allen; Kenneth B. Ferguson; Vivian Flowers; Jimmy Gazaway; Kim Hammer; Steve Hollowell; Bob Johnson; David Meeks; Reginald Murdock; Dwight Tosh; and Carlton Wing.

**Minutes:**

Without objection, the minutes of May 21, 2018, were approved as written.

**Exhibit:**

Exhibit C – 05/21/2018 Minutes

Discussion of Issues Related to the Allocation of School-Level Resources by School Districts

**Presenter:**

**Ms. Nell Smith**, Administrator, Policy Analysis and Research Section, Bureau of Legislative Research, was recognized. Ms. Smith reviewed School-Level Resources, the third and final section of the Research Allocation Report. She noted the first section, District-Level Resources, was presented on March 26, 2018, and the second, School-Level Staffing, on April 24, 2018. She stated the purpose of these reports is to help measure how well foundation funding is meeting school districts' needs. Ms. Smith referred the Committees to a pie chart on page 7 of the report for the three basic components of the Matrix; and explained the relevance of the Matrix. She said the Resource Allocation Report provides information about where districts are spending more than the funding they've received, as well as areas where districts are spending less than they've received. She noted a context is provided that may help explain the spending patterns that are being seen. She said School-Level Resources is the smallest piece of foundation funding, making up about 9% of the total. Ms. Smith walked the Committees through the 60-page report, replete with charts and graphs, detailing Technology and Instructional Materials, and providing highlights of each of the other components: Extra Duty Funds, Supervisory Aides, Substitutes, and Other Non-Matrix Expenditures. In the final part of the presentation, Ms. Smith included a discussion of responses from superintendents to a Bureau of Legislative Research (BLR) survey pertinent to use of the Matrix

and where funding is most needed.

Contributors to the Discussion:

**Mr. Johnny Key**, Commissioner, Arkansas Department of Education

**Dr. Ivy Pfeffer**, Assistant Commissioner of Human Resources, Educator Effectiveness and Licensure, Arkansas Department of Education

Issues Included in the Discussion:

- recommendations, expectations, and delivery of Broadband speed,
- separating data of virtual charter schools from charter schools,
- subverting the 30-day rule for funding of substitutes,
- charting survey respondents by geography without compromising anonymity,
- number of districts using other funds, and not spending foundation funding, for items listed in the Matrix,
- policy for rewarding teachers who correctly use sick leave,
- clarification of chart on distance learning on page 21,
- approval process for distance learning courses,
- lab activities for science-related digital learning courses,
- having a teacher in a classroom vs. taking digital courses,
- concern about quality and affordability of Virtual Arkansas vs. private vendors, and
- concerns about extra duty expenditures per student.

Relevant Action:

Following additional discussion regarding costs and benefits of digital learning, **Representative Rick C. Beck**, District 65, was recognized, and made a motion that the Committees request the BLR Research Section to conduct a survey of all public and private digital learning providers in the state and provide the Committees with an analysis of costs and effectiveness. The motion was seconded by Representative DeAnn Vaught.

Pursuant to the motion by Representative Beck, the motion was carried on a voice vote.

Representative Cozart stated that the Committees would work closely with the BLR to ensure the timely completion of the survey.

Discussion ensued on additional issues regarding distance learning, including the intent behind Act 939 of 2017 which mandated all public school districts and public charter schools provide at least one digital learning course to students as either a primary or supplementary method of instruction; and whether any objective criteria has been used to determine the effectiveness of digital learning. **Commissioner Johnny Key** was recognized, and made the point that part of the duty of the Task Force on Quality Digital Learning (Task Force), also created by Act 939, is to make recommendations to improve the quality and educational benefit of digital learning for Arkansas students. He stated this work is ongoing with the goal of returning recommendations to the legislature before the 2019 General Session. He said the Task Force will build frameworks necessary to determine an objective assessment of distance learning. In response to the question about the legislative mandate, Commissioner Key stated the mandate was put into effect so that all students would have at least one course with exposure to the digital learning concept as part of what modern education and modern technology provides, and what is used extensively in the modern day workplace.

In response to a query about the Arkansas Department of Education (ADE) monitoring the digital learning requirement for graduation, **Dr. Ivy Pfeffer** explained the ADE does not monitor individual transcripts of students; but monitors whether or not school districts are in compliance with the Standards of Accreditation. She stated part of the Standards is to make sure student transcripts reflect that graduation requirements have been met.

Handouts:

### Adequacy Study Responsibilities

The Resource Allocation of Foundation Funding for Arkansas School Districts and Open-Enrollment Charter Schools, School-Level Resources, Report

### Review of Issues Related to Special Education

Presenter:

**Ms. Adrienne Beck**, Legislative Analyst, Policy Analysis and Research Section, Bureau of Legislative Research, was recognized. Ms. Beck stated that this report, *Special Education Funding and Expenditures*, serves as partial fulfillment of the General Assembly's requirement to evaluate the cost of an adequate education for Arkansas students. She noted that each special education student has an individualized education program (IEP) which serves as the plan for his or her specialized instruction. Utilizing charts and tables, Ms. Beck walked the Committees through the report, and discussed Student Count, Types of Disabilities, Student Placement, Student Assessment, State Assessment of IDEA, Succeed Scholarships, Costs of Special Education, and Special Education Teachers.

Contributors to the Discussion:

**Ms. Courtney Salas-Ford**, Attorney Specialist, Learning Services, Arkansas Department of Education  
**Ms. Lisa Tyler**, Director, Student Support Services, Arkansas Department of Education

Issues Included in the Discussion:

- impact of changes in the rules of Medicaid funding on special education,
- providing services for students with disabilities during the summer,
- turnover rate for special education vs. non-special education teachers,
- timeliness of school districts filing claims for Medicaid reimbursements,
- request for gender breakdown of Arkansas students with disabilities,
- responsibility of The Reform Alliance with regard to Succeed Scholarships,
- alerting parents of students who qualify for Succeed Scholarships as to what is signed away when signing waivers,
- taking the alternate assessment under the Every Student Succeeds Act (ESSA),
- reason for increasing numbers of 504 Plans,
- heavy paperwork load for special education teachers,
- transportation options for special education students, and
- U.S. Department of Education waivers process.

Handouts:

Special Education Funding and Expenditures, Report  
Special Education Highlights, Bureau Brief

### Discussion of Issues Related to the Fiscal Distress Designation

Presenter:

**Ms. Elizabeth Pearce**, Legislative Analyst, Policy Analysis and Research Section, Bureau of Legislative Research, was recognized. Ms. Pearce said this report, *Fiscal Distress*, serves as partial fulfillment of the General Assembly's requirement to evaluate the cost of an adequate education for Arkansas Students. She stated Fiscal Distress is the state classification used to identify and correct school districts that are struggling to maintain fiscal stability. Ms. Pearce walked the Committees through the report, and discussed History, Classifying Districts in Fiscal Distress, Declining Balances, Possible Sanctions/Corrective Actions, Early Warning, Removal, and Districts Currently in Fiscal Distress.

Issues Included in the Discussion:

- ✓ common characteristics that cross all districts declared to be in distress,
- ✓ failure of districts to make necessary decisions for adjustments,
- ✓ helping districts stay out of fiscal distress, and
- ✓ standards for superintendents' reporting to the district's school board to improve communication.

Handouts:

Fiscal Distress, Report  
Fiscal Distress Highlights, Bureau Brief

Next Scheduled Meeting:

Tuesday, June 19, 2018 at 9:00 a.m. in Room 151, State Capitol, Little Rock

Adjournment:

The meeting adjourned at 4:20 p.m.

*Approved: 08/20/2018*