

A.C.A. Tit. 6, Subtit. 2., Ch. 15, Subch. 29 Note

Current through all acts of the 2021 Regular Session, First Extraordinary Session, Extended Session, Second Extraordinary Session, and the 2022 Fiscal Session including corrections and edits by the Arkansas Code Revision Commission.

AR - Arkansas Code Annotated > Title 6 Education > Subtitle 2. Elementary and Secondary Education Generally > Chapter 15 Educational Standards and Quality Generally > Subchapter 29 — Arkansas Educational Support and Accountability Act

Tit. 6, Subtit. 2., Ch. 15, Subch. 29 Note

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A.C.A. § 6-15-2901

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6-15-2901. Title.

This subchapter shall be known and may be cited as the “Arkansas Educational Support and Accountability Act”.

History

Acts 2017, No. 930, § 2.

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A.C.A. § 6-15-2902

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6-15-2902. Legislative findings.

The General Assembly finds that:

- (1) Arkansas Constitution, Article 14, § 1, requires the State of Arkansas to provide a general, suitable, and efficient system of free public schools to the children of the state;
- (2) Under the decision of the Supreme Court in *Lake View School District No. 25 v. Huckabee*, 351 Ark. 31 (2002), it is the absolute duty of the State of Arkansas to provide all public school children with a substantially equal opportunity for an adequate education;
- (3) It is the state's responsibility to provide the statutory framework necessary to ensure that all students in the public schools of this state have a substantially equal opportunity to achieve and demonstrate academic readiness, individual academic growth, and competencies through the application of knowledge and skills in core subjects, consistent with state academic standards through a student-focused learning system;
- (4)
 - (A) In *Lake View School District No. 25 v. Huckabee*, the Supreme Court explicitly addressed the relationship between local control versus the state's responsibility when, in quoting *DuPree v. Alma School District No. 30*, 279 Ark. 340 (1983), it opined, "[i]f local government fails, the state government must compel it to act, and if the local government cannot carry the burden, the state must itself meet its continuing obligation".
 - (B) An accountability system that provides increasing levels of state assistance would help the local government or the local public school district board of directors to meet this burden, while allowing state intervention to occur if the local government chronically fails to meet the burden in spite of the state assistance;
- (5) Arkansas public schools and school districts would benefit from an accountability system that:
 - (A) Uses multiple measures of student academic achievement and growth; and
 - (B) Allows flexibility for public schools and school districts to utilize local decision-making while maintaining quality in education;
- (6) A comprehensive accountability system would empower the state and public school districts to assess the effectiveness of student-focused education using multiple factors, measures, and indicators of student achievement and school quality, rather than relying solely on an annual statewide assessment; and
- (7)
 - (A) The State of Arkansas cannot be the sole guarantor of each individual student's success.

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(B) Parents, students, families, educational institutions, and communities, as collaborative partners in education, play an important role in the success of individual students.

History

Acts 2017, No. 930, § 2.

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A.C.A. § 6-15-2903

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6-15-2903. Definitions.

As used in this subchapter:

- (1) “Academic growth” means the calculation of a student’s academic progress from one school year to the next, as measured by assessments and other criteria required by rule of the State Board of Education;
- (2) “College and career readiness assessment” means a set of criterion-referenced measurements of a student’s acquisition of the knowledge and skills that the student needs to:
 - (A) Be successful in future endeavors, including credit-bearing, first-year courses at an institution of higher education such as a two-year or four-year college, trade school, or technical school; or
 - (B) Embark on a career;
- (3) “Consolidated state plan” means the Arkansas consolidated state application accountability plan required under the Elementary and Secondary Education Act of 1965, Pub. L. No. 89-10, as reauthorized by the Every Student Succeeds Act of 2015, Pub. L. No. 114-95;
- (4)
 - (A) “Educator” means a person holding a valid Arkansas standard teaching license, an ancillary license, a provisional license, a technical permit, or an administrator’s license issued by the state board.
 - (B) “Educator” includes a licensed or nonlicensed classroom teacher or administrator employed in a position under a waiver from licensure;
- (5) “English language arts” means the academic standards for English, reading, and writing;
- (6) “English learner” means an individual whose native language is a language other than English or who comes from an environment where a language other than English has had a significant impact on the individual’s level of English language proficiency;
- (7) “Personally identifiable information” means the same as in 34 C.F.R. § 99.3, as it existed on January 1, 2017;
- (8) “Public school” means:
 - (A) A school operated by a public school district; or
 - (B) An open-enrollment public charter school, as defined in § 6-23-103;
- (9) “Public school district” means:
 - (A) A geographic area that:

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- (i) Is governed by an elected board of directors that conducts the daily affairs of public schools pursuant to the supervisory authority vested by this title; and
 - (ii) Qualifies as a taxing unit for purposes of ad valorem property taxes under § 26-1-101 et seq. and Arkansas Constitution, Article 14, § 3; or
- (B) An open-enrollment public charter school, as defined in § 6-23-103;
- (10) “School-level improvement plan” means a plan that at a minimum:
- (A) Establishes goals or anticipated outcomes;
 - (B) Identifies student supports or interventions to be implemented; and
 - (C) Describes the professional learning necessary for adults to deliver the supports or interventions;
- (11) “School district systems” means the operations and procedures that occur within a public school district, including without limitation:
- (A) Academics;
 - (B) Facilities;
 - (C) Fiscal operations;
 - (D) Human capital management; and
 - (E) Student support services; and
- (12) “Student success plan” means a personalized education plan intended to assist students with achieving readiness for college, career, and community engagement.

History

Acts 2017, No. 930, § 2.

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A.C.A. § 6-15-2904

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6-15-2904. Responsibility of Division of Elementary and Secondary Education.

The Division of Elementary and Secondary Education shall develop and implement a comprehensive accountability system for Arkansas public schools and school districts that:

- (1) Establishes clear academic standards that are periodically reviewed and revised;
- (2) Maintains a statewide student assessment system that includes a variety of assessment measures;
- (3) Assesses whether all students have equitable access to excellent educators;
- (4) Establishes levels of support for public school districts; and
- (5) Maintains information systems composed of performance indicators that allow the division to identify levels of public school district support and generate reports for the public.

History

Acts 2017, No. 930, § 2; 2019, No. 910, § 1291.

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6-15-2905. Authority of State Board of Education.

The State Board of Education shall:

- (1) Approve:
 - (A) Academic standards for each content area; and
 - (B) A statewide student assessment system, including without limitation performance levels for statewide assessments;
- (2) Promulgate rules to implement the comprehensive accountability system for Arkansas public schools and school districts and this subchapter; and
- (3) Take any other appropriate action required or authorized by this subchapter.

History

Acts 2017, No. 930, § 2.

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A.C.A. § 6-15-2906

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6-15-2906. Academic standards.

(a)

(1) The Division of Elementary and Secondary Education shall establish academic standards that define what students shall know and be able to demonstrate in each content area.

(2) Instruction in all public schools shall be based on the academic standards to prepare students to demonstrate the skills and competencies necessary for successful academic growth and high school graduation.

(b) The division shall establish a schedule for periodic review and revision of academic standards to ensure that Arkansas academic standards are rigorous and prepare students for college, career, and community engagement.

(c) The division shall include, at a minimum, the following elements in the periodic review and revision of Arkansas academic standards:

(1) Review and input by Arkansas:

(A) Educators from elementary, secondary, and higher education; and

(B) Community members with professional experience related to the academic content area;

(2) Study and consideration of academic standards at the national and international level, as appropriate;

(3) Study and consideration of an evaluation of the academic standards from national groups or organizations, as appropriate; and

(4) Public dissemination of revised academic standards.

History

Acts 2017, No. 930, § 2; 2019, No. 910, §§ 1292-1294.

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6-15-2907. Statewide student assessment system — Definition.

(a) The Division of Elementary and Secondary Education shall implement a statewide student assessment system to be administered by Arkansas public schools on a schedule determined by the State Board of Education that includes the following components:

- (1) Developmentally appropriate measurements or assessments for kindergarten through grade two (K-2) in literacy and mathematics;
- (2) Assessments to measure English language arts, mathematics, and science as identified by the state board;
- (3) Assessments of English proficiency of all English learners; and
- (4)
 - (A) Assessments to measure college and career readiness.
 - (B) A public school that serves a student in grades ten through twelve (10-12) shall administer college and career readiness assessments, including a career readiness assessment that leads to a nationally recognized work readiness certificate, as determined by the state board to each student before he or she graduates from high school.
 - (C) Public school districts may offer additional college and career readiness assessments for students in grades ten through twelve (10-12) at no cost to the student by using public school district funding, including without limitation Enhanced Student Achievement Funding under § 6-20-2305.

(b) At the direction of the state board, the division shall cause assessment instruments to be administered at additional grade levels as necessary to measure educational achievement in the public schools of this state.

(c) The statewide student assessment system may include additional assessment options approved by the state board, including without limitation assessments to measure application of knowledge and skills in civics, government, and additional sciences, as measured on a schedule determined by the state board.

(d) A public school district, at its own expense, may assess the academic achievement and growth of students by other means in addition to the required statewide student assessment system.

(e) All students enrolled in a public school district shall participate in the statewide student assessment system.

(f) Public school district boards of directors shall not establish school calendars that limit or interfere with student participation in the statewide student assessment system.

(g) The State of Arkansas shall participate in the administration of the National Assessment of Educational Progress examinations.

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- (h) The division shall provide for statewide student assessments that are:
- (1) Valid and reliable;
 - (2) Obtained or developed, as appropriate, through contracts and project agreements;
 - (3) Aligned to the Arkansas academic standards; and
 - (4) Scored and returned for public school and school district use by August 1 of each year.
- (i)
- (1) Public schools, school districts, and educators shall maintain assessment security and confidentiality.
 - (2)
 - (A)
 - (i) The following individuals may serve as the test administrator during the administration of a statewide student assessment under this subchapter if the individual has received the training required by the division:
 - (a) A licensed educator, including a long-term substitute teacher;
 - (b) A retired educator; and
 - (c) An individual employed under a waiver from licensure as a teacher of record or as an administrator.
 - (ii) If accompanied by a test administrator as described in subdivision (i)(2)(A)(i) of this section, any employee, including a substitute teacher, may serve as a test proctor.
 - (B) A relative or guardian of a student shall not serve as a test administrator or proctor in the same testing room as the student during the administration of an assessment under this subchapter.
 - (C) As used in this section, "long-term substitute teacher" means an individual who holds a valid teaching license who does not have a full-time contract with a school district.
 - (3) A violation by a public school, a public school district, or an educator of the security or confidential integrity of any test or assessment may result in action by the state board under §§ 6-17-410 and 6-17-428 or under the rules promulgated by the state board to implement this subchapter.
- (j) The statewide student assessment system shall not assess students' religious or political beliefs.
- (k)
- (1) The assessment scores of students attending the Arkansas School for Mathematics, Sciences, and the Arts shall be sent to and included on the reports of the public school district the student attended immediately before transferring to the Arkansas School for Mathematics, Sciences, and the Arts.
 - (2) Copies of the assessment scores of students attending the Arkansas School for Mathematics, Sciences, and the Arts shall be made available to the Arkansas School for Mathematics, Sciences, and the Arts.
- (l) Public school districts shall analyze and report student performance data to students, parents, and the community, if the disclosures are not in conflict with applicable federal law and state law.

History

A.C.A. § 6-15-2907

Acts 2017, No. 930, § 2; 2019, No. 910, §§ 1295-1297; 2019, No. 1083, § 2; 2021, No. 251, § 2; 2021, No. 319, § 1.

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A.C.A. § 6-15-2908

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6-15-2908. Analyses of statewide student assessment data.

(a)

(1) The Division of Elementary and Secondary Education shall provide analyses of data produced by statewide student assessments.

(2) The analyses of data shall:

(A) Use statewide student assessment results and other valid and reliable measures of student learning, as determined by the State Board of Education, that measure student performance and growth for the purposes of improving student achievement, accountability, and recognition; and

(B) Provide the best measures of the effects of the classroom, school, and school district on student performance or progress.

(3) The model used by the division shall:

(A) Be approved by the state board before implementation; and

(B) Include without limitation sufficient transparency in the model's selection, development, and operational use to:

(i) Ensure that clear documentation, justification, and technical qualities are reported; and

(ii) Allow others in the field to assess the nature and quality of the model, the resulting scores, and interpretations based on the model's scores.

(b) The state board shall approve the process and timeline for a public school district to verify the accuracy or request correction of the statewide student assessment data.

(c) The score on statewide student assessments for an English learner:

(1) Shall not be counted for growth or achievement purposes in the accountability ratings of a public school or public school district if the English learner has been enrolled in a public school or private school in the United States for less than twelve (12) months; and

(2) Shall be counted for growth purposes only and not for achievement purposes in the accountability ratings of a public school or public school district if the English learner has been enrolled in a public school or private school in the United States for at least twelve (12) months but not more than twenty-four (24) months.

History

A.C.A. § 6-15-2908

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A.C.A. § 6-15-2909

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6-15-2909. Public availability of test instruments and scores.

- (a) Any material containing the personally identifiable information, including without limitation identifiable scores, of individual students on any test taken under the provisions of this subchapter shall not be:
- (1) Considered a public record within the meaning of the Freedom of Information Act of 1967, § 25-19-101 et seq.; or
 - (2) Disseminated or otherwise made available to the public by a member of the State Board of Education, an employee of the Division of Elementary and Secondary Education, a member of the board of directors of a school district, an employee of a school district, or any other person, except as permitted under the provisions of the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g, as it existed on January 1, 2017.
- (b) All analyses, reports, and compilations of test scores that do not contain personally identifiable information are a public record within the meaning of the Freedom of Information Act of 1967, § 25-19-101 et seq., if the release complies with the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g, as it existed on January 1, 2017, and with § 6-18-109.
- (c) In order to protect the validity and reliability of statewide student assessments, the test instruments shall not be made available to the public.

History

Acts 2017, No. 930, § 2; 2019, No. 910, § 1300.

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A.C.A. § 6-15-2910

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6-15-2910. Student performance levels.

- (a) The Division of Elementary and Secondary Education shall recommend student performance levels for the statewide student assessment system to the State Board of Education for its approval.
- (b) Student performance levels shall be adopted for the following academic content areas, including without limitation:
 - (1) English language arts;
 - (2) Mathematics; and
 - (3) Science.
- (c) Student performance levels for academic content areas shall indicate the skills and competencies necessary for a student to be college and career ready by the completion of high school.
- (d) Student performance levels shall be adopted for English language proficiency.

History

Acts 2017, No. 930, § 2; 2019, No. 910, § 1301.

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A.C.A. § 6-15-2911

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6-15-2911. Student-focused learning system.

(a)

(1) The Division of Elementary and Secondary Education shall collaborate with public school districts to transition to a student-focused learning system to support success for all students.

(2) As part of a public school district's student-focused learning system, the public school district shall annually use multiple academic measures to identify students in need of additional support or acceleration to personalize learning in order for students to achieve their grade-level expectations and individual growth.

(3)

(A) Academic measures shall include statewide student assessment results.

(B) Academic measures may include without limitation:

(i) Subject grades;

(ii) Student work samples; and

(iii) Local assessment scores.

(b)

(1) Beginning with the 2018-2019 school year, each student, by the end of grade eight (8), shall have a student success plan developed by school personnel in collaboration with parents and the student that is reviewed and updated annually.

(2) The student success plan shall, at a minimum:

(A) Guide the student along pathways to graduation;

(B) Address accelerated learning opportunities;

(C) Address academic deficits and interventions; and

(D) Include college and career planning components.

(3) An individualized education program for a student with a disability, identified under the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq., meets the requirements of this section if the individualized education program:

(A) Addresses academic deficits and interventions for students not meeting standards-based academic goals at an expected rate or level; and

(B) Includes a transition plan that addresses college and career planning components.

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- (4)** The State Board of Education may promulgate rules to implement this section that include without limitation requirements for the development and review of a student success plan if a student is enrolled for the first time in or transfers to a public school district in the state during or after the student completes grade eight (8).
- (c)** Public school districts shall use data from college and career readiness assessments to:
- (1)** Update student success plans;
 - (2)** Assist students with:
 - (A)** College and career readiness skills;
 - (B)** Course selection in high school; and
 - (C)** Improved academic achievement;
 - (3)** Provide the basis for counseling concerning postsecondary preparatory programs; and
 - (4)** Support strategies or programs to:
 - (A)** Increase college preparation rates of all students, including students of low income, English learners, and minority students;
 - (B)** Decrease the remediation rates of high school graduates entering institutions of higher education; and
 - (C)** Increase the attainment of career credentials or technical certificates through expanded opportunities for students.
- (d)** Public school districts may include community engagement components as part of the public school's student-focused learning system and student success plans.

History

Acts 2017, No. 930, § 2; 2019, No. 910, § 1302.

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A.C.A. § 6-15-2912

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6-15-2912. Educator excellence — Intent.

- (a) It is the intent of the General Assembly that all students in Arkansas public schools be taught by qualified and effective educators and that low-income or minority students not be taught at disproportionate rates by educators who are ineffective, inexperienced, or teaching a subject for which they are not currently licensed.
- (b) The State Board of Education may promulgate rules that promote the state's goal of providing all Arkansas public school students with qualified and effective educators and include without limitation:
- (1) Systems to support educator effectiveness;
 - (2) The method of reporting educator effectiveness by public schools and school districts, including without limitation:
 - (A) The professional qualifications of educators; and
 - (B) The number and percentage of:
 - (i) Teacher educators, principals, and school leaders who are inexperienced;
 - (ii) Educators with emergency or provisional credentials; and
 - (iii) Educators who are teaching a subject for which they are not currently licensed; and
 - (3) The methods of calculating and reporting the rate at which low-income and minority students are disproportionately taught by educators who are ineffective, inexperienced, or teaching a subject for which they are not currently licensed.
- (c) Each public school and school district shall:
- (1) Report the data needed by the Division of Elementary and Secondary Education to identify and evaluate educator effectiveness in accordance with state and federal reporting requirements; and
 - (2) Ensure that its educators provide instruction that aligns with the academic standards established to prepare students to demonstrate the skills and competencies necessary for successful academic growth and high school graduation.

History

Acts 2017, No. 930, § 2; 2019, No. 910, § 1303.

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A.C.A. § 6-15-2913

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6-15-2913. Levels of school district support.

(a)

(1) The State Board of Education shall promulgate rules to establish:

(A)

(i) The process for determining the differentiated levels of support that the Division of Elementary and Secondary Education will provide to school districts.

(ii) The levels of support shall include:

Level 1 — General; (a)

Level 2 — Collaborative; (b)

Level 3 — Coordinated; (c)

Level 4 — Directed; and (d)

Level 5 — Intensive; and (e)

(B) The process for guiding, monitoring, or directing:

(i) School-level improvement plans;

(ii) Supports;

(iii) Resources;

(iv) Interventions; and

(v) Reporting requirements.

(2) The process established by the state board for determining the level of support provided to a public school district may include without limitation consideration of:

(A) The performance levels of all students on statewide student assessments adopted in accordance with the consolidated state plan;

(B) The performance levels of subgroup populations on statewide student assessments adopted in accordance with the consolidated state plan;

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(C) The schools identified as in need of targeted or comprehensive support, or both, pursuant to the Elementary and Secondary Education Act of 1965, Pub. L. No. 89-10, as reauthorized by the Every Student Succeeds Act of 2015, Pub. L. No. 114-95; and

(D) Other criteria the state board determines appropriate, including without limitation:

- (i)** Feeder pattern performance;
- (ii)** Graduation rates;
- (iii)** Growth calculations; and
- (iv)** Other indicators of school success.

(3) Beginning with the 2019-2020 school year, the division shall provide:

(A)

(i) Level 3 — Coordinated support to a public school district in which forty percent (40%) or more of the public school district's students score "in need of support" on the state's prior year summative assessment for reading.

(ii) Level 3 — Coordinated support shall be provided in collaboration with the public school district's educational service cooperative; and

(B) Level 4 — Directed support to a public school district in which fifty percent (50%) or more of its students score "in need of support" on the state's prior year summative assessment for reading.

(b)

(1) The state board may adopt, by rule, an alternate process of determining the level of support to be provided to public schools or school districts serving specific student populations, including without limitation:

- (A)** A public school that is designated solely as an alternative learning environment;
- (B)** An open-enrollment public charter school whose mission and enrollment are primarily focused on students who have dropped out of school or are identified as at risk of dropping out of school;
- (C)** A conversion public charter school whose mission and enrollment are primarily focused on students who have dropped out of school or are identified as at risk of dropping out of school;
- (D)** The Arkansas School for the Blind;
- (E)** The Arkansas School for the Deaf; and
- (F)** A public school or system of education that primarily serves adjudicated youth.

(2) The alternate process adopted by the state board under subdivision (b)(1) of this section shall specify the method to measure student academic performance.

(c) A public school district that fails to comply with requirements placed on the public school district by the state board under this subchapter is in violation of the Standards for Accreditation of Arkansas Public Schools and School Districts.

History

Acts 2017, No. 930, § 2; 2019, No. 910, § 1304; 2019, No. 1082, § 2.

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A.C.A. § 6-15-2914

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6-15-2914. School-level improvement plans — School district support plans.

- (a) The General Assembly finds that it is the responsibility of:
 - (1) The state to support its public school districts; and
 - (2) A public school district to support its schools.
- (b)
 - (1)
 - (A) Beginning on May 1, 2018, and by May 1 annually thereafter, a public school shall submit to its public school district a school-level improvement plan for approval by the public school district and public school district board of directors for implementation in the following school year.
 - (B)
 - (i) A public school district and an open-enrollment public charter school shall include a literacy plan in the annual school-level improvement plan required under subdivision (b)(1)(A) of this section.
 - (ii) The literacy plan required under subdivision (b)(1)(B)(i) of this section shall include without limitation a curriculum program and a professional development program that are:
 - (a) Aligned with the literacy needs of the public school district; and
 - (b) Based on the science of reading as defined by § 6-17-429(k)(1).
 - (2) School-level improvement plans shall be posted on the public school district's website by August 1 of each year.
- (c) School-level improvement plans shall be:
 - (1) Monitored by the public school district for implementation fidelity and progress throughout the year; and
 - (2) Evaluated annually by the public school district for goal progress and accomplishment.
- (d)
 - (1) Annually by September 1, a public school district receiving Level 2 — Collaborative, Level 3 — Coordinated, Level 4 — Directed, or Level 5 — Intensive support shall submit to the Division of Elementary and Secondary Education a public school district support plan in accordance with rules of the State Board of Education.

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(2) A public school district's support plan shall be posted on the public school district's website no later than ten (10) days after submission to the division.

(3)

(A) A public school district in which forty percent (40%) or more of the public school district's students scored "in need of support" on the state's prior year summative assessment for reading shall develop a literacy plan as part of the public school district support plan required under this section.

(B) The public school district literacy plan shall include:

(i) Goals for improving reading achievement throughout the public school district; and

(ii) Information regarding the prioritization of funding, including without limitation Enhanced Student Achievement Funding received under § 6-20-2305, for strategies to improve reading achievement throughout the public school district.

(e) Public school district support plans shall include without limitation the support the public school district will provide to public schools identified as in need of targeted or comprehensive support, or both, pursuant to the Elementary and Secondary Education Act of 1965, Pub. L. No. 89-10, as reauthorized by the Every Student Succeeds Act of 2015, Pub. L. No. 114-95.

History

Acts 2017, No. 930, § 2; 2019, No. 83, § 2; 2019, No. 910, § 1305; 2019, No. 1082, § 3.

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A.C.A. § 6-15-2915

Current through all acts of the 2021 Regular Session, First Extraordinary Session, Extended Session, Second Extraordinary Session, and the 2022 Fiscal Session including corrections and edits by the Arkansas Code Revision Commission.

AR - Arkansas Code Annotated > Title 6 Education > Subtitle 2. Elementary and Secondary Education Generally > Chapter 15 Educational Standards and Quality Generally > Subchapter 29 — Arkansas Educational Support and Accountability Act

6-15-2915. School district classification as in need of Level 5 — Intensive support — Student transfer eligibility.

- (a) The State Board of Education shall promulgate rules governing the classification of public school districts as in need of Level 5 — Intensive support and the support to be provided.
- (b) The Division of Elementary and Secondary Education shall notify in writing the public school district superintendent and the president of the public school district board of directors of the recommendation to the state board for classification as in need of Level 5 — Intensive support.
- (c)
 - (1) A public school district recommended for classification as in need of Level 5 — Intensive support may appeal to the state board by filing a written appeal with the Commissioner of Elementary and Secondary Education in accordance with the procedure established in the rules of the state board.
 - (2) A public school district shall be classified as in need of Level 5 — Intensive support and receive support upon final determination by the state board.
 - (3) A public school district may appeal the state board's final determination to the Pulaski County Circuit Court under the Arkansas Administrative Procedure Act, § 25-15-201 et seq.
- (d) A student attending a public school district classified as in need of Level 5 — Intensive support may transfer under the Arkansas Opportunity Public School Choice Act, § 6-18-227, to another public school district that is not classified as in need of Level 5 — Intensive support.

History

Acts 2017, No. 930, § 2; 2019, No. 910, §§ 1306, 1307.

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A.C.A. § 6-15-2916

Current through all acts of the 2021 Regular Session, First Extraordinary Session, Extended Session, Second Extraordinary Session, and the 2022 Fiscal Session including corrections and edits by the Arkansas Code Revision Commission.

AR - Arkansas Code Annotated > Title 6 Education > Subtitle 2. Elementary and Secondary Education Generally > Chapter 15 Educational Standards and Quality Generally > Subchapter 29 — Arkansas Educational Support and Accountability Act

6-15-2916. State Board of Education authority over public school district classified as in need of Level 5 — Intensive support.

If a public school district is classified as in need of Level 5 — Intensive support, the State Board of Education may:

- (1)** Direct the Commissioner of Elementary and Secondary Education to conduct an analysis of all school district systems and make recommendations for action by the state board; and
- (2)** Assume authority of the public school district and take one (1) or more of the following actions at any time after classification:
 - (A)** Remove permanently, reassign, or suspend on a temporary basis the superintendent of the school district and:
 - (i)** Appoint an individual in place of the superintendent of the public school district to administratively operate the public school district under the supervision and approval of the commissioner;
 - (ii)** Authorize the individual to remove, replace, reassign, or suspend public school district personnel in accordance with state law; and
 - (iii)** Compensate from public school district funds the individual appointed to operate the public school district and other individuals authorized by the commissioner;
 - (B)** Remove permanently or suspend on a temporary basis some or all of the current public school district board of directors and either:
 - (i)** Call for the election of a new public school district board of directors, in which case the public school district shall reimburse the county board of election commissioners for election costs as otherwise required by law;
 - (ii)** Require the public school district to operate without a board of directors under the supervision of the superintendent of the public school district or an individual or panel appointed by the commissioner; or
 - (iii)** Direct the commissioner to assume some or all authority of the public school district board of directors as may be necessary to operate the public school district;
 - (C)**
 - (i)** Remove on a temporary basis some or all of the powers and duties granted to the current public school district board of directors under § 6-13-620 or any other law but allow the public school district board of directors to continue to operate under the direction and approval of the commissioner.

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- (ii) The state board shall define the powers and duties of the public school district board of directors.
- (iii) The public school district board of directors shall act in an advisory capacity to the commissioner regarding all other powers and duties maintained by the commissioner;
- (D) Require the annexation, consolidation, or reconstitution of the public school district under § 6-13-1401 et seq. and this subchapter;
- (E) Waive provisions of Title 6 and corresponding rules of the state board with the exception of:
 - (i) Special education programs as provided by this title;
 - (ii) Conducting criminal background checks for employees as provided in this title; and
 - (iii) Health and safety codes as established by the state board and local governmental entities;
- (F) Require reassignment of some or all of the administrative, instructional, or support staff of a public school;
- (G) Require a public school to institute and fully implement a student curriculum based on academic standards;
- (H) Require a public school to provide professional development for teachers and administrators based on the Division of Elementary and Secondary Education's review of educators' professional growth plans with the cost to be paid by the public school district in which the public school is located;
- (I) Remove one (1) or more public schools from the jurisdiction of the classified school district and establish alternative public governance and supervision of the public school;
- (J) Require reorganization, closure, or dissolution of one (1) or more of the public schools within the classified district;
- (K) Take any other necessary and proper action, as determined by the state board that is allowed by law; and
- (L) Require a structured system of whole child supports through a community school plan, as defined by § 6-15-3002.

History

Acts 2017, No. 930, § 2; 2019, No. 910, § 1308; 2021, No. 744, § 2.

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A.C.A. § 6-15-2917

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AR - Arkansas Code Annotated > Title 6 Education > Subtitle 2. Elementary and Secondary Education Generally > Chapter 15 Educational Standards and Quality Generally > Subchapter 29 — Arkansas Educational Support and Accountability Act

6-15-2917. Public school district under authority of State Board of Education.

- (a) For a public school district under the authority of the State Board of Education, the state board shall review quarterly the progress of the public school district toward improving the issues that caused the classification of the public school district as in need of Level 5 — Intensive support.
- (b) At any time during the second full school year following the assumption of authority or any time thereafter:
- (1) The state board may direct the Commissioner of Elementary and Secondary Education to update the analysis of all school district systems to determine if the public school district has demonstrated substantial improvement of the issues that caused the classification of the public school district as in need of Level 5 — Intensive support;
 - (2) The commissioner may recommend to the state board that the state board:
 - (A) Take additional action concerning the public school district under § 6-15-2916; or
 - (B) Return the public school district to local control through the appointment or election of a board of directors; and
 - (3)
 - (A) The state board may return the public school district to local control through the appointment or election of a newly elected board of directors upon the recommendation of the commissioner.
 - (B) The state board may limit the powers and duties of the public school district board of directors under § 6-13-620 or any other law but allow the public school district board of directors to operate under the direction and approval of the commissioner.
 - (C) The state board shall define the powers and duties of the public school district board of directors if the state board limits the powers and duties under subdivision (b)(3)(B) of this section.
 - (D) The public school district board of directors shall act in an advisory capacity to the commissioner in regards to all other powers and duties maintained by the commissioner.
 - (E) The state board may grant additional powers and duties to the public school district board of directors if the public school district demonstrates progress toward improving the issues that caused the classification of the public school district as in need of Level 5 — Intensive support.
- (c)
 - (1) If the public school district has not demonstrated to the state board and the Division of Elementary and Secondary Education that the public school district meets the criteria to exit Level 5 — Intensive support within five (5) years of the assumption of authority, the state board shall annex, consolidate, or reconstitute the public school district under § 6-13-1401 et seq. and this subchapter.

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(2) The state board shall promulgate rules to establish the criteria by which a public school district may exit Level 5 — Intensive support.

History

Acts 2017, No. 930, § 2; 2019, No. 910, § 1309.

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End of Document

A.C.A. § 6-15-2918

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AR - Arkansas Code Annotated > Title 6 Education > Subtitle 2. Elementary and Secondary Education Generally > Chapter 15 Educational Standards and Quality Generally > Subchapter 29 — Arkansas Educational Support and Accountability Act

6-15-2918. Comprehensive information systems.

- (a) The Division of Elementary and Secondary Education shall:
 - (1) Establish and maintain comprehensive information systems that allow reporting, analysis, and data-driven decision-making by public school districts;
 - (2) Provide technical assistance to public school districts in the use of the data; and
 - (3) Provide data access to any authorized entity for analyzing computations and posting public school, public school district, and state student achievement, if the disclosures are not in conflict with applicable federal and state law.
- (b) The division shall provide electronic resources for educators to support and augment student achievement, efficiency, and educational initiatives.
- (c) The division may contract with providers to collect, maintain, and analyze data and prepare reports.

History

Acts 2017, No. 930, § 2; 2019, No. 910, §§ 1310, 1311.

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