Stricken language would be deleted from and underlined language would be added to present law.

Act 902 of the Regular Session

State of Arkansas
88th General Assembly
Regular Session, 2011

By: Representative Allen

For An Act To Be Entitled

AN ACT TO PROVIDE TRANSPARENCY AND PUBLIC INFORMATION
CONCERNING SUPPLEMENTAL EDUCATIONAL SERVICES PROVIDED
TO ARKANSAS PUBLIC SCHOOL STUDENTS; AND FOR OTHER
PURPOSES.

Subtitle
THE SUPPLEMENTAL EDUCATIONAL SERVICES
TRANSPARENCY ACT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. DO NOT CODIFY. LEGISLATIVE INTENT. (a) The General Assembly finds that under the No Child Left Behind Act of 2001, 20 U.S.C. § 6301 et seq., students from low-income families attending schools that do not make adequate yearly progress for three (3) or more years are eligible to receive supplemental educational services.

(b) To ensure that students needing service are served by quality supplemental services providers, the General Assembly enacts this Supplemental Educational Services Transparency Act.

SECTION 2. Arkansas Code Title 6, Chapter 15, Subchapter 20 is amended to add an additional section to read as follows:


(a) This section shall be known and may be cited as the "Supplemental Educational Services Transparency Act."

(b) The purposes of this section are to:

(1) Increase academic performance of students and reduce student
(2) Ensure that students who qualify for supplemental educational services receive the services they need;

(3) Assist parents in making informed decisions when selecting supplemental educational service providers; and

(4) Assist policy makers in reviewing the effectiveness of the supplemental educational service providers.

(c) As used in this section:

(1) "Provider" means a person or entity that:

(A) Provides supplemental educational services to Arkansas public school students; and

(B) Is identified on the list of approved supplemental educational service providers published by the Department of Education; and

(2)(A) "Supplemental educational services" means academic instruction:

(i) Provided to public school students in addition to the instruction provided during a school day; and

(ii) Designed to increase the academic achievement of students enrolled in public schools that have been identified as being in year two (2) or higher of school improvement.

(B) "Supplemental educational services" includes without limitation academic assistance such as tutoring, remediation, and other supplemental academic enrichment services that are:

(i) Consistent with the content and instruction used by the school district where the provider’s students are enrolled; and

(ii) Aligned with the state’s academic content and achievement standards.

(d)(1) A provider shall prepare an annual report and:

(A) Submit the annual report to the department and to the school district where the supplemental educational services are provided; and

(B) Place a copy of the annual report on the provider’s website.

(2) The report shall include without limitation the following information:

(A) By race and gender, the improvement in student achievement for each student served based on the statewide benchmark tests or
other statewide assessment of student achievement;

(B) Student attendance rates;

(C) The amount of funds the provider received per student;

(D) By school district, the total number of supplemental educational services contracts and the total amount of funds received under those contracts;

(E) The total number of years supplemental educational services have been provided and the total number of students served for all years; and

(F) The results of parent satisfaction surveys.

(e) A school district shall include the provider’s report on the school district’s website.

(f)(1) Annually, the department shall review the report of a provider before placing the provider on the department's list of state-approved providers.

(2) The department shall include a link for parents to access information concerning approved providers on its website.

(g) By January 15, 2012, and by January 15 of each year thereafter, a provider of supplemental educational services shall also prepare an annual progress report containing at least the information required under subsection (d) of this section to the House Committee on Education and the Senate Committee on Education.

(h) The State Board of Education shall promulgate rules to implement this section.

/s/Allen

APPROVED: 03/31/2011