

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

State of Arkansas  
90th General Assembly  
Regular Session, 2015

As Engrossed: S3/10/15 H3/27/15  
**A Bill**

SENATE BILL 813

By: Senator B. Johnson  
By: Representative Murdock

### For An Act To Be Entitled

AN ACT TO AMEND PROVISIONS OF THE ARKANSAS CODE  
CONCERNING NORM-REFERENCED ASSESSMENTS; AND FOR OTHER  
PURPOSES.

### Subtitle

TO AMEND PROVISIONS OF THE ARKANSAS CODE  
CONCERNING NORM-REFERENCED ASSESSMENTS.

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

SECTION 1. Arkansas Code § 6-15-102(f)(2), concerning the Division of Public School Accountability, is amended to read as follows:

(2) To coordinate the analysis, dissemination, and reporting of all ~~augmented, criterion-referenced, or norm-referenced~~ state-mandated assessment information;

SECTION 2. Arkansas Code § 6-15-404(d), concerning program implementation of the Arkansas Comprehensive Testing, Assessment, and Accountability Program Act, is amended to read as follows:

(d) The state board shall establish a clear, concise system of reporting the academic performance of each school on the state-mandated ~~augmented, criterion-referenced, or norm-referenced~~ assessments that conforms with the requirements of the No Child Left Behind Act of 2001, 20 U.S.C. § 6301 et seq.

SECTION 3. Arkansas Code § 6-15-404(f)(4)(A), concerning program



implementation of the Arkansas Comprehensive Testing, Assessment, and Accountability Program Act, is amended to read as follows:

(4)(A) A public school or public school district classified as in "school improvement" shall develop and file with the department a comprehensive school improvement plan designed to ensure that all students demonstrate proficiency on all portions of state-mandated ~~augmented, criterion-referenced, or norm-referenced~~ assessments.

SECTION 4. Arkansas Code § 6-15-404(g)(1), program implementation of the Arkansas Comprehensive Testing, Assessment, and Accountability Program Act, is amended to read as follows:

(g)(1) The department shall develop and implement an ~~augmented, criterion-referenced, or norm-referenced~~ assessment program that is valid, reliable, ~~externally linked to a national norm,~~ and vertically scaled for public school students in grades three through eight (3-8), which measures application of knowledge and skills in reading and writing literacy and mathematics.

SECTION 5. Arkansas Code § 6-15-406(5), concerning the assessment of basic skills, is amended to read as follows:

(5) Meaningful comparisons of Arkansas students with those of other states, regions, and the nation through the National Assessment of Educational Progress Examination and ~~norm-referenced~~ other examinations; and

SECTION 6. Arkansas Code § 6-15-419(3)(C), concerning the definition of "academic improvement plan", is amended to read as follows:

(C) In any instance in which a student with disabilities identified under the Individuals with Disabilities Education Act has an individualized education program that already addresses any academic area or areas in which the student is not proficient on state-mandated ~~augmented, criterion-referenced, or norm-referenced~~ assessments, the individualized education program shall serve to meet the requirement of an academic improvement plan;

SECTION 7. Arkansas Code § 6-15-419(4), concerning the definition of "adequate yearly progress", is amended to read as follows:

(4) "Adequate yearly progress" means the level of academic improvement required of public schools or school districts on the state-mandated ~~augmented, criterion-referenced, or norm-referenced~~ assessments and other indicators as required in the Arkansas Comprehensive Testing, Assessment, and Accountability Program, which shall comply with the Elementary and Secondary Education Act as reauthorized in the No Child Left Behind Act of 2001;

SECTION 8. Arkansas Code § 6-15-419(8)(A), concerning the definition of "Arkansas Comprehensive Assessment Program", is amended to read as follows:

(A) Developmentally appropriate ~~augmented, criterion-referenced, or norm-referenced~~ assessments in kindergarten through grade twelve (K-12), as determined by the state board;

SECTION 9. Arkansas Code § 6-15-419(31), concerning the definition of "school or school district in academic distress", is amended to read as follows:

(31) "School or school district in academic distress" means a public school or school district failing to meet the minimum level of academic achievement on the state-mandated ~~augmented, criterion-referenced, or norm-referenced~~ assessments as required by the state board in the program;

SECTION 10. Arkansas Code § 6-15-420(d)(2), concerning remediation and intervention, is amended to read as follows:

(2) Each school and school district shall use multiple assessment measures, which shall include, but not be limited to, state-mandated ~~augmented, criterion-referenced, or norm-referenced~~ assessments.

SECTION 11. Arkansas Code § 6-15-421(c), concerning awards and sanctions, is amended to read as follows:

(c) The State Board of Education shall develop a clear, concise system of reporting the academic performance of each public school on the state-mandated ~~augmented, criterion-referenced, or norm-referenced~~ assessments, developmentally appropriate assessments for grades kindergarten through two (K-2), benchmark examinations, and end-of-course examinations, which conforms

with current state and federal law.

SECTION 12. Arkansas Code § 6-15-424 is amended to read as follows:  
6-15-424. Rules and regulations.

The State Board of Education shall establish rules as may be necessary to require the Department of Education to implement a program for identifying, evaluating, assisting, and addressing public schools or public school districts failing to meet established levels of academic achievement on the state-mandated ~~augmented, criterion-referenced, or norm-referenced~~ assessments as required in the Arkansas Comprehensive Testing, Assessment, and Accountability Program.

SECTION 13. Arkansas Code § 6-15-426(e), concerning school improvement plans, is amended to read as follows:

(e) Each public school or school district shall develop and file with the department a comprehensive school improvement plan which shall be reviewed by the department and shall be designed to ensure that all students have an opportunity to obtain an adequate education and demonstrate proficiency on all portions of the state-mandated ~~augmented, criterion-referenced, or norm-referenced~~ assessments.

SECTION 14. Arkansas Code § 6-15-433(b)(3)(A)(ii)(a), concerning the statewide assessment program, is amended to read as follows:

(a) Developmentally appropriate ~~augmented, criterion-referenced, or norm-referenced~~ assessments in kindergarten through grade twelve (K-12), as determined by the state board and as required by law; or

SECTION 15. Arkansas Code § 6-15-433(c)(2)(A), concerning the statewide assessment program, is amended to read as follows:

(2)(A) The testing program, as determined by the state board, shall consist of ~~augmented, criterion-referenced, or norm-referenced assessments or other~~ assessments as defined in subdivision (b)(3)(A)(ii)(b) of this section.

SECTION 16. Arkansas Code § 6-15-2006(b)(1), concerning annual reports

by school districts, is amended to read as follows:

(b) ~~Beginning with the 2004-2005 school year, each~~ A school district board of directors shall publish annually in the local newspaper the school performance report required by § 6-15-1402 and report in writing to the State Board of Education by October 15 of each year the following information on the prior school year or the latest information available:

(1) By grade level, economic status, and ethnicity, the number and percentage of all students in grades kindergarten through twelve (K-12) performing at each category level on the ~~benchmark examinations and end-of-course~~ state-mandated examinations, the percentile rankings by school and grade level on ~~norm-referenced exams~~, any other assessments as required by the state board, the number of students taking advanced placement courses or courses offered under the International Baccalaureate Diploma Program, the number taking the advanced placement exams, and the percent of students making a 3, 4, or 5 on advanced placement exams;

SECTION 17. Arkansas Code § 6-15-2009(b), concerning public school assessments and remediation, is amended to read as follows:

(b)(1) ~~Each~~ A student identified as not meeting the satisfactory pass levels in the immediate previously administered ~~benchmark~~ state-mandated assessment shall participate in the remediation activities as required in the student's individualized academic improvement plan beginning in the school year the assessment results are reported.

(2) The Department of Education may determine that an individualized education program for a student with disabilities identified under the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq., meets the requirements of an ~~individualized~~ academic improvement plan under this section if the individualized education program addresses one (1) or more academic areas in which the student is not proficient on state-mandated ~~augmented, criterion-referenced, or norm-referenced~~ assessments.

(3)(A) The public school district where the student is enrolled shall notify the student's parent, guardian, or caregiver of the parent's role and responsibilities as well as the consequences for the student's failure to participate in the plan.

(B) This notice may be provided via student handbooks issued to students.

(4) A student in grades three through eight (3-8) identified as not passing a ~~benchmark~~ state-mandated assessment and who fails to participate in the subsequent academic improvement plan shall be retained and shall not be promoted to the next appropriate grade until:

(A) The student is deemed to have participated in an academic improvement plan; or

(B) The student passes the ~~benchmark~~ state-mandated assessment for the current grade level in which the student is retained.

*/s/B. Johnson*