



February 26, 2023

Dear members of the House and Senate Education Committees,

Thank you for the hearing on SB294 in the Senate and listening to our testimony. We found 5 minutes insufficient to cover the sweeping changes proposed by SB294 and so we are submitting written comments on the bill for your consideration.

We share the goals articulated by the sponsors and the Governor of improving Arkansas's education system. Our members are also not satisfied with the status quo where Arkansas lags behind much of the rest of the country in education. We believe in evidence based reforms and robust community engagement to achieve that better education system. We know teachers and many public schools are doing amazing things to overcome the barriers to quality education that exist in our communities, primarily poverty where Arkansas ranks near last in the country, but we also know we can do better with the right strategies and investments.

Simply put, we believe we should invest our scarce public tax dollars on the evidence based reforms that will have the greatest return on investment. Investing in unproven strategies not only will fail to improve outcomes, but it also has the cost of missing the opportunity to make the progress that would have come from investing in proven strategies.

There are many components of this bill that we love and have advocated to achieve for decades because they are evidence based and proven to support children. We have suggestions to improve the language in the bill on some of these sections. There are other components where we just plainly disagree, because they are not evidence based and will undermine our shared goal of a quality education system accessible to everyone. Even where we disagree, we hope you will consider our suggestions that address some of our concerns and, we believe, will strengthen the impact, accountability and transparency of the proposals.

Our concerns about SB294 are not a defense of the status quo, and they are not political or partisan.

We share the same goals of building a world-class education system accessible to all in Arkansas, even where we strongly disagree on how to achieve that goal. The Governor has said that she wants to be the education Governor and the bill sponsors say they want to dramatically improve Arkansas' education system. We want them to be successful. Their success means our children will be successful.

Thank you for considering our perspective.


Bill Kopsky, Executive Director

Overall Concerns About SB294:

- **This bill creates different rules for different types of schools using public tax dollars** in many places. A lot of the mandates in this bill apply only to traditional public schools. Some apply to both traditional and charter public schools. Very few apply to private schools who accept public taxpayer financed vouchers. We believe that all public dollars should come with equally robust standards and accountability. Throughout the bill, the standards, mandates and accountability should be aligned equally between traditional public, charter, and private schools who accept public vouchers.
- **We believe the legislature should develop a long term fiscal impact assessment of the LEARNS Act over a 5 and 10 year horizon before approving it.** We worry about future competition for scarce resources between evidence based education strategies in traditional public schools and unproven voucher programs. Clarity on the long term costs, and clearly reiterating the state's commitment to fund adequacy first would help alleviate some of those concerns.
- **We are struck by the many evidence-based education reforms missing from the bill** that we believe are critical to the success of any education reform plan. Our concern is that the overall expense of the LEARNS Act will leave the state without the resources to adequately support these missing components, especially as time goes on and the costs of the LEARNS vouchers increase dramatically.
 - **Addressing poverty with wrap around services**
 - The largest indicator of student success, by far, is family income and stability. Arkansas has among the highest child poverty rates in the country. We can make substantial education gains by investing in wrap-around services to support low income children and build stronger families.
 - **Funding for improving access to quality pre-k and early childhood development**
 - Quality early childhood development, when our youngest students' brains are developing the fastest, is proven to be one of the most powerful investments we can make in improving literacy and lifelong success. We need to make powerful investments in improving our early childhood education system.
 - **Funding quality after-school and summer programs**
 - Arkansas does not invest state general revenue in after school and summer programs even though they are proven to be a powerful boost to student learning. We need to strengthen quality afterschool and summer programs.
 - **Improving special education programs**
 - Arkansas' special education programs are severely underfunded and we are failing some of our most vulnerable students. We can not pass comprehensive education reform without making a major investment and commitment to improve special education.
 - **Developing better school turnaround programs**
 - The reality is that interventions to turn struggling schools around are not very effective. State takeovers have not improved student outcomes. Community schools have proven to be a powerful model and should be invested in much more than we do. But the State Board of Education needs to create a study commission with diverse stakeholders to review the evidence and make recommendations on how to improve our interventions to support struggling schools.

- **STEM education and computer literacy.**
 - While we appreciated the focus on career education in the bill, we must do more to provide STEM education and computer skills to develop our students to succeed for the next 50 years of their working lives.
- **Improving special education programs and programs for children with disabilities.**
 - Arkansas' own assessments have found that we are severely underfunding special education and children with disabilities. Our students with special needs deserve better and we are failing to deliver the support they need.
- **Process:**
 - **Sponsors of this legislation say they have had the most collaborative experience creating this bill, but that was not our experience.** We are not sure who they collaborated with, but it was not our members in communities around the state. It was not the teachers or parents or school administrators we work with. It was not the lawmakers who represent our communities who repeatedly told us they were in the dark on this bill, even though some of them serve on the Education Committee.
 - **Many Arkansas education stakeholders have released reports in recent years that summarize the evidence and make recommendations for improving our public school system. Little if any of those consensus, evidenced based reforms are in SB294** and those stakeholders have not been engaged in any kind of public process to provide input on the creation of SB294.
 - **Comprehensive education reform, to be successful, should involve a public process with many diverse stakeholders who engage experts and follow the evidence to build consensus on the plan and it should have robust public hearings around the state that welcome the voices of educators, parents, students and community members.** The process to create and rush LEARNS through the Arkansas Legislature falls far short.
 - **We recommend the re-creation of a Blue Ribbon Commission on Education Reform** to engage diverse stakeholders, engage the public, review the evidence and make recommendations on a road map to improve our education system for the decades to come.
- **Unclear costs in the form of potentially unfunded mandates:**
 - The LEARNS Act uses the word "shall" 419 times. That is a lot of mandates on the State Board of Education, the State Department of Education, School Districts, Individual Schools, even parents and students. We should have a complete assessment of the cost and capacity to implement these mandates before rushing to pass them or we are creating unfunded and unfair mandates that set us up for failure.

Specific Concerns and Suggestions:

Section 3 – The transfer of early childhood services from the Department of Human Services to the Department of Education.

Concerns:

- **Quality early childhood education is one of the most well-researched, proven solutions to boosting student learning.** It helps all students, but is particularly powerful for low income students and others statistically more likely to struggle. It is also

one of the most effective ways to achieve the sponsors' goals of improving grade level reading.

- **This bill ZERO new dollars are allocated to improving the quality of early childhood education or access to it.** Even if new funding is found through improved administrative efficiencies in the program, it will likely be marginal.
- **We would like to see more explanation of what the bureaucratic transfer from DHS to ADE will specifically accomplish** and what it will mean to children, families and early childhood educators.

Recommendation:

- **We suggest committing a specific dollar increase to address both improving the quality of early childhood education in Arkansas and expanding access to all children 5 years and younger.** That is the most important time in a child's brain development and there is a woeful lack of quality options for families prior to age 3.

Section 11 – Increasing the number of standardized reading tests for K-3 students from 2/year to 3.

Concerns:

- **We are not sure of the added value in a 3rd test for young students.** A significant amount of learning time is already lost for test preparation and implementation, and a significant amount of money and capacity is required to administer them.
- **How will the tests be used by educators in the classroom to improve the learning of their students?** Has the Department calculated the cost and capacity required to implement this new test mandate statewide?

Section 12 – We strongly support the career pathway components of this bill. We were pleased to see these pathways remain flexible for students to adjust as they develop.

Concerns:

- **The success of these programs depends on their flexibility to adjust to changes as students develop.** They should not become high stakes tracks that lock students into pathways that may not remain right for them.
- **Success also depends on the programs being of high quality,** so they are training students for high-wage jobs that will remain relevant for the coming 40 years, not for jobs destined to become obsolete.

Section 13 - Requiring traditional public schools to make individual student success plans. We strongly support this as an evidence based reform, but have a key question and a recommendation.

Concern:

- **Has the Department truly evaluated the additional personnel and resources local schools would need to properly implement this mandate?** This program will only be successful if the plans are rigorous, evidence based, supported through their implementation and evaluated to measure student progress. This is needed, but requires a lot of capacity.

Recommendation:

- **We recommend this mandate be extended to charter schools and private schools who accept public voucher money.** There is no rational reason this should solely apply to traditional public schools.

Section 14 – School transformation contracts with 3rd party entities.

Concerns:

- **No clear evidence exists that these types of charter school or private company takeovers of public schools are effective** at raising student opportunities and performance. Some of these private entities are for-profit companies that have histories of poor performance and fraud in other states.
- **This section could result in nearly 1/3 of Arkansas schools being taken over by charter operators or for-profit companies**, without any evidence it would improve learning. Currently [32% of Arkansas schools have a D or F grade](#). This represents a massive privatization of our public schools and would lead to very negative outcomes for our students and communities.
- **This section applies only to schools that have D and F ratings – but the Arkansas school rating system is deeply flawed.** Any decisions on school interventions of any kind should be based on different metrics than the Arkansas school rating system. Family income is, by far, the largest indicator of student success. The Arkansas school rating system is much more closely correlated to the income of the families that populate the school than it is to the quality of the school itself.
- **The portion of this section that waives participating schools from punitive actions and offers financial incentives for participation could have a very coercive influence on school districts** to choose an unproven intervention that may not match the needs of their students. In theory it is left up to local school boards to enter into these private contracts, but in practice the way this is written ADE will have enormous power to push schools to turn operations over to private 3rd parties.

Recommendations:

- **This section should be deleted from the bill.** There is simply no evidence that it is a successful intervention.
- **We recommend the State Board of Education and the Bureau of Legislative Research develop a new set of evidence-based reforms to improve struggling schools** by conducting a comprehensive analysis of education reform research, inclusive of many education stakeholders and organizations, and public engagement. Truthfully, it is very difficult to turn around struggling schools and the issue should be treated as a serious problem needing a collaborative approach.
- If this section is not removed, we recommend the following amendments:
 - **Amend whatever approach is taken towards struggling traditional public schools to also apply to charter schools and private schools who accept public voucher money.**
 - **Remove policies that could be coercive** in getting a school to enter contracts that might not be the best fit. Struggling schools need an evidence based approach, not coercion.
 - **Add a specified time period for these contracts** or at least a maximum length of time for the contracts so schools and communities are clear on the beginning and end of these agreements.

- **Make the 3rd party private entities more accountable** – whether they are charter operators or private for-profit companies. Explicitly state in the bill that
 - **Contracts between schools and private operators are public records subject to FOIA laws;**
 - **Their governance structure follow AR open meeting laws;**
 - **Private operators will conduct an annual audit of finances** and make it available to the Department and the public;
 - **The Department of Education will issue an annual progress report** evaluating the private operators progress towards school improvement;
 - **The local school board may sever the contract at any time for nonperformance** if their specific progress criteria have not been met.

Section 16 – The Anti-Indoctrination Section

Concern:

- **The vague nature of this section, along with the ominous threats of consequences if it is violated, will have a chilling impact on teachers.** Even Secretary Olivia struggled to precisely define the Critical Race Theory this section aims to ban. Arkansas has some of the largest racial equity gaps in the country, we need to educate students about that.
- **Similarly, the vague language about sexual health will have a chilling impact** on important discussions without clear guidance. Arkansas ranks last or near last in the country in teen pregnancy, sexually transmitted diseases, child sex abuse and teen suicide. We must do better.

Recommendations:

- **The State Board of Education should be mandated to create a clear set of K-12 education standards for the teaching of race, diversity and black and brown history.** Clear guidelines will empower teachers, students and communities to have robust discussions on issues and ensure that districts know what professional development their staff needs to meet the standards.
- **The State Board of Education should be mandated to create a clear set of age appropriate and evidence based strategies for education about sex abuse prevention and reproductive health.** Parents should be informed of these standards and have an opportunity to opt their children out, but we need to prepare students to tackle these challenges better than we do.

Section 20 – The AR High Impact Tutoring Program. We strongly support this section as an evidence-based strategy proven to help boost student learning.

Concern:

- **It's unfortunate that such a proven reform is created as a pilot program** while other, far less evidence-based components in this bill receive full funding.
- **The grants program as described will unintentionally expand the considerable equity gap** between high-wealth and low-wealth districts in Arkansas. Most low-wealth school districts – who need programs like this the most – will not be able to participate in this program as it is currently written.

- **The competitive nature of the grants will favor higher-wealth districts** that have the capacity to employ staff skilled in grant writing. In many low-wealth districts, they do not.
- **The required match for this program again favors higher-wealth districts.** Many low-wealth districts are already financially stretched and will not be able to participate.

Recommendations:

- **Amend this section to fully fund this program for all schools.**
- **At minimum, change the competitive grant to a means-based grant** administered by the Department to the districts with the highest need as measured by their concentration of students in poverty. This will improve equity instead of exacerbating gaps in equity.

Section 20 - Subchapter 17 – Creating the Course Choice Program

We love this modernization of career education.

Recommendations:

- **Extend this mandate to charter schools and private schools who accept public voucher money.**
- **Include a specific funding commitment for this program** to ensure it is resourced sufficiently to achieve its goals.

Section 20 - Subchapter 18 – Creating the High School Career Ready Pathway

We support the idea of course choice as a concept, provided that it does not lead to an over-reliance on virtual courses, which are of lower quality than in-person learning.

Recommendation:

- **Extend this mandate to charter schools and private schools who accept public voucher money.**

Section 20 - Subchapter 19 – Requiring Community Service for Graduation

We support encouraging community service, but fear that a requirement like this will create many unforeseen challenges as students have many different life experiences and challenges.

Recommendation:

- **The community service mandate should be deleted from the bill and replaced with a plan to encourage community service.**

Section 21 – Paid Maternity Leave

We love the goal of expanding paid maternity leave.

Concern:

- **Requiring a local match and allowing districts to opt out of this will unintentionally expand the considerable equity gap** between high-wealth and low-wealth districts in Arkansas. This could lead to highly qualified, experienced educators being less available to students struggling in low-wealth districts who need it the most.

Recommendations:

- **Change maternity leave to paid parental leave** so all parents can take leave to support new babies.
- **Fully fund paid parental leave** at all traditional public schools, charter schools and private schools who accept vouchers across the state.

Section 21 – Superintendent accountability

We support transparency and accountability for school administrators.

Recommendations:

- **Extend mandate to charter schools and private schools who accept public voucher money.**
- **Another suggestion is to expand the accountability to include parent and community input** when hiring and evaluating administrators. Increasing community engagement is an evidence based strategy proven to boost student learning, and we should encourage it wherever possible.

Sections 27 – 29 Right to Read Program details. We support this as one of the evidence based reforms in this legislation.

Concerns:

- **We are concerned that the funding commitment for this section is qualified** with, “subject to legislative appropriation”. This language is not included in other sections of the bill that are not as evidence based.
- **We are also concerned about the proposal to hold 3rd graders who fail standardized tests back.** This is not considered best practice and there is evidence it is counterproductive. Third graders who are not yet proficient deserve more intensive interventions to get them to grade level as they enter 4th grade. We are concerned that the waivers – based on passing students who fail to meet standards after the school provides interventions – allow schools to wash their hands of students with significant needs.

Recommendations:

- **The Right to Read program deserves full and robust funding** to implement.
- **We support parental notification of Right to Read noncompliance but recommend extending this mandate to charter schools and private schools who accept public voucher money.**
- **Expand Parental Rights so that every school in Arkansas that accepts public dollars is required to follow all state standards for education**, unless they have a specific waiver from that standard approved by the State Board of Education. We should not have different accountability standards for traditional public, charter or private schools accepting vouchers if they are accepting public funding. Each school system should be required to annually disclose all waivers from state standards they have to all parents.
- **We support requiring audits of Right to Read compliance** but recommend extending this mandate to charter schools and private schools who accept public voucher money.
- **Remove the language around holding back 3rd graders who fail standardized tests.** The State Board of Education should develop an evidence-based set of additional interventions for these students.

Section 30 - Math standards and intervention

Concern:

- **The math section of this plan should be as intensive and supported as the reading section.** We believe that math, reading, and social and emotional development are all equally important for young students.

Section 31 – Repeal of the Teacher Fair Dismissal Act & Section 34 – Repeal of the Public School Employee Fair Hearing Act

Concern:

- **We are strongly opposed to these sections.** It adds considerable insecurity to teachers who are already leaving the profession at high rates, and it will have many unintended consequences. We believe it creates conditions where teachers could be wrongfully dismissed for non-professional reasons, such as private political activity or advocacy and any number of personal reasons. We believe that it is already possible for school officials to remove ineffective teachers from the classroom.

Recommendations:

- **The State Board of Education should hold hearings to demonstrate the problems with the current system and develop suggested changes** to each Act, allowing for robust public discussion and input from stakeholders if the State believes changes to the Teacher Fair Dismissal Act and Public School Employee Fair Hearing Act are warranted.
- **If the Department believes teachers still have due process protections, they should, at a minimum, spell these protections out in the bill** to add clarity about the proposed new due process standards. We believe the repeal of these acts eliminates nearly all due process protections for teachers since Arkansas is a right-to-work/fire-at-will state.

Section 35 - Raising minimum teacher salary to \$50,000, giving all other teachers a \$2,000 raise and eliminating the teacher salary schedule

We applaud raising the minimum teacher salary to \$50,000.

Concerns:

- **We believe that all school employees should get a raise.** Raises for classified employees should not be left to the discretion of administrators in the adequacy funding matrix but they should be clearly set in state policy just like minimum teacher pay.
- **We believe removing the teacher salary schedule is a mistake.** We understand that school districts *may* implement raises for teachers above the minimum, but this is not an equal opportunity for all school districts and will again exacerbate equity gaps. The pay gap will widen between high-wealth school districts and lower-wealth school districts, meaning the gap in access to highly qualified and experienced educators will widen between kids in high-wealth and low-wealth districts.
 - **The language barring local school districts from agreeing to give their employees a stronger personnel contract is problematic and vague.** Much of the bill touts local decision making, but here the state is barring the authority of school districts to go beyond the minimum standards set by the state. It's also unclear what is or is not included in the ban of going beyond state minimums - it could be read as a ban on any

teacher benefits beyond the minimum set by the state. This seems punitive towards teachers and an unnecessary invasion of the local democratic authority of school boards.

Recommendations:

- **The state needs to maintain a mandatory minimum salary schedule** to ensure more equity across the state and encourage teachers to stay in the field and pursue advanced training and degrees.
- **Add specific language to the bill to tie minimum teacher salaries into the adequacy assessment and to adjust salaries biannually** to keep up with inflation and remain competitive. \$50k is a leap ahead, and we need to make sure we stay ahead.
- **Delete the section banning local school districts from providing personnel policies beyond the minimum.**
- **Include raises for support staff.**
- **Specifically spell out what “other laws” give teachers due process** and what that process looks like.

Section 37 - Merit teacher incentive fund

Concerns:

- **This is NOT an evidence based policy.** There is no evidence to support incentive pay as a strategy for boosting student learning. Resources dedicated to this could be more effectively spent on another policy that is evidence based.
- **We think test scores alone are not an effective measure of either student learning or teacher effectiveness** – they are too influenced by outside factors such as family income, culture and external factors beyond the control of the classroom teacher. We are not opposed to incentive pay policies that are fairly structured, even though we do not believe they are effective. Incentive pay in some places has been tied to high stakes student test scores within a single year. Our best teachers should be encouraged to work with our students with the highest needs.
 - **Single year data is problematic as well** because it can fluctuate solely from variations in the classroom population in a given year. Sometimes, teachers are blessed with particularly gifted students and sometimes they have particularly challenging ones; they should be able to meet the needs of those children without their pay being skewed from a given year.

Recommendations:

- The bill leaves a lot of discretion to the State Board to create the rules for implementing this, but those rules need more guard rails, such as:
 - **Evaluations of teacher quality and incentive pay should be well rounded** with multiple kinds of data and not rely predominantly on test score data.
 - **Whatever data is used to determine merit should be an aggregate over at least a 3-year period** to average out the statistical anomalies related to variations in the classroom population.

Section 38 - AR Opportunity Public School Choice Act

Concern:

- **We support school choice but are opposed to removing guardrails meant to protect schools from racial segregation.** At the Arkansas Public Policy Panel we are celebrating our 60th anniversary this year after being founded in 1963 by mothers of school kids working to desegregate our public schools. We must make sure that we don't slip back to the ugly practices of segregation.

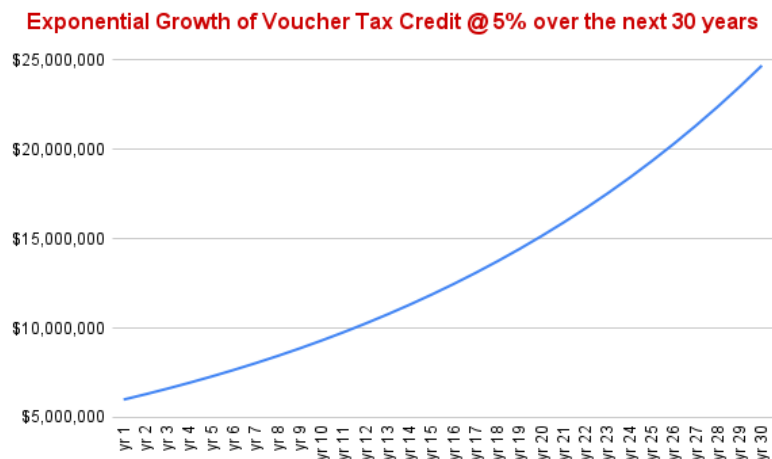
Recommendations:

- **At a minimum, the Bureau of Legislative Research and the State Department of Education should produce an biennial report on how school choice is influencing school demographics and segregation,** so we are informed if the policy has the unintended consequence of increasing racial segregation.

Section 41 - Tax credit for donations to voucher scheme charities

Concerns:

- **There is no evidence that this will boost student learning,** but it will leave the state with less resources to invest in more effective education strategies.
- **There is no rational basis for carving out this specific kind of charity over other types of charities.** A refundable tax credit essentially allows a person or entity to direct where their tax dollars are spent.
- **The tax credit has a problematic auto inflation trigger of 5%.** If the \$6 million limit is reached in year 1, it will automatically increase to \$6.3 million in year 2; if the \$6.3 million cap is reached in year 2, it will increase to \$6,615,000 in year 3 and so on – growing exponentially out to more than \$10,000,000 by year 12 and more than \$15,000,000 by year 20.



- **The bill states that scholarships funded by the tax credit should be awarded by lottery,** but we have a number of examples of lotteries that have been rigged to exclude certain types of students.

Recommendation:

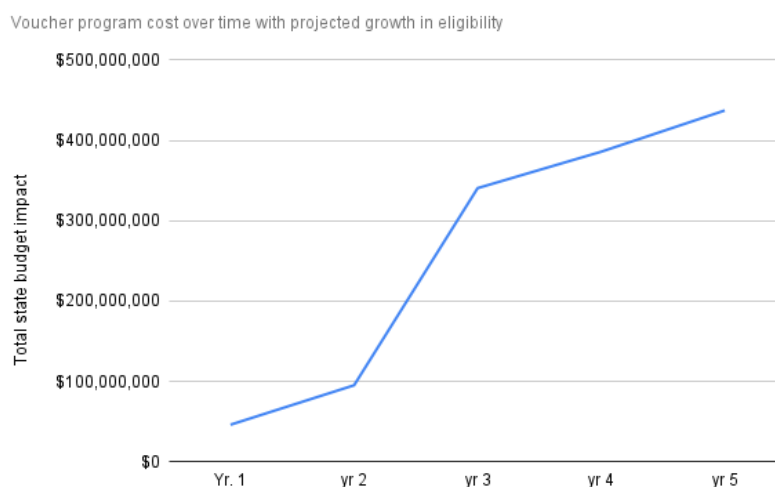
- **This tax credit should be deleted from the bill** as bad tax, budget and education policy.
- **The 5% automatic inflation trigger, at a minimum, should be deleted.** It commits the state to an ever growing voucher entitlement program.

- **Student enrollment lotteries need clear rules from the state board and need to be audited regularly by ADE since they are expanding state tax dollars.**

Section 42 – Educational Freedom Account Voucher Program

Concern:

- **There is clear evidence that vouchers are ineffective at boosting student learning.** There is clear evidence that there are much more effective strategies we should invest the dollars proposed to be spent on vouchers. That said, we realize this is the major component of the bill, and we do think there are several ways to make the proposed voucher program better.
- **There appears to be no cap in voucher enrollment from year 3 and beyond, which could lead to ballooning costs.** In year 3, if just the students *currently* enrolled in private and homeschool applied for the voucher, 48,550 students would be eligible for the voucher, which would cost the state \$341 million to implement. If new students applied for vouchers in year 4 and 5 at a rate of just 10% more than the present day enrollment, by year 5 voucher demand would rise to 58,746 students and cost the state \$473.3 million to implement. Where in the state budget will revenue to meet that estimated rise in demand come from? We believe it threatens the state's ability to not only fund adequacy, but will also suck up available resources to implement evidence based strategies that are not a part of adequacy such as expanding pre-k, providing low income students with extra support and funding after school and summer programs, to name a few.



Recommendations:

- **Vouchers are not an evidence based strategy to improve education** and should not be a priority for scarce state resources.
- **Lawmakers and the public need to see long-term cost assessments before starting this new education system.** The plan is just phasing in for the first few years, but this is creating a long-term private school voucher entitlement program as a 3rd system of K-12 education in Arkansas. Policymakers and the public should be clear about the long term cost over 5, 10 and 20 years of this before approving it.
- **Audits of the voucher program need to be significantly strengthened.**
 - First, each private school that accepts public vouchers should be required to have an annual 3rd party audit that is provided to ADE and the public.
 - Second, ADE should conduct enough audits of their own to deter and expose fraud and abuse. We suggest 20% of the programs be audited annually so that each program would likely receive one public audit every 5 years on average.

- **The inflation protection in the bill should be strengthened.** The bill says the state will implement policy to prevent undue inflation by participating private schools. That needs more detail and what the consequences for high inflation will be for private schools participating in the voucher program.
- **ADE should administer the program directly rather than outsourcing it to third party providers.** The bill states that private intermediaries may collect up to 5% of the value of vouchers for administering the program. That equates to a significant sum of money being outsourced to private contractors with less accountability than ADE. If the state outsources to 3rd party providers, the bill should explicitly lay out expectations of audits of these providers.
- **The roll over of voucher dollars allowed for students needs some reasonable limit.** As written, there is no limit. One could imagine a homeschool student who accumulates their full voucher amount – they could have over \$90,000 of taxpayer dollars in their account by the end of their senior year.
- **The bill should explicitly state that fully funding adequacy recommendations take precedence over funding the voucher program.** Sponsors of the legislative have stated this in testimony, which we appreciate, and would like to see encoded in the bill. The bill should explicitly state protections that keep the voucher program from growing at the expense of other needed public education investments.
- **The accreditation standards on page 94 should be the same for all schools who receive tax dollars** – traditional public, charter or private schools who accept vouchers.
- **The bill should also add the anti-discrimination provisions in the Americans With Disabilities Act** so private schools participating in the voucher program may not discriminate against students with disabilities. The bill contains some non-discrimination protection, which we appreciate, but it excludes people with disabilities.
- **The State Board of Education should be directed to create an anti-discrimination enforcement mechanism** so parents, students, educators and the public are clear on how to hold schools accountable for discrimination.
- **The list of standards that private schools in the voucher program must meet should be the same as the standards that traditional public schools must meet** since they are using state tax dollars. Any waivers from standards that they may get approved by the state board should be disclosed to all parents, as we think they should be for any other publicly financed school as well.
- **All schools who receive public tax funding should take the same tests** so we can make apples to apples comparisons. The testing provided for on page 97 should be stronger. Norm referenced tests are not sufficient for this purpose, they need to take the same tests.
- **ADE should organize student performance data so it can be evaluated by independent researchers to measure the effectiveness of our education systems.** They should provide education researchers with longitudinal data on student test scores that are disaggregated from individual student identification. Providing that would protect student privacy while allowing researchers to measure changes in performance as students move from one type of school to another, or as a school tries a new intervention program. It will allow Arkansas to be a leader in accountability and making data informed decisions on education policy.
- **The evaluation that the Bureau of Legislative Research conducted on the Succeed Voucher program should be included in the bill** creating the Learns Voucher program. That evaluation is key for transparency and accountability, and again positions Arkansas to make data informed decisions. That evaluation language can be found in the bill in the section that repeals Succeed, section 6-41-908 or page 117, lines 23-36 and page 118, lines 1-34.

Sections 47-49 – Dramatically Expanding Charter Schools in Arkansas

Concern:

- **Charter schools simply do not have evidence they improve educational outcomes** for students. There is evidence they have contributed to segregation along lines of race, class and ability.
- **There is some point at which dilution of the student body across multiple school systems (traditional public, charter, and private voucher) makes it impossible to provide an adequate education** in any of those systems. Especially in small and medium sized communities.
- **Charter schools are not being held to the same standards** for performance and accountability as traditional public schools, and they should be.

Recommendations:

- **The State Board needs to consider the impact charter schools will have on the viability of surrounding public schools** when they consider charter applications.
- **Charter schools should meet the same standards as traditional public schools**, they should disclose any waivers to those standards to parents, they should have all of the accountability measures that apply to traditional public schools also applied to them.
- **We should study the impact charter schools are having on Arkansas.** Arkansas is over a decade into an experiment with wide scale charter schools. The Bureau of Legislative Research, the Joint Education Committee and the Department of Education should convene a study group of stakeholders to evaluate the impact of our charter experiment and develop recommendations based on what we can learn from how charter schools have impacted the educational opportunities for all students in their communities.

Sections 56 & 57 Creating Teacher Development Loan Forgiveness and Scholarship programs. We strongly support this section as an evidence based strategy for improving teacher quality and improving student learning.

Recommendations:

- **We suggest an addition, which is the creation of a grow-your-own teacher development model** that supports local community members to get teacher training and accreditation. This type of program has found that it is easier and more sustainable to develop teachers from areas that are harder to recruit to since they are from the community. They tend to stay in the community for the long haul, they are more culturally competent at meeting the needs of their students, and they have an overall positive impact on the local economy.

We deeply appreciate you considering our comments. Please let us know if we can follow up to answer any questions or discuss any of the issues further. Thank you again.