

## **INTRODUCTION**

In 2003, the Arkansas General Assembly enacted a bill intended to implement at the state level the requirements of the federal No Child Left Behind Act. This measure updated the Quality Education Act of 1983. Designated as Act 1467 of 2003 and cited in the Arkansas Code as “The Quality Education Act of 2003” (§ 6-15-201-209), the measure often is referred to as “the Omnibus Act.” Addressed primarily to the State Board of Education and the Arkansas Department of Education, it speaks to the following areas:

- Development of state accreditation regulations and standards;
- Notification of schools failing to meet accreditation standards;
- Probationary status of schools failing to meet accreditation standards;
- Enforcement of state accreditation standards; and
- Publication and dissemination of public notice concerning the status of schools and school districts with respect to meeting accreditation standards.

## **DEVELOPMENT OF STATE ACCREDITATION REGULATIONS AND STANDARDS**

The accreditation section of the Quality Education Act of 2003 (§ 6-15-202) calls for the State Board of Education to “develop comprehensive regulations, criteria, and standards to be used by the board and the Department of Education in the accreditation of school programs in the elementary and secondary public schools in this state.”

Once developed, these regulations and standards would apply to all schools and districts. The content would include guidelines for waiving certain regulations with cause and addressing the operation of schools that fail to meet standards, including informing schools of probationary status and developing plans for remediation of non-compliance.

## **NOTIFICATION OF SCHOOLS FAILING TO MEET STATE ACCREDITATION STANDARDS**

This law requires that the Arkansas Department of Education “notify all schools or school districts failing to meet standards for accreditation for elementary and secondary schools not later than May 15 of each year of this determination” (§ 6-15-203).

Further, it sets parameters for an appeal process for districts to the State Board of Education if they contend that their probationary status is unjustified. The State Board may confirm the probationary status or sustain the appeal. Finally, an aggrieved school district may appeal the ruling of the state board concerning their probationary status to the Pulaski County Circuit Court utilizing the Arkansas Administrative Procedure Act (§ 25-15-201 et seq).

## **PROBATIONARY STATUS OF SCHOOLS FAILING TO MEET STATE ACCREDITATION STANDARDS**

School districts classified as probationary “must meet all standards for accreditation within no more than two (2) consecutive school years, including the year the probationary status is declared, or be subject to the mandates of this subchapter, including, but not limited to, possible consolidation” (§ 6-15-203).

Local school districts on probation are to submit annual reports of progress toward compliance to the State Department of Education. The department will cooperate with local school authorities to assist affected districts to attain compliance with accreditation standards, and will determine compliance, through annual reports and biennial site visits.

#### **ENFORCEMENT OF STATE ACCREDITATION STANDARDS**

When a school fails to meet accreditation standards for two (2) consecutive school years, including the year that its probationary status is declared, the law empowers the State Board to take any of the following actions it deems appropriate:

- Require a district to reorganize or reassign the administration, faculty, and staff of the school on probation;
- Require a school to implement a revised curriculum, based on state standards, including providing necessary professional development seminars at the district's expense;
- Remove a particular school from the jurisdiction of its district and establish alternate public governance of the school;
- Require a school district to close down or dissolve a particular school or schools within a district;
- Annex a school or an entire district with another receiving district (pursuant to § 6-13-1401 et seq);
- Consolidate one school district with another district (pursuant to § 6-13-1401 et seq);
- Reconstitute the leadership of a school district by temporarily or permanently removing the superintendent and/or any particular school board member(s); or
- Take any other appropriate action allowed by law to address the failure of a school or district to meet accreditation standards.

(Note: These options are listed in § 6-15-207.)

#### **PUBLICATION AND DISSEMINATION OF PUBLIC NOTICE CONCERNING SCHOOL ACCREDITATION STATUS**

The Quality Education Act of 2003 requires that a school district on probation, after exhausting its rights to appeal, publish its probationary status by notifying parents or caregivers of students and by publishing a notice on its website and in at least two consecutive editions of their local newspaper. (See § 6-15-208).

#### **PROMULGATION OF RULES AND REGULATIONS**

Finally, the measure directs and authorizes the State Board of Education to develop and promulgate the rules and regulations, the definitions, processes, and procedures necessary for implementation (§ 6-15-209).

#### **IMPLEMENTATION OF THE QUALITY EDUCATION ACT OF 2003**

In the wake of the federal No Child Left Behind Act, the Arkansas General Assembly made significant revisions to the 1983 version of the Quality Education Act, thus directing the State Board of Education to revise state accreditation standards for elementary and secondary public schools to bring Arkansas schools into compliance with the federal law. Subsequently, the State Board of Education and the Arkansas Department of Education developed *Rules Governing Standards for Accreditation of Arkansas Schools and School Districts*, published in December, 2003. This 25-page document clearly outlines the state accreditation standards and the rules governing compliance in such areas as administration, community involvement, curriculum and instruction, student performance, graduation requirements, special programs, and enforcement. The complete text of the Rules Governing Standards for Accreditation of Arkansas Schools and School Districts may be found on the State Department of Education's website as follows: <http://arkedu.state.ar.us/pdf/new%20standards.pdf>

*Additional policy briefs and other education policy information may be found on the website of Office for Education Policy at the University of Arkansas at <http://www.uark.edu/ua/oep> or may be ordered by contacting the Office at (479) 575-3773.*