

Comments to the State Board of Education and the Arkansas Department of Education

By Baker Kurrus

August 3, 2019

I am sorry that I will be unable to attend today's general meeting. I have a scheduling conflict. I could only attend one public meeting. I attended the meeting at St. Mark Baptist Church, but decided not offer the public comments which I had prepared. I would not have offered all of these comments, but I will include them all in this written format.

INTRODUCTION.

This is a time of great opportunity for education in Little Rock. It is important to consider the reality which currently exists: The City of Little Rock is served by four large public school districts. Pulaski County Special School District serves a part of west Little Rock. Little Rock School District ("LRSD"), LISA and eSTEM operate in and pull students from a contiguous geographical area known for now as the Little Rock School District. LISA and eSTEM also have students who reside elsewhere, and LISA has schools outside the boundaries of LRSD. LISA, eSTEM and LRSD serve student bodies which are diverse in many ways. However, LRSD's so-called failing schools appear to have student bodies with needs that exceed those found at LISA and eSTEM. The greatest challenges of education in Little Rock appear to fall squarely on LRSD. Neither LRSD, nor the state of Arkansas during its period of control, has been able to raise the achievement levels of the schools which have the highest percentages of students with great needs. The essential question is whether LISA and eSTEM make the problem more difficult. The fact that they do not share the burden seems, on its face, to raise the level of the challenge.

Any solution which does not address this issue, and which does not create a unitary district within the LRSD geography, will not provide success for the students who are struggling.

LRSD now has more schools which are branded by ADE as failing than it had in January of 2015 when the state assumed control. The simplest and most informative explanation of these so-called failures can be found in the demographics of the students who attend these schools. The so-called failing schools have concentrated numbers of students of poverty, students who have major disability, students who move frequently, students who are chronically absent, and students who do not speak English as a first language. If these concentrations are a result of state policies, combined with local demographics, the state must take bold action now. The city should also move to change the local demographics. The state's basic obligation is set forth in Article 14 of the Arkansas Constitution:

"... the State shall ever maintain a general, suitable and efficient system of free public schools and shall adopt all suitable means to secure to the people the advantages and opportunities of education."

The current “system” which the State of Arkansas has created in geographical Little Rock is a haphazard, unplanned series of disconnected schools run by three of the top twenty largest school districts in the state. This dual system (or perhaps even triplicate system) is now grounded on the policy of school choice. No matter its etiology, the plain and clear result is a system which results in certain schools having overwhelming percentages of children of extreme need. The equivalence of average test scores to school quality, in a percentile ranking system, has yielded a very predictable result. Schools which have lost high performing students, and which are now populated by students who face the most profound educational challenges, have been denominated as failing schools. This tag has been placed on the schools without a detailed analysis of the demographics of the students who are in those schools. LISA and eSTEM have much different student demographics. Regardless of the reasons, and in spite of whatever lottery process which has been in operation, the clear result of the state’s policies appears to be the creation of an unconstitutional dual system. If so, the state policies which created this system must change, and any unwritten practices which have created the system must change, or the results in the failing schools will not change in any substantial degree. We have learned that the control of the schools, and the other interventions, have not made a material difference. On the positive side, we can see that diverse student bodies tend to elevate the achievement of all students at all levels of proficiency. We can easily see that recruitment of high-achieving students to a particular school elevates that school’s ranking, but at what cost to the remaining schools?

In summary, any dual “system” which causes the isolation, concentration and segregation of the most needy students will not stand. The State of Arkansas must now address and ameliorate this duality.

I. FUNDAMENTAL PRINCIPLES. Under the federal constitution, the state constitution, the Dupree case and the Lakeview case, the established rules are clear:

1. The State is responsible for educating all of the students in Arkansas. It can delegate control, but it cannot delegate or otherwise diminish its ultimate responsibility to discharge its constitutional obligation.
2. The requirement to fund education and meet this constitutional responsibility is paramount.
3. The Arkansas constitution requires by its plain language an efficient system. The current triplicate system, with periodic additions and deletions of failing charter schools which ultimately return students to LRSD, will not pass this simple test of efficiency.
4. Separate public schools are never equal. The dual system of education currently in place in Little Rock will never provide an equal education to those in protected classes who are isolated by it, no matter the outcomes.
5. The state laws relating to academic distress and the duration of direct state control give the state a great deal of flexibility with respect to reconstituting schools.

II. USE STUDENT INFORMATION IN YOUR DATABASE TO MAKE AN INFORMED DECISION.

People of good will and objectivity must now take the current state of facts and determine how to shape the best and most effective single system for meeting the needs of all students within the geographic boundaries of Little Rock School District. This will take a great deal of patience, understanding, and reconciliation. The macro-analysis needs to be fact-intensive and honest. It needs to be free of political agendas or past intractability. The state needs to get started on this analysis immediately. I suggest a few important areas that need to be explored immediately in order to compare the charter districts with LRSD as a whole, and the so-called failing schools within LRSD:

1. Obtain and analyze data regarding the current system. If there is any question about the existence of a dual system, ADE has within its control the data it needs to confirm or disaffirm the existence of it. A simple analysis of free and reduced lunch qualification will not provide clear insight. The following work plan would be a place to start:

a. Look at the student profiles in all three Little Rock districts and compare levels of poverty, student mobility, homelessness, parental involvement, family support, serious student disability (compare time spent in the regular classroom; put some things, like speech therapy, in a separate categories from major behavioral and physical disability, etc.) and English language proficiency. Look at the data for students who have gone back and forth between the school districts. It would be easy, for example to track the students who left Terry Elementary (an A-rated elementary at the time in question) to attend the new LISA elementary which was placed just west of Terry several years ago. Terry did not change materially, but now has a lower rating. How many students who left to go to the new nearby charter were gifted and talented, and where did the siblings of those students attend in subsequent years? How many students have left the LISA school and returned to LRSD? What are the proficiency levels of those students?

b. Look at the student data on the new charter that is in the old Mitchell location. What are the achievement levels of the students who left LRSD to attend there? How many students who enrolled at the school have subsequently returned to LRSD, and what are their academic profiles?

c. Examine the lottery system for charter schools, and calculate the odds of achieving their student enrollment profiles if the lottery were a purely random lottery with all Little Rock School District students. Analyze the student outcomes, and student achievement in all school districts after disaggregating the data relating to student demographics. Do not use the blunt instrument of free and reduced lunch qualification. Delve more deeply to understand the nuances of income levels within this broad category, to include things like duration of residency at the same location, existence of reliable transportation, credit scores, utilization of public housing assistance, etc.

I examined data of this nature and presented it to the State Board of Education on March 31, 2016. It was extremely powerful, and reflected a much different student population was present in LISA and eSTEM. Approximately eighty percent (80%) of the students who left LRSD for LISA and eSTEM from

2009 through 2016 were proficient or advanced in math and literacy based on the standards then in effect. Eight out of ten of the students who left were clearly successful in the LRSD, and their leaving caused a drop in the average test scores for the students who remained.

III. EXAMINE THE FAILED CHARTER SCHOOLS.

I believe there are approximately twenty charter schools currently serving students who reside within the boundaries of the Little Rock School District. In the past there have been charters that targeted low income students, and recruited students from geographic areas that had demographics somewhat similar to the areas served by the LRSD schools classified as failing. Have charter schools like Dreamland, Little Rock Preparatory Academy, Exalt Academy and Covenant Keepers had substantially better results than LRSD schools with the same general demographics? Given the state's inability to turn the so-called failing schools around, has the ADE done a root cause analysis of the failures of the similar charters?

IV. STUDY SUCCESSFUL LRSD SCHOOLS WITH DIVERSE STUDENT BODIES.

Little Rock School District has some of the highest achieving schools in the state, while also having the persistent problems at the so-called failing schools. Little Rock has some schools that achieve results which appear to be statistically significant for students who needed remediation in math and reading. Do these students have a higher probability of student growth in a diverse learning environment? The analysis could be done at Central High School, Pulaski Heights Middle School, Pinnacle View Middle School, Fulbright Elementary, Terry Elementary, Jefferson Elementary, and other schools with diverse student enrollments.

V. STUDY THE DEMOGRAPHICS AND RESULTS AT WILLIAMS ELEMENTARY AND FOREST HEIGHTS STEM.

These schools have some enrollment and demographic characteristics which make them broadly comparable to LISA and eSTEM schools. Compare the student demographics and academic achievement levels of these schools and determine if there are common attributes of success. Which schools perform at the best levels, and can the differences be ascribed to recruitment and demographics?

VI. COMPARE AND CONTRAST THE RESULTS AT THE QUEST MIDDLE SCHOOL CHARTERS IN LITTLE ROCK AND PINE BLUFF. These two schools were operated by the same charter company, but one failed and one is still in existence. What were the differences? Can the different student outcomes be explained? If the charters and charter operator were the same, what were the critical factors that caused one to fail, and one to continue?

VII. USE THE CURRENT PUBLIC SCHOOLS IN THE LRSD GEOGRAPHY AND INTENTIONALLY BUILD A UNITARY SYSTEM.

Promptly craft a plan to move toward a single, locally controlled unitary system in Little Rock which does not segregate, isolate and stigmatize students of greatest need. There are practical, cooperative things that could be done, such as merge the eSTEM High School into the new Southwest High School.

After the initiation of the new eSTEM High School it appears that the new Southwest High School will be substantially under-enrolled and under-utilized. Energize Hall High School by establishing Forest Heights and some LISA and eSTEM schools as feeders to a new STEM high school at Hall. According to Jim Argue, charter schools were designed to innovate, and to bring that innovation to the traditional public system. This was the promise, but has not been the practice.

VIII. ESTABLISH LOCAL CONTROL IN A WAY THAT BUILDS A UNITARY SYSTEM IN LITTLE ROCK.

The City of Little Rock must have a unitary, efficient system of education. The Arkansas history of school consolidation, and the record of elimination of school districts in order to reach a higher level of efficiency and quality, makes it hard to deny that the state's policy has been to consolidate contiguous school districts. This same policy direction needs to be employed now to eliminate the current multi-system approach in Little Rock because it has not benefitted the neediest children. The charter authorizing statute requires that there be "special emphasis on expanded learning experiences for students who are identified as low achieving." Ark. Code Ann. §6-23-102(2)(2015). This same law gives preference to charter schools applications in districts which have high percentages of students on free or reduced-price lunch or districts in academic distress. Ark. Code Ann. §6-23-304(b)(1) and (2) (2015). If large charter districts are not serving these needy students, it would make sense to unify the efforts of all to achieve the goals that all of the districts espouse.

If the data show that LRSD is being tasked with the most difficult educational challenges in the coterminous geography, the state should take bold action. The state should require the three large districts in Little Rock to cooperate and share the challenges that go along with meeting the needs of all members of the community. Consider establishing meaningful elected local boards for the three large school districts that currently serve the LRSD geography. If current law would permit, consider one school board to operate all of the schools in these districts, and require that the schools serve all children, especially those of greatest need, in a coordinated, efficient and effective manner. Within current legal frameworks, work hard to avoid isolation of children of greatest need. (The attendance zone for Pinnacle View Middle School includes two Title I elementary zones, for example.) "Local control" of only LRSD is not true local control of public education in Little Rock. Think creatively to give a unifying and cooperative voice for public education in Little Rock. True local control would foster coordinated, efficient and effective education for all, and would build a sense of community in the city as a whole.

CONCLUSION.

The desire of some for "school choice" can never overcome the state and federal constitutional requirements for a free, efficient unitary system of public education. A community cannot thrive without a unitary system which meets the needs and serves the purposes of all, especially those persons of greatest need.

Separate but equal systems do not pass constitutional muster. Systems which segregate, isolate and stigmatize students in protected classes are unsustainable as a matter of law. Furthermore, such a punitive arrangement is abominable.

Policies which place the greatest challenges on one district, and allow other districts to operate without service to all, are unfair. It is possible to build morale and improve performance, but only by using tools which are based on mutual respect. I do not fear over-zealous advocacy nearly as much as I fear apathy and resignation. I believe you could set a different standard through empathy and understanding, especially in light of the humbling experience of operating the so-called failing schools. You will need to carefully cultivate and channel the energy for positive change which exists in Little Rock. It can be done. I know that in a deep and personal way. It is time we start the construction of a unitary system which serves all, and focuses special energy and resources on those persons of greatest need. I think the answer will lie in building community-based, diverse student bodies which can be energized by educators who are fully supported. The data will determine if this is the case.

When we come together and join all of our efforts in a common pursuit, not only do we discharge our constitutional duty, we also meet our highest fiduciary obligations to the students of greatest need.