

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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HOUSE BILL 405
Committee Substitute Favorable 4/18/01

Short Title: Amend Student Accountability Prog.-AB.

(Public)

Sponsors:

Referred to:

March 1, 2001

A BILL TO BE ENTITLED

1 AN ACT TO AMEND THE STATUTE REGARDING THE STATE TESTING AND
2 STUDENT ACCOUNTABILITY PROGRAM.
3

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 115C-105.37 reads as rewritten:

6 "**§ 115C-105.37. Identification of low-performing schools.**

7 (a) The State Board of Education shall design and implement a procedure to
8 identify low-performing schools on an annual basis. ~~Low-performing schools are those~~
9 ~~in which there is a failure to meet the minimum growth standards, as defined by the~~
10 ~~State Board, and a majority of students are performing below grade level.~~A low-
11 performing school is one that has failed to meet the minimum growth standards, as
12 defined by the State Board, and has failed to meet the minimum achievement standard.
13 The State Board shall set annually the minimum achievement standard, which is the
14 minimum percent of students who must perform at or above grade level at a school. The
15 minimum achievement standard shall be no less than fifty-one percent (51%) of
16 students. The State Board shall not set the minimum achievement standard at any level
17 that is lower than a previous level. The State Board shall notify schools before the
18 beginning of the school year in which the minimum achievement standard will be
19 raised.

20 (a1) By July 10 of each year, each local school administrative unit shall do a
21 preliminary analysis of test results to determine which of its schools the State Board
22 may identify as low-performing under this section. The superintendent then shall
23 proceed under G.S. 115C-105.39. In addition, within 30 days of the initial identification
24 of a school as low-performing by the local school administrative unit or the State Board,
25 whichever occurs first, the superintendent shall submit to the local board a preliminary
26 plan for addressing the needs of that school. Within 30 days of its receipt of this plan,
27 the local board shall vote to approve, modify, or reject this plan. Before the board makes
28 this vote, it shall make the plan available to the public, including the personnel assigned
29 to that school and the parents and guardians of the students who are assigned to the

1 school, and shall allow for written comments. The board shall submit the plan to the
2 State Board within five days of the board's vote. The State Board shall review the plan
3 expeditiously and, if appropriate, may offer recommendations to modify the plan. The
4 local board shall consider any recommendations made by the State Board."

5 (b) Each school that the State Board identifies as low-performing shall provide
6 written notification to the parents of students attending that school. The written
7 notification shall include a statement that the State Board of Education has found that
8 the school has "failed to meet the minimum growth standards, as defined by the State
9 Board, and ~~a majority of students in the school are performing below grade level.~~failed
10 to meet the minimum achievement standard, as set by the State Board." This notification
11 also shall include information about the plan developed under subsection (a1) of this
12 section and a description of any additional steps the school is taking to improve student
13 performance."

14 **SECTION 2.** G.S. 115C-12(9a) and (9b) read as rewritten:

15 **"§ 115C-12. Powers and duties of the Board generally.**

16 The general supervision and administration of the free public school system shall be
17 vested in the State Board of Education. The State Board of Education shall establish
18 policy for the system of free public schools, subject to laws enacted by the General
19 Assembly. The powers and duties of the State Board of Education are defined as
20 follows:

21 ...

22 (9a) Power to Develop Content Standards. – The Board shall develop a
23 comprehensive plan to revise content standards and the standard
24 course of study in the core academic areas of reading, writing,
25 mathematics, science, history, geography, and civics. The Board shall
26 involve and survey a representative sample of parents, teachers, and
27 the public to help determine academic content standard priorities and
28 usefulness of the content standards. A full review of available and
29 relevant academic content standards that are rigorous, specific,
30 sequenced, clear, focused, and measurable, whenever possible, shall
31 be a part of the process of the development of content standards. The
32 revised content standards developed in the core academic areas shall
33 (i) reflect high expectations for students and an in-depth mastery of the
34 content; (ii) be clearly grounded in the content of each academic area;
35 (iii) be defined grade-by-grade and course-by-course; (iv) be
36 understandable to parents and teachers; (v) be developed in full
37 recognition of the time available to teach the core academic areas at
38 each grade level; and (vi) be measurable, whenever possible, in a
39 reliable, valid, and efficient manner for accountability purposes.

40 High school course content standards shall include the knowledge
41 and skills necessary to enter the workforce and also shall be aligned
42 with the coursework required for admission to the constituent
43 institutions of The University of North Carolina. The Board shall

1 develop and implement a plan for end-of-course tests for ~~the minimum~~
2 ~~courses required for admission to the constituent institutions. those~~
3 ~~courses identified by the State Board.~~ All end-of-course tests shall be
4 aligned with the content standards.

5 The Board also shall develop and implement an ongoing process to
6 align State programs and support materials with the revised academic
7 content standards for each core academic area every five years.
8 Alignment shall include revising textbook criteria, support materials,
9 State tests, teacher and school administrator preparation, and ongoing
10 professional development programs to be compatible with content
11 standards. The Board shall develop and make available to teachers and
12 parents support materials, including teacher and parent guides, for
13 academic content standards. The State Board of Education shall work
14 in collaboration with the Board of Governors of The University of
15 North Carolina to ensure that teacher and school administrator degree
16 programs, ongoing professional development and other university
17 activity in the State's public schools align with the State Board's
18 priorities.

- 19 (9b) Power to Develop Exit Exams. – The Board shall develop a plan to
20 implement high school exit exams, grade-level student proficiency
21 benchmarks, student proficiency benchmarks for ~~academic courses~~
22 ~~required for admission to constituent institutions of The University of~~
23 ~~North Carolina, courses identified by the State Board,~~ and student
24 proficiency benchmarks for the knowledge and skills necessary to
25 enter the workforce. The State Board may develop student proficiency
26 benchmarks for other courses offered to secondary school students.
27 The high school exit exams and student proficiency benchmarks shall
28 be aligned with G.S. 115C-12(9a) and may contain pertinent
29 components of the school-based accountability annual performance
30 goals.
31"

32 **SECTION 3.** G.S. 143B-146.5 reads as rewritten:

33 **"§ 143B-146.5. Identification of low-performing schools.**

34 (a) The State Board shall design and implement a procedure to identify
35 low-performing schools on an annual basis. ~~Low performing schools are those~~
36 ~~participating schools in which there is a failure to meet the minimum growth standards,~~
37 ~~as defined by the State Board, and a majority of students are performing below grade~~
38 ~~level. A low-performing school is one that has failed to meet the minimum growth~~
39 ~~standards, as defined by the State Board, and has failed to meet the minimum~~
40 ~~achievement standard. The State Board shall set annually the minimum achievement~~
41 ~~standard, which is the minimum percent of students who must perform at or above~~
42 ~~grade level at a school. The minimum achievement standard shall be no less than fifty-~~
43 ~~one percent (51%) of students. The State Board shall not set the minimum achievement~~

1 standard at any level that is lower than a previous level. The State Board shall notify the
2 schools before the beginning of the school year in which the minimum achievement
3 standard will be raised.

4 (b) By July 10 of each year, the Secretary shall do a preliminary analysis of test
5 results to determine which participating schools the State Board may identify as
6 low-performing under this section. The Secretary then shall proceed under G.S.
7 143B-146.7. In addition, within 30 days of the initial identification of a school as
8 low-performing by the Secretary or the State Board, whichever occurs first, the
9 Secretary shall develop a preliminary plan for addressing the needs of that school.
10 Before the Secretary adopts this plan, the Secretary shall make the plan available to the
11 residential school personnel and the parents and guardians of the students of the school,
12 and shall allow for written comments. Within five days of adopting the plan, the
13 Secretary shall submit the plan to the State Board. The State Board shall review the plan
14 expeditiously and, if appropriate, may offer recommendations to modify the plan. The
15 Secretary shall consider any recommendations made by the State Board.

16 (c) Each identified low-performing school shall provide written notification to
17 the parents of students attending that school. The written notification shall include a
18 statement that the State Board of Education has found that the school has "failed to meet
19 the minimum growth standards, as defined by the State Board, and ~~a majority of~~
20 ~~students in the school are performing below grade level.~~ failed to meet the minimum
21 achievement standard, as set by the State Board." This notification also shall include a
22 description of the steps the school is taking to improve student performance."

23 **SECTION 4.** This act becomes effective July 1, 2001, and applies beginning
24 with the 2001-2002 school year.