

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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SENATE BILL 201

Short Title: Closing Academic Achievement Gap. (Public)

Sponsors: Senators Martin of Guilford, Dannelly, Garwood; Ballance, Gulley, Jordan, Kinnaird, Lee, Lucas, and Shaw of Cumberland.

Referred to: Education/Higher Education.

February 22, 2001

A BILL TO BE ENTITLED

1 AN ACT TO AMEND THE SCHOOL ACCOUNTABILITY MODEL TO TAKE
2 INTO ACCOUNT A CLOSING THE GAP COMPONENT, TO DIRECT SCHOOL
3 SYSTEMS TO IDENTIFY STUDENTS WHO HAVE BEEN PLACED AT RISK
4 OF ACADEMIC SCHOOL FAILURE AND IMPLEMENT PERSONAL
5 EDUCATION PLANS FOR THOSE STUDENTS, TO DIRECT THE STATE
6 BOARD OF EDUCATION TO ADOPT GUIDELINES FOR SCHOOL SYSTEMS
7 TO ESTABLISH LOCAL TASK FORCES ON CLOSING THE ACHIEVEMENT
8 GAP, TO REQUIRE PRINCIPALS TO CONSIDER INFORMATION IN
9 ADDITION TO STATE TEST RESULTS WHEN MAKING STUDENT
10 PROMOTION DECISIONS, TO DIRECT THE STATE BOARD OF EDUCATION
11 TO INCLUDE CULTURALLY DIVERSE OBJECTIVES AND ACTIVITIES AS
12 PART OF ITS CURRICULUM REVISIONS, TO REQUIRE THE EMPLOYMENT
13 OF TEACHERS OR INSTRUCTIONAL SUPPORT PERSONNEL WHO SPEAK
14 THE LANGUAGE OF NON-ENGLISH-SPEAKING STUDENTS WHEN THERE
15 IS A SUBSTANTIAL POPULATION OF THOSE STUDENTS IN A SCHOOL,
16 TO MAKE PERMANENT THE COMMISSION ON IMPROVING THE
17 ACADEMIC ACHIEVEMENT OF MINORITY AND AT-RISK STUDENTS, TO
18 DIRECT THE STATE BOARD OF EDUCATION TO REPORT IN A
19 DISAGGREGATED MANNER DROPOUT RATES, SUSPENSIONS,
20 EXPULSIONS, AND ALTERNATIVE PLACEMENTS, AND TO APPROPRIATE
21 FUNDS.
22

23 The General Assembly of North Carolina enacts:

24 **SECTION 1.** G.S. 115C-105.35 reads as rewritten:

25 **"§ 115C-105.35. Annual performance goals.**

26 The School-Based Management and Accountability Program shall (i) focus on
27 student performance in the basics of reading, mathematics, and communications skills

1 in elementary and middle schools, (ii) focus on student performance in courses required
2 for graduation and on other measures required by the State Board in the high schools,
3 and (iii) hold schools accountable for the educational growth of their students. To those
4 ends, the State Board shall design and implement an accountability system that sets
5 annual performance standards for each school in the State in order to measure the
6 growth in performance of the students in each individual school. For purposes of this
7 Article, beginning school year 2001-2002, the Board shall include a 'closing the
8 achievement gap' component in its measurement of educational growth in student
9 performance for each school."

10 **SECTION 2.** Part 3 of Article 8B of Chapter 115C of the General Statutes is
11 amended by adding the following new section to read:

12 **"§ 115C-105.41. Students who have been placed at risk of academic failure;**
13 **personal education plans.**

14 Local school administrative units shall identify students in all grades who have been
15 placed at risk for academic failure and implement a personal education plan for
16 academic improvement with focused intervention and performance benchmarks.
17 Identification shall occur as early as can reasonably be done and can be based on grades,
18 observations, and other factors that teachers and administrators consider appropriate,
19 without having to await the results of end-of-grade or end-of-course tests. At the
20 beginning of the school year a personal education plan shall be developed for any
21 student not performing at least at grade level, as identified by the State end-of-grade
22 test; if, however, a student's performance appears to be falling below State proficiency
23 standards at any time during the school year, a personal education plan shall be
24 developed. Focused intervention and acceleration activities may include, among other
25 things, summer school, Saturday school, and extended days. Local school administrative
26 units shall provide these activities, and transportation, free of charge to students."

27 **SECTION 3.** G.S. 115C-12 is amended by adding the following new
28 subdivision to read:

29 "(29) Duty to Adopt Policy for the Establishment of Local Task Forces on
30 Closing the Achievement Gap. – The State Board shall adopt a policy
31 for local school administrative units to establish local task forces on
32 closing the achievement gap. The purpose of each task force is to
33 advise and work with its local board of education and administration
34 on closing the gap in academic achievement and on developing a
35 collaborative plan for achieving that goal. The Board's policy shall
36 include the following:

- 37 a. Each task force shall report to its local board of education.
38 b. Each task force shall include key stakeholders in the community
39 who are committed to improving the education of all children,
40 especially those who are underachieving, and who agree to
41 attend on a regular basis task force meetings, take an active role
42 in discussions and activities, listen to the ideas, suggestions, and
43 comments of other task force members as well as community
44 members, inform other members of the school and community

1 of the work of the task force, participate in any training for the
2 task force members such as consensus building, problem-
3 solving, and group dynamics, and seek actively data-driven
4 solutions to improving the achievement of all students.

5 c. Task force members shall be representative of community
6 demographics (race/ethnic, gender, and socio-economic
7 diversity), and it is strongly recommended that they include:

8 1. Three parents, as selected by that local school
9 administrative unit's parent organization. One parent
10 shall have a child at an elementary school, one shall have
11 a child at a junior high or middle school, and one shall
12 have a child at a high school.

13 2. School administrators, administrators, teachers,
14 instructional support personnel, exceptional children
15 personnel, and second language specialists, each of
16 whom shall be selected by the superintendent.

17 3. One member of the local board of education, as selected
18 by that board.

19 4. One representative of the local department of social
20 services, as selected by the director of social services.

21 5. At least one juvenile court counselor, as selected by the
22 Chief District Court Judge for that judicial district.

23 6. At least one representative of local law enforcement, as
24 selected by the county sheriff.

25 7. One representative of the local Communities in Schools
26 program, if present in the local school administrative
27 unit, as selected by the executive director of that
28 program.

29 8. At least one representative of local businesses, as
30 selected by the local chamber of commerce.

31 9. Representatives from community-based organizations, as
32 selected by the superintendent upon recommendation
33 from those organizations.

34 10. At least one representative of a university school of
35 education, if there is one in the area, as selected by the
36 chairperson of the local board of education.

37 11. Two high school students, as recommended by their
38 student councils and selected by the chairperson of the
39 local board of education.

40 12. Any other community representatives, as selected by the
41 superintendent.

42 The superintendent shall name the chair of the task force, who
43 shall call the first meeting of the task force.

44 d. Each task force shall:

1. Decide on training that it may need.
 2. Determine what information and data the task force will need. The task force shall plan and schedule presentations on this information and data, which shall be disaggregated by race, ethnicity, gender, and socio-economic status. Examples may include State test data, discipline statistics, teacher-student ratio, student and teacher attendance data, faculty composition by race, gender, and ethnicity, and professional preparation of educators.
 3. Define the communication process and person responsible for disseminating information to the public. Communication shall include the posting of information on a website and shall provide appropriate translations, as needed.
 4. Establish a policy statement on closing the achievement gap for the local school administrative unit. This statement shall address why closing the achievement gap is important to the entire community.
 5. Set aside specific meetings to analyze and synthesize data and information. The task force shall use these data to identify and prioritize the problems with student achievement.
 6. Identify and review current effective programs and instructional strategies that address student achievement needs, identify criteria used to determine their effectiveness, determine changes to improve the effectiveness, identify gaps in services, identify needed information to determine research-based programs and strategies that are effective in addressing the gaps.
 7. Develop a report to the school and community that includes an implementation plan, benchmarks, and the monitoring process.
- e. Each task force may establish subcommittees to research answers to the critical questions. If subcommittees are established, they shall present their findings to the full task force."

SECTION 4. G.S. 115C-288(a) reads as rewritten:

"(a) To Grade and Classify Pupils. – The principal shall have authority to grade and classify pupils except a principal shall not require additional testing of a student entering a public school from a school governed under Article 39 of this Chapter if test scores from a nationally standardized test or nationally standardized equivalent measure that are adequate to determine the appropriate placement of the child are available. Principals shall base their student promotion decisions on multiple measures of student

1 achievement and school success, including, but not limited to, end-of-grade and end-of-
2 course tests, factors such as classroom work, grades, and quality of instruction received,
3 and a student's best educational interests."

4 **SECTION 5.** G.S. 115C-12(9a) reads as rewritten:

5 "(9a) Power to Develop Content Standards. – The Board shall develop a
6 comprehensive plan to revise content standards and the standard
7 course of study in the core academic areas of reading, writing,
8 mathematics, science, history, geography, and civics. The Board shall
9 involve and survey a representative sample of parents, teachers, and
10 the public to help determine academic content standard priorities and
11 usefulness of the content standards. A full review of available and
12 relevant academic content standards that are rigorous, specific,
13 sequenced, clear, focused, and measurable, whenever possible, shall be
14 a part of the process of the development of content standards. The
15 revised content standards developed in the core academic areas shall
16 (i) reflect high expectations for students and an in-depth mastery of the
17 content; (ii) be clearly grounded in the content of each academic area;
18 (iii) be defined grade-by-grade and course-by-course; (iv) be
19 understandable to parents and teachers; (v) be developed in full
20 recognition of the time available to teach the core academic areas at
21 each grade level; and (vi) be measurable, whenever possible, in a
22 reliable, valid, and efficient manner for accountability purposes.

23 High school course content standards shall include the knowledge
24 and skills necessary to enter the workforce and also shall be aligned
25 with the coursework required for admission to the constituent
26 institutions of The University of North Carolina. The Board shall
27 develop and implement a plan for end-of-course tests for the minimum
28 courses required for admission to the constituent institutions. All
29 end-of-course tests shall be aligned with the content standards.

30 The Board also shall develop and implement an ongoing process to
31 align State programs and support materials with the revised academic
32 content standards for each core academic area every five years.
33 Alignment shall include revising textbook criteria, support materials,
34 State tests, teacher and school administrator preparation, and ongoing
35 professional development programs to be compatible with content
36 standards. As part of the Board's curriculum revisions, the Board shall
37 include culturally diverse objectives and activities. The Board shall
38 develop and make available to teachers and parents support materials,
39 including teacher and parent guides, for academic content standards.
40 The State Board of Education shall work in collaboration with the
41 Board of Governors of The University of North Carolina to ensure that
42 teacher and school administrator degree programs, ongoing
43 professional development and other university activity in the State's
44 public schools align with the State Board's priorities."

1 **SECTION 6.** Of the funds allocated for Instructional Support Personnel,
2 local school administrative units shall employ teachers or instructional support
3 personnel for schools with a substantial population of students who speak a language
4 other than English. These personnel must be able to speak the native language of these
5 students. The State Board shall define the term "substantial population of students".

6 **SECTION 7.(a)** Section 15.1(b) of S.L. 1999-395 reads as rewritten:

7 "Section 15.1.(b) Initial appointments to the Commission shall be made before
8 September 15, 1999. The first meeting of the Commission shall be held no later than
9 October 15, 1999. Terms on the Commission are for two years and begin on the
10 convening of the General Assembly in each odd-numbered year. Members may
11 complete a term of service on the Commission even if they do not seek reelection or are
12 not reelected to the General Assembly, but resignation or removal from service in the
13 General Assembly constitutes resignation or removal from service on the Commission."

14 **SECTION 7.(b)** Section 15.5 of S.L. 1999-395 reads as rewritten:

15 "Section 15.5. The Commission ~~shall make an interim report of its findings and~~
16 ~~recommendations to the General Assembly not later than the convening of the 2000~~
17 ~~Regular Session of the 1999 General Assembly. The Commission shall submit to the~~
18 ~~General Assembly a final report of its findings and recommendations of this study not~~
19 ~~later than the convening of the 2001 General Assembly. Upon filing its final report, the~~
20 ~~Commission shall terminate.~~ may make interim reports to the General Assembly on
21 matters for which it may report to a regular session of the General Assembly. A report
22 to the General Assembly may contain any legislation needed to implement a
23 recommendation of the Commission."

24 **SECTION 7.(c)** The Commission, as reauthorized under this section, shall,
25 in addition to its other responsibilities, determine the extent to which additional fiscal
26 resources are needed to close the academic achievement gap and keep it closed. The
27 Commission shall report its findings under this subsection to the 2002 Regular Session
28 of the 2001 General Assembly.

29 **SECTION 8.** G.S. 115C-12(27) reads as rewritten:

30 "~~(27) Reporting Dropout Rates and Expelled Students. Rates, Suspensions,~~
31 ~~Expulsions, and Alternative Placements. The State Board shall report~~
32 ~~annually to the Joint Legislative Education Oversight Committee and~~
33 ~~the Commission on Improving the Academic Achievement of Minority~~
34 ~~and At-Risk Students on the numbers of students who have dropped~~
35 ~~out of school, been suspended, been expelled, or placed in an~~
36 ~~alternative program. The data shall be reported in a disaggregated~~
37 ~~manner and be readily available to the public. The State Board shall~~
38 ~~not include students that have been expelled from school when~~
39 ~~calculating the dropout rate. The Board shall maintain a separate~~
40 ~~record of the number of students who are expelled from school."~~

41 **SECTION 9.** There is appropriated from the General Fund to State Aid to
42 Local School Administrative Units the sum of fifty-seven million dollars (\$57,000,000)
43 for each fiscal year of the 2001-2003 biennium. Of these funds, twenty-three million
44 dollars (\$23,000,000) shall be allocated each fiscal year for the purpose of assisting

1 students in succeeding on the Student Accountability Standards and thirty-four million
2 dollars (\$34,000,000) shall be allocated each fiscal year to the At-Risk Student
3 Services/Alternative Schools allotment. The education subcommittees of the
4 appropriations committees of the General Assembly are encouraged to examine State
5 funds for education and identify funds that could be redirected for personnel and
6 activities designed to close the achievement gap in accordance with this act.

7 **SECTION 10.** There is appropriated from the General Fund to State Aid to
8 Local School Administrative Units the sum of ten million dollars (\$10,000,000) for each
9 fiscal year of the 2001-2003 biennium. These funds shall be allocated to local school
10 administrative units to pay for classroom teachers, teacher assistants, tutors, translators,
11 textbooks, classroom materials/instructional supplies/equipment, transportation costs,
12 and staff development for students with limited English proficiency.

13 **SECTION 11.** Sections 9 and 10 of this act become effective July 1, 2001.
14 The remainder of this act is effective when it becomes law.