

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2003**

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**HOUSE DRH60088-LE-89A\* (2/26)**

Short Title: State Assistance to Low-Performing LEAs.-AB (Public)

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Sponsors: Representatives Bell, Preston, and Warren (Primary Sponsors).

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Referred to:

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A BILL TO BE ENTITLED

AN ACT AUTHORIZING THE STATE BOARD OF EDUCATION TO IDENTIFY  
AND PROVIDE ASSISTANCE TO LOW-PERFORMING SCHOOL  
ADMINISTRATIVE UNITS.

The General Assembly of North Carolina enacts:

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

**"§ 115C-105.37. Identification of low-performing ~~schools~~schools and low-performing school administrative units.**

(a) The State Board of Education shall design and implement a procedure to identify low-performing schools and local school administrative units on an annual basis. Low-performing schools and local school administrative units are those in which there is a failure to meet the minimum growth standards, as defined by the State Board, and a majority of students are performing below grade level.

(a1) By July 10 of each year, each local school administrative unit shall do a preliminary analysis of test results to determine which of its schools the State Board may identify as low-performing under this section. The superintendent then shall proceed under G.S. 115C-105.39. In addition, within 30 days of the initial identification of a school as low-performing by the local school administrative unit or the State Board, whichever occurs first, the superintendent shall submit to the local board a preliminary plan for addressing the needs of that school, including how the superintendent and other central office administrators will work with the school and monitor the school's progress. Within 30 days of its receipt of this plan, the local board shall vote to approve, modify, or reject this plan. Before the board makes this vote, it shall make the plan available to the public, including the personnel assigned to that school and the parents and guardians of the students who are assigned to the school, and shall allow for written comments. The board shall submit the plan to the State Board within five days of the board's vote. The State Board shall review the plan expeditiously and, if appropriate,

1 may offer recommendations to modify the plan. The local board shall consider any  
2 recommendations made by the State Board.

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

11 **SECTION 2.** G.S. 115C-105.38 reads as rewritten:

12 **"§ 115C-105.38. Assistance teams; review by State Board.**

13 (a) The State Board of Education may assign an assistance team to any school or  
14 local school administrative unit identified as low-performing under this Article or to any  
15 other school that requests an assistance team and that the State Board determines would  
16 benefit from an assistance team. The State Board shall give priority to low-performing  
17 schools and local school administrative units in which the educational performance of  
18 the students is declining. The Department of Public Instruction shall, with the approval  
19 of the State Board, provide staff as needed and requested by an assistance team.

20 (b) When assigned to an identified low-performing ~~school,~~ school or local school  
21 administrative unit, an assistance team shall:

- 22 (1) Review and investigate all facets of school operations and assist in  
23 developing recommendations for improving student performance at  
24 that school.
- 25 (2) Evaluate at least semiannually the personnel assigned to the school or  
26 local school administrative unit and make findings and  
27 recommendations concerning their performance.
- 28 (3) Collaborate with school staff, central offices, and local boards of  
29 education in the design, implementation, and monitoring of a plan that,  
30 if fully implemented, can reasonably be expected to alleviate problems  
31 and improve student performance at that ~~school,~~ school or local school  
32 administrative unit.
- 33 (4) Make recommendations as the school or local school administrative  
34 unit develops and implements this plan.
- 35 (5) Review the school's ~~progress,~~ progress or that of the local school  
36 administrative unit.
- 37 (6) Report, as appropriate, to the local board of education, the community,  
38 and the State Board on the school's or the local school administrative  
39 unit's progress. If an assistance team determines that an accepted  
40 school improvement plan developed under G.S. 115C-105.27 is  
41 impeding student performance at a ~~school,~~ school or a local school  
42 administrative unit, the team may recommend to the local board that it  
43 vacate the relevant portions of that plan and direct the school or local  
44 school administrative unit to revise those portions.

1 (b1) Report to the State Board of Education if a school or local school  
2 administrative unit and its local board of education are not responsive to the team's  
3 recommendations. A copy of that report shall be made available to the local board, and  
4 the local board shall have an opportunity to respond. Notwithstanding G.S. 115C-36 and  
5 other provisions of this Chapter, if the State Board confirms that the school or local  
6 school administrative unit and the local board have failed to take appropriate steps to  
7 improve student performance at that school, the State Board shall assume all powers and  
8 duties previously conferred upon that local board and that school or local school  
9 administrative unit and shall have general control and supervision of all matters  
10 pertaining to that school or local school administrative unit until student performance at  
11 the school meets or exceeds the standards set for the ~~school~~ school or local school  
12 administrative unit. The State Board may, as it considers appropriate, delegate any  
13 powers and duties to that local board or school before the school or local school  
14 administrative unit meets or exceeds those standards.

15 (c) If a school or local school administrative unit fails to improve student  
16 performance after assistance is provided under this section, the assistance team may  
17 recommend that the assistance continues or that the State Board take further action  
18 under G.S. 115C-105.39.

19 (d) The State Board shall annually review the progress made in identified  
20 low-performing ~~schools~~ schools or local school administrative units."

21 **SECTION 3.** This act is effective when it becomes law.