

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011**

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**SENATE BILL 928**

Short Title: Repeal/Streamline DPI Reporting Requirements. (Public)

Sponsors: Senators Tucker (Primary Sponsor); and Hise.

Referred to: Rules and Operations of the Senate.

June 28, 2012

1 A BILL TO BE ENTITLED  
2 AN ACT TO STREAMLINE PUBLIC SCHOOL REPORTING REQUIREMENTS.  
3 The General Assembly of North Carolina enacts:

4  
5 **LOCAL PLANS FOR ACADEMICALLY OR INTELLECTUALLY GIFTED**  
6 **STUDENTS**

7 **SECTION 1.** G.S. 115C-150.7(d) reads as rewritten:

8 "(d) ~~A plan shall remain in effect for no more than three years; The local board of~~  
9 education shall review the plan at least every three years; however, the local board may amend  
10 the plan as often as it considers necessary or appropriate. Any changes to a plan shall be  
11 submitted to the State Board of Education for its review and comments. The local board shall  
12 consider the State Board's comments before it implements the changes."

13  
14 **REPORT ON COMPLIANCE WITH STATUTE REQUIRING PERSONAL**  
15 **EDUCATION PLANS**

16 **SECTION 2.** G.S. 115C-105.41 reads as rewritten:

17 "**§ 115C-105.41. Students who have been placed at risk of academic failure; personal**  
18 **education plans.**

19 Local school administrative units shall identify students who are at risk for academic failure  
20 and who are not successfully progressing toward grade promotion and graduation, beginning no  
21 later than the fourth grade. Identification shall occur as early as can reasonably be done and can  
22 be based on grades, observations, State assessments, and other factors, including reading on  
23 grade level, that impact student performance that teachers and administrators consider  
24 appropriate, without having to await the results of end-of-grade or end-of-course tests. No later  
25 than the end of the first quarter, or after a teacher has had up to nine weeks of instructional time  
26 with a student, a personal education plan for academic improvement with focused intervention  
27 and performance benchmarks shall be developed or updated for any student at risk of academic  
28 failure who is not performing at least at grade level, as identified by the State end-of-grade test  
29 and other factors noted above. Focused intervention and accelerated activities should include  
30 research-based best practices that meet the needs of students and may include coaching,  
31 mentoring, tutoring, summer school, Saturday school, and extended days. Local school  
32 administrative units shall provide these activities free of charge to students. Local school  
33 administrative units shall also provide transportation free of charge to all students for whom  
34 transportation is necessary for participation in these activities.



1 Local school administrative units shall give notice of the personal education plan and a  
2 copy of the personal education plan to the student's parent or guardian. Parents should be  
3 included in the implementation and ongoing review of personal education plans.

4 ~~Local school administrative units shall certify that they have complied with this section~~  
5 ~~annually to the State Board of Education. The State Board of Education shall periodically~~  
6 ~~review data on the progress of identified students and report to the Joint Legislative Education~~  
7 ~~Oversight Committee.~~

8 No cause of action for monetary damages shall arise from the failure to provide or  
9 implement a personal education plan under this section."

## 10 11 **CONSOLIDATION OF REPORTS ON SCHOOL DISCIPLINE AND SCHOOL** 12 **VIOLENCE**

13 **SECTION 3.** G.S. 115C-12 reads as rewritten:

### 14 **"§ 115C-12. Powers and duties of the Board generally.**

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

19 ...

20 (21) Duty to Monitor Acts of School Violence. – ~~The State Board of Education~~  
21 ~~shall monitor and compile an annual report on acts of violence in the public~~  
22 ~~schools.~~ The State Board shall adopt standard definitions for acts of school  
23 violence and shall require local boards of education to report them to the  
24 State Board in a standard format adopted by the State Board. ~~The State~~  
25 ~~Board shall submit its report on acts of violence in the public schools to the~~  
26 ~~Joint Legislative Education Oversight Committee by March 15 of each year.~~

27 ...

28 (27) Reporting Acts of School Violence, Dropout Rates, Corporal Punishment,  
29 Suspensions, Expulsions, and Alternative Placements. – The State Board  
30 shall report by March 15 of each year to the Joint Legislative Education  
31 Oversight Committee on acts of violence in the public schools reported by  
32 local boards of education and the numbers of (i) students who have dropped  
33 out of school, ~~been~~(ii) students subjected to corporal punishment, ~~been~~(iii)  
34 students suspended, ~~been~~(iv) students expelled, ~~been~~(v) students reassigned  
35 for disciplinary purposes, ~~or been~~ and (vi) students provided alternative  
36 education services. The data shall be reported in a disaggregated manner,  
37 reflecting the local school administrative unit, race, gender, grade level,  
38 ethnicity, and disability status of each affected student. Such data shall be  
39 readily available to the public. The State Board shall not include the number  
40 of students ~~that~~who have been expelled from school when calculating the  
41 dropout rate. The Board shall maintain a separate record of the number of  
42 students who are expelled from school and the reasons for the expulsion.

43 ...."

## 44 45 **CONSOLIDATION OF REPORTS ON INNOVATIVE HIGH SCHOOL PROGRAMS**

46 **SECTION 4.(a)** Sections 7.19 and 7.21 of S.L. 2007-323 are repealed.

47 **SECTION 4.(b)** Sections 7.32 and 7.52 of S.L. 2005-276 are repealed.

48 **SECTION 4.(c)** G.S. 115C-238.55 is repealed.

49 **SECTION 4.(d)** G.S. 115C-12 is amended by adding a new subdivision to read:

50 "(26a) Duty to Report on the Success of the Career and College Promise Programs.  
51 – The State Board of Education, in collaboration with the Board of

1 Governors of The University of North Carolina and the State Board of  
2 Community Colleges, shall evaluate the success of students in the following  
3 programs:

4 a. The cooperative innovative high school programs as provided by Part  
5 9 of Article 16 of Chapter 115C of the General Statutes.

6 b. Academic transition pathways for qualified junior and senior high  
7 school students that lead to a career technical education certificate or  
8 diploma.

9 c. College transfer certificates requiring the successful completion of 30  
10 semester credit hours of transfer courses, including English and  
11 mathematics, for qualified junior and senior high school students.

12 Success shall be measured by high school retention rates, high school  
13 completion rates, high school dropout rates, certification and associate  
14 degree completion, admission to four-year institutions, postgraduation  
15 employment in career-or study-related fields, and employer satisfaction of  
16 employees who participated in and graduated from the programs. The boards  
17 shall jointly report by January 15 of each year to the Joint Legislative  
18 Education Oversight Committee on the evaluation of these programs."  
19

## 20 **TEACHER PREPARATION PROGRAMS/PERFORMANCE REPORT**

21 **SECTION 5.** G.S. 115C-296(b1) reads as rewritten:

22 "(b1) The State Board of Education shall develop a plan to provide a focused review of  
23 teacher education programs and the current process of accrediting these programs in order to  
24 ensure that the programs produce graduates that are well prepared to teach. The plan shall  
25 include the development and implementation of a school of education performance report for  
26 each teacher education program in North Carolina. The performance report shall include at  
27 least the following elements: (i) quality of students entering the schools of education, including  
28 the average grade point average and average score on preprofessional skills tests that assess  
29 reading, writing, math and other competencies; (ii) graduation rates; (iii) time-to-graduation  
30 rates; (iv) average scores of graduates on professional and content area examination for the  
31 purpose of licensure; (v) percentage of graduates receiving initial licenses; (vi) percentage of  
32 graduates hired as teachers; (vii) percentage of graduates remaining in teaching for four years;  
33 (viii) graduate satisfaction based on a common survey; and (ix) employer satisfaction based on  
34 a common survey. The performance reports shall follow a common format. The performance  
35 reports shall be submitted annually. The State Board of Education shall develop a plan to be  
36 implemented beginning in the 1998-99 school year to reward and sanction approved teacher  
37 education programs and masters of education programs and to revoke approval of those  
38 programs based on the performance reports and other criteria established by the State Board of  
39 Education.

40 The State Board also shall develop and implement a plan for annual performance reports for  
41 all masters degree programs in education and school administration in North Carolina. To the  
42 extent it is appropriated, the performance report shall include similar indicators to those  
43 developed for the performance report for teacher education programs. The performance reports  
44 shall follow a common format.

45 Both plans for performance reports also shall include a method to provide the annual  
46 performance reports to the Board of Governors of The University of North Carolina, the State  
47 Board of Education, and the boards of trustees of the independent colleges. ~~The State Board of~~  
48 ~~Education shall review the schools of education performance reports and the performance~~  
49 ~~reports for masters degree programs in education and school administration each year the~~  
50 ~~performance reports are submitted. The State Board shall submit the performance report for the~~  
51 ~~1999-2000 school year to the Joint Legislative Education Oversight Committee by December~~

15, 2000. Subsequent performance reports shall be submitted to the Joint Legislative Education Oversight Committee on an annual basis by October 1."

#### REPORT ON DWI VEHICLE FORFEITURE

SECTION 6. G.S. 115C-276(t) is repealed.

#### REPORT ON FUNDS FOR MENTORING SERVICES

SECTION 7. Section 7.8 of S.L. 2008-107, as amended by Section 1(b) of S.L. 2009-305, is repealed.

#### REPORT ON DISADVANTAGED STUDENT SUPPLEMENTAL FUNDING

SECTION 8.(a) Section 7.8(b) of S.L. 2005-276 is repealed.

SECTION 8.(b) Section 7.8(b) of S.L. 2007-323 is repealed.

#### MORE AT FOUR YEARLY REVIEW

SECTION 9.(a) Section 7.17(c) of S.L. 2008-107 is repealed.

SECTION 9.(b) Subsections (c) and (g) of Section 7.5 of S.L. 2010-31 are repealed.

#### DROPOUT PREVENTION GRANT REVIEW

SECTION 10. Section 7.19(c) of S.L. 2010-31 is repealed.

#### REPORT ON PLANT OPERATION FUNDING

SECTION 11. Section 7.18(b) of S.L. 2008-107 is repealed.

#### REPORT ON PROFESSIONAL DEVELOPMENT PROGRAMS FOR PUBLIC SCHOOL EMPLOYEES

SECTION 12.(a) G.S. 115C-12(26) is repealed.

SECTION 12.(b) G.S. 116-11(12a) reads as rewritten:

"(12a) The Board of Governors of The University of North Carolina shall implement, administer, and revise programs for meaningful professional development for professional public school employees based upon the evaluations and recommendations made by the State Board of Education under G.S. 115C-12(26)-employees. The programs shall be aligned with State education goals and directed toward improving student academic achievement. The Board of Governors shall submit to the State Board of Education an annual report evaluating the professional development programs administered by the Board of Governors."

#### REPORT ON BEHAVIORAL HEALTH SERVICES FOR THE MILITARY

SECTION 13.(a) G.S. 115C-12(38) is repealed.

SECTION 13.(b) G.S. 115C-47(60) is repealed.

SECTION 13.(c) To ensure that the unique needs of students with immediate family members in the military are met, local boards of education shall collect and report to the State Board of Education by September 30, 2012, the following information for each school in the local school administrative unit:

- (1) The number of students who have an immediate family member who has served in the reserve or active components of the Armed Forces of the United States since September 1, 2011.
- (2) Whether during the relevant period the local school administrative unit employed at least one employee trained in the unique needs of children who

1 have immediate family members in the military. An employee satisfies this  
2 requirement if the employee has received training on all of the following:

- 3 a. The number of children of members of the active or reserve  
4 components of the Armed Forces of the United States who live in the  
5 local school administrative unit.  
6 b. Available curricula on military families.  
7 c. The impact of deployments on the emotional and psychological  
8 well-being of the children and families.  
9 d. Potential warning signs of emotional and mental health disorders,  
10 substance use disorders, suicide risks, child maltreatment, or  
11 domestic violence.  
12 e. Appropriate resources to which students and their families may be  
13 referred as needed.  
14 f. Scholarships for after-school and enrichment activities available  
15 through the United States Department of Defense, the National  
16 Guard, or the reserve components of the Armed Forces of the United  
17 States for the children of parents who are actively deployed.

- 18 (3) The frequency with which the employee described in subdivision (2) of this  
19 subsection provided training to school administrators, nurses, nurses aides,  
20 counselors, social workers, and other personnel in the local school  
21 administrative unit during the relevant period, and the number of staff  
22 trained.

23 The State Board of Education shall report no later than December 15, 2012, to the  
24 Joint Legislative Education Oversight Committee and to the House of Representatives and  
25 Senate Appropriations Subcommittees on Education on information submitted to it pursuant to  
26 this section relating to the needs of students with immediate family members in the military.  
27

28 **EFFECTIVE DATE**

29 **SECTION 14.** This act becomes effective July 1, 2012.