

16 NCAC 06G .0317 is proposed for adoption as follows:

16 NCAC 06G .0317 School Reform Models

- (a) Definitions.
- (1) “Academic Gain” means a school has achieved at least two of these benchmarks:
 - (a) the SBE has designated that the school meets or exceeds expected growth under G.S. 115C-83.15(f);
 - (b) 50% of the subgroups for which the SBE reports growth scores under GS 115C-83.15(d2) have a status of meets or exceeds expected growth; or
 - (c) the school has realized a net increase in its achievement score during any five-year cycle under the restart model.
 - (2) “Achievement Score” means the overall achievement score as defined in G.S. 115C-83.15(b).
 - (3) “Application” means a written request signed by the chair and superintendent of the LSAU to implement a SRM that includes the name of the school to be operated under the SRM, the year in which the LSAU intends to implement the SRM, and a commitment to faithfully implement the Reform Implementation Plan (RIP) proposed for the school.
 - (4) “Continually Low Performing School” (CLPS) is defined in G.S. 115C-105.37A(a).
 - (5) “Education Management Organization” (EMO) is defined in 16 NCAC 06G .0523.
 - (6) “Indication of Growth” means the designation of growth as defined in G.S. 115C-83.15(f).
 - (7) “Low Performing School” is defined in G.S. 115C-105.37(a).
 - (8) “Restart Model” is defined in G.S. 115C-105.37B(a)(2).
 - (9) “School Reform Model” (SRM) means a “transformation model,” “restart model,” or “turnaround model”
 - (10) “Transformation Model” is defined in G.S. 115C-105.37B(a)(1).
 - (11) “Turnaround Model” is defined in G.S. 115C-105.37B(a)(3).
- (b) A local school administrative unit (LSAU) that wants to implement a transformation model in a CLPS shall submit to the State Board of Education (SBE) an application and an RIP that:
- (1) describes how the LSAU will implement improvements in the four areas critical to transforming a CLPS listed in G.S. 115C-105.37B(a)(1);
 - (2) specifies the goals for increasing the achievement score, growth score, and subgroup growth scores in the school;
 - (3) includes a proposed budget detailing the revenues and expenditures necessary to implement the RIP;
and
 - (4) includes a timeline for implementing the RIP.
- (c) A LSAU that wants to implement a restart model in a CLPS shall submit to the SBE an application and an RIP that:
- (1) describes how the LSAU will support the school in providing each student with the opportunity for a sound basic education;
 - (2) specifies the goals for increasing the achievement score, growth score, and subgroup growth scores in the school;
 - (3) describes how the LSAU will utilize operational flexibilities to increase academic achievement in the school;
 - (4) identifies the administrative barriers, such as teacher turnover, it believes contributed to the school’s identification as a CLPS, and sets standards for measuring progress in reducing those barriers;
 - (5) states whether the LSAU will contract with an educational management organization (“EMO”) to implement the restart model and provide:
 - (a) the name, address, email, and telephone number for the EMO;
 - (b) the website for the EMO;
 - (c) an explanation of how the services of the EMO will contribute to improved growth scores and achievement scores at the school;
 - (6) includes a proposed budget outlining the revenues and expenditures necessary to implement the RIP;
 - (7) includes a timeline for implementing the RIP; and
 - (8) includes a written commitment to implement the restart model for the duration of the five-year monitoring cycle described in paragraph (g) of this Rule.
- (d) An LSAU that wants to implement a turnaround model in a CLPS shall submit to the SBE an application and an RIP that:

- (1) describes the new governance structure to be implemented in the school;
 - (2) specifies the goals for increasing the achievement score, growth score, and subgroup growth scores in the school;
 - (3) describes the procedures that LSAU will use when removing staff, including due process protections where required by law;
 - (4) includes a proposed budget outlining the revenues and expenditures necessary to implement the RIP; and
 - (5) includes a timeline for implementing the RIP.
- (e) If an LSAU determines that no SRM has been or would be effective in removing the CLPS designation or otherwise concludes that closure of the CLPS is appropriate, it may close the school in accordance with G.S. 115C-72.
- (f) The SBE shall authorize the LSAU to implement the requested SRM if the SBE determines that the LSAU has the ability to faithfully implement the RIP and the LSAU is likely to operate the school in an educationally and economically sound manner to improve student learning. The LSAU shall operate the school under the authorized SRM until the SBE refuses to continue or removes the authorization.
- (g) An LSAU that has been authorized to implement a transformation or turnaround model shall submit an annual report to DPI by December 1 of each year describing and documenting changes in the school's growth score and achievement score within the preceding school year.
- (h) An LSAU that has been authorized to implement restart model shall:
- (1) include the operational flexibilities described in the RIP and any revisions to the RIP as action steps in the School Improvement Plan, specifying the school year(s) in which the operational flexibilities are to be utilized, and submit the School Improvement Plan to the SBE for review and approval in accordance with G.S. 115C-105.37A(a);
 - (2) by December 1st of the second year and every year after, submit an annual report that shall include descriptions and documentation of how the school utilized the operational flexibilities authorized in the restart model in the past year and how it intends to utilize authorized operational flexibilities in the future; and
 - (3) by January 31st of year five of any five-year restart model cycle submit a report describing and documenting:
 - (i) all policies, guidelines, or directives it adopted to implement the restart model;
 - (ii) all changes in growth scores and achievement scores along with the LSAU's explanation for those changes; and
 - (3) all efforts to reduce administrative barriers identified in the RIP and all measurable changes to those barriers attributable to those efforts.
- (i) Upon the LSAU's request, the SBE may reduce the reporting requirements in paragraph (h), if the SBE determines that the reduced reporting requirements would not compromise the SBE's ability to make decisions regarding the implementation of the restart model in the school. The SBE retains the authority to require LSAU's to report any information relevant to SBE decisions regarding the implementation of the restart model in the school.
- (j) If an LSAU desires to continue to operate a school that has indication of growth of not met and a net negative achievement score from Year 1 to Year 4 of any five-year cycle under the restart model, the LSAU shall submit an application for continued authorization by February 28th along with a revised RIP that addresses the perceived causes of the decline in the school's growth score and achievement score. The application shall include a commitment to cooperate with oversight and support from DPI during the term of the restart model. The SBE may approve the application and continue the authorization for a period up to five-years if the SBE determines the school is more likely to achieve progress under the revised RIP than it is if the application for reauthorization is denied.
- (k) If, at the end of Year 5, a school has realized academic gain, the LSAU may submit an application by February 28th to continue operating the school under the restart model with the same RIP or a revised RIP. The SBE may approve the application and continue the authorization for another five-year cycle unless the SBE determines that continuing to operate the school under the restart model is likely to result in a lower indication of growth or achievement scores.

- (l) If, at the end of Year 5, a school is no longer a CLPS and the SBE has determined that the school has met or exceeded growth under 115C-83.15(f), the LSAU may submit an application by February 28th to continue operating the school under the approved restart model the same RIP or a revised RIP. The SBE may approve the application and continue the authorization for another five-year cycle unless the SBE determines that continuing to operate the school under the SRM is likely to result in lower indication of growth or achievement scores.
- (m) The SBE may refuse to continue or remove authorization to operate a school under a SRM whenever it determines that:
- (1) the school has failed to realize the academic goals in the RIP and the failure to reduce administrative barriers that contributed to the school's identification as a CLPS means the school is unlikely to realize those goals within the next two years;
 - (2) the LSAU has failed to comply with applicable state or federal laws, has failed to provide the SBE with required reports, or failed to submit the School Improvement Plan for SBE approval as required in (h)(1) of this rule;
 - (3) a school operating under the restart model has failed to meet expected growth under GS 115C-83.15(f) and the school has demonstrated a net negative change in its achievement score after Year 4 of any five-year cycle and is unlikely to realize academic gain within the next two years;
 - (4) the LSAU requests removal of the authorization and the SBE determines that the school is more likely to realize greater growth scores or achievement scores without the authority to operate under the approved SRM; or
 - (5) if the LSAU continues to operate the school under the approved SRM, the school is likely to fail to meet expected growth under GS 115C-83.15(f) and realize lower achievement scores in the next two years.

History Note: Authority G.S. 115C-105.37B(b);
Eff. October 1, 2024