

**NORTH CAROLINA STATE BOARD OF EDUCATION
Policy Manual**

Item	Description
Policy Title	Reform for Recurring of Continually Low-Performing Schools
Policy Category	District and School Transformation
Policy ID	DSTR-040
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Administrative Procedures Act (APA)	<u>16 NCAC 06G .0317 (Pending)</u>

~~A local board of education may request to implement a school improvement model pursuant to G.S. 115C-105.37B as follows:~~

~~A. Eligibility~~

~~In order to be eligible to apply for a school improvement model, the LEA must demonstrate that the particular school is a recurring low performing school. A recurring low performing school is a school that has been low performing for two of the previous three consecutive years.~~

- ~~1. {Effective until September 2016} Recurring Low Performing Schools are identified based on two definitions of low performing:

 - ~~a. Majority of students performing below grade level and did not meet growth, and~~
 - ~~b. A performance grade of “D” or “F” and did not exceed growth.~~~~
- ~~2. {Effective September 2017} Recurring Low Performing Schools are identified based on one definition of low performing schools: A performance grade of “D” or “F” and did not exceed growth.~~

~~B. School Improvement Model Options:~~

- ~~1. **Transformation Model.** In order to qualify for implementation of the transformation model, the LEA must demonstrate that a school has created a plan for developing and improving teacher and school leader effectiveness; for implementing comprehensive instructional reform strategies; for increasing learning time; for creating community-oriented schools; and for providing operational flexibility and sustain support. The~~

LEA shall submit specific goals for academic achievement and shall submit a budget showing the revenues and expenditures needed to reach the goals.

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~~2. **Restart Model.** A school operated under the Restart Model remains under the control of the local board of education, and employees assigned to the school are employees of the local school administrative unit with the protections provided by Part 3 of Article 22 of Chapter 115C. The LEA shall submit a plan signed by the chair of the board of education and the superintendent detailing the goals to be achieved while operating under the Restart Model. The plan shall include:~~

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~~a. a detailed description of how the LEA will support the school in providing each student with the opportunity for a sound basic education;~~

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~~b. a detailed description of how the LEA/School will utilize the exemptions from statutes and rules authorized for charter schools under N.C.G.S. 115C-218 et seq. to accomplish its goals;~~

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~~c. a detailed description of how the LEA/School will use the exemptions to increase student achievement;~~

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~~d. a statement of whether the LEA will employ an educational management organization and, if so, the name and credentials of that organization;~~

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~~e. a budget setting out anticipated revenue and expenditures necessary to achieve its goals; and~~

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~~f. an expressed commitment to improve and reform the school through the Restart Model for the duration of the monitoring cycle.~~

~~3. **Turnaround Model.** The LEA shall submit specific grounds supporting the implementation of this model; shall specify the academic goals expected from implementation of this model; shall specify the procedures to be utilized in removing staff, including procedures consistent with Due Process; shall describe with specificity the new governance structure and the budget to be implemented; and shall set forth specific academic achievement expected to be realized from use of this model.~~

~~4. **School Closure.**~~

~~The LEA will submit the specific grounds recommending closure of a particular school; the procedures it intends to follow in closing the school, including opportunities for public hearings; the procedures for ensuring a smooth transition for employees and students affected by the closure; how the resources realized from closure will continue to support student achievement; and the specific academic gains expected to be realized by the closure.~~

~~C. **Annual Report.**~~

~~An LEA that has been authorized to implement any of the foregoing models shall submit an annual report by December 1 of each year documenting the academic gains realized by the school.~~

~~D.—Continue Authorization for Model (Restart Model).~~

~~Following the precedent that charter schools are given an initial charter for five years, Restart schools follow a five-year cycle of monitoring process to determine continued authorization in the Restart Model. The two-year Review Process begins after the 3rd year of the implementation with the Year 3 Annual Report. Schools demonstrating Academic Gain will continue in their authorization in the Restart Model. Academic Gain is defined as the academic progress of a school demonstrated through established performance assessments and the systems that impact student achievement from utilized flexibilities. The components of Academic Gain, as documented in the annual report and accountability data, include the following:~~

- ~~●—Recurring Low Performing Designation~~
- ~~●—Growth Status~~
- ~~●—Achievement Score~~
- ~~●—Subgroup Growth Status~~
- ~~●—School defined Flexibility Outcomes (See attached Support Document: Restart Continued Authorization Workflow)~~

~~At the Review, if a school is no longer Recurring Low Performing and has a Growth Status of “Met” or “Exceeds” Growth, the SBE may continue the LEA’s authorization to operate the school under the Restart Model and DPI may reduce the LEA’s reporting obligations for the school, as long as the school does not regress to a Recurring Low Performing school designation.~~

~~The monitoring cycle to determine continued authorization follows the below five-year cycle:~~

- ~~●—Implementation Year 1~~
- ~~●—Implementation Year 2 (Year 1 Annual Report)~~
- ~~●—Implementation Year 3 (Year 2 Annual Report)~~
- ~~●—Implementation Year 4 (Year 3 Annual Report) / Review Year 1~~
- ~~●—Implementation Year 5 (Year 4 Annual Report) / Review Year 2 / Recommendation to SBE to Continue or Reapply for Authorization~~
- ~~●—BOY Year 6 (July 1) Continue Authorization or Reapply for Authorization~~

~~DPI may offer support to any LEA with a school with a Growth Status of “Not Met” and a declining Achievement score (negative net change) in Year 2. An LEA with a school with a Growth Status of “Not Met” and a declining Achievement score (negative net change) after Year 2 shall partner with DPI for support for that school beginning in Year 3.~~

~~E.—Removing Authority for Model.~~

~~**At the end of the monitoring cycle,** if an LEA no longer desires to use the Restart Model to continue to reform a school that has demonstrated Academic Gain, the LEA shall submit a written application to the SBE to remove authorization for the Restart Model.~~

~~The SBE may remove the authorization of an approved model, if it finds that:~~

- ~~1.—The school has failed to achieve the intended goals outlined by the LEA in its request.~~
- ~~2.—The school is operating inconsistently with the request submitted by the LEA.~~

- ~~3. The school demonstrates no evidence of progress in Academic Gain after 4 years of implementation in the model. The LEA must submit a new Restart application with a new plan for improvement and shall partner with DPI for intensive support until demonstrating Academic Gain. (See attached Support Document: Restart Continued Authorization Workflow for the components of Academic Gain).~~
- ~~4. Any other grounds deemed appropriate and necessary by the SBE.~~

~~F. Declining Authority for Model.~~

~~The SBE may decline to authorize a requested model, if it finds that:~~

- ~~1. The request for implementation does not adequately outline the necessary components and goals necessary for that model.~~
- ~~2. The request for implementation does not meet statutory requirements. (School must be Recurring Low Performing and requested flexibilities must align with all statutes.)~~
- ~~3. Any other grounds deemed appropriate and necessary by the SBE.~~

This policy sets forth the procedures by which a local board of education (“local board”) may request authorization from the State Board of Education (“SBE”) to implement a school reform model in a continually low-performing school under G.S. 115C-105.37B.¹

A. Qualification

1. To qualify for a School Reform Model, the local board must demonstrate that the school in question is a continually low-performing school.
2. A continually low-performing school is a school that has received State-mandated assistance and has been designated by the SBE as low-performing for at least two of the last three consecutive years. State-mandated assistance includes the development and approval of a School Improvement Plan under G.S. 115C-27 and feedback from the North Carolina Department of Public Instruction (“DPI”).
3. A low-performing school is a school that, in a given year, earns an overall school performance grade of D or F and a school growth status of “met” or “not met” expected growth.
4. For purposes of this policy, “growth status” is determined by calculating the school’s growth score in accordance with G.S. 115C-83.15. A school may have a growth status of “met,” “not met,” or “exceeded” expected growth.

B. School Reform Models

If a school qualifies for a School Reform Model under Section A, the local board may request one of the following models.

1. Transformation Model
2. Restart Model
3. Turnaround Model
4. School Closure Model

¹ For purposes of SBE Policy, a “continually” low-performing school is equivalent to a “recurring” low-performing school as used by the Office of Accountability and Testing.

C. Transformation Model

1. The Transformation Model is one in which the local school administrative unit (“LSAU”) focuses on addressing the following four area critical to the transformation of a continually low-performing school:
 - i. Developing and increasing teacher and school leader effectiveness.
 - ii. Comprehensive instructional reform strategies.
 - iii. Increasing learning time and creating community-oriented schools.
 - iv. Providing operational flexibility and sustained support.
2. To request authorization for the Transformation Model, the local board shall submit a Reform Implementation Plan to the SBE that includes the following information:
 - i. An explanation of how it will address the four areas listed in Subsection A(1).
 - ii. Specific goals for academic achievement.
 - iii. A proposed budget outlining the revenues and expenditures necessary to implement the plan.

D. Restart Model

1. The Restart Model is one in which the school would receive the same operational flexibility and exemption from statues and rules afforded to charter schools under Chapter 115C, Article 14A of the General Statutes. A school operated under the Restart Model remains under the control of the local board and employees assigned to the school retain the protections of Chapter 115, Article 22, Part 3.
2. To request authorization for the Restart Model, the local board shall submit a Reform Implementation Plan to the SBE that includes the following information:
 - i. A detailed description of how the LSAU will support the school in providing each student with the opportunity for a sound basic education.
 - ii. A detailed description of how the school will utilize the operational flexibility to increase student achievement and accomplish other goals.
 - iii. A statement indicating whether the LSAU will contract with an educational management organization (“EMO”) to implement the Restart Model and, if so, the identity and credentials of the EMO.
 - iv. A proposed budget outlining the revenues and expenditures necessary to implement the plan.
 - v. A written commitment to improve and perform the school for the duration of the 5-year monitoring cycle.

E. Turnaround Model

1. The Turnaround Model is one in which the school would take, among others, the following actions:
 - i. Removing the principal if the principal has been in that position for at least three years.
 - ii. Rehiring no more than fifty percent (50%) of the school’s staff.

- iv. Year 4 – Implementation, Year 3 Annual Report, First Year of Review for Continued Authorization
 - v. Year 5 – Implementation, Year 4 Annual Report, Second Year of Review for Continued Authorization, Consideration by SBE for Continued Authorization
2. Monitoring by DPI will include measurements of the school’s Academic Gain, which is defined as the academic progress of a school as demonstrated through established performance assessments and progress from the use of operational flexibility. Components of Academic Gain include the following:
 - i. Status as Continually Low-Performing
 - ii. Growth Status
 - iii. Achievement Score
 - iv. Subgroup Growth Status
 - v. Operational Flexibility Outcomes
 3. A school operating under the Restart Model shall be required to continue submitting a School Improvement Plan in accordance with G.S. 115C-105.37A, even after the school is no longer identified as low-performing.
 4. The annual report shall include documentation of the operational flexibilities utilized by the school in the previous year and any revisions to the operational flexibilities that the school intends to utilize in the following year. The school shall include the operational flexibilities as an action step in its School Improvement Plan, specifying the school year(s) in the operational flexibilities were utilized.
 5. A school operating under the Restart Model shall not revise its Reform Implementation Plan or utilize operational flexibilities not included in its Reform Implementation Plan unless and until those revisions are reviewed by DRS and approved by the local board in consultation with the local board’s legal counsel. All revisions must also be documented in the School Improvement Plan.
 6. A school operating under the Restart Model that has not met expected growth and has a net negative change in its Achievement Score after Year 2 shall receive additional oversight from DPI beginning in Year 3.
 7. If the school has failed to meet expected growth and demonstrated a net negative change in its Achievement Score after Year 4, the local board must submit a new request for authorization with a revised Reform Implementation Plan. If the SBE continues the authorization under these circumstances, the school shall receive additional oversight and intensive support from DPI until it demonstrates Academic Gain.
 8. At the end of Year 5, if the local board requests to continue operating the school under the Restart Model and the school has demonstrated Academic Gain, the SBE may continue the authorization for another 5-year cycle under the existing plan, require the local board to submit a new plan, or remove authorization.
 9. If the SBE continues the authorization, the school is no longer identified as Continually Low-Performing, and the school has a growth status of “met” or “exceeded” expected growth, DRS may reduce the school’s annual reporting requirements as long as the school is not subsequently re-identified as continually low-performing.

I. Annual Reporting for Other Reform Models

An LSAU that has been authorized to implement the Transformation or Turnaround Models under this Policy shall submit an annual report to DPI by December 1 of each year documenting the any increase in academic achievement realized by the school within the preceding year.

J. Removing Authorization

The SBE may remove authorization for a local board to operate a school under a School Reform Model for any of the following reasons:

1. The school has failed to achieve the goals outlined in the original plan.
2. The school has failed to comply with applicable state and federal laws, including, for schools operating under the Restart Model, exceeding the limits of operational flexibility authorized by the SBE.
3. For schools operating under the Restart Model, the school has failed to meet expected growth and demonstrated a net negative change in its Achievement Score after Year 4.
4. The local board requests removal of the authorization.
5. Any other grounds deemed necessary and appropriate by the SBE.