

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

H.B. 266  
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10113-MV-100

Short Title: School Annual Report Card. (Public)

Sponsors: Representatives Riddell, Ross, Elmore, and Clemmons (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO MODIFY SCHOOL PERFORMANCE GRADES TO PROVIDE THAT ALL  
3 SCHOOLS RECEIVE A SCHOOL PERFORMANCE GRADE FOR SCHOOL  
4 ACHIEVEMENT AND A SCHOOL PERFORMANCE GRADE FOR SCHOOL  
5 GROWTH.

6 The General Assembly of North Carolina enacts:

7  
8 **PART I. ESTABLISH SEPARATE ACHIEVEMENT AND GROWTH GRADES**

9 **SECTION 1.1.** G.S. 115C-12(9) reads as rewritten:

10 "(9) Miscellaneous Powers and Duties. – All the powers and duties exercised by  
11 the State Board of Education shall be in conformity with the Constitution and  
12 subject to such laws as may be enacted from time to time by the General  
13 Assembly. Among such duties are:

14 ...

15 c1. To issue an annual "report card" for the State and for each local school  
16 administrative unit, assessing each unit's efforts to improve student  
17 performance based on the growth in performance of the students in  
18 each school and taking into account progress over the previous years'  
19 level of performance and the State's performance in comparison with  
20 other states. This assessment shall take into account factors that have  
21 been shown to affect student performance and that the State Board  
22 considers relevant to assess the State's efforts to improve student  
23 performance. The annual "report card" for each local school  
24 administrative unit shall include the following:

- 25 1. The State Board shall award, in accordance with  
26 G.S. 115C-83.15, ~~an overall numerical school achievement,~~  
27 ~~growth, and achievement and school growth performance~~  
28 ~~score scores~~ on a scale of zero to 100 and a ~~separate~~  
29 corresponding performance letter ~~grade grades~~ of A, B, C, D,  
30 or F ~~for both the school achievement and school growth~~ earned  
31 by each school within the local school administrative unit. The  
32 school performance ~~score and grade scores and grades~~ shall  
33 reflect student performance on annual subject-specific  
34 assessments, college and workplace readiness measures,  
35 graduation rates, and student progress in achieving English



language proficiency. In addition, the State Board shall award separate performance scores and grades for the following:

- I. School achievement and school growth performance of certain subgroups of students as provided in G.S. 115C-83.15.
- II. For schools serving students in any grade from kindergarten to eighth grade, school achievement and school growth performance in reading and mathematics respectively.

...."

**SECTION 1.2.** G.S. 115C-47(58) reads as rewritten:

"(58) To Inform the Public About the North Carolina School Report Cards Issued by the State Board of Education. – Each local board of education shall ensure that the report card issued for it by the State Board of Education receives wide distribution to the local press or is otherwise provided to the public. Each local board of education shall ensure that the ~~overall~~ school performance ~~score~~ scores and grade-grades earned by each school in the local school administrative unit for the current and previous four school years ~~is~~ are prominently displayed on the Web site of the local school administrative unit. If any school in the local school administrative unit earned an overall school performance grade of D or F, the local board of education shall provide notice of the grade in writing to the parent or guardian of all students enrolled in that school."

**SECTION 1.3.** G.S. 115C-83.15 reads as rewritten:

**"§ 115C-83.15. School achievement, growth, performance scores, and grades.**

(a) School Scores and Grades. – The State Board of Education shall award school ~~achievement, growth, and performance~~ achievement and school growth scores and ~~an~~ associated performance ~~grade-grades~~ as required by G.S. 115C-12(9)c1., and calculated as provided in this section.

...

(d) ~~Calculation of the Overall School Performance Scores and Grades. – The State Board of Education shall calculate the overall school performance score by adding the school achievement score, as provided in subsection (b) of this section, and the school growth score, as determined using EVAAS as provided in subsection (c) of this section, earned by a school. The school achievement score shall account for eighty percent (80%), and the school growth score shall account for twenty percent (20%) of the total sum. Grades for School Achievement and School Growth. – For all schools, the total school performance score for school achievement, as provided in subsection (b) of this section, and the score for growth, as provided in subsection (c) of this section, shall each be converted by the State Board of Education to a 100-point scale and used to determine an overall two separate school performance grade. The overall school performance grade shall be grades, one for school achievement and one for school growth, based on the following scale and scale, which shall not be modified to add any other designation related to other performance measures, such as a "plus" or "minus":~~

- (1) A ~~school performance~~ score of at least ~~90–85~~ is equivalent to ~~an overall a~~ school performance grade of A.
- (2) A ~~school performance~~ score of at least ~~80–70~~ is equivalent to ~~an overall a~~ school performance grade of B.
- (3) A ~~school performance~~ score of at least ~~70–55~~ is equivalent to ~~an overall a~~ school performance grade of C.
- (4) A ~~school performance~~ score of at least ~~60–40~~ is equivalent to ~~an overall a~~ school performance grade of D.

- 1           (5) A ~~school performance score~~ of less than ~~60 points~~ 40 is equivalent to an  
2           ~~overall a~~ school performance grade of F.
- 3           (d1) Establishment of Subgroups of Students. – The State Board shall establish the  
4           minimum number of students in a subgroup served by a school that is necessary to disaggregate  
5           information on student performance and to determine ~~a subgroup performance score~~ achievement  
6           and subgroup growth scores and ~~grade-associated performance grades~~ for the following  
7           subgroups of students:
- 8               (1) Economically disadvantaged students.  
9               (2) Students from major racial and ethnic groups.  
10              (3) Children with disabilities.  
11              (4) English learners.
- 12           (d2) Calculation of ~~the~~ School Achievement and School Growth Scores and  
13           Corresponding Performance Scores and Grades for Certain Subgroups of Students Served by a  
14           School. – In addition to the overall school ~~performance achievement and school growth~~ scores  
15           and corresponding performance grades awarded under this section, for each school that serves a  
16           minimum number of students in a subgroup of students listed in subsection (d1) of this section,  
17           the State Board of Education shall calculate school ~~performance achievement and school growth~~  
18           scores and shall determine ~~a corresponding school performance grade~~ grades for each subgroup  
19           using the same method as set forth in subsection (d) of this section. School ~~performance~~  
20           achievement and school growth scores for subgroups of students shall not be included in the  
21           calculation of the overall school ~~performance achievement and school growth~~ scores and  
22           corresponding performance grades under subsection (d) of this section.
- 23           (d3) Report of Subgroup School Achievement and School Growth Scores and  
24           Corresponding Performance Scores and Grades. – The subgroup ~~performance school~~  
25           achievement and school growth scores and associated performance grades shall be reported  
26           separately on the annual school report card provided under G.S. 115C-12(9)c1., 115C-218.65,  
27           115C-238.66, and 116-239.8 in a way that provides the following information:
- 28               (1) For the current year and the previous two years, the achievement score for  
29               each subgroup of students defined in subsection (d1) of this section for the  
30               school.  
31               (2) The statewide average achievement score for each subgroup defined in  
32               subsection (d1) of this section.  
33               (3) The difference between the achievement score for all students in the school  
34               and the achievement score for each subgroup that meets the minimum number  
35               of students defined in subsection (d1) of this section.  
36               (4) Based on the information reported in subdivision (3) of this subsection, the  
37               State Board shall determine and identify schools that are closing achievement  
38               gaps, experiencing a widening of gaps, or seeing no significant gap changes.  
39               ...
- 40           (f) Indication of Growth. – In addition to awarding the overall school scores for  
41           ~~achievement, growth, and performance and the performance grade, achievement and growth and~~  
42           associated performance grades, using EVAAS, the State Board shall designate that a school has  
43           met, exceeded, or has not met expected growth. The designation of student growth shall be clearly  
44           displayed in the annual school report card provided under G.S. 115C-12(9)c1., 115C-218.65,  
45           115C-238.66, and 116-239.8.
- 46           (g) Access to Annual Report Card Information on the Department's Web Site. –  
47           Beginning with data collected in the 2017-2018 school year, the State Board of Education shall  
48           provide user-friendly access to the public on the annual report cards issued for local school  
49           administrative units and individual schools provided under G.S. 115C-12(9)c1., 115C-218.65,  
50           115C-238.66, and 116-239.8 through the Department of Public Instruction's Web site. The annual

1 report card shall be designed and organized to display the following information more  
2 prominently than any other information:

- 3 (1) A summary for each local school administrative unit and for each individual  
4 school of the school performance grades, whether the school has met,  
5 exceeded, or has not met expected growth, and any other information required  
6 to be provided as part of the annual report card.
- 7 (2) The percentage of schools receiving ~~an overall~~ a school achievement  
8 performance letter grade of A, B, C, D, or F earned by each school located  
9 within a local school administrative unit and statewide.
- 10 (3) The number and percentage of schools that have met, exceeded, or have not  
11 met expected growth by each school located within a local school  
12 administrative unit and statewide.
- 13 (4) A Web page for each individual school that prominently displays the school's  
14 performance grades, whether the school has met, exceeded, or has not met  
15 expected growth, and the school's ~~performance~~ achievement and growth  
16 scores in a way that is easy for the user to read.
- 17 (5) The ability to easily compare annual report card information, including school  
18 performance grades and whether schools have met, exceeded, or have not met  
19 expected growth, for local school administrative units and for individual  
20 schools for a time span of at least three years."

21 **SECTION 1.4.** G.S. 115C-83.17 reads as rewritten:

22 **"§ 115C-83.17. Definitions.**

23 The following definitions apply in this Part:

- 24 (1) Achievement score. – A numerical score on a scale of zero to 100 that is based  
25 on the sum of points earned by a school or by a subgroup of students pursuant  
26 to G.S. 115C-83.15.
- 27 (2) Growth score. – A numerical score measuring student growth calculated for a  
28 school or for a subgroup of students pursuant to G.S. 115C-83.15.
- 29 (3) ~~Overall school~~ School performance grade-grades. – The letter ~~grade-grades~~  
30 earned by a school for achievement and growth for all students served by a  
31 school pursuant to G.S. 115C-83.15(d).
- 32 (4) ~~Overall school~~ School performance score-scores. – The numerical ~~score~~  
33 scores earned by a school ~~that is calculated by adding the school achievement~~  
34 score and the school growth score earned by a school for achievement and  
35 growth that are converted to a 100-point scale pursuant to G.S. 115C-83.15(d).
- 36 (5) Subgroup performance ~~grade-grades.~~ – The letter ~~grade-grades~~ earned by a  
37 school for achievement and growth for a subgroup of students served by the  
38 school pursuant to G.S. 115C-83.15(d2).
- 39 (6) Subgroup performance ~~score-scores.~~ – The numerical ~~score-scores~~ earned by  
40 a school ~~that is calculated by adding the for~~ subgroup achievement ~~score~~ and  
41 ~~the~~ subgroup growth ~~score earned by a school~~ that are converted to a 100-point  
42 scale pursuant to G.S. 115C-83.15(d2)."

44 **PART II. CONFORMING CHANGES**

45 **SECTION 2.1.** G.S. 115C-75.5(5) reads as rewritten:

- 46 "(5) Qualifying school. – A low-performing school, as defined in  
47 G.S. 115C-105.37, that meets one of the following criteria:
- 48 a. The school earned ~~an overall~~ a school achievement performance score  
49 in the lowest five percent (5%) of all schools in the prior school year  
50 that meet all of the following requirements:

1. The school includes all or part of grades kindergarten through fifth.
2. The school did not exceed growth in at least one of the prior three school years and did not meet growth in at least one of the prior three school years.
3. One of the models established in G.S. 115C-105.37B for continually low-performing schools had not been adopted for that school for the immediately prior school year."

**SECTION 2.2.** G.S. 115C-105.37 reads as rewritten:

**"§ 115C-105.37. Identification of low-performing schools.**

(a) Identification of Low-Performing Schools. – The State Board of Education shall identify low-performing schools on an annual basis. Low-performing schools are those that earn ~~an overall a school achievement~~ performance grade of D or F and a school growth score of "met expected growth" or "not met expected growth" as defined by G.S. 115C-83.15.

(a1) Plan for Improvement of Low-Performing Schools. – If a school has been identified as low-performing as provided in this section and the school is not located in a local school administrative unit identified as low-performing under G.S. 115C-105.39A, the following actions shall be taken:

- (1) The superintendent shall proceed under G.S. 115C-105.39.
- (2) Within 30 days of the initial identification of a school as low-performing by the State Board, the superintendent shall submit to the local board of education a preliminary plan for improving ~~both the school performance grade and school growth score, grades,~~ including how the superintendent and other central office administrators will work with the school and monitor the school's progress.

...

(b) Parental Notice of Low-Performing School Status. – Each school that the State Board identifies as low-performing shall provide written notification to the parents and guardians of students attending that school within 30 days of the identification that includes the following information:

- (1) A statement that the State Board of Education has found that the school has earned ~~an overall a school achievement~~ performance grade of D or F and a school growth score of "met expected growth" or "not met expected growth" and has been identified as a low-performing school as defined by ~~G.S. 115C-105.37. this section.~~ The statement shall include an explanation of the school performance ~~grades and growth scores, scores and grades.~~
- (2) The school performance ~~grade and growth score~~ scores and grades earned.
- (3) Information about the preliminary plan developed under subsection (a1) of this section and the availability of the final plan on the local school administrative unit's Web site.
- (4) The meeting date for when the preliminary plan will be considered by the local board of education.
- (5) A description of any additional steps the school is taking to improve student performance."

**SECTION 2.3.** G.S. 115C-105.39A reads as rewritten:

**"§ 115C-105.39A. Identification of low-performing local school administrative units.**

(a) Identification of Low-Performing Local School Administrative Units. – The State Board of Education shall identify low-performing local school administrative units on an annual basis. A low-performing local school administrative unit is a unit in which the majority of the schools in that unit that earned ~~an overall a school performance grade and school growth score~~

1 scores and grades as provided in G.S. 115C-83.15 have been identified as low-performing  
 2 schools, as provided in G.S. 115C-105.37.

3 (b) Plan for Improvement of Low-Performing Local School Administrative Units. – Once  
 4 a local school administrative unit has been identified as low-performing under this section, the  
 5 following actions shall be taken:

- 6 (1) The superintendent shall proceed under G.S. 115C-105.39.
- 7 (2) Within 30 days of the identification of a local school administrative unit as  
 8 low-performing by the State Board, the superintendent shall submit to the  
 9 local board of education a preliminary plan for improving ~~both~~ the school  
 10 performance ~~grade and school growth score~~ grades of each low-performing  
 11 school in the unit, including how the superintendent and other central office  
 12 administrators will work with each low-performing school and monitor the  
 13 low-performing school's progress and how current local school administrative  
 14 unit policy should be changed to improve student achievement throughout the  
 15 local school administrative unit.

16 ...

17 (c) Parental Notice of Low-Performing Local School Administrative Unit Status. – Each  
 18 local school administrative unit that the State Board identifies as low-performing shall provide  
 19 written notification to the parents and guardians of all students attending any school in the local  
 20 school administrative unit within 30 days of the identification that includes the following  
 21 information:

- 22 (1) A statement that the State Board of Education has found that a majority of the  
 23 schools in the local school administrative unit have earned ~~an overall a~~ school  
 24 achievement performance grade of D or F and a school growth score of "met  
 25 expected growth" or "not met expected growth" and have been identified as  
 26 low-performing schools as defined by G.S. 115C-105.37. The statement shall  
 27 also include an explanation of the school performance ~~grades and school~~  
 28 growth scores.~~scores and grades.~~
- 29 (2) The percentage of schools identified as low-performing.
- 30 (3) Information about the preliminary plan developed under subsection (b) of this  
 31 section and the availability of the final plan on the local school administrative  
 32 unit's Web site.
- 33 (4) The meeting date for when the preliminary plan will be considered by the local  
 34 board of education.
- 35 (5) A description of any additional steps the local school administrative unit and  
 36 schools are taking to improve student performance.
- 37 (6) For notifications sent to parents and guardians of students attending a school  
 38 that is identified as low-performing under G.S. 115C-105.37, a statement that  
 39 the State Board of Education has found that the school has earned ~~an overall~~  
 40 a school achievement performance grade of D or F and a school growth score  
 41 of "met expected growth" or "not met expected growth" and has been  
 42 identified as a low-performing school as defined by G.S. 115C-105.37. This  
 43 notification also shall include the ~~overall~~ school performance ~~grade and school~~  
 44 growth score ~~the school scores and grades~~ earned and an explanation of the  
 45 school performance ~~grades and school growth scores~~.scores and grades."

46 **SECTION 2.4.** G.S. 115C-218.65 reads as rewritten:

47 **"§ 115C-218.65. North Carolina School Report Cards.**

48 A charter school shall ensure that the report card issued for it by the State Board of Education  
 49 receives wide distribution to the local press or is otherwise provided to the public. A charter  
 50 school shall ensure that the ~~overall~~ school performance ~~score~~ scores and ~~grade~~ grades earned by  
 51 the charter school for the current and previous four school years ~~is~~ are prominently displayed on

1 the school Web site. If a charter school earned ~~an overall a~~ school performance grade of D or F,  
2 the charter school shall provide notice of the grade in writing to the parent or guardian of all  
3 students enrolled in that school."

4 **SECTION 2.5.** G.S. 115C-218.94(a) reads as rewritten:

5 "(a) Identification of Low-Performing Charter Schools. – The State Board of Education  
6 shall identify low-performing charter schools on an annual basis. Low-performing charter  
7 schools are those that earn ~~an overall a~~ school achievement performance grade of D or F and a  
8 school growth score of "met expected growth" or "not met expected growth" as defined by  
9 G.S. 115C-83.15."

10 **SECTION 2.6.** G.S. 115C-238.66(11) reads as rewritten:

11 "(11) North Carolina School Report Cards. – A regional school shall ensure that the  
12 report card issued for it by the State Board of Education receives wide  
13 distribution to the local press or is otherwise provided to the public. A regional  
14 school shall ensure that the ~~overall~~ school performance ~~score scores~~ and grade  
15 grades earned by the regional school for the current and previous four school  
16 years ~~is are~~ prominently displayed on the school Web site. If a regional school  
17 earned ~~an overall a~~ school performance grade of D or F, the regional school  
18 shall provide notice of the grade in writing to the parent or guardian of all  
19 students enrolled in that school."

20 **SECTION 2.7.** G.S. 116-239.8(b)(14) reads as rewritten:

21 "(14) North Carolina school report cards. – A laboratory school shall ensure that the  
22 report card issued for it by the State Board of Education receives wide  
23 distribution to the local press or is otherwise provided to the public. A  
24 laboratory school shall ensure that the ~~overall~~ school performance ~~score scores~~  
25 and grade grades earned by the laboratory school for the current and previous  
26 four school years ~~is are~~ prominently displayed on the school Web site. If a  
27 laboratory school earned ~~an overall a~~ school performance grade of D or F, the  
28 laboratory school shall provide notice of the grade in writing to the parent or  
29 guardian of all students enrolled in that school."

30 **SECTION 2.8.** G.S. 116-239.13(3) reads as rewritten:

31 "(3) Public school student achievement data, including school performance grades  
32 ~~and student achievement scores and student growth, scores and grades~~ at each  
33 laboratory school."

### 34 **PART III. EFFECTIVE DATE AND APPLICABILITY CLAUSE**

35 **SECTION 3.** This act is effective when it becomes law and applies to school  
36 performance grades and report cards issued based on data from the 2018-2019 school year.  
37