



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 8

AMENDMENT NO. 4
(to be filled in by
Principal Clerk)

S8-ATC-19 [v.2]

Page 1 of 3

Comm. Sub. [NO]
Amends Title [YES]
Third Edition

Date 2-23 .2011

Senator Stein

1 moves to amend the bill on page 1, line 7 by inserting the following between the words
2 "SCHOOL;" and "AND":
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6 "AND BY DIRECTING THE COMMISSION TO ESTABLISH CRITERIA FOR THE
7 TERMINATION OR NON-RENEWAL OF A CHARTER;"
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13 And on page 6, lines 20-21 by inserting the following between the lines:
14

15 "(a1) The Commission shall establish measurable standards by which it will evaluate (i)
16 the quality of an applicant's mission, (ii) its educational, financial, administrative, and
17 governance plans, and (ii) the capability of the applicant's governing board and management
18 team to execute those plans.

19 (a2) In reviewing applications, the Commission shall give priority in the granting of
20 charters to applications from applicants proposing to (i) serve the students attending a charter
21 school that has had its charter terminated or not renewed by the Commission under
22 G.S. 115C-238.29G and have responded to a request for proposals to replace the school's board
23 of directors and administration; (ii) replicate a proven charter school program which is a
24 program used at a charter school in the top twenty percent (20%) of all North Carolina public
25 schools, as measured by the performance composite and academic growth measures compiled
26 by the State Board; and (iii) serve students attending low-performing schools as defined by
27 State Board of Education policy."; and
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FAILED



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1 On page 6, line 43, by rewriting that line to read:

2
3 "well as any other objectives set forth by the charter school applicant. The charter shall set
4 forth clear, measurable, and attainable academic and operational performance standards the
5 chartering entity must meet to earn charter renewal and the type of objective and verifiable data
6 the Commission will review to evaluate performance. At a minimum, those standards shall
7 include:

- 8 (1) Measures of student academic achievement status or proficiency.
9 (2) Student academic growth, including adequacy of growth toward state
10 standards.
11 (3) Achievement gaps between major student subgroups.
12 (4) Post-secondary readiness and success for high schools.
13 (5) Student engagement, including attendance and recurrent enrollment from
14 year to year.
15 (6) Financial performance and sustainability.
16 (7) Board performance and stewardship, including compliance with all
17 applicable laws, regulations, and terms of the charter contract.

18 The State Board of", and

19
20 On page 12, line 46, through page 13, line 6, by rewriting the lines to read:

21
22 "(a) ~~The State Board of Education, or a chartering entity subject to the approval of the~~
23 ~~State Board of Education, Commission~~ may terminate or not renew a charter upon any of the
24 following grounds:

- 25 (1) Failure to meet the requirements for student performance contained in the
26 charter;
27 (2) Failure to meet generally accepted standards of fiscal management;
28 (3) Violations of law;
29 (4) Material violation of any of the conditions, standards, or procedures set forth
30 in the charter;
31 (5) Two-thirds of the faculty and instructional support personnel at the school
32 request that the charter be terminated or not renewed; or
33 (6) Other good cause identified.

34 In addition, the Commission shall establish objective and verifiable criteria for the
35 termination or non-renewal of a charter for inadequate academic performance based on student
36 performance as measured by student academic achievement status or proficiency; student
37 academic growth, including adequacy of growth toward state standards; achievement gaps
38 between major student subgroups; post-secondary readiness and success for high schools; and
39 student engagement, including attendance and recurrent enrollment from year to year. The
40 Commission shall collect and analyze the data over a period of time to determine charter school
41 compliance with this criteria. If a charter school meets the criteria for termination or
42 non-renewal, the Commission shall provide for an emergency review of the charter school and
43 determine whether the charter shall be terminated or not renewed. If the Commission

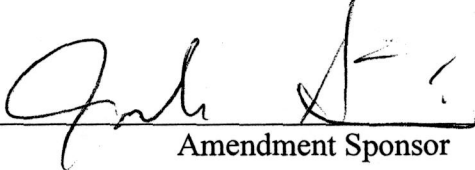
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1 determines that charter shall not be terminated or shall be renewed, then the charter school shall
2 submit an emergency plan that must be approved by the Commission to improve the academic
3 performance of the students at the charter school. If the Commission determines that the charter
4 shall be terminated or not renewed, then the Commission shall create a transition plan, secure
5 student records, and issue a request for proposals to replace the school's board of directors and
6 administration."

SIGNED 
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED 19-31 TABLED _____

2-23-11
Janet P. Mitt

FAILED