

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

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**HOUSE BILL 266
PROPOSED COMMITTEE SUBSTITUTE H266-PCS30192-BE-4**

Short Title: School Annual Report Card.

(Public)

Sponsors:

Referred to:

March 5, 2019

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

The General Assembly of North Carolina enacts:

PART I. ESTABLISH SEPARATE ACHIEVEMENT AND GROWTH GRADES

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

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

...

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

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



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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~~ achievement and growth 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-a~~ school ~~performance~~ achievement or growth 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,~~ achievement scores, growth 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.

...

(b1) Calculation of School Achievement Grades. – For all schools, the score for school achievement, as provided in subsection (b) of this section, shall be used to determine the school achievement grade. The school achievement grade shall be based on the following scale and shall not be modified to add any other designation related to other performance measures, such as a "plus" or "minus":

- (1) A score of at least 85 is equivalent to a school achievement grade of A.
- (2) A score of at least 70 is equivalent to a school achievement grade of B.
- (3) A score of at least 55 is equivalent to a school achievement grade of C.
- (4) A score of at least 40 is equivalent to a school achievement grade of D.
- (5) A score of less than 40 is equivalent to a school achievement grade of F.

(c) Calculation of the School Growth Score. – Using the Education Value-Added Assessment System (EVAAS), the State Board shall calculate the overall growth score earned by schools. In calculating the total growth score earned by schools, the State Board of Education shall weight student growth on the achievement measures as provided in subsection (b) of this section that have available growth values; provided that for schools serving students in grades nine through 12, the growth score shall only include growth values for measures calculated under sub-subdivisions a. and b. of subdivision (2) of subsection (b) of this section. The numerical values used to determine whether a school has met, exceeded, or has not met expected growth shall be translated to a 100-point scale and used for school reporting purposes as provided in G.S. 115C-12(9)c1., 115C-218.65, 115C-238.66, and 116-239.8.

1 (c1) Calculation of School Growth Grades. – For all schools, the score for school growth,
2 as provided in subsection (c) of this section, shall be converted by the State Board of Education
3 to a 100-point scale and used to determine the school growth grade. The school growth grade
4 shall be based on the following scale and shall not be modified to add any other designation
5 related to other performance measures, such as a "plus" or "minus":

- 6 (1) A score of at least 90 is equivalent to a school growth grade of A.
- 7 (2) A score of at least 80 is equivalent to a school growth grade of B.
- 8 (3) A score of at least 70 is equivalent to a school growth grade of C.
- 9 (4) A score of at least 60 is equivalent to a school growth grade of D.
- 10 (5) A score of less than 60 is equivalent to a school growth grade of F.

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

- 21 (1) ~~A school performance score of at least 90 is equivalent to an overall school~~
22 ~~performance grade of A.~~
- 23 (2) ~~A school performance score of at least 80 is equivalent to an overall school~~
24 ~~performance grade of B.~~
- 25 (3) ~~A school performance score of at least 70 is equivalent to an overall school~~
26 ~~performance grade of C.~~
- 27 (4) ~~A school performance score of at least 60 is equivalent to an overall school~~
28 ~~performance grade of D.~~
- 29 (5) ~~A school performance score of less than 60 points is equivalent to an overall~~
30 ~~school performance grade of F.~~

31 (d1) Establishment of Subgroups of Students. – The State Board shall establish the
32 minimum number of students in a subgroup served by a school that is necessary to disaggregate
33 information on student performance and to determine a subgroup performance score achievement
34 and subgroup growth scores and grade-associated grades for the following subgroups of students:

- 35 (1) Economically disadvantaged students.
- 36 (2) Students from major racial and ethnic groups.
- 37 (3) Children with disabilities.
- 38 (4) English learners.

39 (d2) Calculation of the School Performance Scores and Achievement and School Growth
40 Scores and Corresponding Grades for Certain Subgroups of Students Served by a School. – In
41 addition to the overall school performance achievement and school growth scores and
42 corresponding grades awarded under subsections (b) through (c1) of this section, for each school
43 that serves a minimum number of students in a subgroup of students listed in subsection (d1) of
44 this section, the State Board of Education shall calculate school performance achievement and
45 school growth scores and shall determine a corresponding school performance grade grades for
46 each subgroup using the same method as set forth in subsection (d) subsections (b) through (c1)
47 of this section. School performance achievement and school growth scores for subgroups of
48 students shall not be included in the calculation of the overall school performance achievement
49 and school growth scores and corresponding grades under subsection (d) subsections (b) through
50 (c1) of this section.

1 (d3) Report of Subgroup ~~Performance Scores and School Achievement and School~~
2 Growth Scores and Corresponding Grades. – The subgroup ~~performance school achievement and~~
3 school growth scores and associated grades shall be reported separately on the annual school
4 report card provided under G.S. 115C-12(9)c1., 115C-218.65, 115C-238.66, and 116-239.8 in a
5 way that provides the following information:

- 6 (1) For the current year and the previous two years, the achievement score for
7 each subgroup of students defined in subsection (d1) of this section for the
8 school.
- 9 (2) The statewide average achievement score for each subgroup defined in
10 subsection (d1) of this section.
- 11 (3) The difference between the achievement score for all students in the school
12 and the achievement score for each subgroup that meets the minimum number
13 of students defined in subsection (d1) of this section.
- 14 (4) Based on the information reported in subdivision (3) of this subsection, the
15 State Board shall determine and identify schools that are closing achievement
16 gaps, experiencing a widening of gaps, or seeing no significant gap changes.

17 ...

18 (f) Indication of Growth. – In addition to awarding the ~~overall~~ school scores for
19 achievement, growth, and performance and the performance grade, achievement and growth and
20 associated grades, using EVAAS, the State Board shall designate that a school has met, exceeded,
21 or has not met expected growth. The designation of student growth shall be clearly displayed in
22 the annual school report card provided under G.S. 115C-12(9)c1., 115C-218.65, 115C-238.66,
23 and 116-239.8.

24 (g) Access to Annual Report Card Information on the Department's Web Site. –
25 Beginning with data collected in the 2017-2018 school year, the State Board of Education shall
26 provide user-friendly access to the public on the annual report cards issued for local school
27 administrative units and individual schools provided under G.S. 115C-12(9)c1., 115C-218.65,
28 115C-238.66, and 116-239.8 through the Department of Public Instruction's Web site. The annual
29 report card shall be designed and organized to display the following information more
30 prominently than any other information:

- 31 (1) A summary for each local school administrative unit and for each individual
32 school of the school ~~performance achievement and growth~~ grades, whether
33 the school has met, exceeded, or has not met expected growth, and any other
34 information required to be provided as part of the annual report card.
- 35 (2) The percentage of schools receiving ~~an overall a school performance~~
36 achievement letter grade of A, B, C, D, or F earned by each school located
37 within a local school administrative unit and statewide.
- 38 (2a) The percentage of schools receiving a school growth letter grade of A, B, C,
39 D, or F earned by each school located within a local school administrative unit
40 and statewide.
- 41 (3) The number and percentage of schools that have met, exceeded, or have not
42 met expected growth by each school located within a local school
43 administrative unit and statewide.
- 44 (4) A Web page for each individual school that prominently displays the school's
45 ~~performance achievement and growth~~ grades, whether the school has met,
46 exceeded, or has not met expected growth, and the school's ~~performance~~
47 achievement and growth scores in a way that is easy for the user to read.
- 48 (5) The ability to easily compare annual report card information, including school
49 ~~performance achievement and growth~~ grades and whether schools have met,
50 exceeded, or have not met expected growth, for local school administrative
51 units and for individual schools for a time span of at least three years."

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

2 "**§ 115C-83.17. Definitions.**

3 The following definitions apply in this Part:

- 4 (1) Achievement score. – A numerical score ~~on a scale of zero to 100~~ that is based
5 on the sum of points earned by a school or by a subgroup of students pursuant
6 to G.S. 115C-83.15.
- 7 (2) Growth score. – A numerical score measuring student growth calculated for a
8 school or for a subgroup of students pursuant to G.S. 115C-83.15.
- 9 (3) ~~Overall school performance grade. School grades.~~ School grades. – The letter ~~grade~~ grades
10 earned by a school for achievement and growth for all students served by a
11 school pursuant to ~~G.S. 115C-83.15(d)~~ G.S. 115C-83.15(b1) and (c1).
- 12 (4) ~~Overall school performance score. School scores.~~ School scores. – The numerical ~~score~~
13 scores earned by a school ~~that is calculated by adding the school achievement~~
14 score and the school growth score earned by a school for achievement and
15 growth pursuant to ~~G.S. 115C-83.15(d)~~ G.S. 115C-83.15(b) and (c).
- 16 (5) ~~Subgroup performance grade. grades.~~ grades. – The letter ~~grade~~ grades earned by a
17 school for achievement and growth for a subgroup of students served by the
18 school pursuant to G.S. 115C-83.15(d2).
- 19 (6) ~~Subgroup performance score. scores.~~ scores. – The numerical ~~score~~ scores earned by
20 a school ~~that is calculated by adding the for~~ subgroup achievement score and
21 the subgroup growth score earned by a school that are converted to a 100-point
22 scale pursuant to G.S. 115C-83.15(d2)."

23
24 **PART II. CONFORMING CHANGES**

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

- 26 "(5) Qualifying school. – A low-performing school, as defined in
27 G.S. 115C-105.37, that meets one of the following criteria:
- 28 a. The school earned ~~an overall a school performance achievement~~ achievement
29 score in the lowest five percent (5%) of all schools in the prior school year
30 that meet all of the following requirements:
- 31 1. The school includes all or part of grades kindergarten through
32 fifth.
- 33 2. The school did not exceed growth in at least one of the prior
34 three school years and did not meet growth in at least one of
35 the prior three school years.
- 36 3. One of the models established in G.S. 115C-105.37B for
37 continually low-performing schools had not been adopted for
38 that school for the immediately prior school year."

39 **SECTION 2.2.** G.S. 115C-83.16 reads as rewritten:

40 "**§ 115C-83.16. School performance indicators for the purpose of compliance with federal**
41 **law.**

42 (a) The State Board of Education shall use the school ~~performance achievement and~~
43 growth scores and grades as calculated required under G.S. 115C-83.15 to satisfy the federal
44 requirement under the Elementary and Secondary Education Act of 1965, as amended by the
45 Every Student Succeeds Act (ESSA), P.L. 114-95, to meaningfully differentiate the performance
46 of schools on an annual basis. For the purpose of compliance with federal law, the State Board
47 of Education shall calculate the overall school performance score by adding the school
48 achievement score and the school growth score earned by a school. The school achievement score
49 shall account for eighty percent (80%), and the school growth score shall account for twenty
50 percent (20%) of the total sum. Additionally, the indicators shall be defined as follows:

51 ...

1 (b) Notwithstanding subsection (a) of this section and only for the purpose of conforming
2 with ESSA, the State Board may label measures as indicators different from those described in
3 subsection (a) of this section; ~~provided that each measure shall be calculated in accordance with~~
4 ~~the requirements of G.S. 115C-83.15.section."~~

5 **SECTION 2.3.** G.S. 115C-105.37 reads as rewritten:

6 "**§ 115C-105.37. Identification of low-performing schools.**

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

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

15 (1) The superintendent shall proceed under G.S. 115C-105.39.

16 (2) Within 30 days of the initial identification of a school as low-performing by
17 the State Board, the superintendent shall submit to the local board of education
18 a preliminary plan for improving ~~both the school performance grade and~~
19 ~~school growth score, grades,~~ including how the superintendent and other
20 central office administrators will work with the school and monitor the
21 school's progress.

22 ...

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

27 (1) A statement that the State Board of Education has found that the school has
28 earned ~~an overall a school performance achievement~~ grade of D or F and a
29 school growth score of "met expected growth" or "not met expected growth"
30 and has been identified as a low-performing school as defined by
31 ~~G.S. 115C-105.37. this section.~~ The statement shall include an explanation of
32 the school ~~performance grades and growth scores.~~achievement and growth
33 scores and grades.

34 (2) ~~The school performance grade and growth score~~ achievement and growth
35 scores and grades earned.

36 (3) Information about the preliminary plan developed under subsection (a1) of
37 this section and the availability of the final plan on the local school
38 administrative unit's Web site.

39 (4) The meeting date for when the preliminary plan will be considered by the local
40 board of education.

41 (5) A description of any additional steps the school is taking to improve student
42 performance."

43 **SECTION 2.4.** G.S. 115C-105.39A reads as rewritten:

44 "**§ 115C-105.39A. Identification of low-performing local school administrative units.**

45 (a) Identification of Low-Performing Local School Administrative Units. – The State
46 Board of Education shall identify low-performing local school administrative units on an annual
47 basis. A low-performing local school administrative unit is a unit in which the majority of the
48 schools in that unit that earned ~~an overall school performance grade and school growth score~~
49 achievement and growth scores and grades as provided in G.S. 115C-83.15 have been identified
50 as low-performing schools, as provided in G.S. 115C-105.37.

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

4 (1) The superintendent shall proceed under G.S. 115C-105.39.

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

14 ...

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

20 (1) A statement that the State Board of Education has found that a majority of the
21 schools in the local school administrative unit have earned ~~an overall a school~~
22 ~~performance achievement~~ grade of D or F and a school growth score of "met
23 expected growth" or "not met expected growth" and have been identified as
24 low-performing schools as defined by G.S. 115C-105.37. The statement shall
25 also include an explanation of the school ~~performance grades and school~~
26 ~~growth scores achievement and growth scores and grades.~~

27 (2) The percentage of schools identified as low-performing.

28 (3) Information about the preliminary plan developed under subsection (b) of this
29 section and the availability of the final plan on the local school administrative
30 unit's Web site.

31 (4) The meeting date for when the preliminary plan will be considered by the local
32 board of education.

33 (5) A description of any additional steps the local school administrative unit and
34 schools are taking to improve student performance.

35 (6) For notifications sent to parents and guardians of students attending a school
36 that is identified as low-performing under G.S. 115C-105.37, a statement that
37 the State Board of Education has found that the school has earned ~~an overall~~
38 ~~a school performance achievement~~ grade of D or F and a school growth score
39 of "met expected growth" or "not met expected growth" and has been
40 identified as a low-performing school as defined by G.S. 115C-105.37. This
41 notification also shall include the ~~overall school performance grade and school~~
42 ~~growth score the school achievement and growth scores and grades~~ earned
43 and an explanation of the school ~~performance grades and school growth~~
44 ~~scores achievement and growth scores and grades."~~

45 **SECTION 2.5.** G.S. 115C-218.65 reads as rewritten:

46 **"§ 115C-218.65. North Carolina School Report Cards.**

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

1 ~~performance~~ achievement or growth grade of D or F, the charter school shall provide notice of
2 the grade in writing to the parent or guardian of all students enrolled in that school."

3 **SECTION 2.6.** G.S. 115C-218.94(a) reads as rewritten:

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

9 **SECTION 2.7.** G.S. 115C-238.66(11) reads as rewritten:

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

19 **SECTION 2.8.** G.S. 116-239.8(b)(14) reads as rewritten:

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

30 **SECTION 2.9.** G.S. 116-239.13(3) reads as rewritten:

31 "(3) Public school student achievement data, including school ~~performance grades~~ achievement and growth
32 scores and grades at each laboratory school."
33
34

35 **PART III. EFFECTIVE DATE AND APPLICABILITY CLAUSE**

36 **SECTION 3.** This act becomes effective January 1, 2020, and applies to school
37 achievement grades, growth grades, and report cards issued based on data from the 2019-2020
38 school year.