



**Public Schools of North Carolina**  
State Board of Education  
Department of Public Instruction

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# **Report to the Joint Legislative Education Oversight Committee**

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Virtual Charter Schools Impact of Increased  
Student Enrollment in Virtual Charter Schools

*SL 2020-97 (HB 1105 )*

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**Date Due: March 15, 2021**  
DPI Chronological Schedule, 2020-2021

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## Background

North Carolina Session Law 2014-100<sup>1</sup> (SB 744, Budget Bill) required the State Board of Education (SBE) to establish a pilot program to authorize the operation of two virtual charter schools serving grades K-12. The legislation authorized the pilot program to begin with the 2015-2016 school year and continue for a period of four years, ending with the 2018-2019 school year. Prior to the end of the four-year pilot, Session Law 2018-5<sup>2</sup> (SB 99, Budget Bill) extended the pilot program for an additional four years. The virtual charter schools pilot program is now authorized to continue through the 2022-2023 school year.

Student enrollment at both virtual charter schools has steadily increased since operations began in the 2015-2016 school year. The pilot legislation caps enrollment at 2,592 students. Section 8.35(b)(1) of the legislation reads, “The maximum student enrollment in any participating school shall be no greater than 1,500 in its first year of operation and may increase by twenty percent (20%) for each participating school up to a maximum student enrollment of 2,592 in the fourth year of the pilot. The State Board of Education may waive this maximum student enrollment threshold, beginning in the fourth year of the school's operation, if the State Board determines that doing so would be in the best interest of North Carolina students.”

Therefore, the legislation gives the SBE the authority to waive the maximum student enrollment threshold beginning with the 2018-2019 school year. The SBE granted an enrollment increase request from NCVA in July 2019. The approval allowed NCVA to increase enrollment up to 20% for the 2019-2020 school year. On June 4, 2020, the SBE approved NCVA’s request to maintain enrollment above the statutory maximum for the 2020-2021 school year. The approval allowed maximum enrollment to remain at 2,945 students. The SBE also included a stipulation that any enrollment requests above the statutory maximum, following the 2020-2021 school year, will be subject to the school meeting academic growth.

Session Law 2020-97 (HB 1105)<sup>3</sup>, related to Coronavirus Relief Funds and Disaster Recovery, was approved by Governor Cooper on September 4, 2020. As part of this legislation, the two virtual charter schools participating in the Virtual Charter Schools Pilot Program were given allowances to increase enrollment. This allowance was specific to the current, 2020-2021 school year, and contained a reporting requirement.

### **VIRTUAL CHARTER SCHOOL ENROLLMENT**

*SECTION 3.2.(a) Notwithstanding Section 8.35(b) of S.L. 2014-100, as amended by Section 7.13 of S.L. 2018-5, the two virtual charter schools participating in the pilot program pursuant to Section 8.35 of S.L. 2014-100, as amended, shall be permitted to increase student enrollment for the 2020-2021 school year only as follows:*

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<sup>1</sup> <https://www.ncleg.gov/Sessions/2013/Bills/Senate/PDF/S744v9.pdf>

<sup>2</sup> <https://www.ncleg.gov/EnactedLegislation/SessionLaws/PDF/2017-2018/SL2018-5.pdf>

<sup>3</sup> <https://www.ncleg.gov/EnactedLegislation/SessionLaws/HTML/2019-2020/SL2020-97.html>

*(i) North Carolina Cyber Academy shall be permitted to increase its enrollment by 1,000 students and (ii) North Carolina Virtual Academy shall be permitted to increase its enrollment by 2,800 students. A virtual charter school permitted an increase in student enrollment pursuant to this section shall give enrollment priority to students for the 2021-2022 school year who were enrolled in the school for the 2020-2021 school year prior to the date this act became law.*

*SECTION 3.2.(b) The virtual charter schools shall provide an interim report by March 15, 2021, and a final report by November 15, 2021, to the Joint Legislative Education Oversight Committee, on the impact of the increase in student enrollment permitted by subsection (a) of this section, including data on where students had been previously enrolled by local school administrative unit, charter school, or nonpublic school, the grade level of students, the withdrawal rate of students after enrollment, and any student performance and accountability data.*

This report fulfills the interim report requirement referenced above in Section 3.2(b).

## North Carolina Cyber Academy

North Carolina Cyber Academy's (NCCA) enrollment for month one was 2,373 students and for month three, 2,441 students. During the fall semester, NCCA did not utilize the above-referenced legislation to enroll students above the original cap of 2,592.

Second semester at NCCA begins January 20, 2021 and NCCA expects to enroll approximately 72 students over the 2,592 cap. Data on those expansion students will be reported in the November 2021 report. NCCA currently has a waitlist for the 2021-2022 school year of 157 students.

NCCA currently closes enrollment one month prior to the start of a new semester allowing time for principals to recruit and train additional teachers as needed.

## North Carolina Virtual Academy

North Carolina Virtual Academy (NCVA) enrolled 411 students over the previous cap of 2,945. NCVA submitted the following data regarding the impact of this increased enrollment as required by Session Law 2020-97. Enrollment at NCVA concluded on the 100<sup>th</sup> day of school and therefore NCVA will not enroll additional students for the 2020-2021 school year.

### I. Expansion Students: Grade Levels

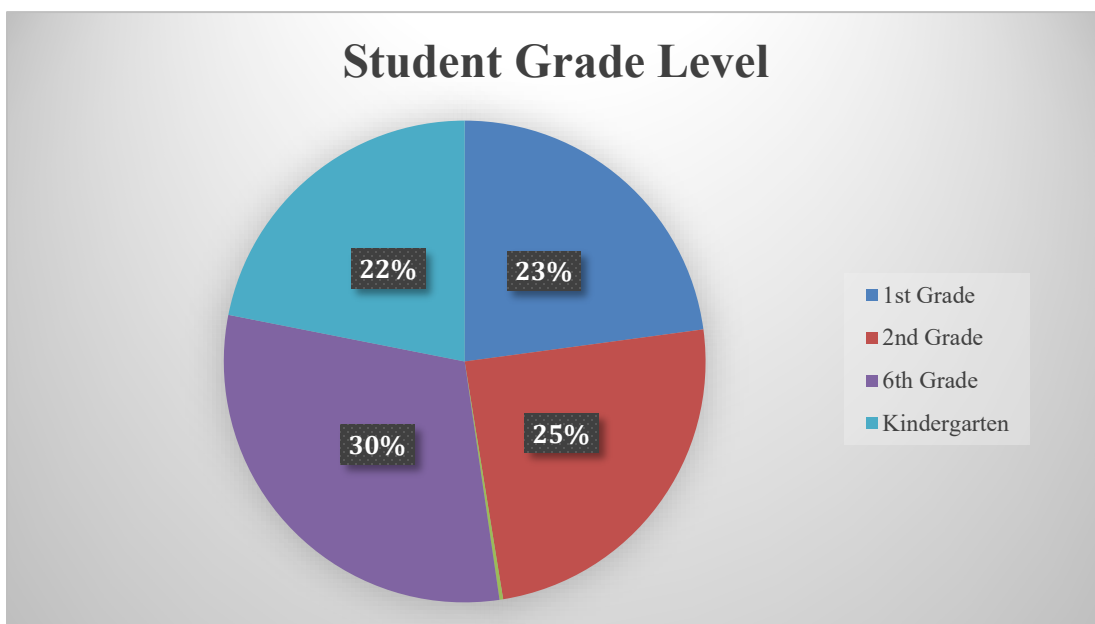
NCVA enrolled students based on demand within its waitlist as well as the number of families who were willing to make a change after having started at another school this year. As NCVA reached out to families, many did not want to make a change in their child's education for only a one-year period (as stated in the legislation). Many families stated they were interested in attending NCVA if it were a permanent change, but the legislation clearly states that the enrollment was for the 2020-2021 school year. NCVA did not want to mislead families and was very transparent about the wording of the legislation when offering a seat. Additionally, it was extremely important that the expansion did not disrupt the education of students who were already enrolled at NCVA. Therefore, NCVA only enrolled new students as the school hired and trained additional teachers. NCVA received the necessary teacher applicants in K, 1, 2, and 6<sup>th</sup> to support those expansion students and stay within the state mandated student-to-teacher ratios. NCVA was committed to hiring highly qualified teachers to support the expansion students this year which led to the enrollment in certain grade levels.

Kindergarten – 89 students (21.6% of the expansion population)

1<sup>st</sup> Grade – 95 students (23.1% of the expansion population)

2<sup>nd</sup> Grade – 101 students (24.5% of the expansion population)

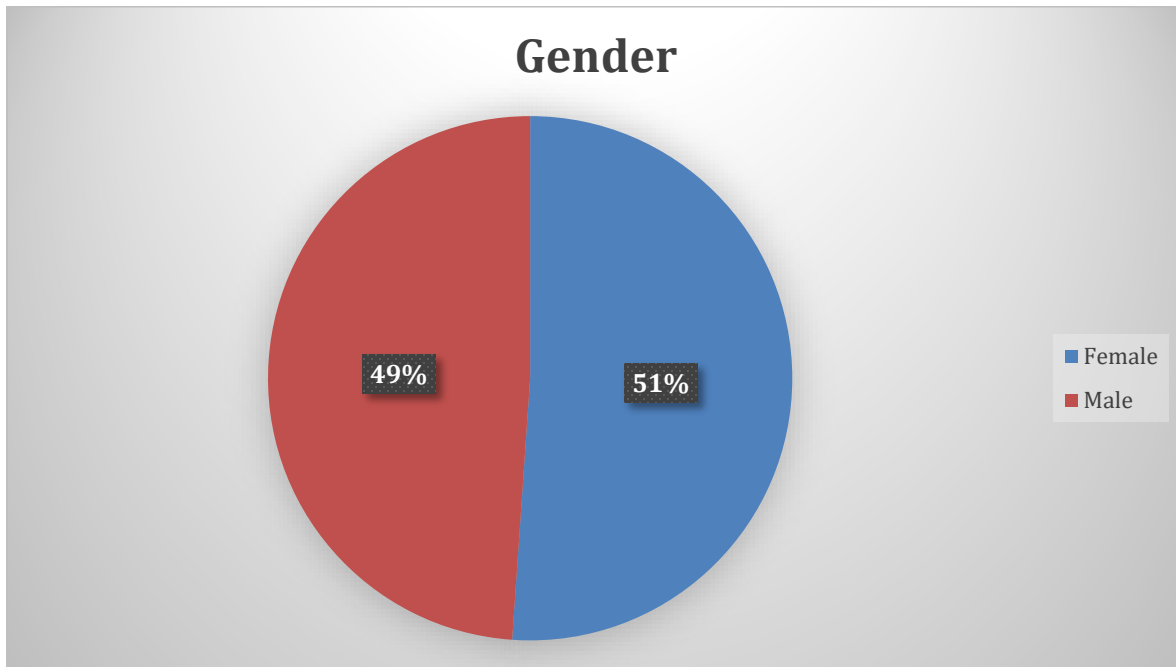
6<sup>th</sup> Grade – 124 students (30.1% of expansion population)



## II. Expansion Students: Gender

Female – 210 students (51%)

Male – 201 students (49%)



## III. Expansion Students: Previous School Type

Charter School – 20 students (5%)

Home School – 21 students (5%)

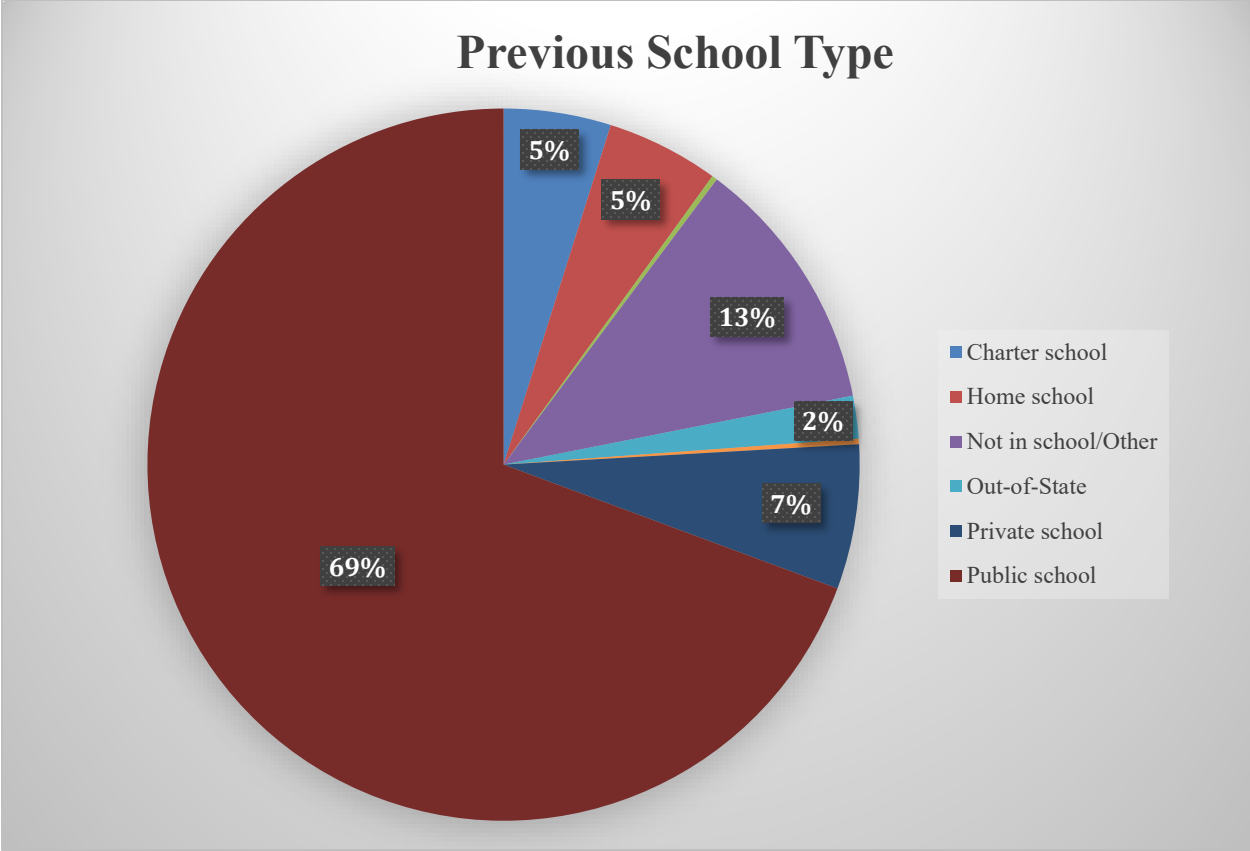
Not in Schools/Other – 50 students (13%)

Out-of-State – 9 students (2%)

Private School – 27 students (7%)

Public School – 284 students (69%)

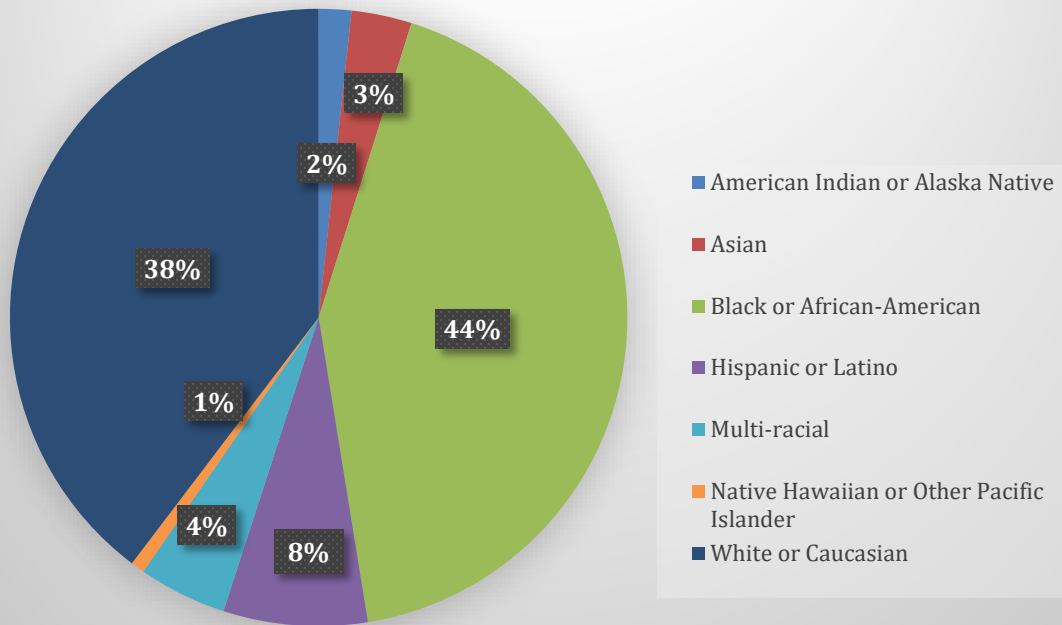




#### IV. Expansion Students: Ethnicity Data

- American Indian or Alaska Native – 9 students (2%)
- Asian – 13 students (3%)
- African American – 179 students (44%)
- Hispanic - 32 students (8%)
- Multi-racial – 18 students (4%)
- Native Hawaiian or Other Pacific Islander – 3 students (<1%)
- White or Caucasian – 157 students (38%)

## Ethnicity



### V. Expansion Students: Special Programs

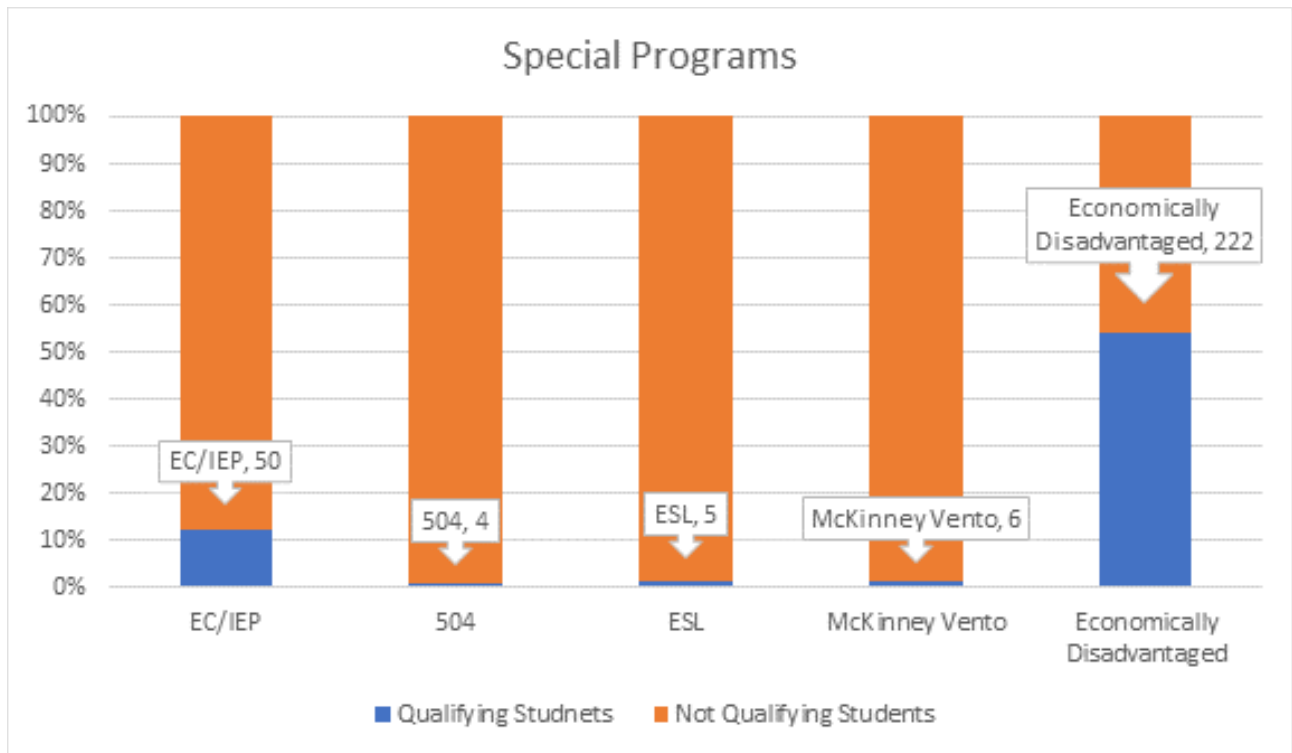
EC/IEP – 50 students (12%)

504 – 4 students (.09%)

ESL – 5 students (1.2%)

McKinney Vento – 6 students (1.4%)

Economically Disadvantaged Students (eligible for F&R Lunch) – 222 (54%)



## VI. Expansion Students: District of Residence

Alamance Burlington Schools – 5 students  
 Anson County Schools – 1 student  
 Bertie County Schools – 2 students  
 Brunswick County Schools – 9 Students  
 Buncombe County Schools – 8 students  
 Burke County Schools – 1 student  
 Cabarrus County Schools – 7 students  
 Caldwell County Schools – 3 students  
 Carteret County Public Schools – 1 student  
 Caswell County Schools – 1 student  
 Catawba County Schools – 1 student  
 Chapel Hill – Carrboro Schools – 1 student  
 Charlotte – Mecklenburg Schools – 41 students  
 Chatham County Schools – 5 students  
 Cherokee County Schools – 1 student  
 Cleveland County Schools – 3 students  
 Clinton City Schools – 1 student  
 Craven County Schools – 4 students  
 Cumberland County Schools – 24 students  
 Currituck County Schools – 2 students

Davidson County Schools – 2 students  
 Davie County Schools – 3 students  
 Duplin County Schools – 5 students  
 Durham Public Schools – 13 students  
 Edgecombe County Schools – 2 students  
 Forsyth County Schools – 14 students  
 Franklin County Schools – 3 students  
 Gaston County Schools – 10 students  
 Granville County Schools – 3 students  
 Greene County Schools – 1 student  
 Guilford County Schools – 27 students  
 Halifax County Schools – 2 students  
 Harnett County Schools – 12 students  
 Haywood County Schools – 2 students  
 Henderson County Schools – 1 student  
 Hickory City Schools – 1 student  
 Hoke County Schools – 4 students  
 Hyde County Schools – 1 student  
 Iredell-Statesville Schools – 3 students  
 Jackson County Schools – 3 students  
 Johnston County Schools – 8 students

Kannapolis City Schools – 1 student  
Lee County Schools – 1 student  
Lenoir County Public Schools – 6 students  
Lexington City Schools – 3 students  
Lincoln County Schools – 2 students  
Macon County Schools – 1 student  
Martin County Schools – 3 students  
McDowell County Schools – 2 students  
Moore County Schools – 4 students  
Mount Airy City Schools – 1 student  
Nash-Rocky Mount Schools – 15 students  
New Hanover County Schools – 2 students  
Northampton County Schools – 1 student  
Onslow County Schools – 13 students  
Orange County Schools – 1 student  
Pamlico County Schools – 1 student  
Pasquotank County Schools – 2 students  
Pender County Schools – 5 students

Pitt County Schools – 12 students  
Randolph County Schools – 1 student  
Richmond County Schools – 2 students  
Robeson County Schools – 13 students  
Rockingham County Schools – 5 students  
Rowan – Salisbury Schools – 6 students  
Rutherford County Schools – 4 students  
Scotland County Schools – 3 students  
Surry County Schools – 1 student  
Thomasville City Schools – 1 student  
Transylvania County Schools – 1 student  
Union County Public Schools – 8 students  
Vance County Schools – 1 student  
Wake County Public Schools – 33 students  
Watauga County Schools – 1 student  
Wayne County Public Schools – 6 students  
Wilkes County Schools – 1 student  
Wilson County Schools – 6 students

## VII. Expansion Students: Academic Data

All expansion students were administered the NWEA Map Assessment the first week at NCVA. The chart below reveals the percentage of students scoring in the advanced, proficient, basic, and below basic categories using the National Percentile Ranking.

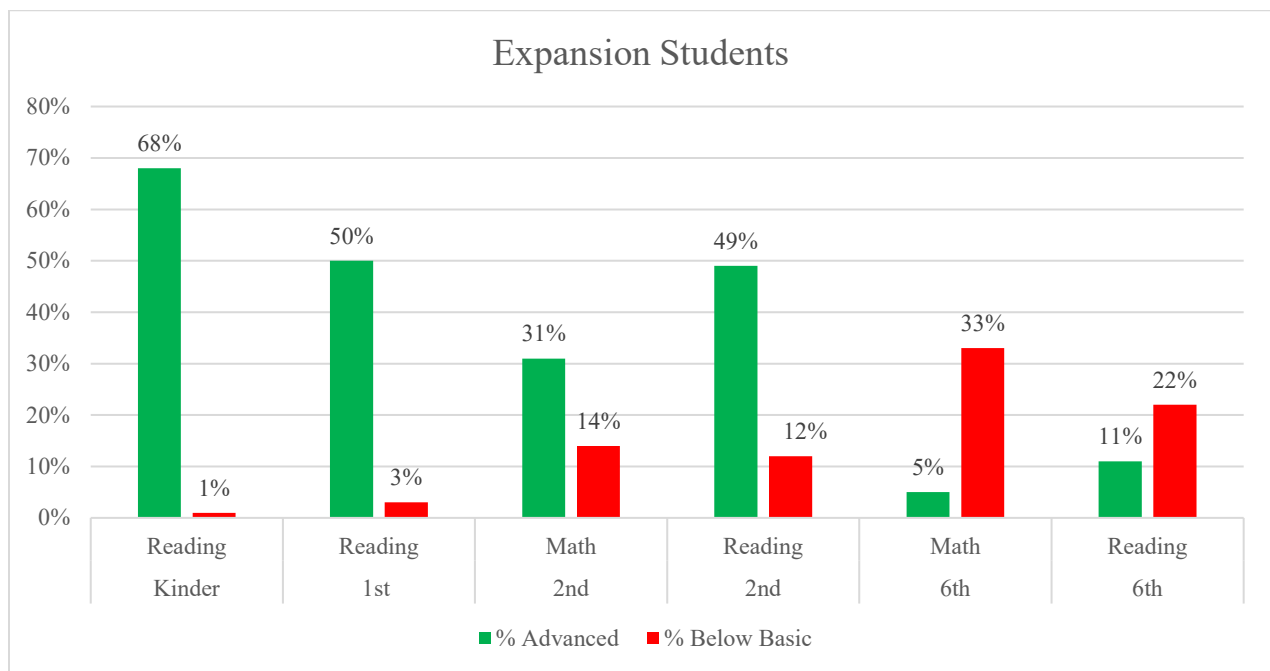
A percentile rank indicates how well a student performed in comparison to the students in the specific norm group, for example, in the same grade and subject. A student's percentile rank indicates that the student scored as well as, or better than, the percent of students in the norm group. The percentile rank is helpful for reporting achievement status but is not a good metric for comparing two students in two different norm groups, or for calculating a student's growth. Inferences regarding a student's growth cannot confidently be made based solely on their percentile rank over time.

NCVA will continue to administer the NWEA assessment to these students (3x/year) to monitor growth. Growth is determined through a student's RIT score<sup>4</sup>. This score represents a student's achievement level at any given moment and helps measure their academic growth over time. The RIT scale is a stable scale that accurately measures student performance, regardless of age, grades, or grade level.

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<sup>4</sup> <https://www.nwea.org/normative-data-rit-scores/>

Grade	Subject	% tested	% Advanced	% Proficient	% Basic	% Below Basic
Kinder	Reading	90%	68%	17%	13%	1%
1st	Reading	89%	50%	29%	17%	3%
2nd	Math	86%	31%	32%	23%	14%
2nd	Reading	87%	49%	27%	12%	12%
6th	Math	84%	5%	28%	34%	33%
6th	Reading	83%	11%	38%	29%	22%



The NCVA 6<sup>th</sup> grade cohort is receiving additional support and remediation based on their NWEA and classroom data. In addition to hiring content teachers for the 6<sup>th</sup> grade expansion, NCVA hired an additional Exceptional Children’s teacher, as well as an interventionist to work directly with these students academically. Based on student needs, NCVA also hired an additional student support advisor who will work directly with these students and families to ensure success in and outside of the classroom. The advisor is providing weekly 1:1 support for every student in our 6<sup>th</sup> grade expansion cohort.

NCVA also administers NC Check-In assessments. However, the NCVA students took NC Check-In 1 before the expansion students were enrolled and therefore, they did not take the first interim. They will take NC Check-In 2 in February.

## VIII. Withdrawal Percentage

Eighteen kids (of the 411) have withdrawn from NCVA. This is 4.3% of expansion students. Of the eighteen, twelve returned to their home school as elementary schools reopened for in-person learning.