

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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HOUSE BILL 1093

Short Title: Teach Reading by the End of First Grade. (Public)

Sponsors: Representatives Blue, Brubaker, Shubert (Primary Sponsors); Adams, Carpenter, Davis, Fitch, and Morris.

Referred to: Education.

April 11, 2001

A BILL TO BE ENTITLED

AN ACT TO ENSURE THAT THE PUBLIC SCHOOLS OF NORTH CAROLINA ARE PREPARING CHILDREN TO READ AT GRADE LEVEL AND TO ENJOY READING BEFORE THEY ENTER SECOND GRADE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-105.20(a) reads as rewritten:

"(a) The General Assembly believes that all children can learn. It is the intent of the General Assembly that the mission of the public school community is to challenge with high expectations each child to learn, to achieve, and to fulfill his or her potential. To accomplish that mission, the public schools must prepare children to read at grade level and to enjoy reading before they enter second grade. With ~~that mission~~ these facts as its guide, the State Board of Education shall develop a School-Based Management and Accountability Program. The primary goal of the Program shall be to improve student performance."

SECTION 2. G.S. 115C-174.10 reads as rewritten:

"§ 115C-174.10. Purposes of the Statewide Testing Program.

The three testing programs in this Article have ~~three~~ four purposes: (i) To assure that all children are prepared to read at grade level and to enjoy reading before they enter second grade, (ii) all high school graduates possess those minimum skills and that knowledge thought necessary to function as a member of society; ~~(ii)~~ (iii) to provide a means of identifying strengths and weaknesses in the education process in order to improve instructional delivery; and ~~(iii)~~ (iv) to establish additional means for making the education system at the State, local, and school levels accountable to the public for results."

SECTION 3. G.S. 115C-174.11(a) reads as rewritten:

"(a) Assessment Instruments for First and Second Grades. – The State Board of Education shall adopt and provide to the local school administrative units

1 developmentally appropriate individualized assessment instruments consistent with the
2 Basic Education Program for the first and second ~~grades, rather than standardized tests.~~
3 grades and standardized tests to measure reading readiness and ability to read. Local
4 school administrative units may use these assessment instruments provided to them by
5 the State Board for first and second grade students, and shall ~~not~~ use the standardized
6 ~~tests.~~ tests to monitor students' progress in learning to read at grade level before they
7 enter second grade."

8 **SECTION 4.** G.S. 115C-105.35 reads as rewritten:

9 **"§ 115C-105.35. Annual performance goals.**

10 The School-Based Management and Accountability Program shall (i) focus on
11 preparing children to read at grade level and to enjoy reading before they enter second
12 grade, (ii) focus on student performance in the basics of reading, mathematics, and
13 communications skills in elementary and middle schools, ~~(ii)~~ (iii) focus on student
14 performance in courses required for graduation and on other measures required by the
15 State Board in the high schools, and ~~(iii)~~ (iv) hold schools accountable for the
16 educational growth of their students. To those ends, the State Board shall design and
17 implement an accountability system that sets annual performance standards for each
18 school in the State in order to measure the growth in performance of the students in each
19 individual school."

20 **SECTION 5.** G.S. 115C-105.27 reads as rewritten:

21 **"§ 115C-105.27. Development and approval of school improvement plans.**

22 In order to improve student performance, each school shall develop a school
23 improvement plan that takes into consideration the annual performance goal for that
24 school that is set by the State Board under G.S. 115C-105.35. The principal of each
25 school, representatives of the assistant principals, instructional personnel, instructional
26 support personnel, and teacher assistants assigned to the school building, and parents of
27 children enrolled in the school shall constitute a school improvement team to develop a
28 school improvement plan to improve student performance. Representatives of the
29 assistant principals, instructional personnel, instructional support personnel, and teacher
30 assistants shall be elected by their respective groups by secret ballot. Unless the local
31 board of education has adopted an election policy, parents shall be elected by parents of
32 children enrolled in the school in an election conducted by the parent and teacher
33 organization of the school or, if none exists, by the largest organization of parents
34 formed for this purpose. Parents serving on school improvement teams shall reflect the
35 racial and socioeconomic composition of the students enrolled in that school and shall
36 not be members of the building-level staff. Parental involvement is a critical component
37 of school success and positive student achievement; therefore, it is the intent of the
38 General Assembly that parents, along with teachers, have a substantial role in
39 developing school improvement plans. To this end, school improvement team meetings
40 shall be held at a convenient time to assure substantial parent participation. The
41 strategies for improving student performance:

- 42 (1) Shall include a plan for the use of staff development funds that may be
43 made available to the school by the local board of education to
44 implement the school improvement plan. The plan may provide that a

1 portion of these funds is used for mentor training and for release time
2 and substitute teachers while mentors and teachers mentored are
3 meeting;

4 (1a) Shall, if the school is an elementary school or other school that serves
5 students in kindergarten or first grade, include a plan for ensuring that
6 all children are prepared to read at grade level and to enjoy reading
7 before they enter second grade. This plan shall include the use of
8 standardized tests provided to the local school administrative units in
9 accordance with G.S. 115C-174.11(a) to monitor students' progress in
10 learning to read. It shall reflect the findings of the National Institute of
11 Child Health and Human Development, which is a part of the National
12 Institute of Health, to prevent the use of methods that harm children
13 and interfere with learning.

14 (2) Shall include a plan to address school safety and discipline concerns in
15 accordance with the safe school plan developed under Article 8C of
16 this Chapter;

17 (3) May include a decision to use State funds in accordance with G.S.
18 115C-105.25;

19 (4) Shall include a plan that specifies the effective instructional practices
20 and methods to be used to improve the academic performance of
21 students identified as at risk of academic failure or at risk of dropping
22 out of school;

23 (5) May include requests for waivers of State laws, rules, or policies for
24 that school. A request for a waiver shall meet the requirements of G.S.
25 115C-105.26.

26 Support among affected staff members is essential to successful implementation of a
27 school improvement plan to address improved student performance at that school. The
28 principal of the school shall present the proposed school improvement plan to all of the
29 principals, assistant principals, instructional personnel, instructional support personnel,
30 and teacher assistants assigned to the school building for their review and vote. The vote
31 shall be by secret ballot. The principal shall submit the school improvement plan to the
32 local board of education only if the proposed school improvement plan has the approval
33 of a majority of the staff who voted on the plan.

34 The local board of education shall accept or reject the school improvement plan. The
35 local board shall not make any substantive changes in any school improvement plan that
36 it accepts. If the local board rejects a school improvement plan, the local board shall
37 state with specificity its reasons for rejecting the plan; the school improvement team
38 may then prepare another plan, present it to the principals, assistant principals,
39 instructional personnel, instructional support personnel, and teacher assistants assigned
40 to the school building for a vote, and submit it to the local board to accept or reject. If
41 no school improvement plan is accepted for a school within 60 days after its initial
42 submission to the local board, the school or the local board may ask to use the process
43 to resolve disagreements recommended in the guidelines developed by the State Board
44 under G.S. 115C-105.20(b)(5). If this request is made, both the school and local board

1 shall participate in the process to resolve disagreements. If there is no request to use that
2 process, then the local board may develop a school improvement plan for the school.
3 The General Assembly urges the local board to utilize the school's proposed school
4 improvement plan to the maximum extent possible when developing such a plan.

5 A school improvement plan shall remain in effect for no more than three years;
6 however, the school improvement team may amend the plan as often as is necessary or
7 appropriate. If, at any time, any part of a school improvement plan becomes unlawful
8 or the local board finds that a school improvement plan is impeding student
9 performance at a school, the local board may vacate the relevant portion of the plan and
10 may direct the school to revise that portion. The procedures set out in this subsection
11 shall apply to amendments and revisions to school improvement plans."

12 **SECTION 6.** Chapter 115C of the General Statutes is amended by adding a
13 new section to read:

14 **"§ 115C-105.37. Identification of schools in which kindergarten and first grade**
15 **students are not being adequately prepared to read.**

16 (a) The State Board of Education shall design and implement a procedure to
17 identify, on an annual basis, schools in which kindergarten and first grade students are
18 not being adequately prepared to read and do not enjoy reading when they enter the
19 second grade. Such schools are those at which more than five percent (5%) of the
20 kindergarten students are not performing at grade level on standardized tests of
21 readiness to read and/or first grade students are not performing at grade level on
22 standardized reading tests.

23 (b) By July 10 of each year, each local school administrative unit shall do a
24 preliminary analysis of test results to determine which of its schools the State Board
25 may identify under this section, and whether any teachers are particularly effective or
26 ineffective at teaching reading. Ineffective teachers shall be required to be retrained in
27 the methods used by effective teachers in order to retain employment anywhere within
28 the North Carolina public schools for the next school year.

29 (c) Whenever a child is identified as making less than normal progress in
30 reading, the parents or guardians shall be promptly notified of the specific need and the
31 school's plan to address that need."

32 **SECTION 7.** This act becomes effective July 1, 2001.