

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

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HOUSE BILL 1118

Short Title: SCHOOLS Act. (Public)

Sponsors: Representatives Hunt, Autry, Brown, and Logan (Primary Sponsors).  
*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Appropriations, if favorable, Pensions and Retirement, if favorable, Rules,  
Calendar, and Operations of the House

May 31, 2022

A BILL TO BE ENTITLED

AN ACT TO ALLOW USE OF REMOTE INSTRUCTION FOR SCHOOL MAKEUP DAYS,  
TO GRANT SCHOOL CALENDAR FLEXIBILITY STATEWIDE, TO INCREASE  
PRINCIPAL SALARIES, TO CREATE A TUTORING FUND FROM AVAILABLE  
REMAINING OPPORTUNITY SCHOLARSHIP FUNDS, TO LOOSEN ZONING  
RESTRICTIONS FOR SCHOOLS, TO RESTORE RETIREMENT BENEFITS TO STATE  
EMPLOYEES, AND TO MODIFY SCHOOL PERFORMANCE SCORES AND REPORT  
CARDS.

The General Assembly of North Carolina enacts:

**PART I. SAVE OUR SPRING BREAK**

**SECTION 1.** Section 3(i) of S.L. 2021-130 reads as rewritten:

**"SECTION 3.(i)** This section is effective when it becomes law and applies to the 2021-2022  
school year. This section is repealed June 30, 2022. law and applies beginning with the 2022-2023  
school year."

**PART II. CALENDAR FLEXIBILITY FOR ALL**

**SECTION 2.** G.S. 115C-84.2(d) reads as rewritten:

"(d) Opening and Closing Dates. – Local boards of education shall determine the dates of  
opening and closing the public schools under subdivision (a)(1) of this section. ~~Except for~~  
~~year-round schools, the opening date for students shall be no earlier than the Monday closest to~~  
~~August 26, and the closing date for students shall be no later than the Friday closest to June 11.~~  
~~On a showing of good cause, the State Board of Education may waive the requirement that the~~  
~~opening date for students be no earlier than the Monday closest to August 26 and may allow the~~  
~~local board of education to set an opening date no earlier than the Monday closest to August 19,~~  
~~to the extent that school calendars are able to provide sufficient days to accommodate anticipated~~  
~~makeup days due to school closings.~~ section, including dates for year-round schools. A local  
board may revise the scheduled closing date if necessary in order to comply with the minimum  
requirements for instructional days or instructional time. ~~For purposes of this subsection, the term~~  
~~"good cause" means that schools in any local school administrative unit in a county have been~~  
~~closed eight days per year during any four of the last 10 years because of severe weather~~  
~~conditions, energy shortages, power failures, or other emergency situations.~~

~~The required opening and closing dates under this subsection shall not apply to any school~~  
~~that a local board designated as having a modified calendar for the 2003-2004 school year or to~~



any school that was part of a planned program in the 2003-2004 school year for a system of modified calendar schools, so long as the school operates under a modified calendar."

**PART III. HIGHER PRINCIPAL PAY BANDS**

**SECTION 3.(a)** The following annual salary schedule for principals shall apply for the 2022-2023 fiscal year, beginning July 1, 2022:

**2022-2023 Principal Annual Salary Schedule**

Avg. Daily Membership	Base	Met Growth	Exceeded Growth
0-200	\$71,574	\$78,731	\$85,889
201-400	\$75,153	\$82,668	\$90,184
401-700	\$78,731	\$86,604	\$94,477
701-1,000	\$82,310	\$90,541	\$98,772
1,001-1,600	\$85,889	\$94,478	\$103,067
1,601-2,000	\$89,468	\$98,415	\$107,362
2,001-2,500	\$91,705	\$100,875	\$110,046
2,501-3,000	\$93,997	\$103,397	\$112,797
3,001+	\$96,347	\$105,982	\$115,617

A principal's placement on the salary schedule shall be determined according to the average daily membership of the school supervised by the principal, as described in subsection (b) of this section, and the school growth scores, calculated pursuant to G.S. 115C-83.15(c), for each school the principal supervised in at least two of the prior three school years, as described in subsection (c) of this section, regardless of a break in service and provided the principal supervised each school as a principal for at least a majority of the school year, as follows:

- (1) A principal shall be paid according to the Exceeded Growth column of the schedule if the school growth scores show the school or schools exceeded expected growth in at least two of the prior three school years.
- (2) A principal shall be paid according to the Met Growth column of the schedule if any of the following apply:
  - a. The school growth scores show the school or schools met expected growth in at least two of the prior three school years.
  - b. The school growth scores show the school or schools met expected growth in at least one of the prior three school years and exceeded expected growth in one of the prior three school years.
  - c. The principal supervised a school in at least two of the prior three school years that was not eligible to receive a school growth score.
- (3) A principal shall be paid according to the Base column if either of the following applies:
  - a. The school growth scores show the school or schools did not meet expected growth in at least two of the prior three school years.
  - b. The principal has not supervised any school as a principal for a majority of the school year in at least two of the prior three school years.

**SECTION 3.(b)** For purposes of determining the average daily membership of a principal's school, the following amounts shall be used during the following time periods:

- (1) Between July 1, 2022, and December 31, 2022, the average daily membership for the school from the 2021-2022 school year. If the school did not have an average daily membership in the 2021-2022 school year, the projected average daily membership for the school for the 2022-2023 school year.
- (2) Between January 1, 2023, and June 30, 2023, the average daily membership for the school for the 2022-2023 school year.

1           **SECTION 3.(c)** For purposes of determining the school growth scores for each  
2 school the principal supervised in at least two of the prior three school years, school growth  
3 scores from the three most recent available school years, up to the 2021-2022 school year, shall  
4 be used.

5           **SECTION 3.(d)** Beginning with the 2017-2018 fiscal year, in lieu of providing  
6 annual longevity payments to principals paid on the principal salary schedule, the amounts of  
7 those longevity payments are included in the annual amounts under the principal salary schedule.

8           **SECTION 3.(e)** A principal compensated in accordance with this section for the  
9 2022-2023 fiscal year shall receive an amount equal to the greater of the following:

10           (1) The applicable amount on the salary schedule for the applicable year.

11           (2) For principals who were eligible for longevity in the 2016-2017 fiscal year,  
12 the sum of the following:

13           a. The salary the principal received in the 2016-2017 fiscal year pursuant  
14 to Section 9.1 or Section 9.2 of S.L. 2016-94.

15           b. The longevity that the principal would have received as provided for  
16 State employees under the North Carolina Human Resources Act for  
17 the 2016-2017 fiscal year based on the principal's current years of  
18 service.

19           (3) For principals who were not eligible for longevity in the 2016-2017 fiscal  
20 year, the salary the principal received in the 2016-2017 fiscal year pursuant to  
21 Section 9.1 or Section 9.2 of S.L. 2016-94.

22           **SECTION 3.(f)** There is appropriated from the General Fund to the Department of  
23 Public Instruction for the 2022-2023 fiscal year the additional sum of one hundred forty thousand  
24 dollars (\$140,000) in recurring funds to implement the principal salary schedule provided for in  
25 this section.

26           **SECTION 3.(g)** This section becomes effective July 1, 2022.

#### 27 28 **PART IV. OPPORTUNITY TUTORING PROGRAM**

29           **SECTION 4.(a)** Part 7 of Article 16 of Chapter 115C of the General Statutes is  
30 amended by adding a new section to read:

##### 31 **"§ 115C-238.35. North Carolina Tutoring Fund.**

32           (a) There is created the North Carolina Tutoring Fund to be administered by the  
33 Department of Public Instruction for the purpose of providing funds to public school units to  
34 improve student learning through tutoring. The Fund shall consist of monies appropriated from  
35 the General Fund by the General Assembly, monies transferred from the Opportunity Scholarship  
36 Grant Fund Reserve pursuant to G.S. 115C-562.8(a), and interest accrued thereon. These funds  
37 shall be allocated to public school units on the basis of average daily membership. The  
38 Department of Education shall administer the Fund in accordance with this section and adopt all  
39 necessary rules.

40           (b) If monies are transferred from the Opportunity Scholarship Grant Fund Reserve to  
41 the North Carolina Tutoring Fund pursuant to G.S. 115C-562.8(a), they shall not revert until the  
42 end of the subsequent fiscal year. Funds carried forward pursuant to this section that have not  
43 been spent by the end of the subsequent fiscal year shall revert to the General Fund.

44           (c) Of the monies in the Fund, the Department may retain up to four percent (4%) each  
45 fiscal year for administrative costs."

46           **SECTION 4.(b)** G.S. 115C-562.8, as amended by Section 8A.3(g) of S.L. 2021-105,  
47 reads as rewritten:

##### 48 **"§ 115C-562.8. The Opportunity Scholarship Grant Fund Reserve.**

49           (a) The Opportunity Scholarship Grant Fund Reserve is established as a reserve to be  
50 administered by the Board of Governors of The University of North Carolina for the purpose of  
51 allocating funds to the Authority for the award of scholarship grants in accordance with this Part.

1 The Reserve shall consist of monies appropriated from the General Fund to the Reserve by the  
2 General Assembly and any interest accrued to it thereon. These funds shall be used to award  
3 scholarship grants to eligible students for the school year that begins in the fiscal year following  
4 the fiscal year in which the appropriation is made to the Reserve. The Board of Governors shall  
5 only use monies in the Reserve in accordance with the purposes set forth in this section. Funds  
6 appropriated in a particular fiscal year to be used for the award of scholarships in the following  
7 fiscal year that are unexpended at the end of the fiscal year after the fiscal year in which the funds  
8 were appropriated shall be ~~first used for the purpose set forth in subdivision (1) of subsection (d)~~  
9 ~~of this section, if applicable. After funds are used for this purpose, any unexpended funds from~~  
10 ~~the funds appropriated in a particular fiscal year to be used for the award of scholarships in the~~  
11 ~~following fiscal year shall be carried forward for one fiscal year and may be used for the purposes~~  
12 ~~set forth in this section. Funds carried forward pursuant to this section that have not been spent~~  
13 ~~within one fiscal year shall revert to the General Fund.~~ transferred to the North Carolina Tutoring  
14 Fund created pursuant to G.S. 115C-238.35."

15 ...

16 ~~(d) Any unexpended funds at the end of a fiscal year from the funds appropriated in a~~  
17 ~~particular fiscal year to be used for the award of scholarships in the following fiscal year shall be~~  
18 ~~used as follows:~~

19 (1) ~~Up to five hundred thousand dollars (\$500,000) may be used by the Authority~~  
20 ~~to contract with a nonprofit corporation representing parents and families for~~  
21 ~~outreach and scholarship education and application assistance for parents and~~  
22 ~~students pursuant to Part 4A of this Article.~~

23 (2) ~~Any remaining funds shall be carried forward for one fiscal year pursuant to~~  
24 ~~subsection (a) of this section."~~

25 **SECTION 4.(c)** Subsections (a) and (b) of this section become effective June 30,  
26 2022. The remainder of this section is effective when this act becomes law.

## 27 **PART V. OPEN VIRTUAL CODES**

28 **SECTION 5.** Notwithstanding any provision of law to the contrary, the Department  
29 of Public Instruction shall allow local school administrative units to apply for a separate school  
30 code and offer virtual instruction.

## 31 **PART VI. LET THEM BENEFIT**

32 **SECTION 6.(a)** Subsections (c) and (d) of Section 35.21 of S.L. 2017-57 are  
33 repealed.

34 **SECTION 6.(b)** This section is effective retroactively to December 31, 2020.

## 35 **PART VII. SCHOOL PERFORMANCE GRADES/ANNUAL REPORT CARDS**

36 **SECTION 7.1.** G.S. 115C-12(9) reads as rewritten:

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

41 ...

42 c1. To issue an annual "report card" for the State and for each local school  
43 administrative unit, assessing each unit's efforts to improve student  
44 performance based on the growth in performance of the students in  
45 each school and taking into account progress over the previous years'  
46 level of performance and the State's performance in comparison with  
47 other states. This assessment shall take into account factors that have  
48 been shown to affect student performance and that the State Board  
49  
50  
51

1 considers relevant to assess the State's efforts to improve student  
 2 performance. The annual "report card" for each local school  
 3 administrative unit shall include the following:

4 1. The State Board shall award, in accordance with  
 5 G.S. 115C-83.15, ~~an overall numerical school achievement,~~  
 6 ~~growth, and performance score on a scale of zero to 100~~  
 7 achievement and school growth scores and a separate  
 8 corresponding performance school achievement and school  
 9 growth letter grade grades of A, B, C, D, or F earned by each  
 10 school within the local school administrative unit. The school  
 11 performance score and grade achievement and growth scores  
 12 and grades shall reflect the measures required for achievement  
 13 and growth, respectively, by G.S. 115C-83.15, in measures  
 14 such as student performance on annual subject-specific  
 15 assessments, college and workplace readiness measures,  
 16 graduation rates, and student progress in achieving English  
 17 language proficiency. In addition, the State Board shall award  
 18 separate performance scores and grades for the following:

19 I. School achievement and school growth performance of  
 20 certain subgroups of students as provided in  
 21 G.S. 115C-83.15.

22 II. For schools serving students in any grade from  
 23 kindergarten to eighth grade, school achievement and  
 24 school growth performance in reading and mathematics  
 25 respectively.  
 26

27 ...."

**SECTION 7.2.** G.S. 115C-47(58) reads as rewritten:

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

40 **SECTION 7.3.** G.S. 115C-83.15 reads as rewritten:

41 "**§ 115C-83.15. School ~~achievement, growth, performance scores,~~ achievement scores,**  
 42 **growth scores, and grades.**

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

47 ...

48 (b1) Calculation of School Achievement Grades. – For all schools, the score for school  
 49 achievement, as provided in subsection (b) of this section, shall be used to determine the school  
 50 achievement grade. The school achievement grade shall be based on the following scale and shall

1 not be modified to add any other designation related to other performance measures, such as a  
2 "plus" or "minus":

3 (1) A score of at least 85 is equivalent to a school achievement grade of A.

4 (2) A score of at least 70 is equivalent to a school achievement grade of B.

5 (3) A score of at least 55 is equivalent to a school achievement grade of C.

6 (4) A score of at least 40 is equivalent to a school achievement grade of D.

7 (5) A score of less than 40 is equivalent to a school achievement grade of F.

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

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

23 (1) A score of at least 90 is equivalent to a school growth grade of A.

24 (2) A score of at least 80 is equivalent to a school growth grade of B.

25 (3) A score of at least 70 is equivalent to a school growth grade of C.

26 (4) A score of at least 60 is equivalent to a school growth grade of D.

27 (5) A score of less than 60 is equivalent to a school growth grade of F.

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

38 (1) ~~A school performance score of at least 85 is equivalent to an overall school~~  
39 ~~performance grade of A.~~

40 (2) ~~A school performance score of at least 70 is equivalent to an overall school~~  
41 ~~performance grade of B.~~

42 (3) ~~A school performance score of at least 55 is equivalent to an overall school~~  
43 ~~performance grade of C.~~

44 (4) ~~A school performance score of at least 40 is equivalent to an overall school~~  
45 ~~performance grade of D.~~

46 (5) ~~A school performance score of less than 40 points is equivalent to an overall~~  
47 ~~school performance grade of F.~~

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

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

5 (d2) ~~Calculation of the School Performance Scores and Achievement and School Growth~~  
6 ~~Scores and Corresponding~~ Grades for Certain Subgroups of Students Served by a School. – In  
7 addition to the ~~overall–school performance–achievement and school growth~~ scores and  
8 ~~corresponding~~ grades awarded under ~~subsections (b) through (c1)~~ of this section, for each school  
9 that serves a minimum number of students in a subgroup of students listed in subsection (d1) of  
10 this section, the State Board of Education shall calculate school ~~performance–achievement and~~  
11 ~~school growth~~ scores and shall determine a ~~corresponding school performance grade–grades~~ for  
12 each subgroup using the same method as set forth in ~~subsection (d)–subsections (b) through (c1)~~  
13 of this section. School ~~performance–achievement and school growth~~ scores for subgroups of  
14 students shall not be included in the calculation of the ~~overall–school performance–achievement~~  
15 ~~and school growth~~ scores and ~~corresponding~~ grades under ~~subsection (d)–subsections (b) through~~  
16 ~~(c1)~~ of this section.

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

- 22 (1) For the current year and the previous two years, the achievement score for  
23 each subgroup of students defined in subsection (d1) of this section for the  
24 school.
- 25 (2) The statewide average achievement score for each subgroup defined in  
26 subsection (d1) of this section.
- 27 (3) The difference between the achievement score for all students in the school  
28 and the achievement score for each subgroup that meets the minimum number  
29 of students defined in subsection (d1) of this section.
- 30 (4) Based on the information reported in subdivision (3) of this subsection, the  
31 State Board shall determine and identify schools that are closing achievement  
32 gaps, experiencing a widening of gaps, or seeing no significant gap changes.

33 ...

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

40 (g) ~~Access to Annual Report Card Information on the Department's Web Site.~~ –  
41 Beginning with data collected in the 2017-2018 school year, the State Board of Education shall  
42 provide user-friendly access to the public on the annual report cards issued for local school  
43 administrative units and individual schools provided under G.S. 115C-12(9)c1., 115C-218.65,  
44 115C-238.66, and 116-239.8 through the Department of Public Instruction's Web site. The annual  
45 report card shall be designed and organized to display the following information more  
46 prominently than any other information:

- 47 (1) A summary for each local school administrative unit and for each individual  
48 school of the school ~~performance–achievement and growth~~ grades, whether  
49 the school has met, exceeded, or has not met expected growth, and any other  
50 information required to be provided as part of the annual report card.

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

18 **SECTION 7.4.** G.S. 115C-83.17 reads as rewritten:

19 **"§ 115C-83.17. Definitions.**

20 The following definitions apply in this Part:

- 21 (1) Achievement score. – A numerical score ~~on a scale of zero to 100~~ that is based  
 22 on the sum of points earned by a school or by a subgroup of students pursuant  
 23 to G.S. 115C-83.15.
- 24 (2) Growth score. – A numerical score measuring student growth calculated for a  
 25 school or for a subgroup of students pursuant to G.S. 115C-83.15.
- 26 (3) ~~Overall school performance grade.~~ School grades. – The letter ~~grade~~ grades  
 27 earned by a school for achievement and growth for all students served by a  
 28 school pursuant to ~~G.S. 115C-83.15(d).~~ G.S. 115C-83.15(b1) and (c1).
- 29 (4) ~~Overall school performance score.~~ School scores. – The numerical ~~score~~  
 30 scores earned by a school ~~that is calculated by adding the school achievement~~  
 31 ~~score and the school growth score earned by a school for achievement and~~  
 32 growth pursuant to ~~G.S. 115C-83.15(d).~~ G.S. 115C-83.15(b) and (c).
- 33 (5) ~~Subgroup performance grade.~~ grades. – The letter ~~grade~~ grades earned by a  
 34 school for achievement and growth for a subgroup of students served by the  
 35 school pursuant to G.S. 115C-83.15(d2).
- 36 (6) ~~Subgroup performance score.~~ scores. – The numerical ~~score~~ scores earned by  
 37 a school ~~that is calculated by adding the for~~ subgroup ~~achievement score~~ and  
 38 ~~the~~ subgroup growth score earned by a school ~~that are converted to a 100-point~~  
 39 scale pursuant to G.S. 115C-83.15(d2)."

40 **SECTION 7.5.** G.S. 115C-83.16 reads as rewritten:

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

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



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

6 **SECTION 7.6.** G.S. 115C-105.37 reads as rewritten:

7 **"§ 115C-105.37. Identification of low-performing schools.**

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

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

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

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

23 ...

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

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

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

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

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

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

44 **SECTION 7.7.** G.S. 115C-105.39A reads as rewritten:

45 **"§ 115C-105.39A. Identification of low-performing local school administrative units.**

46 (a) Identification of Low-Performing Local School Administrative Units. – The State  
47 Board of Education shall identify low-performing local school administrative units on an annual  
48 basis. A low-performing local school administrative unit is a unit in which the majority of the  
49 schools in that unit that earned ~~an overall school performance grade and school growth score~~  
50 achievement and growth scores and grades as provided in G.S. 115C-83.15 have been identified  
51 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 scores~~  
9 and grades of each low-performing school in the unit, including how the  
10 superintendent and other central office administrators will work with each  
11 low-performing school and monitor the low-performing school's progress and  
12 how current local school administrative unit policy should be changed to  
13 improve student achievement throughout the local school administrative unit.  
14 The plan shall also include specific strategies to improve early childhood  
15 learning along with measurable goals.

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 ~~performance achievement~~ 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 achievement and growth 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 performance achievement~~ 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 achievement and growth scores and grades~~ earned  
45 and an explanation of the school ~~performance grades and school growth~~  
46 ~~scores achievement and growth scores and grades."~~

47 **SECTION 7.8.** G.S. 115C-218.65 reads as rewritten:

48 "**§ 115C-218.65. North Carolina School Report Cards.**

49 A charter school shall ensure that the report card issued for it by the State Board of Education  
50 receives wide distribution to the local press or is otherwise provided to the public. A charter  
51 school shall ensure that the ~~overall school performance score achievement and growth scores and~~

1 ~~grade-grades~~ earned by the charter school for the current and previous four school years ~~is-are~~  
2 prominently displayed on the school Web site. If a charter school earned ~~an-overall-a school~~  
3 ~~performance-achievement or growth~~ grade of D or F, the charter school shall provide notice of  
4 the grade in writing to the parent or guardian of all students enrolled in that school."

5 **SECTION 7.9.** G.S. 115C-218.94(a) reads as rewritten:

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

11 **SECTION 7.10.** G.S. 115C-238.66(11) reads as rewritten:

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

21 **SECTION 7.11.** G.S. 116-239.8(b)(14) reads as rewritten:

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

32 **SECTION 7.12.** G.S. 116-239.13(3) reads as rewritten:

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

## 37 PART VIII. MISCELLANEOUS

### 39 EFFECT OF HEADINGS

40 **SECTION 8.1.** The headings to the Parts, subparts, and sections of this act are a  
41 convenience to the reader and are for reference only. The headings do not expand, limit, or define  
42 the text of this act, except for effective dates referring to a Part or subpart.

### 44 SEVERABILITY CLAUSE

45 **SECTION 8.2.** If any section or provision of this act is declared unconstitutional or  
46 invalid by the courts, it does not affect the validity of this act as a whole or any part other than  
47 the part so declared to be unconstitutional or invalid.

### 49 EFFECTIVE DATE

50 **SECTION 8.3.** Except as otherwise provided, this act is effective when it becomes  
51 law.