

**Minutes of the  
North Carolina State Board of Education  
Education Building  
301 N. Wilmington Street  
Raleigh, NC 27601-2825  
July 7, 2016**

**Conference Call Meeting**

The North Carolina State Board of Education met by conference call and the following members participated:

William Cobey, Chairman  
A. L. Collins, Vice Chairman  
Janet Cowell, State Treasurer  
Gregory Alcorn  
Todd Chasteen\*  
Eric Davis

Amy White\*  
Reginald Kenan  
Wayne McDevitt  
Olivia Oxendine  
Rebecca Taylor  
Patricia Willoughby

*(\*Ms. White and Mr. Chasteen participated as new members for the first time; they did not vote on any items.)*

Also participating:

June St. Clair Atkinson, State Superintendent  
Christine Fitch, Local Board Member Advisor  
Melody Chalmers, Principal of the Year Advisor

Keana Triplett, Teacher of the Year Advisor  
Bobbie Cavnar, Teacher of the Year Advisor

**CALL TO ORDER AND INTRODUCTION**

State Board of Education Chairman Bill Cobey called the July 7, 2016, conference call meeting of the State Board of Education to order. He explained that the Board was meeting as a committee of the whole via conference call, and the meeting was hosted from the Board Room in the Education Building in Raleigh. Chairman Cobey also noted that the meeting was being audio streamed. He welcomed online listeners, Twitter followers, and onsite guests.

The Chairman explained that access to the audio of this meeting is available by clicking on the link to audio-streaming that is located at the bottom of the State Board Meetings web page through [ncpublicschools.org](http://ncpublicschools.org).

The first order of business was a roll call. At the direction of Chairman Cobey, Ms. Betsy West conducted the roll call, which indicated that a quorum of members was participating in the meeting; seven members are needed to determine a quorum.

In compliance with the requirements of Chapter 138A-15(e) of the State Government Ethics Act, Chairman Cobey reminded Board members of their duty to avoid conflicts of interest and appearances of conflicts of interest under Chapter 138A. He asked if members of the Board knew of any conflict of interest or any appearance of conflict with respect to any matters coming before them during this meeting. There were no conflicts of interest communicated at this time. Chairman Cobey then requested that if, during the course of the meeting, members became aware of an actual or apparent conflict of interest that they bring the matter to the attention of the Chair. It would then be their duty to abstain from participating in discussion and from voting on the matter.

Chairman Cobey announced that the Board has two new Board members: Ms. Amy White of the North Central Region and Mr. Todd Chasteen of the Northwest Region. The Chairman also announced that the Board has three new advisors this month: Mr. Bobbie Cavnar (2016 Teacher of the Year), Ms. Melody Chalmers (2016 Principal of the Year) and Dr. Freddie Williamson (Superintendent Advisor). Chairman Cobey shared that the Board would officially welcome its new Board members and advisors during its August meeting in Raleigh.

### **APPROVAL OF AGENDA**

Chairman Cobey drew attention to the full meeting agenda, which is available on eBoard. The Chairman asked if there were any changes to the agenda that Board members wished to request. Hearing none, Chairman Cobey asked for a motion to approve the State Board of Education meeting agenda for July 7, 2016, as presented.

#### **Discussion/Comments:**

- There was no discussion.

*Upon motion made by State Treasurer Janet Cowell, and seconded by Ms. Patricia Willoughby, the Board voted unanimously to approve the State Board of Education meeting agenda for July 7, 2016, as presented.*

### **APPROVAL OF MINUTES**

#### ***Discussion/Comments:***

- Chairman Bill Cobey requested a motion to approve the minutes of the June 1 and 2, 2016, State Board of Education meeting.
- There was no discussion.

*Mr. Greg Alcorn made a motion to approve the minutes of the June 1 and 2, 2016, State Board of Education meeting. Seconded by Dr. Olivia Oxendine, the Board voted unanimously to approve the minutes as presented.*

## **STATE SUPERINTENDENT'S REPORT**

State Superintendent June Atkinson prefaced her report by noting that the report in its entirety is located on eBoard.

### **Superintendents' Quarterly – Asheville Meeting Covers Current and Future Policy Issues**

Superintendents from North Carolina's 115 local school districts met with NC DPI staff June 21 in Asheville. Topics discussed included

- Update on the Every Student Succeeds Act (ESSA)
- Review possible indicators for accountability model
- Discussion of accountability and assessments under ESSA

### **Professional Development – Educator Effectiveness Data Training Sessions Offered**

This summer, through a secured grant, the department is offering training sessions about educator effectiveness data.

- Five regionally located trainings will be held in New Bern, Hickory, Durham, Cullowhee, and Wilmington.
- The training focus will be on Analysis of Student Work (ASW), Education Value Added Assessment System (EVAAS), the Every Student Succeeds Act (ESSA), operationalizing student surveys, teacher leadership, and equity plans.

Since each LEA will be required to create an equity plan, a primer on how to do that will be included as part of the day's training. In addition, there will be a discussion about online professional development training, as well as other training opportunities.

### **Beginning Teacher Summit Readies New Teachers for the Classroom**

During June, Beginning Teacher Summits were held statewide to help develop young teachers and support successful transitions into the classroom. "Ready for Anything: Whatever it Takes to Impact the Teaching Profession," is sponsored by the NC Department of Public Instruction. During the summits, teachers learned

- classroom management strategies,
- instructional strategies to increase student engagement,
- how to use data to inform instruction, and
- how to make digital teaching and learning part of the classroom experience.

### **NC Department of Public Instruction (NCDPI) Pursues Grant to Expand Access to High Quality Charters**

NCDPI's Office of Charter Schools has applied for a grant from the U.S. Department of Education to help increase access for educationally disadvantaged students to high quality public charter schools.

The proposed \$30 million, three-year federal grant would enable NCDPI staff to

- provide competitive planning and implementation sub grants to support the start-up of high quality public charter schools, particularly in communities where educationally disadvantaged students in local school districts are low performing; and

- provide dissemination sub grants that would leverage the experience of current leaders in the NC public charter schools’ community who have demonstrated success in helping educationally-disadvantaged students grow academically.

Grant recipients will be notified by late summer/early fall.

**New Additions Join DPI Team**

- David Machado (Executive Director, Office of Charter Schools) – Dr. Atkinson introduced Mr. Machado who was present in the audience.
- Amber Batten (Technology Support Analyst, NCVPS)
- Jacob Porter (Technology Support Analyst, Communications and Information)
- Todd Silberman (Information Communication Specialist II, Communications and Information)
- Nancy Kueffer (Education Consultant II, Exceptional Children)
- Rebecca Martin (Education Program Administrator I, Technology Services)

➤ **Recent Activities of the State Superintendent**

**Attended and/or delivered remarks/keynote address at**

- Girl Scout Gold Award Centennial Celebration, Raleigh, NC
- Flemington Academy Graduation Ceremony, Lake Waccamaw, NC
- Tar Heel Girls State, Salisbury, NC
- Superintendents’ Summer Leadership Institute, Asheville, NC
- Asheville Area Public School Parents, Asheville, NC
- Eastern North Carolina STEM Breakfast, Durham, NC
- Certified Educator Conference, Orlando, FL

**Other News**

Dr. Atkinson announced that the Department is working through the processes to update the State Board of Education’s Board Room to include video streaming.

In closing comments, Dr. Atkinson thanked all of the LEAs and citizens of North Carolina who participated with this year’s Give-Five Read Five campaign. She noted that while she did not have the final numbers, more than 435,000 books were donated to give to children to read over the summer.

➤ **Legislative Update**

❖ **Ms. Rachel Beaulieu (Legislative Liaison Director)**

Ms. Beaulieu briefly highlighted the summary below of the most relevant 2016 Session Laws and Ratified Bills that have either been passed by the General Assembly and are pending the Governor’s signature or that the Governor has already signed. She stated that it is important to note that that this is not an exhaustive list. Ms. Beaulieu drew attention to the one-page summary posted on eBoard.

**HOUSE BILLS**

	<b>Bill Number</b>	<b>Title</b>	<b>Current Status</b>
1.	<a href="#">HB 169</a>	Restore State Claim for Wrongful Discharge	Pres. To Gov. 7/1/2016
2.	<a href="#">HB 242</a>	Various Charter School Law Changes	Ch. SL 2016-79

3.	<a href="#">HB 474</a>	Exclude Year-Round Track-Out Program/Child Care	Ch. SL 2016-7
4.	<a href="#">HB 561</a>	School System Auth. Re: Legal Proceedings	Pres. To Gov. 7/1/2016
5.	<a href="#">HB 632</a>	Student Online Protection Act	Ch. SL 2016-11
6.	<a href="#">HB 805</a>	Measurability Assessments/Budget Tech. Corr.	Pres. To Gov. 7/1/2016
7.	<a href="#">HB 960</a>	Retirement Creditable Service Charter Schools	Ch. SL 2016-82
8.	<a href="#">HB 1011</a>	Retirement Technical Corrections Act of 2016	Ch. SL 2016-56
9.	<a href="#">HB 1030</a>	2016 Appropriations Act	Pres. To Gov. 7/1/2016
10.	<a href="#">HB 1080</a>	Achievement School District	Pres. To Gov. 6/30/2016

#### **SENATE BILLS**

11.	<a href="#">SB 330</a>	Change Orders on School Construction Projects	Ch. SL 2016-58
12.	<a href="#">SB 382</a>	Revision of SB 612	Ch. SL 2016-14
13.	<a href="#">SB 575</a>	NC/SC Original Boundary Confirmation	Ch. SL 2016-23
14.	<a href="#">SB 747</a>	State-Owned Real Property Management/PED	Pres. To Gov. 7/1/2016
15.	<a href="#">SB 792</a>	State IT Contracts/Contractor Liability	Ch. SL 2016-85
16.	<a href="#">SB 815</a>	Charter School in State Health Plan	Pres. To Gov. 7/1/2016
17.	<a href="#">SB 838</a>	Medicaid Transformation Modifications	Pres. To Gov. 7/1/2016
18.	<a href="#">SB 881</a>	Union County School Funding	Ch. SL 2016-18
19.	<a href="#">SB 888</a>	Buncombe School Capital Fund Commission	Ch. SL 2016-19
20.	<a href="#">SB 902</a>	SBE Confirmation	Ch. Res. 2016-22

#### **BILLS THAT DID NOT PASS**

	<b>Bill Number</b>	<b>Title</b>	<b>Current Status</b>
1.	<a href="#">HB 100</a>	Local Government Immigration Compliance	Ref to House Rules
2.	<a href="#">HB 539</a>	Charter School Funding	Charter School Funding
3.	<a href="#">HB 657</a>	Math Standard Course of Study Revisions	Conference Com Appointed
4.	<a href="#">HB 1040</a>	Study Costs Associated With NC Pre-K Slots	Ref to Senate Health Care
5.	<a href="#">HB 1074</a>	Schools/CC Facilities – Test Water for Lead	Ref to Senate Health Care
6.	<a href="#">SB 53</a>	Private Alternative Teacher Preparation	Re-ref to Senate Rules
7.	<a href="#">SB 554</a>	School Building Leases	Ref to House Rules
8.	<a href="#">SB 811</a>	Lottery Funds for School Construction	Ref to Senate Approps/Base Budget
9.	<a href="#">SB 821</a>	GSC Technical Corrections 1	Special Message Sent To Senate
10.	<a href="#">SB 867</a>	Protect Students in Schools	Re-ref to House Rules

In response to Board member Patricia Willoughby’s inquiry about HB 1080 – Achievement School District (ASD), specifically as it relates to the State Board’s responsibility in hiring a superintendent, a brief conversation ensued about the processes set forth in Section 1 of the Bill in G.S. §115C-75.6, which includes an ASD Selection Advisory Committee. Ms. Beaulieu explained that the ASD Selection Advisory Committee will make a recommendation for the ASD superintendent to the State Board, which is the final arbiter in that process.

Local Board Member Advisor Christine Fitch asked if schools going into the ASD have the capability of returning to their home district. Chairman Cobey explained that this is a five-year program of a charter operator taking over the school, which can be extended to eight years. The Chairman noted that while the law does not address this issue, he believes the school would go back to the home district; however, he also noted that he does not like to assume anything.

Ms. Beaulieu commended this legislation to anyone interested in the process, explaining that there is a public notice period for any eligible schools. In addition, she explained that there is a transition period whereby the ASD operator and the selected schools, including the LEA superintendents, are to collaborate to notify parents for those schools transitioning to the ASD. Chairman Cobey mentioned further that there is a lot of work to be completed in a short time and that the State Board of Education and the Department of Public Instruction are beginning the implementation process today. He also noted that the Lt. Governor is chairing the ASD Selection Advisory Committee, which will make the recommendation for the superintendent of the ASD.

Chairman Cobey shared that a more comprehensive review of relevant legislation will be provided during the August SBE meeting.

### **CONSENT AGENDA**

Chairman Cobey moved to the Consent Agenda, which is reserved for items that generally create little or no debate such as routine appointments, items that come for information purposes only, routine reports, and final approval of reports that the Board has already discussed. Board members have always seen these materials prior to the Board meetings, and may ask that items be removed from the Consent agenda to be discussed on an individual basis.

Chairman Cobey noted three items for consideration on the consent agenda. He asked if any Board members wanted to remove any item from the Consent Agenda. Hearing no requests, Chairman Cobey asked for a motion to approve SLA 1, BSOP 1 and BSOP 2.

*Upon motion by Mr. Greg Alcorn and seconded by Ms. Patricia Willoughby, the Board voted unanimously to approve the slate of consent agenda items as presented. (See Attachments SLA 1, BSOP 1 and BSOP 2)*

### **STUDENT LEARNING AND ACHIEVEMENT (Mr. Eric C. Davis, Chair; and Dr. Olivia Oxendine, Vice Chair)**

#### ***CONSENT***

#### **SLA 1 – Policy Amendment on Issuance of Special High School Diplomas for World War II, Korean Conflict, or Vietnam Era Veterans**

**Policy Implications:** General Statute §115C-12(29), SBE Policy #GCS-L-005

**SBE Strategic Plan:** N/A

**Presenter(s):** Dr. Maria Pitre-Martin (Chief Academic and Digital Learning Officer) and Dr. Tiffany Perkins (Director, K-12 Curriculum and Instruction)

**Description:**

Session Law 2006-260 directs the State Board of Education not only to issue special diplomas to all honorably discharged World War II veterans, but also to include veterans of the Korean Conflict and the Vietnam Era who request the diploma and have not previously received a high school diploma. This policy amendment is brought to the Board as a technical correction to include these veterans.

**Recommendations:**

It is recommended that the State Board of Education approve the technical corrections to SBE Policy #GCS-L-005.

**BUSINESS OPERATIONS COMMITTEE MEETING  
(Mr. Gregory Alcorn, Chair; Mr. Kevin Howell, Vice Chair)**

**CONSENT**

**BSOP 1 – Fresh Fruit and Vegetable Program Awarded to NCDPI from USDA**

**Policy Implications:** SBE Policy #TCS-O-001, National School Lunch Act (Section 19)

**SBE Strategic Plan:**

**Goal 4:** Every school district has up-to-date financial, business, and technology systems to serve its students, parents, and educators.

**Objective 4.3:** Use state and federal funding according to state and federal laws and State Board of Education policies.

**Presenter(s):** Mr. Philip Price (Chief Financial Officer, Financial and Business Services), Dr. Ben Matthews (Deputy Chief Financial Officer for Operations, Safe and Healthy Schools Support Division) and Dr. Lynn Harvey (Section Chief, School Nutrition Services Section)

**Description:**

The North Carolina Department of Public Instruction has been awarded USDA’s Fresh Fruit and Vegetable Program (FFVP) for the period of 2016-17. The program will provide \$4,537,238.00 to the School Nutrition Section to be distributed among 192 elementary schools throughout the state. The primary goal of the USDA FFVP offers LEAs the opportunity to expand the variety of fruits and vegetables children experience, increase children’s overall fruit and vegetable consumption, and make a difference in children’s diets to impact their present and future health.

Section 19 of the National School Lunch Act requires that schools with the highest percentage of students eligible for free and reduced-price meals or highest identified student percentage (ISP) as defined by the Community Eligibility Provision (CEP) be given priority for participation in the FFVP. These are the key selection criterion, which ensure the program benefits for low-income children that generally have fewer opportunities to consume fresh fruit and/or vegetables on a regular basis. The state agency is required to identify eligible schools and encourage them to apply. To be selected for the FFVP, a school must (1) be an elementary school, (2) represent the highest percentage of students certified for free and reduced-price meal benefits or ISP, (3) be currently approved to participate in the National School Lunch Program, and (4) complete an annual two-part application (consisting of Part I-School Profile and Part II-School Proposal).

Applications must be ranked from highest to lowest free and reduced-price eligibility or ISP. Schools with the highest percentage of free and reduced price or highest ISP-eligible students must be selected (in order of their rank) unless one of the following conditions exists (1) school fails to meet the deadline for application completion, (2) school does not have the documented support of its administration, (3) school district has outstanding corrective action from any School Nutrition Program review conducted prior to July 1, 2015, (4) state agency has concerns with the school’s administration of another School Nutrition Program, (5) state agency has documentation that the school cannot properly operate the FFVP, despite previous support from the state agency, and (6) applying school does not have a current NC food-handling permit and/or current food safety inspection, or the school is under current disciplinary action for non-compliance.

A total of 235 applications were received. The 192 selected for the 2016-17 school year and the 43 that were not selected are attached. The amount distributed to each school will be based on the school’s actual enrollment.

Principals, teachers, and school nutrition personnel in participating schools will be encouraged to promote fresh fruits and vegetables throughout the academic day. The fruits and vegetables purchased with these funds must be in addition to those served as part of the school breakfast and lunch programs. Fresh produce will be available to students in a variety of locations on the school campus; some schools will provide a basket of fruits and vegetables to students as they come into their classrooms in the mornings; other schools will locate fresh fruit and vegetable kiosks in the corridors to enable students to grab a quick and healthy snack between classes. Ideally, the more students are exposed to fruits and vegetables, the more they will begin to choose them over less nutritious snack foods.

**Recommendations:**

It is recommended that the State Board of Education approve the distribution of these funds to the 192 schools selected for participation in the Fresh Fruit and Vegetable program for the 2016-17 school year.

**CONSENT**  
**BSOP 2 – Quarterly Report on Capital Improvements Projects**  
**Policy Implications:** SL 2015-241 (HB 97), Sec. 31.7

**SBE Strategic Plan:**

- Goal 4:** Every school district has up-to-date financial, business, and technology systems to serve its students, parents, and educators.
- Objective 4.3:** Use state and federal funding according to state and federal laws and State Board of Education policies.

**Presenter(s):** Mr. Philip Price (Chief Financial Officer, Financial and Business Services), Dr. Ben Matthews (Deputy Chief Financial Officer for Operations, Safe and Healthy Schools Support Division) and Dr. Kenneth Phelps (Lead Consultant, School Planning Section)

**Description:**

This is a quarterly report on the status of building projects at the Residential Schools and at NCCAT, and of the data recabling project in the DPI Building, generally funded from Repairs and Renovations Allocations.

**Recommendations:**

It is recommended that the State Board of Education approve the quarterly report on Capital Improvements Projects that is required by the Joint Legislative Education Oversight Committee.

**ACTION AND DISCUSSION AGENDA**

**EDUCATOR STANDARDS AND PRACTICES COMMITTEE CHAIR REPORT  
(Dr. Olivia Oxendine, Chair; Mr. Eric Davis, Vice Chair)**

***MOVED FROM DISCUSSION TO ACTION ON FIRST READING***

**ES&P 1 – Program Approval and Modifications for Institutions of Higher Education**

**Policy Implications:** SBE Policy #TCP-B-003

**SBE Strategic Plan:**

**Goal 3:** Every student, every day has excellent educators.

**Objective 3.1:** Develop and support highly effective teachers.

**Presenter(s):** Dr. Rebecca Garland (Deputy State Superintendent, Office of the Deputy State Superintendent), Dr. Lynne Johnson (Director, Educator Effectiveness) and Ms. Joyce Gardner (Director, Educator Preparation)

**Description:**

Institutions requesting to add additional licensure areas submit Blueprints to the Department of Public Instruction for consideration. These blueprints are reviewed by trained public school practitioners, content experts, and/or higher education faculty. Extensive feedback is provided to the institution as necessary, and time is provided to make revisions before these are presented to the State Board for discussion. This item includes institutions seeking Board approval to modify current programs to enhance and improve current educator preparation programs.

**Recommendations:**

It is recommended that the State Board of Education approve the licensure modifications areas for the institutions on the attached list in August.

**Discussion/Comments:**

- TCP Committee Chair Olivia Oxendine recognized Ms. Joyce Gardner to present this item.
- Ms. Gardner explained that two institutions submitted three program areas for approval and modifications to the Educator Preparation Program offerings: Methodist University submitted one degree program in Education/Athletic Administration Physical Education and Queens University submitted one Social Studies (9-12) MAT program and one History (9-12) MAT program. All three programs are at the graduate level; both programs at Queens University are add-on certifications.
- At the request of Chairman Cobey, a brief discussion occurred about moving this item from Discussion to Action on First Reading. Ms. Gardner provided comments about why it would be beneficial to take action this month since these items were actually submitted in February and then returned with a larger

list in May. She explained further that these particular programs were sent back for modifications, all of which received excellent reviews. There were no objections.

- There was no further discussion.

*Upon motion by Dr. Olivia Oxendine, and seconded by Mr. Eric Davis, the State Board of Education voted unanimously to approve the program approval modifications areas for these institutions as presented. (See Attachment ES&P 1)*

## **DISCUSSION**

### **ES&P 2 – Policies on General Licensure Requirements**

**Policy Implications:** SBE Policy #TCP-A-001

#### **SBE Strategic Plan:**

**Goal 3:** Every student, every day has excellent educators.

**Objective 3.1:** Develop and support highly effective teachers.

**Presenter(s):** Dr. Rebecca Garland (Deputy State Superintendent, Office of the Deputy State Superintendent), Dr. Thomas R. Tomberlin (Director, Educator Human Capital Policy and Research), Dr. Lynne Johnson (Director, Educator Effectiveness) and Ms. Susan Ruiz (Section Chief, Licensure)

#### **Description:**

NCDPI recommends a number of changes to teacher licensure, which have an impact on several existing State Board of Education policies. The attached document indicates the proposed changes to current SBE policy. NCDPI recommends allowing teachers with out-of-state licenses and more than three years of teaching experience to obtain a NC license without additional testing. NCDPI also recommends allowing special provisions to spouses of active duty military personnel with respect to out-of-state license requirements. Finally, NCDPI recommends allowing LEAs flexibility in how they provide orientation to their beginning lateral entry teachers. These policy changes would take effect upon approval by the State Board of Education.

#### **Recommendations:**

It is recommended that the State Board of Education approve the evaluation and licensure policy changes as presented.

#### **Discussion/Comments:**

- TCP Committee Chair Olivia Oxendine recognized Dr. Thomas Tomberlin to present this item.
- Using the attachments located on eBoard, Dr. Tomberlin described the proposed changes to the evaluation and licensure policies. He explained that the proposed changes are designed to make the process easier for teachers to obtain North Carolina teaching credentials while still maintaining rigor in the process.
- In response to Chair Oxendine's request, Dr. Tomberlin spoke briefly about the rationale for the lateral entry change, which is to potentially recognize life experience as opposed to strictly coursework-based experience. Dr. Atkinson explained that this would affect most often those applying for a license in world languages and Teach for America. A brief discussion also occurred about background checks, which was not passed in the budget bill. Board member Greg Alcorn asked about a forecast of

teacher availability in response to this change. Dr. Tomberlin explained that he would not have any way of determining an answer to Mr. Alcorn's question because the individuals would not have been eligible to receive a lateral entry license had they not had the appropriate coursework. He clarified that this change provides a separate avenue for individuals with college degrees, but may not necessarily be appropriate to the subject area license for which they are pursuing.

- Board member Wayne McDevitt recalled a conversation that occurred several months ago with the Board related to LEA employment requirements prior to lateral entry licensure, noting that the lateral entry process is the only pathway that requires employment prior to licensure. Mr. McDevitt questioned if the Board is making a decision as part of this process to eliminate that requirement. Dr. Tomberlin clarified that the Board is not eliminating that requirement through this process because it is a required component of the lateral entry pathway that the LEA employ the candidate prior to licensure. For information purposes, Dr. Tomberlin added that an Emergency License, which is not covered in this policy, also requires employment by the LEA prior to licensure.
- Dr. Tomberlin described the lateral entry pathway as unchanged other than the statutory requirement that the applicant complete the SBE required licensure exams by the end of the second year. He explained that LEAs have traditionally allowed the third year to pass the exams, but this policy is clarifying that lateral entry teachers must successfully pass the exams by the end of the second year and complete coursework by the end of the third year. A brief discussion ensued related to the possibility of conversion to a continuing license at the end of the second year if an applicant passes the required exams. Dr. Tomberlin explained that, according to state law, for any of the pathways a continuing license can only be granted after three years of teaching experience regardless of the successful passing of the requirements.
- Dr. Tomberlin reviewed Attachment 3, which contains information for out-of-state applicants seeking an elementary and/or exceptional children's EC/GC (general curriculum) license. Dr. Tomberlin described the chart path as particularly difficult because there are statutes around the proposed requirements to convert to a continuing license.
- As it relates to no passing scores for National Board Certified Teachers, Chair Oxendine asked for clarification about the timeline. Dr. Tomberlin explained that conversion would be immediate because the requirement is that the out-of-state teacher has greater than three years of teaching experience.
- Local Board Member Advisor Christine Fitch asked for clarification about why someone with more than three years of experience has to enroll in the Foundations courses and those with less experience do not. Dr. Tomberlin explained that candidates must satisfy the requirement of demonstrating an understanding of reading and mathematics. He explained further that the idea behind the Foundations Reading and Mathematics courses is that they are free of charge for teachers. Therefore, if a teacher does not want to pay for the exams, they can elect to use this option. But a candidate may still elect to take and pay for the exams if they so desire, according to Dr. Tomberlin.
- In response to Chair Oxendine's question about whether this proposal is to streamline the process for lateral entry and out-of-state applicants, Dr. Tomberlin explained that the idea is actually to open the gates as wide as possible while maintaining rigor and making it less restrictive.
- Board member Wayne McDevitt stated that it would be beneficial for LEAs if the reciprocity agreement with other states were made clearer in this proposed policy. Dr. Atkinson reported that these revisions have been shared with LEA superintendents as well as the Superintendent and HR (Human Resources) Advisory Committee, which is comprised of superintendents and HR directors from every SBE region. She explained further that while we cannot move to total reciprocity due to extenuating and complex factors, these revisions move in the direction of recognizing the work of teachers in other states,

especially those who have more than three years of experience. According to Dr. Atkinson, the Department believes this will be helpful to LEAs experiencing teacher shortages. A brief discussion ensued about clarity around the term “reciprocity.” Dr. Atkinson elaborated briefly on one of the complexities North Carolina faces related to reciprocity, which primarily is that there are certain state statutes that must be followed that make it difficult to have total reciprocity with other states for elementary education teachers.

- A clarifying discussion ensued related to the Pearson test, which is different from the content pedagogy assessment.
- Continuing the presentation, Dr. Tomberlin reviewed Attachment 4, which speaks to out-of-state teachers in all other teaching licensing areas. In addition, Dr. Tomberlin reviewed Attachment 5, which shows the traditional route to licensure for a NC educator preparation program completer. Dr. Tomberlin explained that there are no policy shifts here that are not reflected in recent legislation, i.e., these teachers will have the option to attempt all SBE-required licensure exams in the first year, pass by the end of the second year, and at the end of the third year be granted a continuing license.
- Chairman Cobey suggested that LEAs would probably benefit from these policy changes now since this item is not controversial. Therefore, he recommended moving this item to Action on First Reading if there were no objections. Dr. Tomberlin shared that this would be agreeable, but explained that given current legislation some changes will need to be made whether the Board takes action today or not. He described the changes as technical in nature, which could be incorporated at a later time in order to make this available to LEAs now. A brief discussion ensued. There were no objections to moving this item from Discussion to Action on First Reading.
- In order to provide further clarification to Board members about what they were voting on, Dr. Tomberlin explained that it was important to note that there are also provisions for active military duty in North Carolina as well as an orientation for lateral entry included in the policy revisions.
- Following the vote, Mr. McDevitt asked about the status of a report requested by Chair Oxendine during a recent Board meeting about the costs associated with obtaining licensure. Chair Oxendine stated that she believes staff are currently preparing that report. Dr. Atkinson indicated that the report will be ready by the August SBE meeting to be shared with the full Board.
- There was no further discussion.

*Upon motion by Dr. Olivia Oxendine, and seconded by Mr. Eric Davis, the State Board of Education voted unanimously to approve the evaluation and licensure policy changes as presented with slight modifications in the future in response to the budget bill. (See Attachment ES&P 2)*

**EDUCATION INNOVATION AND CHARTER SCHOOLS COMMITTEE CHAIR REPORT  
(Ms. Rebecca Taylor, Chair; Mr. Wayne McDevitt, Vice Chair)**

***ACTION ON FIRST READING***

**EICS 1 – Recommendations for Charter Schools Scheduled to Open in August 2016**

**Policy Implications:** General Statute §115C-218.5(b), SBE Policy #TCS-U-013

**SBE Strategic Plan:**

**Goal 1:** Every student has a personalized education.

**Objective 1.4:** Increase the number of charter schools meeting academic, operational, and financial goals.

**Presenter(s):** Mr. Philip Price (Chief Financial Officer, Financial and Business Services), Mr. Adam Levinson (Interim Director, Office of Charter Schools), Mr. Dave Machado (Director, Office of Charter Schools), and Dr. Keebler Williams (Education Consultant, Office of Charter Schools)

**Description:**

Consistent with G.S. §115C-218.5 and SBE Policy #TCS-U-013, the State Board of Education (SBE) grants initial approval to applicants for charters “contingent upon the completion of a planning year program.” Each nonprofit board approved for a charter must participate in an SBE-adopted yearlong planning program, known as “Ready to Open” (RTO) prior to opening the charter school to serve students.

Each initially approved charter school works with the Office of Charter Schools (OCS) to submit a final RTO progress report to the Charter School Advisory Board (CSAB) 10 to 12 weeks prior to the start of the school’s first operational year. The CSAB uses this report as the basis for determining whether to recommend that the SBE approve the school to open as planned.

The RTO Progress Report provides a framework to help an initially approved charter school’s lead administrator and board develop required plans and procedures for the school. The framework also serves as a marketing tool that the school can use to demonstrate its readiness to prospective students, parents, and the community. If a school is unable to meet the RTO standards or requirements stipulated in the charter agreement, the opening of the school could be postponed by one year or, if the circumstances are serious enough, the charter could be revoked under G.S. §115C 218.95.

On May 27, 2016, board members from the 11 charter schools scheduled to open in August submitted their final RTO Progress Report, which was then reviewed by OCS and the NCDPI Exceptional Children (EC) Division. The evaluators rated each section of the RTO Progress Report and provided feedback where needed.

Based on that evaluation, seven of the 11 schools were required to appear before the CSAB on June 14, 2016, because they were rated “insufficient” in one or more areas (attached to this executive summary is a document that provides more detail about these schools). Board members from each school were invited to appear before the CSAB to answer questions concerning the identified deficiencies. At the end of the discussion regarding each of the seven schools, the CSAB voted on whether to recommend each of those seven and the other four schools to the SBE as “approved to continue their progression toward opening in August 2016.”

The CSAB disposition for each of the 11 schools scheduled to open in August 2016 is as follows:

School (County)	Recommendation (Vote)
1. Central Wake Charter High School <sup>3</sup> (Wake County)	Approved (Unanimous)
2. FernLeaf Community Charter School (Henderson County)	Approved (Unanimous)

3. Gate City Charter Academy <sup>1</sup> (Guilford County)	Approved (Unanimous)
4. Girls Leadership Academy of Wilmington (New Hanover County)	Approved (Unanimous)
5. Ignite Innovation Academy - Pitt (Pitt County)	Approved (Unanimous)
6. Iredell Charter Academy <sup>2</sup> (Iredell County)	Approved (Unanimous)
7. Kannapolis Charter Academy <sup>2</sup> (Cabarrus County)	Approved (Unanimous)
8. Mallard Creek STEM Academy (Mecklenburg County)	Approved (Unanimous)
9. Matthews Charter Academy <sup>1</sup> (Mecklenburg County)	Approved (Unanimous)
10. Union Day School (Union County)	Approved (Unanimous)
11. Union Preparatory Academy at Indian Trail <sup>2</sup> (Union County)	Approved (Unanimous)

**Notes:**

Education Management Organizations

- 1 = National Heritage Academies
- 2 = Charter Schools USA
- 3 = Accelerated Learning Solutions

Charter Schools Advisory Board (CSAB) Members

Eric Sanchez and Cheryl Turner were absent from the meeting.

Next Steps

Each school approved by the SBE will continue its work toward opening between August 18-29, 2016. OCS will provide additional feedback to the schools in early August based on items that the boards of each school will resubmit to show progress since their May 27 submission.

**Recommendations:**

The NC Charter School Advisory Board recommends that the State Board of Education accept its recommendations for the schools scheduled to open in 2016.

**Discussion/Comments:**

- EICS Committee Chair Rebecca Taylor recognized Dr. Kebbler Williams to lead the discussion of this item.
- Dr. Williams explained that the purpose of this item is to seek approval of the recommendations for charter schools scheduled to open in August 2016. In addition to the Executive Summary, Dr. Williams drew attention to the Attachment located on eBoard, which provides a snapshot of the Ready-to-Open (RTO) status for each of the 11 schools as of June 14. She explained further that, over the past year, the boards of these charter applicants have been engaged in a required planning year. As an obligatory component of the planning year, each board completed a Ready-to-Open Progress Report

that included multiple evidences from 14 categories, ranging from enrollment to handbooks. Dr. Williams reviewed the evaluation procedures of the RTO process for the Board's information. Based on the evaluation, board members from seven of the 11 schools were required to appear before the Charter School Advisory Board (CSAB) on June 14 because they were rated insufficient in one or more areas. Dr. Williams explained that the attachment displays the areas of concern for each of the seven schools. According to Dr. Williams, following the June 14 discussions with each of the charter boards, the CSAB unanimously approved all 11 schools to continue progress toward opening in August 2016.

- Dr. Williams shared that the Office of Charter Schools will provide additional feedback to 10 of these schools in early August based on the items that the boards of each school will resubmit to show their progress since the May 27 RTO Progress Report deadline. She explained that the 11<sup>th</sup> school – Girls Leadership Academy of Wilmington – demonstrated a high level of proficiency with the RTO documentation and does not need to submit additional items to the Office of Charter Schools at this time.
- CSAB Chair Alex Quigley commented briefly about the interviews that occurred with each of the seven charter applicants. He stated that significant progress was made in the areas of concern since the May 27 deadline for each of the applicants, which was reflected in the CSAB vote on June 14 to move those schools forward.
- Local Board Member Advisor Christine Fitch asked someone to address those schools that have not obtained their Certificate of Occupancy by August. Dr. Williams explained that three of the 11 schools have received Certificates of Occupancy; the remaining eight schools intend to receive theirs between July 15 and August 12. A brief discussion ensued about this issue and other facility concerns. According to Dr. Williams, there are no plans to delay openings unless there are significant violations in early August.
- At the request of Board member Greg Alcorn who expressed concerns about remaining issues at the eleventh hour, Chair Quigley elaborated in detail about the steps taken to get to this point in order to make the SBE members more comfortable in voting on this issue. He noted that the CSAB has sought to maintain transparency throughout the process. Dr. Williams agreed with Chair Quigley's assessment of the process, noting that she has been directly involved with the opening of 38 charter schools, adding that these 11 bring that total to 49. Dr. Williams indicated that she feels more comfortable with this group than the previous 38 at this time of year. She explained further that it is difficult to provide information to the SBE any earlier because the charter boards need time to compile the information and to also put processes in place to be able to meet some of the requirements of the RTO Progress Report. Chair Quigley stated that there are a couple of schools included in the 11 that give him more pause than others, but after the interview process the CSAB still voted in support of those schools. A brief conversation ensued about the monitoring process.
- Board member Wayne McDevitt reiterated Mr. Alcorn's concerns about continuing to look at the RTO timeline in order to alleviate last-minute issues. Chair Taylor concurred with Mr. McDevitt's suggestion to review the RTO timeline.
- There was no further discussion.

*Upon motion by Ms. Rebecca Taylor, and seconded by Mr. Wayne McDevitt, the State Board of Education voted unanimously to accept the recommendations of the CSAB for the charter schools to open in August 2016 as presented. (See Attachment EICS 1)*

***ACTION ON FIRST READING***

**EICS 2 – Orange Charter School Request for Grade Expansion**

**Policy Implications:** General Statute §115C-218, SBE Policy #TCS-U-019

**SBE Strategic Plan:**

**Goal 1:** Every student has a personalized education.

**Objective 1.4:** Increase the number of charter schools meeting academic, operational, and financial goals.

**Presenter(s):** Mr. Philip Price (Chief Financial Officer, Financial and Business Services), Mr. Adam Levinson (Interim Director, Office of Charter Schools) and Ms. Shaunda Cooper (Education Consultant, Office of Charter Schools)

**Description:**

G.S. §115C-218.5(f)(3) allows a charter school annually to expand to offer one grade level higher or lower than the charter school currently offers if the charter school has operated for at least three years and has not been identified as having inadequate performance (as provided in G.S. §115C-218.95).

Orange Charter School has submitted a request to expand two grade levels (9<sup>th</sup> and 10<sup>th</sup> grades) for the 2016-17 school year. Orange Charter will grow one grade level consecutively as permissible in G.S. §115C-218.5, until 12<sup>th</sup> grade is implemented. The State Board of Education (SBE) may approve additional growth if the State Board finds that:

- 1) The actual enrollment of the charter school is within 10 percent of its maximum authorized enrollment,
- 2) The charter school has commitments for ninety percent of the requested maximum growth,
- 3) The charter school is not currently identified as low-performing,
- 4) The charter school meets generally accepted standards of fiscal management, and
- 5) It is otherwise appropriate to approve the grade expansion.

Orange Charter School, located in Orange County, meets all of the aforementioned criteria. On February 4, 2016, the SBE reviewed and approved Orange Charter School's request to increase the school's enrollment by greater than 20% (from 237 to 350; 32%) for the 2016-17 school year.

**Recommendations:**

The Office of Charter Schools recommends that the State Board of Education approve Orange Charter School's request for grade expansion.

**Discussion/Comments:**

- EICS Committee Chair Rebecca Taylor recognized Ms. Shaunda Cooper to lead the discussion of this item.
- Ms. Cooper explained that on May 30, 2016, the Office of Charter Schools received a grade expansion request from Orange Charter School. Prior to this request, the State Board of Education reviewed and approved Orange Charter School's request to increase the school's enrollment from 237 to 350 for the 2016-17 school year. She also noted that the charter was renewed in 2016 and considered a healthy school financially and academically. Ms. Cooper shared that the principal is confident that Orange Charter will meet the increased enrollment of 350 students.

- There was no further discussion.

*Upon motion by Ms. Rebecca Taylor, and seconded by Mr. Greg Alcorn, the State Board of Education voted unanimously to approve Orange County School's request for grade expansion as presented. (See Attachment EICS 2)*

## **DISCUSSION**

### **EICS 3 – Revised Academic Improvement Plan for Rocky Mount Preparatory Academy**

**Policy Implications:** General Statute §115C-218, SBE Policy #TCS-U-010

#### **SBE Strategic Plan:**

**Goal 2:** Every student has a personalized education.

**Objective 2.4:** Increase the number of charter schools meeting academic, operational, and financial goals.

**Presenter(s):** Mr. Philip Price (Chief Financial Officer, Financial and Business Services), Mr. Adam Levinson (Interim Director, Office of Charter Schools) and Dr. Deanna Townsend-Smith (Lead Consultant, Office of Charter Schools)

#### **Description:**

On April 7, 2016, the State Board of Education (SBE) approved the Academic Improvement Plan (AIP) submitted by Rocky Mount Preparatory Academy (RMP). In light of the material changes to the AIP plan caused by the amendment request approved by the State Board of Education on June 2, 2016, to terminate its management contract with Master Mind Prep Solutions, RMP now submits an amended Academic Improvement Plan to the SBE for approval. The SBE provided RMP 30 days from its June 2, 2016, amendment approval to amend the AIP.

Based on State Board of Education policy #TCS-U-010, RMP was deemed as “inadequately performing” in 2014-15. The Charter Schools Advisory Board (CSAB) required RMP to develop an AIP and subsequently reviewed and recommended the original AIP to the SBE for approval in January 2016. RMP did not meet academic growth expectations and had a Grade Level Proficiency Performance Composite of 31.4% for 2014-15.

For information, the complete State Board of Education policy #TCS-U-010 is as follows:

(a) A charter school is designated “inadequately performing” when, for two of three consecutive school years, the charter does not meet or exceed expected growth and has below 60% proficiency.

(b) If a charter school is operated for more than five years and meets the definition of “inadequately performing,” the SBE may initiate revocation of the school's charter.

(c) When a charter school operating within its first five years does not meet or exceed expected growth and has proficiency below 60% for two of three consecutive school years, the charter school shall develop a strategic plan to meet specific goals for student performance that are consistent with State Board of Education criteria and mission approved in the charter school. The strategic plan shall be reviewed, and, if favorable, approved by the State Board of Education. If the charter fails to demonstrate improvement

under the strategic plan within two years of the approval of the strategic plan, the State Board of Education may initiate revocation of the school's charter.

(d) This policy does not prohibit the State Board of Education from taking any action that is otherwise legal and appropriate pursuant to G.S. §115C-218.95.

**Recommendations:**

N/A

**Discussion/Comments:**

- EICS Committee Chair Rebecca Taylor recognized Dr. Deanna Townsend-Smith to lead the discussion of this item.
- Dr. Townsend-Smith explained that the purpose of this item is to discuss the revised Academic Improvement Plan for Rocky Mount Preparatory Academy (RMPA). Dr. Townsend-Smith reminded Board members that on June 2, 2016, the Board approved an amendment request from RMPA to terminate its management agreement with Master Mind Prep Solutions. The Board gave RMPA 30 days to resubmit its Academic Improvement Plan since the previous plan included Master Mind Prep Solutions. According to Dr. Townsend-Smith, the revised Academic Improvement Plan, without the support of its management company, is presented for the Board’s consideration this month.
- Chair Taylor explained that the State Board just received this plan, but will have time to refer it to the Charter School Advisory Board (CSAB) for its review, indicating that RMPA still has some compliance issues. According to Dr. Townsend-Smith, RMPA will appear before the CSAB during its August meeting and again later in the fall.
- There was no further discussion.

This item is presented for Discussion during the July State Board of Education meeting and will return for Action in August 2016. (See Attachment EICS 3)

**DISCUSSION**

**EICS 4 – Recommendation to Add Stipulations to Thunderbird Preparatory Academy’s Charter Agreement**

**Policy Implications:** General Statute §115C-218, Charter Agreement

**SBE Strategic Plan:**

**Goal 2:** Every student has a personalized education.

**Objective 2.4:** Increase the number of charter schools meeting academic, operational, and financial goals.

**Presenter(s):** Mr. Philip Price (Chief Financial Officer, Financial and Business Services), Mr. Adam Levinson (Interim Director, Office of Charter Schools), Mr. Alex Quigley (Chair, Charter Schools Advisory Board), and Dr. Deanna Townsend-Smith (Lead Consultant, Office of Charter Schools)

**Description:**

On Tuesday, June 14, 2016, the Charter Schools Advisory Board (CSAB) initially voted to recommend that the State Board of Education (SBE) initiate revocation of the charter for Thunderbird Preparatory

Academy (TPA) located in Mecklenburg County; opened in 2014). The CSAB had requested that TPA appear before the CSAB to address issues including substantial financial noncompliance, increased parental complaints, and potential health and safety concerns being investigated by the Mecklenburg Health Department.

The NCDPI Office of Charter Schools (OCS) had notified TPA of the CSAB's request on May 26, but the school did not send representation to appear before the CSAB on June 14. The CSAB was able to connect via phone during the CSAB meeting with the TPA board chair, and the TPA head administrator who was attending training within the Education Building was able to appear before the CSAB to answer limited questions. After this discussion with the TPA representatives, the CSAB deliberated and arrived at its recommendation to initiate revocation for Thunderbird Preparatory Academy.

Since TPA failed to send representatives to the June 14 CSAB meeting, the CSAB voted unanimously on June 24, 2016, to extend another opportunity to the school to address the financial noncompliance, parental complaints, and potential health and safety issues. On Thursday, June 30, 2016, the CSAB held a meeting and subsequently reconsidered its earlier recommendation to the SBE and voted unanimously to recommend a probationary term with stipulations for the 2016-17 school year.

#### **Recommended Action**

On July 30, 2016, the CSAB unanimously voted to recommend that the SBE add stipulations to TPA's charter agreement under which the school must do the following:

1. Appear before the CSAB at its regular scheduled September 2016 and February 2017 meetings to provide updates.
2. Submit the final audit by the October 30 deadline as outlined in statute.
3. Submit to the CSAB a comprehensive strategic plan within 60 days of the June 30, 2016, CSAB meeting that outlines how the Board will address its areas of noncompliance.
4. Submit board meeting minutes to OCS and post such documents on the school's website within three (3) business days following the meeting.
5. Submit to OCS any and all loan documents/promissory notes within 60 days of the June 30, 2016, CSAB meeting.

The above stipulations do not remove TPA's obligations to fulfill all other terms and requirements outlined in the charter agreement. Further, the CSAB, in requiring TPA's fulfillment of the stipulations, reserves the right to recommend additional action/requirements including initiating revocation of the charter, as needed.

#### **Recommendations:**

The NC Charter School Advisory Board recommends that the State Board of Education accept its recommendations to add stipulations to Thunderbird Charter Academy's charter agreement for the 2016-17 school year.

#### **Discussion/Comments:**

- EICS Committee Chair Rebecca Taylor recognized Charter School Advisory Board (CSAB) Chair Alex Quigley to lead the discussion of this item.

- Chair Quigley explained that the purpose of this item is to add stipulations to Thunderbird Preparatory Academy’s (TPA) charter agreement. He explained further that this is in direct response to the recent issues related to this charter school, noting that the CSAB initially voted to recommend revocation during its June 14 meeting. He added that the decision to recommend revocation was based on information received from the Office of Charter Schools coupled with the board’s inability to show up for a meeting for which they had been requested to appear before the CSAB. Upon further reflection of a detailed report from the school as well as communications from parents, the CSAB held a two-hour interview and discussion with TPA’s board of directors on June 30. At that time, TPA was placed on a one-year probationary term with stipulations for the 2016-17 school year where they will be heavily monitored.
- After reviewing the added stipulations to TPA’s charter agreement, Chair Quigley stated that the CSAB feels this recommendation gives the school adequate time to address the areas of non-compliance and does not push 400 students out of a school in the middle of the summer. Subsequently, if TPA does not meet the stipulations, this will allow adequate time to wind down during the second half of next year if revocation is pursued, according to Chair Quigley.
- A brief discussion ensued about enrollment losses due to recent news about possible closure.
- Board member Wayne McDevitt asked about the plan to address the health issues related to rodents and safety concerns, including mold. Chair Quigley explained that the local health department is on top of addressing all of the health concerns and has contracted with companies to deal with mold restoration and extermination to mitigate the issues. In addition, he shared that several monitoring visits are scheduled from the Office of Charter Schools for follow-up in advance of the start of school in the fall.
- Board member Olivia Oxendine asked about safeguards in legislation or State Board policy that prevent charter schools from becoming overwhelmed in debt. In response, Ms. Alexis Schauss explained that there are no public school laws related to maximum leveraging. She added that this is something that banks would do when they are looking at the school during the loan process. A brief discussion ensued about the financial problems at this school. Chair Taylor stated that her only concern is that if we are going to create these stipulations and hold TPA accountable, the Board needs to act immediately rather than continue discussions for several months. Therefore, Chair Taylor stated that she would prefer moving this item to Action on First Reading. A brief discussion ensued about the curriculum and student performance. After reminding Board members that he voted to initially revoke the charter, Chair Quigley shared that there is more data that needs to be gathered. He suggested that a hard approach needs to be taken with this school and that he will vote to revoke in February if things have not dramatically changed. Chair Quigley shared that, from a performance perspective, proficiency did increase over the past year – students were 80% proficient in reading and 68% proficient in math grades 3-5, which is a relatively strong proficiency, as well as 81% in science. Chair Quigley added that statistically the school is performing well. He suggested close monitoring from a financial, board management, and parent communications standpoint. In addition, Chair Quigley explained that the CSAB and SBE should have all the information needed to make a decision headed into the new year.
- Chair Quigley suggested that however the State Board decides to word the stipulations, he does not want to be in a situation where TPA thinks that simply meeting those stipulations means they get to keep their charter.
- A brief discussion ensued about moving this item to Action on First Reading. Chairman Cobey clarified that there are two choices on the table – the Board can either pass a motion to add stipulations or pass a motion for revocation. Special Assistant Attorney General Laura Crumpler offered a third

option, which was to take no action, leaving the school open with no stipulations and no revocation. She explained that the assumption would be that the Office of Charter Schools would continue to monitor this school extremely close in the coming year.

- Following the motion, Board member Wayne McDevitt asked Ms. Crumpler’s counsel as to whether there was any prohibition on revocation in the future if the Board approves the motion to add stipulations now. Ms. Crumpler clarified that if the State Board adopts the stipulations, it does not preclude the SBE from taking action in the coming year toward revocation if necessary.
- Mr. McDevitt asked if the health issues (mold or rodents) are part of the additional stipulations. Dr. Townsend-Smith explained that the recommended stipulations from the CSAB state that the school has to come into compliance in all areas in which they are out of compliance, including the health and safety issues related to mold and rodents.
- There was no further discussion.

*Upon motion by Ms. Rebecca Taylor, and seconded by Dr. Olivia Oxendine, the State Board of Education voted to accept the CSAB’s recommendations to add stipulations to Thunderbird Preparatory Academy’s Charter agreement for the 2016-17 school year. Mr. Greg Alcorn voted in opposition of the motion. (See Attachment EICS 4)*

**STUDENT LEARNING AND ACHIEVEMENT COMMITTEE CHAIR REPORT  
(Mr. Eric C. Davis, Chair; and Dr. Olivia Holmes Oxendine, Vice Chair)**

***ACTION***

**SLA 2 – North Carolina Department of Public Instruction Proof of Concept Study**

**Policy Implications:** N/A

**SBE Strategic Plan:**

**Goal 1:** Every student in the NC Public School System graduates from high school prepared for work, further education and citizenship.

**Objective 1.2:** Graduate students prepared for postsecondary education.

**Presenter(s):** Dr. Rebecca Garland (Deputy State Superintendent (Office of the Deputy State Superintendent) and Dr. Tammy Howard (Director, Accountability Services)

**Description:**

During the 2015-16 school year, a study on the feasibility of through-grade assessments was administered to a random sample of schools in North Carolina. The Proof of Concept study included students in grade 5 mathematics and students in grade 6 English language arts/reading. Though one of the purposes was to provide data on the feasibility of administering through-grade interim assessments rather than one end-of-grade summative assessment, the feedback on the study has indicated support for continuing with a design that provides immediate feedback of student-level data from interim assessments that are not part of the summative assessment system or the accountability system. As implemented for the study, this model provides data to teachers for adjusting instruction with the goal of increasing student achievement.

Based on stakeholder feedback and the current schedule for content standard reviews and development, it is recommended the study continue in 2016-17 for grade 5 mathematics and grade 6 English language arts/reading. To gather more data, the sample size would increase from five percent of all schools to 15 percent of all schools at each grade level. Also, participation will be available to all schools so that districts may have at least one school participate, providing an opportunity for all districts to be familiar with the Proof of Concept design. With the necessity of the embedded field test items for future development of assessments, students participating in the Proof of Concept will take the full end-of-grade test.

Additional information on the outcomes of the study will be presented at the July meeting.

**Recommendations:**

It is recommended that the SBE approve the continuation of the Proof of Concept for the 2016-17 school year at grade 5 mathematics and grade 6 English language arts/reading and with an increased sample size to expand participation and stakeholder input.

**Discussion/Comments:**

- Prior to recognizing Dr. Tammy Howard to provide an update on this item and recommendations for the Board’s consideration, SLA Committee Chair Eric Davis explained that the purpose of this item is to provide direction to staff on the continuation of this Proof of Concept Study in the 2016-17 school year.
- Dr. Howard prefaced this presentation by reminding Board members that the Proof of Concept Study administered for school systems in 2015-16 consisted of three interim assessments, and at the end of the year, those students participated in the end-of-grade assessment without the embedded field-test items.
- Using a PowerPoint presentation, Dr. Howard highlighted the internal descriptive analyses comparing the results of the participants in the Proof of Concept Study to comparison samples, which consisted of students who did not participate in the Proof of Concept but took the same end-of-grade assessment without the embedded field-test items so that the comparison could be made. Dr. Howard stated that it is important to note that the comparison group (Group 2) was pulled from a sample with the same parameters as the initial Proof of Concept sample group (Group 1).
- Dr. Howard also referred Board members to Attachment 2, located on eBoard, which is the *Evaluation of North Carolina Proof of Concept Implementation* by Dr. James E. Bartlett. She announced that Dr. Bartlett was participating in this conference call meeting and available for questions.
- As it relates to the math results, Dr. Howard reported that, while we are pleased with the increase, more data is needed going forward. According to the data, the students participating on the math interim Proof of Study did have a higher mean scale score on the end-of-grade assessment. For Grade 5, Dr. Howard reported that the POC Math Group 1 had 61.4% of scores with achievement Level 3 and higher while the Math EOG Modified Only Group 2 had 60.7%; again this shows a positive increase.
- Dr. Howard also provided the comparison data for ELA/Reading Grade 6, noting an increase in the mean scale score as well. In addition, more students scored Level 3 and higher in Group 1 (58.3%) as compared to Group 2 (56.8%).
- Dr. Howard explained that the primary takeaway is that the Department would like to continue with the Proof of Concept Study for 2016-17 school year. She recommended the following approach for the Board’s consideration:
  - Continue with current purpose and grade level/content

- Grade 5 Mathematics
  - Grade 6 ELA/Reading
- Increase number of participating schools
  - From 5% of schools at each grade/content to approximately 15%
  - Consider including a subset of low-performing schools
  - Allow volunteers to participate: prefer at least one school per LEA
- Administer the summative assessment
  - Students take the entire end-of-grade assessment
- Dr. Howard noted that the Department did not specifically make recommendations of where the Proof of Concept may ultimately expand in 2017-18. She explained that one of the factors in this conversation is the review of the current content standards for English/Language Arts and Mathematics. She added that staff feel this would be a better conversation with our curriculum partners and colleagues across the state for their feedback on what would be optimal to rolling it out to other grade levels potentially in 2017-18, and possibly at all grade levels 3-8 in 2018-19.
- Noting time constraints, Chairman Cobey asked that Dr. Bartlett only provide brief summary remarks about the evaluation report and plan to come back in the future for a more in-depth review.
- Dr. Bartlett prefaced his remarks by stating that it is important to note that teachers have a very positive view of the project. Dr. Bartlett shared that in the first year there may have been issues with the timely reporting of data. He suggested taking an intermediate step of having the data go to someone at the LEA, which may help get the data back to teachers quicker. Related to supporting documents, Dr. Bartlett stated that DPI did a wonderful job of creating the same communications to everyone related to what the project was about and why it was being done. Because it was so aggressively implemented, Dr. Bartlett shared that what they found was that some of the teachers may not have received all of the training that might be necessary. In addition he shared that the LEAs sometimes did not necessarily implement exactly how DPI suggested, noting for example that some students received benchmarks and other students did not as shared by Dr. Howard. Dr. Bartlett stated that he actually sees the results as being very positive and with additional training and additional revisions will make more improvement in student outcomes rather than less. He stated that consistency in how everything is implemented is critical. Dr. Bartlett reiterated that DPI did a wonderful job for the aggressiveness of the timeline. He suggested that at some levels teachers need pacing guides to ensure they are aligning the instruction and assessments together whether done at the local or state level, which is important to the process. Related to moving forward, Dr. Bartlett spoke about the importance of considering the creation of improvement cycles once already implemented, i.e., looking at different ways of doing things to see the impact on the outcomes. In closing comments, he spoke about reporting of the data, suggesting that it is important to move to some type of electronic format to report the data back to the teachers quickly and to ensure that all teachers know how to use the data to improve instruction. Dr. Bartlett also suggested providing visualizations of the data to help parents interpret the results better as well.
- There was no further discussion.

*Upon motion by Mr. Eric Davis, and seconded by Dr. Olivia Oxendine, the State Board of Education voted unanimously to approve the continuation of the Proof of Concept for the 2016-17 school year at Grade 5 Mathematics and Grade 6 English Language Arts/Reading and with an increased sample size to expand participation and stakeholder input. (See Attachment SLA 2)*

***MOVED FROM DISCUSSION TO ACTION ON FIRST READING***

**SLA 3 – Committee of Practitioners Advisory Committee**

**Policy Implications:** SBE Policy #TCS-B-002, (New Policy-TCS-B-011); Every Student Succeeds Act (ESSA)

**SBE Strategic Plan:**

**Goal 4:** Every school district has up-to-date financial, business, and technology systems to serve its students, parents and educators.

**Objective 4.3:** Use state and federal funding according to state and federal laws and State Board of Education policies.

**Presenter(s):** Dr. Rebecca Garland (Deputy State Superintendent, Office of the Deputy State Superintendent) and Ms. Donna Brown (Director, Federal Program Monitoring and Support)

**Description:**

The Every Student Succeeds Act (ESSA) was signed into law December 10, 2015, and reauthorizes the Elementary and Secondary Education Act of 1965. Section 1603(b) of ESSA law requires each state education agency (SEA) that receives funds under ESSA to create a State Committee of Practitioners to advise the state in carrying out its responsibilities under ESSA.

The law requires that the membership of the committee be comprised of the following representatives:

1. teachers from traditional public schools and charter schools and career and technical educators
2. principals and other school leaders
3. parents
4. members of local school boards
5. representatives of private school children
6. specialized instructional support personnel and paraprofessionals
7. representatives of authorized public chartering agencies
8. charter school leaders

Nominations and appointments will be made consistent with requirements of SBE policy #TCS-B-002, policy governing appointments to advisory committees to the State Board of Education (SBE). In addition, the list of nominees demonstrates compliance with ESSA membership requirements and reflects representatives from each region of the state.

**Recommendations:**

It is recommended that the SBE review the recommended list of nominees to the Committee of Practitioners.

**Discussion/Comments:**

- GCS Committee Chair Eric Davis recognized Ms. Donna Brown to lead the discussion of this item.
- Ms. Brown shared that, for the Board's consideration, this item brings forth 22 nominees for the Committee of Practitioners Advisory Committee. She drew attention to Attachment 3, located on eBoard, which provides a snapshot of the nominees and the required groups they represent under the Every Student Succeeds Act (ESSA) as well as the SBE regions across the state.

- Ms. Brown referred Board members to Attachment 4, located on eBoard, which includes all of the resumes for all of nominees. She noted that while Ms. Karen Clark’s resume submission was received late, it was posted on eBoard on Tuesday, July 5.
- A brief discussion ensued about moving from Discussion to Action of First Reading due to the time sensitive nature of this item. There were no objections.
- In response to Board member Wayne McDevitt’s query about the policy provision of 23 members on this Advisory Committee, Ms. Brown explained that the 23<sup>rd</sup> person will be a member of the State Board of Education. She added that while some discussion has occurred, she has not received confirmation on which person that will be at this point.
- There was no further discussion.

*Upon motion by Mr. Eric Davis, and seconded by Ms. Rebecca Taylor, the State Board of Education voted unanimously to approve the recommended list of nominees to the Committee of Practitioners as presented. (See Attachment SLA 3)*

***MOVED FROM DISCUSSION TO ACTION ON FIRST READING***

**SLA 4 – State Board Position on Calendar Flexibility**

**Policy Implications:** General Statute §115C-84.2

**SBE Strategic Plan:**

**Goal 1:** Every student has a personalized education.

**Objective 1.5:** Increase student performance on the state’s End-of-Grade (EOG) and End-of-Course (EOC) assessments and on the National Assessment of Educational Progress (NAEP).

**Goal 5:** Every student is healthy, safe, and responsible.

**Objective 1.5:** Create and maintain a safe and respectful school environment.

**Presenter(s):** Mr. Philip Price (Chief Financial Officer, Financial and Business Services) and Dr. Rebecca Garland (Deputy State Superintendent, Office of the Deputy State Superintendent)

**Description:**

The NC General Assembly’s Program Evaluation Division has informed the NC Department of Public Instruction (NCDPI) that it will be conducting an “evaluation that will examine how limitations on school calendar flexibility have affected LEAs, school operations, students and the tourism industry in North Carolina.”

The Evaluation Division will be surveying superintendents regarding this issue. The Division will issue the survey via email around July 11, 2016, and will follow up to ensure that they have responses from all 115 LEAs. The Division also will be collecting data from NCDPI and interviewing DPI staff including the State Superintendent, the SBE Chairman and some members of the NC State Board of Education, representatives from higher education, and partner organizations including NCASA and NCSBA.

The report and possible recommendations should be presented to the Joint Legislative Program Evaluation Oversight Committee in December 2016.

The Program Evaluation Division has asked if the NC State Board of Education would like to have a written position statement in the report. Attached is a Draft Resolution on Calendar Flexibility for the Board to review.

**Recommendations:**

Staff recommends that the State Board of Education review the resolution, make needed adjustments, and adopt a resolution on calendar flexibility during its August Board meeting.

**Discussion/Comments:**

- GCS Committee Chair Eric Davis recognized Dr. Rebecca Garland to lead the discussion of this item.
- Dr. Garland prefaced this item by directing Board members to Attachment 1 prepared by the Financial and Business Services Section, located on eBoard, which provides the history of school calendar requirements in North Carolina. She explained that this item is before the Board today because the Evaluation Division in the General Assembly is currently studying possible calendar flexibility. She explained further that in their entry interview with the Department, the Evaluation Division asked if the State Board of Education wanted to have a written policy or position on record for the report. Dr. Garland noted that, following a conversation with Chairman Cobey, it was determined that bringing this item through the SLA Committee would be an appropriate process. She explained further that, along with input from Department staff, the legal staff have developed a resolution for the Board’s consideration in support of calendar flexibility at the local level giving the local boards of education autonomy in setting their own calendars.
- Board member Greg Alcorn expressed appreciation for this resolution. On behalf of local boards of education, Local Board Member Advisor Christine Fitch thanked the Board for the resolution, noting that it is very timely that local boards have the right to set their own calendars and determine the best needs of their students.
- A brief discussion occurred about moving this item from Discussion to Action on First Reading. There were no objections.
- Following the motion and second, SBE Staff Attorney Katie Cornetto read the resolution below into record.

**NORTH CAROLINA STATE BOARD OF EDUCATION  
SCHOOL CALENDAR FLEXIBILITY RESOLUTION**

Whereas, Article I, Section 15 of the North Carolina Constitution provides “the people have a right to the privilege of education, and it is the duty of the State to guard and maintain that right;” and

Whereas, Article IX, Section 2 of the North Carolina Constitution provides "the General Assembly shall provide by taxation and otherwise for a general and uniform system of free public schools, which shall be maintained at least nine months in every year, and wherein equal opportunities shall be provided for all students;" and

Whereas, Article IX, Section 5 of the North Carolina Constitution provides "the State Board of Education shall supervise and administer the free public school system and the educational funds provided for its support . . . and shall make all needed rules and regulations in relation thereto, subject to laws enacted by the General Assembly;" and

Whereas, G.S. 115C-36 states that local boards of education “shall have general control and supervision of all matters pertaining to the public schools in their respective administrative units...”; and

Whereas G. S. 115C-47 provides that “[i]t shall be the duty of local boards of education to provide students with the opportunity to receive a sound basic education and to make all policy decisions with that objective in mind...;” and

Whereas local boards of education are in the best position to determine the needs of their respective students, parents and communities; and

Whereas, North Carolina State law currently requires school calendars to consist of a minimum of 185 days or 1025 hours each school year; and

Whereas, high student achievement and academic performance is a priority for the North Carolina State Board of Education and local boards of education; and

Whereas, studies show that extended learning time is positively linked with improved student achievement; and

Whereas, studies show students lose two to three months of learning during the summer months; and

Whereas, research and data support continuous attendance of students and school personnel which, in turn, yields better academic achievement results for our students; and

Whereas, North Carolina counties experience various inclement weather days requiring school closures throughout the school year; and

Whereas, the NC School Boards Association, the NC Association of School Administrators, statewide teacher associations, and other education stakeholder groups support local school board calendar flexibility; and

Whereas, over half of North Carolina’s local boards of education have adopted resolutions in support of local calendar flexibility;

NOW, THEREFORE BE IT RESOLVED

THAT, the North Carolina State Board of Education supports laws and policies that provide that decisions regarding the school calendar be vested in local boards of education.

\_\_\_\_\_  
Signed this date

\_\_\_\_\_  
Chairman, North Carolina State Board of Education

\_\_\_\_\_  
State Superintendent, NC Department of Public Instruction

- There was no further discussion.

*Upon motion by Mr. Eric Davis, and seconded by Dr. Olivia Oxendine, the State Board of Education voted unanimously to approve the State Board’s position of school calendar flexibility resolution as presented. (See Attachment SLA 4)*

**CHAIRMAN’S REMARKS**

Under the Chairman’s Remarks, Chairman Cobey thanked Board members, advisors, and staff for their preparation and participation in this July conference call meeting.

The Chairman also thanked all those who have spent many hours at the Legislature and many hours preparing responses to legislative requests. He noted that the Legislature passed numerous laws this session that focus on innovation that will require strategic thinking about implementation. Chairman Cobey thanked the Legislature for its actions that support public schools, noting that the future will continue to hold challenges, so the Board will continue to work with Legislators, hand-in-hand, as the Board works to meet those challenges head on. Chairman Cobey added that there is no higher priority at this time than support for public schools, students, teachers, and administrators because a strong education system is how we not only impart learning for our children but also develop their understanding of how best to use their learning for good. The Chairman added further that it is also through learning that students develop tolerance, a sense of service and the common good, and the desire for lifelong learning. Education also builds character and decision-making skills – both so necessary for navigating the trip to adulthood and for good citizenship now and as adults.

In closing comments, the Chairman reminded everyone that the Board will convene in Raleigh again for its usual two-day meeting schedule on August 3 and 4.

**NEW BUSINESS**

No new business was brought before the Board.

**ADJOURNMENT**

*Indicating no other business, Chairman Cobey requested a motion to adjourn. Upon motion by Mr. Greg Alcorn and seconded by Dr. Olivia Oxendine, Board members voted unanimously to adjourn the July 7, 2016, conference call meeting of the State Board of Education.*