



PUBLIC SCHOOLS OF NORTH CAROLINA
STATE BOARD OF EDUCATION | William W. Cobey Jr., Chairman
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August 10, 2015

Halifax Board of Education
9525 Highway 301 South
Halifax, NC 27839

Dear Chairperson Hardy and Halifax County Board Members:

On behalf of the State Board of Education (SBE) I am writing, once again, out of the utmost concern for the children of Halifax County Schools (HCS). The SBE is united in its resolve to assist the students of HCS to receive the opportunity for a sound basic education. With the start of the 2015-2016 school year a few days away, it is clear that the HCS Board and leadership are unable or unwilling to make sound financial decisions in order to sustain a financially viable school district. To our dismay, irresponsible decisions by the HCS Board signal a failure to cooperate with the recommendations by the SBE's designees.

You will recall that in 2009, after years of chronic poor academic performance, the Halifax County Board of Education agreed to comply with a Court Order in which it would:

Fully cooperate with the State Board of Education and its designees to improve educational opportunities for students enrolled in Halifax County public schools consistent with the Halifax Board of Education's statutory obligation to provide an adequate school system, provide all Halifax County public school students with the equal opportunity to obtain a sound basic education, and to independently exercise its judicial functions; [and appear] and testify at any future hearing in this case regarding any member's reasons for not taking action or voting against any proposals endorsed by the State Board of Education or its designees [.]

Consent Order, Hoke County Board of Education et al. v. State of North Carolina and the State Board of Education, 95 CVS 1158, April 29, 2009. This Court Order was designed to enable HCS to implement a comprehensive, SBE-approved Plan to increase student performance. Under the Court Order, the SBE has authorized financial assistance, extensive professional development opportunities, instructional coaching for teachers and administrators, remediation for students and numerous other efforts to increase academic achievement. The SBE has entrusted only the most capable and experienced staff to assist

NORTH CAROLINA STATE BOARD OF EDUCATION

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HCS under the Court Order. Further, the SBE has provided a court reporter to record and transcribe every meeting of the HCS Board. All these efforts enable the SBE designees to expressly advise the HCS Board and staff in the best interests of the success for the children of HCS.

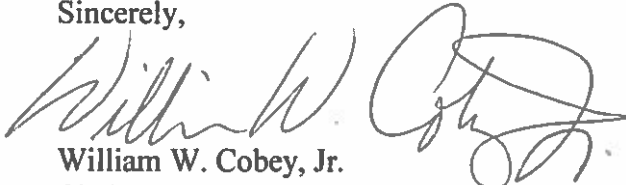
Effective immediately, and consistent with the terms of the April 2009 Court Order, the State Board of Education hereby directs the HCS Board as follows:

1. No later than August 21, 2015, the HCS Board will submit to State Superintendent Dr. June Atkinson for the SBE's designees' review and comment a comprehensive 2015-2016 budget for HCS, indicating: all revenue sources; district-level and school-level budgets; and distribution of resources in support of instruction, including salaries of all personnel. If it is determined by the SBE's designees that the submitted budget does not reflect an accurate estimation of expected revenue or expenditure needs, the HCS Board shall adjust its budget and its implementation consistent with the recommendations of the SBE's designees.
2. Effective August 10, 2015, all HCS employment actions shall require prior written approval by the SBE's designees, directed by Dr. Nancy Barbour. The HCS Board is directed to forward all pending applications for existing vacancies to the SBE's designees. Further, the HCS Board is directed to refrain from making any commitments to hire or assign an instructional employee, except insofar as advertising for or soliciting applications for existing vacancies.
3. Effective with the start of the 2015-2016 school year, the HCS staff shall enroll any high school student in the North Carolina Virtual Public School (NCVPS) for any course required for high school graduation for which a licensed teacher has not been hired. For middle school students, HCS staff shall enroll its students in NCVPS for any courses for which a licensed teacher has not been hired and is offered by NCVPS.

Enclosed for your review are copies of: (1) the 2009 Court Order and (2) the October 2013 letter from the SBE Chairman. Both documents notify and remind the Boards of HCS and the SBE of our joint responsibilities.

To be clear, the HCS Board has received ample, repeated written notices, warnings and key recommendations that have not been followed – a clear signal that HCS is not cooperating with the SBE. Therefore, if the HCS Board fails to comply with any directive listed in this letter, the SBE will take immediate legal action, not limited to filing a Motion in the Cause in the Consent Order (*Hoke County Board of Education et al. v. State of North Carolina and the State Board of Education, 95 CVS 1158, April 29, 2009*).

Sincerely,



William W. Cobey, Jr.
Chairman, NC State Board of Education

Enclosures

**C: Honorable Chief Judge Donald Stephens, Wake County Superior Court
Members of the State Board of Education
June Atkinson, State Superintendent of Public Instruction
Elease Frederick, Halifax County Schools Superintendent
Larry Armstrong, Halifax County Schools Board Attorney
Laura E. Crumpler, Special Deputy Attorney General
Dr. Nancy Barbour, NC DPI Director of District and School Transformation
Vanessa Jeter, NC DPI Director of Communications**