

NORTH CAROLINA STATE BOARD OF EDUCATION
Policy Manual

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Policy Statement

This Policy ~~sets forth~~ establishes the procedures by which a ~~local board of education (“local board”)~~ local school administrative unit (“LSAU”) may request authorization from the State Board of Education (“SBE”) to implement a school reform model in a continually low-performing school under G.S. 115C-105.37B.

~~For purposes of SBE Policy, a “continually” low performing school is equivalent to a “recurring” low performing school as used by the Office of Accountability and Testing.~~

It is the policy objective of the SBE to support the growth and achievement of students by providing schools and LSAUs with opportunities to address barriers to improvement through the implementation of a school reform model in a continually low performing school.

1. Definitions

As used in this Policy, the following definitions shall apply:

- a. “Achievement Score” means the overall achievement composite score that is calculated through weighing various achievement elements on a 100-point scale in a process laid out in G.S. 115C-83.15(b).
- b. “Continually Low-Performing School” or “CLPS” means a school that has received State-mandated assistance and has been designated by the SBE as low performing for at least two of three consecutive years. State-mandated assistance includes the development and approval of a School Improvement Plan under G.S. 115C-105.27 and feedback from the Department of Public Instruction.

- c. “Education Management Organization” or “EMO” means a for-profit organization that contracts with new or existing public-school districts, charter school districts, and charter schools to operate and manage one or multiple schools by centralizing support and operations.
- d. “Growth Status” means a designation of either “met,” “not met,” or “exceeded” when compared to a level of expected growth. It is calculated using the Education Value-Added Assessment System (“EVAAS”). The specific formula used can be found in G.S. 115C-83.15.
- e. “Identified student subgroup” means any of the following subgroups, provided there are at least 30 students of each served by a school:
 - i. Economically disadvantaged students.
 - ii. Students from major racial and ethnic groups.
 - iii. Children with disabilities.
 - iv. Multilingual learners.
- f. “Low-Performing School” means a school that earns an overall school performance grade of D or F and a school growth score of “met expected growth” or “not met expected growth.”
- g. “Restart Model” is defined in Section 4 of this Policy.
- h. “School Improvement Plan” means a plan created by a local superintendent and approved by a local board of education, through collaboration with the Department of Public Instruction, that identifies how district personnel will support and monitor a low performing school.
- i. “School Reform Model” means one of the following:
 - i. Restart Model
 - ii. Transformation Model
 - iii. Turnaround Model
- j. “Transformation Model” is defined in Section 5 of this Policy.
- k. “Turnaround Model” is defined in Section 6 in this Policy.

2. Qualifications

- a. To qualify for a School Reform Model, the ~~local board~~ LSAU must demonstrate that the school in question is a continually low-performing school.
- b. ~~A continually low-performing school is a school that has received State-mandated assistance and has been designated by the SBE as low-performing for at least two of the last three consecutive~~

~~years. State-mandated assistance includes the development and approval of a School Improvement Plan under G.S. 115C-27 and feedback from the North Carolina Department of Public Instruction (“DPI”).~~

- ~~e. A low-performing school is a school that, in a given year, earns an overall school performance grade of D or F and a school growth status of “met” or “not met” expected growth.~~

~~For purposes of this policy, “growth status” is determined by calculating the school’s growth score in accordance with G.S. 115C-83.15. A school may have a growth status of “met,” “not met,” or “exceeded” expected growth.~~

- ~~b. An LSAU that wants to implement a school reform model in a continually low-performing school shall follow the provisions of Sections 5, 6, or 7 of this Policy, depending on the type of school reform model the LSAU wants.~~
- ~~c. The SBE shall authorize the LSAU to implement the requested school reform model if the LSAU submits the information required by the relevant section of this Policy, and the SBE determines that the LSAU has the ability to implement a School Improvement Plan consistent with the authorized school reform model and is likely to operate the school in an educationally and economically sound manner to improve student learning. The LSAU shall operate the school under the authorized school reform model until the SBE refuses to continue or removes the authorization.~~

3. School Reform Models

If a school qualifies for a School Reform Model under Section ~~A, 2,~~ the ~~local board~~ LSAU may request one of the following models:

- a. Transformation Model
- b. Restart Model
- c. Turnaround Model
- ~~d. School Closure Model~~

4. Initial Authorization

- ~~a. A local school administrative unit that wants to implement a School Reform Model in a continually low-performing school shall apply to the Department of Public Instruction (“DPI”) by February 28th of the school year preceding the school year in which the LSAU wants to implement the model.~~

- b. DPI staff shall review the request to verify that the school qualifies for a School Reform Model, the application satisfies the requirements set forth in this Policy, and that the request is consistent with state and federal law.
- c. Following initial review, DPI staff shall present the application to the SBE for action. The SBE shall review the application and vote to either authorize the request for the School Reform Model, deny the request, or return the request to the LSAU for changes. The changes may include a recommendation that the LSAU consider a different model.
- d. If the SBE authorizes an LSAU to implement a School Reform Model, the LSAU shall implement the model a minimum of five school years, unless the SBE removes authorization in accordance with Section 8 of this policy.

5. Restart Model

- a. The Restart Model is one in which the school would receive the same operational flexibility and exemption from statutes and rules afforded to charter schools under Chapter 115C, Article 14A of the General Statutes. A school operated under the Restart Model remains under the control of the local board of education and employees assigned to the school retain the protections of Chapter 115, Article 22, Part 3.
- b. ~~To request authorization for the Restart Model, the local board shall submit a Reform Implementation Plan to the SBE that includes the following information:~~
The application to operate a school under the Restart Model shall include the following:
 - i. A ~~detailed~~ description of how the LSAU will support the school in providing each student with the opportunity for a sound basic education.
 - ii. Specific goals for increasing the achievement score, growth score, and subgroup growth scores in the school.
 - iii. A ~~detailed~~ description of how the school will utilize ~~the~~ operational ~~flexibility~~ flexibilities to ~~increase student achievement and accomplish other goals.~~ realize the goals in Subsection (5)(b)(ii).
 - iv. A description of any administrative barriers, such as teacher turnover, that the LSAU believes contributed to the school's identification as continually low-performing and standards for measuring progress in reducing those barriers.
 - v. ~~A statement indicating whether the LSAU will contract with an educational management organization ("EMO") to implement the Restart Model and, if so, the identity and credentials of the EMO~~

A declaration of intent to contract with an educational management organization to implement the Restart Model, if applicable. The declaration of intent shall include:

- A. The name, address, email, and telephone number for the EMO;
 - B. The website for the EMO; and
 - C. An explanation of how the services of the EMO will contribute to improved growth scores and achievement scores at the school.
- vi. A proposed budget outlining the revenues and expenditures necessary to implement the ~~plan.~~ Restart Model.
- vii. A timeline for implementing the Restart Model.
- viii. A written commitment to ~~improve and perform the school for the duration of the 5 year monitoring cycle;~~ implement the Restart Model for at least five years.
- ix. The name of a staff member at the LSAU who shall serve as the point of contact for the school.
- c. Subsequent provisions of this Section shall apply to the initial five years of authorization and any subsequent five-year period of continued authorization.
- d. Upon receipt of authorization from the SBE, the LSAU shall include the operational flexibilities described in its application as action steps in the School Improvement Plan, specifying the school year(s) in which the operational flexibilities are to be utilized, and submit the School Improvement Plan to the SBE for review and approval in accordance with G.S. 115C-105.37A(a). The revised School Improvement Plan is due to the SBE no later than September 30th following SBE authorization.
- e. Monitoring by DPI of a school operating under the Restart Model shall include measurements of the school's Academic Gain, which is defined as the academic progress of a school as demonstrated through established performance assessments and progress from the use of operational flexibility. Components of Academic Gain include the following:
 - i. Status as Continually Low-Performing
 - ii. Growth Status
 - iii. Achievement Score
 - iv. Subgroup Growth Status

v. Operational Flexibility Outcomes

- f. The LSAU shall file regular reports with DPI regarding implementation of the Restart Model, including the following:
- i. By December 1st of Year 2 of initial implementation of the Restart Model and every year thereafter, the LSAU shall submit an annual report that documents how the school utilized the operational flexibilities authorized in the Restart Model in the past year. The annual report shall provide evidence of any measurable progress toward the goals outlined in its application or the prior annual report that can be attributed to the use of those operational flexibilities.
 - ii. By September 30th of Year 2 and every year thereafter, the LSAU shall identify continuing, modified, or new goals for the following school year, describe how it intends to utilize operational flexibilities to realize those goals, and document action steps in the School Improvement Plan, specifying the school year(s) in which the operational flexibilities are to be utilized.
 - iii. By January 31st of Year 5, the LSAU shall submit a report describing and documenting:
 - A. All policies, guidelines, or directives it adopted to implement the Restart Model; and
 - B. All efforts to reduce administrative barriers identified in the initial application and all measurable changes to those barriers attributable to those efforts.
 - iv. By May 31st of the school year following approval by the SBE of an application for continued authorization under Subsection 5.j., the LSAU shall submit evidence of how the LSAU has supported the school's operation under the Restart Model and use of operational flexibilities have helped to improve its growth and achievement scores.
- g. To continue operating the school under Restart Model after five years, the school must demonstrate academic gain in at least two of three years from Year 2 through Year 4. A school may demonstrate academic gain under any of the following scenarios:
- i. The school is no longer identified as continually low-performing and has met or exceeded expected growth under G.S. 115C-83.15(f). Under this scenario, the SBE may reduce the reporting requirements in Subsection 5.j. if the SBE determines that the reduced reporting requirements would not compromise the SBE's ability to make decisions regarding the implementation of the Restart Model in the school.
 - ii. The school is no longer identified as continually low-performing and has met or exceeded expected growth under G.S. 115C-83.15(f). Under this scenario, DPI may reduce the

reporting requirements in Subsection 5.j. if the SBE determines that the reduced reporting requirements would not compromise the SBE's ability to make decisions regarding the implementation of the Restart Model in the school.

- iii. The school is still identified as continually low-performing, but the school has met or exceeded expected growth and realized a net increase in its achievement score over five years.
- iv. The school is still identified as continually low-performing and realized a net decrease in its achievement school over five years, but the school has met or exceeded expected growth and at least 50 percent of identified student subgroups served by the school have met or exceeded growth under G.S. 115C-83.15(d2).
- v. The school is still identified as continually low-performing and realized a net decrease in its achievement school over five years, but the school has met or exceeded expected growth and demonstrated measurable progress toward at least 50 percent of the operational flexibility goals identified in the initial application or the most recent annual report filed in accordance with Subsection 5.g.i.
- vi. The school is still identified as continually low-performing and has not met expected growth, but the school has realized a net increase in its achievement score of at least five points over five years.
- vii. The school is still identified as continually low-performing and has not met expected growth, but the school has realized a net increase in its achievement score of between zero and five points over five years and at least 50 percent of identified student subgroups served by the school have met or exceeded growth under G.S. 115C-83.15(d2).
- viii. The school is still identified as continually low-performing and has not met expected growth, but the school has realized a net increase in its achievement score of between zero and five points over five years and demonstrated measurable progress toward at least 50 percent of the operational flexibility goals identified in the initial application or the most recent annual report filed in accordance with Subsection 5.g.i.
- h. A school operating under the Restart Model that has not demonstrated measurable progress toward Academic Gain after Year 2 shall submit to additional oversight from DPI beginning in Year 3.
- i. If the school does not demonstrate academic gain in any two years from Year 2 to Year 4 and the LSAU wants to continue operating the school under the Restart Model, the LSAU shall apply to the SBE for continued authorization by February 28th of Year 5. That application shall include the following:

- i. An explanation of the rationale for requesting continued authorization as well as an explanation of the perceived causes of the decline in the school's growth score and achievement score.
- ii. An explanation of the level of the decision-making authority and influence with LSAU leadership held by the point of contact for the school.
- iii. An explanation of how the LSAU will provide comprehensive and differentiated support to the school in a manner beyond the standard support provided to all schools in the LSAU.
- iv. An explanation of support that the LSAU will provide to the school principal either directly or through external partners funded by the LSAU.
- v. A description of any new strategies for demonstrating academic gain through the use of operational flexibility or other methods.
- vi. A written commitment to cooperate with oversight and support from DPI during the term of the Restart Model.
- j. The SBE may approve the application and continue the authorization for a period up to five years if the SBE determines the school is likely to demonstrate academic gain under the revised School Improvement Plan. If the SBE continues the authorization under these circumstances, the school shall submit to additional oversight and intensive support from DPI until it demonstrates measurable progress toward Academic Gain.

6. Transformation Model

- a. The Transformation Model is one in which the local school administrative unit (“LSAU”) focuses on addressing the following four areas critical to the transformation of a continually low-performing school:
 - i. Developing and increasing teacher and school leader effectiveness.
 - ii. Comprehensive instructional reform strategies.
 - iii. Increasing learning time and creating community-oriented schools.
 - iv. Providing operational flexibility and sustained support.
- b. ~~To request authorization for the Transformation Model, the local board shall submit a Reform Implementation Plan to the SBE that includes the following information:~~
The application to operate a school under the Transformation Model shall include the following:

- i. ~~An explanation~~ A description of how ~~it~~ the LSAU will implement improvements in the ~~address the~~ four areas critical to transforming a CLPS listed in Subsection ~~A(1)~~ 6.a.
 - ii. Specific goals for ~~academic achievement~~ increasing the achievement score, growth score, and subgroup growth scores in the school.
 - iii. A proposed budget ~~outlining~~ detailing the revenues and expenditures necessary to implement the ~~plan~~ Transformation Model.
 - iv. A timeline for implementing the Transformation Model.
- c. An LSAU that has been authorized to implement a Transformation Model shall submit an annual report to DPI by December 1st of each year describing and documenting how the LSAU has implemented the Transformation Model to improve the school's growth score and achievement score within the preceding school year.

7. Turnaround Model

- a. The Turnaround Model is one in which the school would take, among others, the following actions:
 - i. Implementing an instructional program aligned with the Standard Course of Study.
 - ii. Adopting a new governance structure at the school, consistent with Chapter 115C, Article 8B of the General Statutes.
 - iii. Rehiring no more than fifty percent (50%) of the school's staff.
 - iv. Removing the principal if the principal has been in that position for at least three years.
- b. ~~To request authorization for the Turnaround Model, the local board shall submit a Reform Implementation Plan to the SBE that includes the following information:~~
The application to operate a school under the Turnaround Model shall include the following:
 - i. A proposed budget outlining the revenues and expenditures necessary to implement the ~~plan~~ Turnaround Model.
 - ii. A ~~detailed~~ description of the new governance structure to be implemented in the school.

- iii. ~~Procedures~~ A description of the procedures that will be utilized in the LSAU will use when removing staff and that provide staff, including due process protections where required by law.
 - iv. Specific goals for increasing the ~~academic~~ achievement score, growth score, and subgroup growth scores in the school.
 - v. A timeline for implementing the Turnaround Model.
- c. An LSAU that has been authorized to implement a Turnaround Model shall submit an annual report to DPI by December 1st of each year describing and documenting how the LSAU has implemented the Turnaround Model to improve the school's growth score and achievement score within the preceding school year.

8. Removing Authorization

The SBE may refuse to continue or remove authorization for a local board to operate a school under a School Reform Model ~~for any of the following reasons:~~ whenever it determines that:

- a. The school has failed to ~~achieve~~ realize the academic goals outlined in the ~~original plan.~~ School Improvement Plan and the failure to reduce administrative barriers that contributed to the school's identification as continually low performing means the school is unlikely to realize those goals within the next two years;
- b. The ~~school~~ LSAU has failed to comply with applicable state ~~or and~~ federal laws, ~~including, for schools operating under the Restart Model, exceeding the limits of operational flexibility authorized by the SBE.~~ has failed to provide DPI with required reports, or failed to submit the School Improvement Plan for SBE approval in accordance with G.S. 115C-105.37A(a);
- c. ~~For schools operating under the Restart Model, the school has failed to meet expected growth and demonstrated a net negative change in its Achievement Score after Year 4. A school operating under the Restart Model has not demonstrated academic gain in any two years from Year 2 to Year 4 of any five-year cycle and is unlikely to demonstrate academic gain in the next two years.~~
- d. The ~~local board~~ LSAU requests removal of the ~~authorization.~~ authorization and the SBE determines that the school is likely to realize greater growth scores or achievement scores without the authority to operate under the approved school reform model; or
- e. ~~Any other grounds deemed necessary and appropriate by the SBE. If the LSAU continues to operate the school under the approved school reform model, the school is unlikely to meet expected growth under G.S. 115C-83.15(f) and realize lower achievement scores in the next two~~

years.

9. School Closure ~~Model~~

If a local board of education determines that none of the School Reform Models described in this ~~policy~~ Policy have been or would be effective in improving school performance, or otherwise concludes that closure of the continually low-performing school is appropriate, it may close the school in accordance with G.S. 115C-72 and reassign the students enrolled in the school to other, higher-achieving schools within the ~~local school administrative unit~~ LSAU consistent with Chapter 115C, Article 25 of the General Statutes.

~~10. Initial Authorization~~

- ~~a. To request authorization for a School Reform Model, the local board shall submit an application to the DPI Office of District & Regional Support (“DRS”) that identifies the requested model and includes a plan for implementation of the model. DRS staff shall review the request to verify that the school qualifies for a School Reform Model, the plan satisfies the requirements set forth in this policy, and that the plan is consistent with state and federal law.~~
- ~~b. Following initial review, DRS staff shall present the application to the SBE for action. The SBE shall review the application and vote to either authorize the requested model, deny the requested model, or return the request to the local board for changes. The changes may include a recommendation that the local board consider a different model.~~
- ~~c. Once the SBE has authorized the local board to implement a School Reform Model, the school shall operate under the model unless and until the SBE removes the authorization.~~

~~10. Annual Reporting, Monitoring, and Continued Authorization for Restart Model~~

- ~~a. A school operating under the Restart Model shall follow a 5-year cycle of monitoring and submit annual reports submitted to DPI.~~
 - ~~i. Year 1—Implementation~~
 - ~~ii. Year 2—Implementation, Year 1 Annual Report~~
 - ~~iii. Year 3—Implementation, Year 2 Annual Report~~
 - ~~iv. Year 4—Implementation, Year 3 Annual Report, First Year of Review for Continued Authorization~~
 - ~~v. Year 5—Implementation, Year 4 Annual Report, Second Year of Review for Continued Authorization, Consideration by SBE for Continued Authorization~~

- b. ~~Monitoring by DPI will include measurements of the school's Academic Gain, which is defined as the academic progress of a school as demonstrated through established performance assessments and progress from the use of operational flexibility. Components of Academic Gain include the following:~~
 - i. ~~Status as Continually Low Performing~~
 - ii. ~~Growth Status~~
 - iii. ~~Achievement Score~~
 - iv. ~~Subgroup Growth Status~~
 - v. ~~Operational Flexibility Outcomes~~
- c. ~~A school operating under the Restart Model shall be required to continue submitting a School Improvement Plan in accordance with G.S. 115C-105.37A, even after the school is no longer identified as low performing.~~
- d. ~~The annual report shall include documentation of the operational flexibilities utilized by the school in the previous year and any revisions to the operational flexibilities that the school intends to utilize in the following year. The school shall include the operational flexibilities as an action step in its School Improvement Plan, specifying the school year(s) in which the operational flexibilities were utilized.~~
- e. ~~A school operating under the Restart Model shall not revise its Reform Implementation Plan or utilize operational flexibilities not included in its Reform Implementation Plan unless and until those revisions are reviewed by DRS and approved by the local board in consultation with the local board's legal counsel. All revisions must also be documented in the School Improvement Plan.~~
- f. ~~A school operating under the Restart Model that has not met expected growth and has a net negative change in its Achievement Score after Year 2 shall receive additional oversight from DPI beginning in Year 3.~~
- g. ~~If the school has failed to meet expected growth and demonstrated a net negative change in its Achievement Score after Year 4, the local board must submit a new request for authorization with a revised Reform Implementation Plan. If the SBE continues the authorization under these circumstances, the school shall receive additional oversight and intensive support from DPI until it demonstrates Academic Gain.~~
- h. ~~At the end of Year 5, if the local board requests to continue operating the school under the Restart Model and the school has demonstrated Academic Gain, the SBE may continue the~~

~~authorization for another 5-year cycle under the existing plan, require the local board to submit a new plan, or remove authorization.~~

- ~~i. If the SBE continues the authorization, the school is no longer identified as Continually Low-Performing, and the school has a growth status of “met” or “exceeded” expected growth, DRS may reduce the school’s annual reporting requirements as long as the school is not subsequently re-identified as continually low-performing.~~

~~11. Annual Reporting for other Models~~

~~A LSAU that has been authorized to implement the Transformation or Turnaround Models under this Policy shall submit an annual report to DPI by December 1 of each year documenting any increase in academic achievement realized by the school within the preceding year.~~

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