

GENERAL ASSEMBLY OF NORTH CAROLINA
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SENATE BILL 656
Education/Higher Education Committee Substitute Adopted 4/16/03
Third Edition Engrossed 4/17/03
House Committee Substitute Favorable 6/9/03

Short Title: Innovative Educ. Initiatives Act.

(Public)

Sponsors:

Referred to:

April 1, 2003

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH THE INNOVATIVE EDUCATION INITIATIVES ACT.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 116C of the General Statutes is amended by adding the following new section to read:

"§ 116C-4. First in America Innovative Education Initiatives Act.

(a) The General Assembly strongly endorses the Governor's goal of making North Carolina's system of education first in America by 2010. With that as the goal, the Education Cabinet shall set as a priority cooperative efforts between secondary schools and institutions of higher education so as to reduce the high school dropout rate, increase high school and college graduation rates, decrease the need for remediation in institutions of higher education, and raise certificate, associate, and bachelor degree completion rates. The Cabinet shall identify and support efforts that achieve the following purposes:

- (1) Support cooperative innovative high school programs developed under Part 9 of Article 16 of Chapter 115C of the General Statutes.
- (2) Improve high school completion rates and reduce high school dropout rates.
- (3) Close the achievement gap.
- (4) Create redesigned middle schools or high schools.
- (5) Provide flexible, customized programs of learning for high school students who would benefit from accelerated, higher level coursework or early graduation.
- (6) Establish high quality alternative learning programs.
- (7) Establish a virtual high school.
- (8) Implement other innovative education initiatives designed to advance the State's system of education.

1 (b) The Education Cabinet shall identify federal, State, and local funds that may
2 be used to support these initiatives. In addition, the Cabinet is strongly encouraged to
3 pursue private funds that could be used to support these initiatives.

4 (c) The Cabinet shall report by January 15, 2004, and annually thereafter, to the
5 Joint Legislative Education Oversight Committee on its activities under this section.
6 The annual reports may include recommendations for statutory changes needed to
7 support cooperative innovative initiatives, including programs approved under Part 9 of
8 Article 16 of Chapter 115C of the General Statutes."

9 **SECTION 2.** Article 16 of Chapter 115C of the General Statutes is amended
10 by adding the following new Part to read:

11 "Part 9. Cooperative Innovative High School Programs.

12 **"§ 115C-238.50. Purpose.**

13 (a) The purpose of this Part is to authorize boards of trustees of community
14 colleges and local boards of education to jointly establish cooperative innovative
15 programs in high schools and community colleges that will expand students'
16 opportunities for educational success through high quality instructional programming.
17 These cooperative innovative high school programs shall target:

- 18 (1) High school students who are at risk of dropping out of school before
19 attaining a high school diploma; or
20 (2) High school students who would benefit from accelerated academic
21 instruction.

22 (b) All the cooperative innovative high school programs established under this
23 Part shall:

- 24 (1) Prepare students adequately for future learning in the workforce or in
25 an institution of higher education.
26 (2) Expand students' educational opportunities within the public school
27 system.
28 (3) Be centered on the core academic standards represented by the college
29 preparatory or tech prep program of study as defined by the State
30 Board of Education.
31 (4) Encourage the cooperative or shared use of resources, personnel, and
32 facilities between public schools and community colleges.
33 (5) Integrate and emphasize both academic and technical skills necessary
34 for students to be successful in a more demanding and changing
35 workplace.
36 (6) Emphasize parental involvement and provide consistent counseling,
37 advising, and parent conferencing so that parents and students can
38 make responsible decisions regarding course taking and can track the
39 students' academic progress and success.
40 (7) Be held accountable for meeting measurable student achievement
41 results.
42 (8) Encourage the use of different and innovative teaching methods.
43 (9) Establish joint institutional responsibility and accountability for
44 support of students and their success.

- 1 (10) Effectively utilize existing funding sources for high school,
2 community college, and vocational programs and actively pursue new
3 funding from other sources.
- 4 (11) Develop methods for early identification of potential participating
5 students in the middle grades and through high school.
- 6 (12) Reduce the percentage of students needing remedial courses upon their
7 initial entry from high school into a college or university.
- 8 (c) Programs developed under this Part that target students who are at risk of
9 dropping out of high school before attaining a high school diploma shall:
- 10 (1) Provide these students with the opportunity to graduate from high
11 school possessing the core academic skills needed for postsecondary
12 education and high-skilled employment.
- 13 (2) Enable students to complete a technical or academic program in a field
14 that is in high demand and has high wages.
- 15 (3) Set and achieve goals that significantly reduce dropout rates and raise
16 high school and community college retention, certification, and degree
17 completion rates.
- 18 (4) Enable students who complete these programs to pass employer
19 exams, if applicable.
- 20 (d) Cooperative innovative high school programs that offer accelerated learning
21 programs shall:
- 22 (1) Provide a flexible, customized program of instruction for students who
23 would benefit from accelerated, higher level coursework or early
24 graduation from high school.
- 25 (2) Enable students to obtain a high school diploma in less than four years
26 and begin or complete an associate degree program or to master a
27 certificate or vocational program.
- 28 (3) Offer a college preparatory academic core and in-depth studies in a
29 career or technical field that will lead to advanced programs or
30 employment opportunities in engineering, health sciences, or teaching.
- 31 (e) Cooperative innovative high school programs may include the creation of a
32 school within a school, a technical high school, or a high school or technical center
33 located on the campus of a community college.
- 34 (f) Students are eligible to attend these programs as early as ninth grade.
- 35 **§ 115C-238.51. Application process.**
- 36 (a) A local board of education and a local board of trustees of a community
37 college shall jointly apply to establish a cooperative innovative high school program
38 under this Part.
- 39 (b) The application shall contain at least the following information:
- 40 (1) A description of a program that implements the purposes in G.S.
41 115C-238.50.
- 42 (2) A statement of how the program relates to the Economic Vision Plan
43 adopted for the economic development region in which the program is
44 to be located.

- 1 (3) The facilities to be used by the program and the manner in which
2 administrative services of the program are to be provided.
- 3 (4) A description of student academic and vocational achievement goals
4 and the method of demonstrating that students have attained the skills
5 and knowledge specified for those goals.
- 6 (5) A description of how the program will be operated, including
7 budgeting, curriculum, transportation, and operating procedures.
- 8 (6) The process to be followed by the program to ensure parental
9 involvement.
- 10 (7) The process by which students will be selected for and admitted to the
11 program.
- 12 (8) A description of the funds that will be used and a proposed budget for
13 the program. This description shall identify how the average daily
14 membership (ADM) and full-time equivalent (FTE) students are
15 counted.
- 16 (9) The qualifications required for individuals employed in the program.
- 17 (10) The number of students to be served.
- 18 (11) A description of how the program's effectiveness in meeting the
19 purposes in G.S. 115C-238.50 will be measured.

20 (c) The application shall be submitted to the State Board of Education and the
21 State Board of Community Colleges by November 1 of each year. The State Board of
22 Education and the State Board of Community Colleges shall appoint a joint advisory
23 committee to review the applications and to recommend to the State Boards those
24 programs that meet the requirements of this Part and that achieve the purposes set out in
25 G.S. 115C-238.50.

26 (d) The State Board of Education and the State Board of Community Colleges
27 shall approve two cooperative innovative high school programs in each of the State's
28 economic development regions. The State Boards may approve programs recommended
29 by the joint advisory committee or may approve other programs that were not
30 recommended. The State Boards shall approve all applications by March 15 of each
31 year. No application shall be approved unless the State Boards find that the application
32 meets the requirements set out in this Part and that granting the application would
33 achieve the purposes set out in G.S. 115C-238.50. Priority shall be given to applications
34 that are most likely to further State education policies, to address the economic
35 development needs of the economic development regions in which they are located, and
36 to strengthen the educational programs offered in the local school administrative units in
37 which they are located.

38 "**§ 115C-238.52. Participation by other education partners.**

39 (a) Any or all of the following education partners may participate in the
40 development of a cooperative innovative program under this Part that is targeted to high
41 school students who would benefit from accelerated academic instruction:

- 42 (1) A constituent institution of The University of North Carolina.
- 43 (2) A private college or university located in North Carolina.
- 44 (3) A private business or organization.

1 (4) The county board of commissioners in the county in which the
2 program is located.

3 (b) Any or all of the education partners listed in subsection (a) of this section that
4 participate shall:

5 (1) Jointly apply with the local board of education and the local board of
6 trustees of the community college to establish a cooperative innovative
7 program under this Part.

8 (2) Be identified in the application.

9 (3) Sign the written agreement under G.S. 115C-238.53(b).

10 **"§ 115C-238.53. Program operation.**

11 (a) A program approved by the State shall be accountable to the local board of
12 education.

13 (b) A program approved under this Part shall operate under the terms of a written
14 agreement signed by the local board of education, local board of trustees of the
15 community college, State Board of Education, and State Board of Community Colleges.
16 The agreement shall incorporate the information provided in the application, as
17 modified during the approval process, and any terms and conditions imposed on the
18 program by the State Board of Education and the State Board of Community Colleges.
19 The agreement may be for a term of no longer than five school years.

20 (c) A program may be operated in a facility owned or leased by the local board
21 of education, the local board of trustees of the community college, or the education
22 partner, if any.

23 (d) A program approved under this Part shall provide instruction each school
24 year for at least 180 days during nine calendar months, shall comply with laws and
25 policies relating to the education of students with disabilities, and shall comply with
26 Article 27 of this Chapter.

27 (e) A program approved under this Part may use State, federal, and local funds
28 allocated to the local school administrative unit, to the State Board of Community
29 Colleges, and to the community college to implement the program. If there is an
30 education partner and if it is a public body, the program may use State, federal, and
31 local funds allocated to that body.

32 (f) Except as provided in this Part and pursuant to the terms of the agreement, a
33 program is exempt from laws and rules applicable to a local board of education, a local
34 school administrative unit, a community college, or a local board of trustees of a
35 community college.

36 **"§ 115C-238.54. Funds for programs.**

37 (a) The Department of Public Instruction shall assign a school code for each
38 program that is approved under this Part. All positions and other State and federal
39 allotments that are generated for this program shall be assigned to that school code.
40 Notwithstanding G.S. 115C-105.25, once funds are assigned to that school code, the
41 local board of education may use these funds for the program and may transfer these
42 funds between funding allotment categories.

43 (b) The local board of trustees of a community college may allocate State and
44 federal funds for a program that is approved under this Part.

1 (c) An education partner under G.S. 115C-238.52 that is a public body may
2 allocate State, federal, and local funds for a program that is approved under this Part.

3 (d) If not an education partner under G.S. 115C-238.52, a county board of
4 commissioners in a county where a program is located may nevertheless appropriate
5 funds to a program approved under this Part.

6 (e) The local board of education and the local board of trustees of the community
7 college are strongly encouraged to seek funds from sources other than State, federal,
8 and local appropriations. They are strongly encouraged to seek funds the Education
9 Cabinet identifies or obtains under G.S. 116C-4.

10 **"§ 115C-238.55. Evaluation of programs.**

11 The State Board of Education and the State Board of Community Colleges shall
12 evaluate the success of students in programs approved under this Part. Success shall be
13 measured by high school retention rates, high school completion rates, high school
14 dropout rates, certification and associate degree completion, admission to four-year
15 institutions, postgraduation employment in career or study-related fields, and employer
16 satisfaction of employees who participated in and graduated from the programs.
17 Beginning October 15, 2005, and annually thereafter, the Boards shall jointly report to
18 the Joint Legislative Education Oversight Committee on the evaluation of these
19 programs. If, by October 15, 2006, the Boards determine any or all of these programs
20 have been successful, they shall jointly develop a prototype plan for similar programs
21 that could be expanded across the State. This plan shall be included in their report to the
22 Joint Legislative Education Oversight Committee that is due by October 15, 2007.

23 **"§§ 115C-238.56 through 115C-238.59: Reserved for future codification purposes."**

24 **SECTION 3.** Local school administrative units and the State Board of
25 Education shall identify, strengthen, and adopt policies and procedures that encourage
26 students to remain in high school rather than to drop out and that encourage all students
27 to pursue a rigorous academic course of study. As part of this process, the State Board
28 and the local school administrative units are encouraged to eliminate or revise any
29 policies or procedures that discourage some students from completing high school or
30 that discourage any student from pursuing a rigorous academic course of study. No
31 later than March 1, 2004, local school administrative units shall report to the State
32 Board of Education the policies they have identified, strengthened, adopted, and
33 eliminated under this section. No later than April 15, 2004, the State Board shall report
34 to the Joint Legislative Education Oversight Committee on these policies as well as on
35 the policies the Board has identified, strengthened, adopted, and eliminated under this
36 section.

37 **SECTION 4.** Nothing in this act shall be construed to obligate the General
38 Assembly to make appropriations to implement this act.

39 **SECTION 5.** This act is effective when it becomes law.