

**Policy Defining No Child Left Behind Corrective Actions for Districts in LEA Improvement
Established June 2006**

Description:

The No Child Left Behind Act (NCLB) sets forth consequences for Districts in LEA Improvement. Districts in the first or second year of improvement have prescribed actions they must take. However, if a district moves to the third year of LEA Improvement, the United States Department of Education (USED) has specified certain actions that must be taken by the State Board of Education. Districts enter year 1 of LEA Improvement after not making Adequate Yearly Progress (AYP) for two consecutive years. There could possibly be LEAs entering their third year in the fall of 2006-07. All actions specified by the USED are listed in the proposed policy. The State Board may adopt the entire list as policy for our state or select a shorter menu from the comprehensive listing. Specific feedback regarding the State Board's preference will be an important part of the discussion.

NORTH CAROLINA STATE BOARD OF EDUCATION

Policy Manual

Policy Identification

**State Board of Education Policy Defining No Child Left Behind Corrective Actions
for Districts in LEA Improvement Enacted June 2006**

Background

Under the No Child Left Behind Act of 2001 (NCLB), districts that fail to make Adequate Yearly Progress (AYP) for two consecutive years enter LEA (Local Education Agency) Improvement. Adjustments approved by the State Board of Education and the U.S. Department of Education for North Carolina require that LEAs that miss any target - not necessarily the same target - in each of three grade spans, 3-5, 6-8, and high school, in the same subject for two consecutive years enter District Improvement. NCLB also requires that districts must make AYP for two consecutive years in order to exit "District Improvement." Adjustments made for North Carolina allow an LEA to make all targets in any of the three grade spans in the subject identified for District Improvement for two consecutive years (does not have to be the same grade span) in order to exit improvement status.

Corrective Action

If the district does not make all targets in any one of the three grade spans (not necessarily the same grade span) in the same subject identified for district improvement for two additional (not necessarily consecutive) years, the State Board of Education (SBE), in collaboration with LEA representatives, shall

1. inform parents of the district's status; and
2. institute Corrective Action, including one or more of the following:
 - a. Defer program funds or reduce administrative funds;
 - b. Align instruction with and fully implement the *North Carolina Standard of Course of Study*, including providing appropriate professional development;
 - c. Replace LEA personnel if the SBE determines that such action is necessary to allow the LEA to make AYP;
 - d. Remove a school from the jurisdiction of the LEA and establish an alternate governance structure for the school;
 - e. Dissolve the local board of education and establish an alternate governance structure to oversee the school district;
 - f. Restructure the LEA;

g. Allow students to attend a public school in another LEA, provided that the receiving school must not be in school improvement at the time of the transfer, and provided further, that the SBE must provide transportation for any students assigned to a school in another LEA.

SBE Option to Delay Corrective Action

The SBE may delay corrective action if:

1. the LEA makes AYP for one year during the time the LEA is in District Improvement; or
2. the failure to make AYP is due to exceptional circumstances beyond the control of the LEA.