

**Minutes of the
North Carolina State Board of Education
Education Building
301 N. Wilmington Street
Raleigh, NC 27601-2825
January 3-4, 2007**

Education Building, Education	Wednesday, January 3, 2007	Board Room, 8:30 am
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The North Carolina State Board of Education met and the following members were present:

Howard N. Lee, Chairman	Edgar Murphy
Jane Norwood, Vice Chair	Beverly Perdue
Melissa Bartlett	Tom Speed
Shirley Harris	Kathy Taft
Michelle Howard-Vital	John Tate
Wayne McDevitt	Patricia Willoughby

Also present were:

June St. Clair Atkinson, Superintendent	Carr Ipock, Local Board Member Advisor
Danielle Alston, Student Advisor	Melissa McCoy, Student Advisor
Diana Beasley, Teacher Advisor	Larry Price, Superintendent Advisor
Meghan Doyle, Principal Advisor	

CALL TO ORDER AND INTRODUCTION

Chairman Lee called the Wednesday session of the January State Board of Education meeting to order and explained to the audience that the Board was meeting as a committee of the whole and explained the meeting structure to the audience.

Based on legislation enacted during the last session of the General Assembly, Chairman Lee read the following paragraph:

“I would like to remind Board members that it is our duty to avoid conflicts of interest and the appearance of conflicts of interest as we handle the work of this Board. Does any member of the Board know of any conflict of interest or any appearance of conflict with respect to any matters coming before us at this meeting? If so, please state them for the record. If during the course of the meeting you become aware of an actual or apparent conflict of interest, please bring this matter to the attention of the chair. It will then be your duty to abstain from participating in discussion on the matter and from voting on the matter.”

No Board members indicated a conflict of interest at this time.

After extending a warm welcome to all present, Chairman Lee expressed sympathy after announcing the death of Mr. Joseph Beasley, Principal, Swansboro High School. According to Dr. Meghan Doyle, Principal Advisor, Mr. Beasley gave 42 years of service to Onslow County Schools. He was a distinguished member of the education community, was highly respected and was known for his innovative leadership.

Concluding his opening remarks, the Chairman announced that the Board has authorized technology upgrades including sound system upgrades for the Board Room.

ACTION AND DISCUSSION AGENDA

Chairman Lee announced that the Board was now meeting as a committee of the whole and called on the priority chairs to present items in their respective areas for *Action, Action on First Reading, Discussion, and Information.*

Action and Discussion Agenda: High Student Performance Facilitator: Ms. Kathy Taft

ACTION

HSP 1 – The Cooperative Innovative High School Program Act - Waivers for Educational Purposes Policy Implications: General Statute #S656

Presenter(s): Dr. Elsie C. Leak (Associate Superintendent, Curriculum and School Reform Services) and Dr. Wandra C. Polk (Director, Division of Secondary Education)

Description:

High schools established under the Cooperative Innovative High School Program Act are developed in partnership with post-secondary institutions. The partner institutions must have aligned calendars in order to operate effectively. LEAs requiring this alignment submitted Calendar Waivers for Educational Purposes that are being presented to the State Board with this item for approval. Heretofore, Calendar Waivers for Educational Purposes have been submitted annually. In support of the innovative programs, it would be most beneficial to approve Calendar Waivers for Educational Purposes to be effective for the same approval period of the program application.

Recommendations:

The State Board of Education is requested to approve the following: (a) the calendar waivers for educational purposes as submitted, and (b) that the period of an approved calendar waiver be aligned with the five (5) year span of the approved program application.

Discussion/Comments:

- There was no discussion.

Action on this item will be taken at the regular business session of the SBE meeting on Thursday, January 4. (See Attachment HSP 1)

ACTION ON FIRST READING

HSP 2 – Report to the Joint Legislative Education Oversight Committee on the Implementation of the ABCs, January, 2007

Policy Implications: General Statute #115C-12(25)

Presenter(s): Dr. Louis M. Fabrizio (Director, Accountability Services Division), Dr. Elsie C. Leak (Associate Superintendent, Curriculum and School Reform Services), and Ms. Jackie Colbert (Director, Elementary Education Division)

Description:

G. S. 115C-12(25) requires the State Board of Education to submit a report to the Joint Legislative Education Oversight Committee annually by October 15 regarding the continued implementation of the ABCs Plan. (Historically, in years when ABCs results are reported later than the August State Board of Education (SBE) meeting, this report is submitted two months after the ABCs report is approved by the SBE.) Information in the report includes an update of the tenth year of ABCs results for schools, report on State Assistance Teams, response to the Excellent Schools Act requirements, AYP results as required by No Child Left Behind (NCLB), schools identified as low performing, and composition and activities of the Assistance Teams.

The ABCs/AYP report for the 2005-06 school year was released electronically through the Internet. The ABCs/AYP Report was made available November 10, 2006, and Supplemental Disaggregated State, School System and School Performance results were made available on December 12, 2006, and are accessible at <http://abcs.ncpublicschools.org/abcs/>.

Recommendations:

It is recommended that the SBE approve the report.

Discussion/Comments:

- Ms. Kathy Taft referenced pgs. 23-25 specifically as it relates to assistance teams and asked for even more comprehensive information in the future about what is working and what is not in addition to where the money is being spent. Dr. Davis reported that the General Assembly asked for a consolidated comprehensive assistance program that pulled all of those various pieces together. Therefore, part of the transition work and the work of the new associate superintendent will be to lead the charge in terms of framing what that looks like holistically, what works, and the resources.
- Dr. Fabrizio stated that during this Board meeting, the Board would be asked to adopt other changes to ABCs results and he anticipates that the Board would want the Department to update this report prior to sending it to the JLEOC based on the changes that the Board approves on Thursday. There were no objections.
- Board members agreed that this report is a helpful tool in terms of the history of the program and questioned if it should state that the State Board and the Department are seriously looking at accountability program, and reassessing the assessments. Dr. Fabrizio said that this information could be included in a cover letter to the Joint Legislative Education Oversight Committee accompanying the report.

Action on this item will be taken at the regular business session of the SBE meeting on Thursday, January 4. (See Attachment HSP 2)

ACTION ON FIRST READING

HSP 3 – Changes to the 2005-06 ABCs/AYP Report

Policy Implications: General Statute #115-105.20 (Article 8B), 115C-105.35

Presenter(s): Dr. Louis M. Fabrizio (Director, Accountability Services Division)

Description:

The attached changes to the 2005-06 ABCs/AYP Report are presented to the State Board of Education (SBE) for Action on First Reading at the January 2007 meeting.

There will be additional changes to the 2005-06 ABCs/AYP Report if LEAs submit data changes that impact school status.

Recommendations:

It is recommended that the State Board of Education approve the changes to the 2005-06 ABCs/AYP Report.

Discussion/Comments:

- Dr. Fabrizio reported that it had been brought to his attention this morning that Haywood County Schools had discovered a discrepancy in their data. Therefore, Waynesville Middle School in Haywood County would change from progressing to Level 2 for mathematics in School Improvement, and instead would remain at Level 1 in mathematics.

Action on this item will be taken at the regular business session of the SBE meeting on Thursday, January 4. (See Attachment HSP 3)

ACTION ON FIRST READING

**HSP 4 – Recommended Final Academic Achievement Standards (Cut Scores) for the NCCLAS
Alternate Assessment**

Policy Implications: SBE Policy #HSP-C-024; NCLB

Presenter(s): Dr. Louis M. Fabrizio (Director, Accountability Services Division)

Description:

The recommended final academic achievement standards (cut scores) for the North Carolina Checklist of Academic Standards (NCCLAS) are being provided for adoption on first reading at the January 2007 meeting of the State Board of Education. The NCCLAS is a newly designed alternative assessment that was initially implemented during the 2005-06 school year. The assessment measures grade-level competencies for eligible English Language Learners (ELL) and eligible students with disabilities using a checklist format. The SBE adopted interim standards for this assessment at its December 2005 meeting. The NCCLAS requires teachers (raters) to use a checklist format to assess students in the areas of reading grades 3-8 and 10; mathematics grades 3-8 and 10; writing grades 4, 7, and 10; and for each course requiring an end-of-course test: Algebra I, Algebra II, Geometry, English I, Physical Science, Biology, Chemistry, Physics, Civics and Economics, and U. S. History. A group of practitioners (25) used the Reasoned Judgment method on November 28, 2006 at NCSU-McKimmon Center to review the interim standards and subsequent NCCLAS impact data from 2005-06. The standard setting sessions were facilitated by an independent external test and measurement specialist from the Research Triangle Institute (RTI). After a careful review of the NCCLAS assessment standards the recommendation by the group is that there be no changes at this time and that the interim cut scores be adopted as the final standards without any changes at any level of the assessment.

Recommendations:

The department recommends that the interim academic achievement standards (cut scores) for NCCLAS, an alternative assessment, be approved as final for implementation effective with the 2006-07 school year.

Discussion/Comments:

- Ms. Melissa Bartlett cited an editing change needed on pg. 36-37 where a title was missing to indicate the respective course. Dr. Fabrizio noted the change and will make that correction.

Action on this item will be taken at the regular business session of the SBE meeting on Thursday, January 4. (See Attachment HSP 4)

ACTION ON FIRST READING

HSP 5 – Recommended Final Academic Achievement Standards (Cut Scores) for the Social Studies

EOC Tests

Policy Implications: SBE Policy # HSP-C-010

Presenter(s): Dr. Louis M. Fabrizio (Director, Accountability Services Division)

Description:

The recommended final academic achievement standards (cut scores) for the North Carolina EOC tests in the areas of U. S. History and Civics and Economics are being provided for adoption on first reading at the January 2007 meeting of the State Board of Education. The revised U. S. History and the new Civics and Economics end-of-course tests were implemented initially as operational tests effective with the fall 2005 administration. The impact test data used to review the standards for the social studies tests were generated from the 2005-06 school year (fall block, spring block, and yearlong courses). The final standards are to be implemented effective with the 2006-07 school year. The final standards for U. S. History and Civics and Economics EOC tests resulted from a recommendation of practitioners who met on December 11 and 12, 2006, in sessions facilitated by the Data Recognition Corporation to review the existing interim standards adopted by the SBE in February 2006, and to use the Item-Mapping procedure to either validate those standards or make a recommendation to modify the standards. The department originally used the Contrasting Groups method to set the interim standards.

The recommended final cut scores for the revised U. S. History and the new Civics and Economics EOC tests will be provided at the January 2007 meeting of the State Board of Education along with the impact data.

Recommendations:

The department recommends that the Board amend policy HSP-C-010 and that the final academic achievement standards (cut scores) for the revised U. S. History and the Civics and Economics EOC tests be approved using the Reasoned Judgment Standard Setting Methodology.

Discussion/Comments:

- Mr. John Tate asked Dr. Fabrizio to explain the purpose for changing the cut scores. Dr. Fabrizio explained that the reason that the Board approved interim standards was with the understanding that the Department would review those standards using different methodologies. Additionally, U.S. History and Civics and Economics are now part of the new high school exit standards so there is a different impact on how these results will be used than had been the case in previous years. The Department is recommending a change of one (1) scale score point for some of the achievement levels.

Action on this item will be taken at the regular business session of the SBE meeting on Thursday, January 4. (See Attachment HSP 5)

DISCUSSION

HSP 6 – Science Laboratory Safety

Policy Implications: SBE Policy #HSP-F-017

Presenter(s): Dr. Elsie C. Leak (Associate Superintendent, Curriculum and School Reform Services) and Dr. Wandra C. Polk (Director, Division of Secondary Education)

Description:

The original Science Laboratory Safety Policy was adopted August 4, 2005, and is being revised to delineate the roles and responsibilities of those charged with ensuring that science classrooms are safe and hazard free. These changes in the policy also better align the responsibilities of the Department of Public Instruction staff with the staff capability in time and number.

Recommendations:

The State Board should review the revised policy in preparation for approval in February 2007.

Discussion/Comments:

- A brief discussion occurred regarding internal and external safety inspection responsibilities and whether what is being done is sufficient.

This item is presented for discussion in January and will be presented at the February meeting for action. (See Attachment HSP 6)

DISCUSSION

HSP 7 – Program Approval and Exemption Requests Under the Innovative Education Initiatives

Act

Policy Implications: General Statute #115C-238.50 Part 9 (General Session 2003-277 – Senate Bill (656))

Presenter(s): Dr. Elsie C. Leak (Associate Superintendent, Curriculum and School Reform Services) and Ms. Carolyn A. White (Director, Learn and Earn)

Description:

An Act to Establish the Innovative Education Initiatives Act, Section 2, Article 16 of Chapter 115C-238, Part 9, Cooperative Innovative High School Programs authorizes boards of trustees of community colleges and local boards of education, boards of governors of the UNC System and the independent colleges to jointly establish cooperative innovative programs in high schools and community colleges that will expand students' opportunities for education success through high quality instructional programming. These cooperative innovative high school programs shall target: (1) high school students who are at risk of dropping out of high school before attaining a high school diploma or (2) high school students who would benefit from accelerated academic instruction. GS 115C-238.53, (f) states "Except as provided in this Part and pursuant to the terms of the agreement, a program is exempt from laws and rules applicable to a local board of education, a local school administrative unit, a community college, or a local board of trustees of a community college."

The attachment for this item includes the applying schools, the waivers requested, barriers needing to be removed, and recommendations to support the first year of implementation along with programmatic details and a copy of the enabling legislation.

Recommendations:

The State Board is asked to review the submitted program applications and exemption requests in preparation for approval in February 2007.

Discussion/Comments:

- There was no discussion.

This item is presented for discussion in January and will be presented at the February meeting for action. (See Attachment HSP 7)

**Action and Discussion: Quality Teachers, Administrators, and Staff
Facilitator: Dr. Jane Norwood**

ACTION

QP 1 – State Evaluation Committee Program Approval Recommendations

Policy Implications: SBE Policy # QP-B-003

Presenter(s): Dr. Kathy Sullivan (Director, Human Resource Management Division)

Description:

The State Evaluation Committee (SEC) on Teacher Education is charged with reviewing reports of on-site program approval visits and recommending program approval actions to the State Board of Education. Program approval recommendations for Appalachian State University, East Carolina University, Pfeiffer University, UNC Asheville, and UNC Wilmington were presented for discussion last month and are presented for action this month.

Recommendations:

It is requested that the program approval recommendations of the State Evaluation Committee on Teacher Education be approved as presented.

Discussion/Comments:

- There was no discussion.

Action on this item will be taken at the regular business session of the SBE meeting on Thursday, January 4. (See Attachment QP 1)

ACTION

QP 2 – Appointment of Individuals to the State Evaluation Committee on Teacher Education

Policy Implications: SBE Policy #EEO-B-004; APA #16NCAC6C.0201

Presenter(s): Dr. Kathy Sullivan (Director, Human Resource Management Division)

Description:

The State Evaluation Committee on Teacher Education reviews findings related to compliance of colleges and universities with teacher education program approval standards and makes recommendations to the SBE regarding program approval. Members serve three-year staggered terms. The recommendation for

the reappointment of two members and the appointment of three new members was presented for discussion last month and is presented for action this month.

Recommendations:

That the two members eligible for reappointment be reappointed and that the three nominees for vacant positions be appointed.

Discussion/Comments:

- Ms. Melissa Bartlett noted that there are no teacher representatives on the State Evaluation Committee on Teacher Education and asked if this was the norm to not include teachers. Dr. Sullivan said that there was no reason why teachers could not be included on the panel in the future.

Action on this item will be taken at the regular business session of the SBE meeting on Thursday, January 4. (See Attachment QP 2)

ACTION

QP 3 – Proposed Revisions to the Requirements for an International Faculty License

Policy Implications: SBE Policy #QP-A-001

Presenter(s): Ms. Melissa Bartlett (Member, State Board of Education and Chair of the SBE ad hoc committee on International Faculty)

Description:

The State Board of Education convened an ad hoc committee to review the requirements for the Visiting International Faculty license to ensure their alignment with other teacher license requirements. The committee's recommended revisions to the policy were presented for discussion last month and are presented for action this month.

Recommendations:

It is recommended that the proposed revision to Board policy be approved.

Discussion/Comments:

- There was no discussion.

Action on this item will be taken at the regular business session of the SBE meeting on Thursday, January 4. (See Attachment QP 3)

ACTION

QP 4 – Proposal to Facilitate the Licensing of More at Four Teachers through the Office of School Readiness

Policy Implications: SBE Policy #QP-A-002

Presenter(s): Dr. Kathy Sullivan (Director, Human Resource Management Division) and Dr. Carolyn Cobb (Executive Director, Office of School Readiness)

Description:

More at Four Pre-Kindergarten Programs serve a targeted population of at-risk four year olds in a variety of service delivery settings, including public schools, child care centers, and Head Start Programs. More

at Four teachers working in public school settings work through the employing LEA to obtain and maintain a license. More at Four teachers working in the non-public school settings do not have this opportunity to become licensed. A proposal to allow More At Four teachers in non-public school settings to work through the Office of School Readiness to obtain and maintain their licenses was presented for discussion last month and is presented for approval this month.

Recommendations:

It is recommended that the proposed revisions to Board policy be approved to allow the Office of School Readiness to work with More at Four teachers in non-public settings to obtain and maintain licenses.

Discussion/Comments:

- There was no discussion.

Action on this item will be taken at the regular business session of the SBE meeting on Thursday, January 4. (See Attachment QP 4)

ACTION

QP 5 – Revision of Board Policy to Reflect Changes in the Provisional Licensing Requirements for Career-Technical Education Teachers

Policy Implications: SBE Policy #QP-A-001, QP-A-002

Presenter(s): Dr. Kathy Sullivan (Director, Human Resource Management Division) and Ms. Rebecca Payne (Assistant Director, Secondary Education Division)

Description:

In September 2006, the Board approved changes to the provisional licensing requirements for Career-Technical Education teachers. Revisions to Board policies to reflect these changes are presented for approval.

Recommendations:

It is recommended that the proposed revisions be approved.

Discussion/Comments:

- There was no discussion.

Action on this item will be taken at the regular business session of the SBE meeting on Thursday, January 4. (See Attachment QP 5)

ACTION

QP 6 – Study of the Adequacy of Compensation of School Psychologists with National Certification

Policy Implications: Session Law 2006-66, Section 7.22

Presenter(s): Dr. Kathy Sullivan (Director, Human Resource Management Division)

Description:

Session Law 2006-66, Section 7.22 directs the State Board of Education to study the adequacy of the compensation of school psychologists who are designated as Nationally Certified School Psychologists by the National School Psychology Certification Board. In the course of the study, the State Board of

Education shall consider (i) whether these school psychologists should be compensated at the same level as teachers who are certified by the National Board for Professional Teaching Standards (NBPTS) and (ii) the cost of compensating them at that level. The report was presented for discussion last month and is presented for approval this month. Since last month, a recommendations section has been added to the report (p. 6).

Recommendations:

It is requested that the report be approved as presented.

Discussion/Comments:

- There was no discussion.

Action on this item will be taken at the regular business session of the SBE meeting on Thursday, January 4. (See Attachment QP 6)

ACTION ON FIRST READING

QP 7 – Final Decisions in Contested Cases

Policy Implications: General Statute #G.S. 115C-3, 150B-36

Presenter(s): Mr. Harry Wilson (Staff Attorney, State Board of Education Office)

Description:

- A. Linda Ellis filed a petition for a contested case to challenge the agency's failure to waive the repayment fee for the NBPTS program. The Administrative Law Judge granted her motion for summary judgment.
- B. Margaret Frances Handest filed a petition for a contested case to challenge the agency's failure to waive the repayment fee for the NBPTS program. The Administrative Law Judge granted her motion for summary judgment.
- C. Darrell Wayne Purcell filed a petition for a contested case to challenge the agency's failure to waive the repayment fee for the NBPTS program. The Administrative Law Judge granted his motion for summary judgment.

Recommendations:

It is requested that the State Board of Education approve the Final Decisions prepared by staff.

Discussion/Comments:

- This item was discussed in closed session.

Action on this item will be taken at the regular business session of the SBE meeting on Thursday, January 4. (See Attachment QP 7)

Action and Discussion Agenda: Effective and Efficient Operations
Facilitator: Mr. Wayne McDevitt

ACTION

EEO 1 – LEA-Wide Calendar Waiver Requests

Policy Implications: General Statute #115-C 84.2; SBE Policy #EEO-V-000

Presenter(s): Mr. Philip Price (Associate Superintendent, Financial and Business Services), Mr. Paul LeSieur (Director, School Business Division), and Ms. Alexis Schauss (Section Chief, Information Analysis and Reporting Section)

Description:

Attached is a summary of waivers submitted by LEAs for the start and end date of the 2007-08 school calendar year, in accordance with the GS 115-C -84.2 (HB1464, Sec. 1.5 (d), 2004). These LEAs meet the criteria of missing eight or more days of school in four of the last ten years.

Recommendations:

It is recommended that the State Board of Education approve the waiver requests allowing LEAs to vary from the August 25 beginning and June 10 ending dates.

Discussion/Comments:

- There was no discussion.

Action on this item will be taken at the regular business session of the SBE meeting on Thursday, January 4. (See Attachment EEO 1)

ACTION

EEO 2 – Recommendation of Appeal Panel on John H. Baker, Jr., Charter High School Revocation

Policy Implications: General Statute #115C-238.29G(a)(1-6) and 115C-238.29F(f)(1-2);
SBE Policy #EEO-U-006

Presenter(s): Mr. Philip Price (Associate Superintendent, Financial and Business Services) and Mr. Jack Moyer (Director, Office of Charter Schools)

Description:

At its regularly scheduled September 27, 2006, meeting the Charter School Advisory Committee (CSAC) approved a motion charging John H. Baker, Jr., Charter High School to create, submit, and implement a corrective action plan addressing the issues of concern presented to them by DPI Staff. The action plan was due at the regularly scheduled CSAC meeting November 9, 2006. Upon the receipt of the action plan, the CSAC has asked the Office of Charter Schools to monitor the action plan presented by the school.

Pursuant to NCGS 115C-238.29G(a)(1-6) and NCGS 115C-238.29F(f)(1) the State Board of Education may terminate a charter upon any of the grounds listed in the statute. Through DPI Staff investigations several issues concerning policies and procedures in governance, finance, and student accounting have surfaced that put John H. Baker, Jr., Charter High School in non-compliant status.

(A) The school has failed to have a functioning board in place. The board has failed to supervise the administrator in following policies regarding operations of the charter school as identified in

the SBE Policy for charter school on financial and governance non-compliance. (SBE Policy EEO-U-006)

(B) The school has failed to comply with reporting requirements established by the SBE in the Uniform Education Reporting System. (NCGS 115C-238.29F(f)(2)). DPI analysts viewed the SIMS data as “unauditable” because the data is discernable only with some assumption.

(C) The school has opened sites outside of the jail and admitted students that were not incarcerated at that time. The charter application specifically states that the school will serve incarcerated students at a high school located in the detention center. The board has not applied for a material change in the charter that would allow for students to apply for admission that were not incarcerated. Not only did they start a separate school outside of the jail, they also did not receive a certificate of occupancy for educational use for the facility in which they were holding classes. After specifically being told to vacate the facility they continued to hold classes in the building for several months. This is a violation of NCGS 115C-238.29G(a)(4).

The State Board voted at the October 5, 2006, meeting to revoke the charter of John H. Baker, Jr. High School. The school has appealed the State Board vote and had an appeal hearing on December 6, 2006. Based upon information from the State Board of Education Appeal Panel it is recommended that the SBE concur with the recommendation of the panel.

Recommendations:

Financial and Business Services recommends the State Board concur with the recommendation of the appeal panel.

Discussion/Comments:

- This item was discussed in closed session.

Action on this item will be taken at the regular business session of the SBE meeting on Thursday, January 4. (See Attachment EEO 2)

ACTION

EEO 3 – Appointment for Charter School Advisory Committee Membership

Policy Implications: General Statute #115C-238.29I(d); SBE Policy # EEO-U-005

Presenter(s): Mr. Philip Price (Associate Superintendent, Financial and Business Services) and Mr. Jack Moyer (Director, Office of Charter Schools)

Description:

The name of an individual to represent Region 8 will be presented for State Board consideration. The name of the nominee will be shared at the State Board Meeting.

Attached is a list of Committee Members and terms for service.

Recommendations:

It is recommended that the State Board of Education appoint a new member.

Discussion/Comments:

- There was no discussion.

Action on this item will be taken at the regular business session of the SBE meeting on Thursday, January 4. (See Attachment EEO 3)

ACTION ON FIRST READING

EEO 4 – Individual Class Size Exceptions Waiver Requests

Policy Implications: General Statute #115C-301

Presenter(s): Mr. Philip Price, (Associated Superintendent, Financial and Business Services), Mr. Paul LeSieur, (Director, School Business Division), and Mrs. Alexis Schauss, (Section Chief, Information Analysis and Reporting Section, School Business Division)

Description:

It shall be the responsibility of local boards of education to assure that the class size and teaching load requirements set forth in G.S. 115C-301 are met. Requests for individual class size waivers are required to be submitted to the State Board of Education after the second school month and the remainder of the school year, if the individual class exceeds the allotment ratio by three students so long as the LEA-wide average class size maximums is not exceeded. There may be additional waivers submitted for the March SBE meeting.

Recommendations:

The Department recommends that the State Board of Education approve the attached waivers pertaining to the class size exception request submitted by Bladen County Schools, Forsyth County, Madison County, and Clinton City Schools, the Department will then notify the LEA(s) of the action taken by the State Board of Education.

Discussion/Comments:

- Board members discussed at length the main reason that LEAs request class size waivers, especially where large changes in student population affects class size in high growth schools.
- The issues of timing and consolidation leading to reorganizing classrooms midyear were big concerns for Board members.
- Discussion concluded with a suggestion that Mr. McDevitt, Chair of the EEO Committee, assemble a group to evaluate the statute, review the process, and determine if changes are warranted.

Action on this item will be taken at the regular business session of the SBE meeting on Thursday, January 4. (See Attachment EEO 4)

DISCUSSION

EEO 5 – Charter School Grade Changes and Enrollment Increase Requests Above 10%

Policy Implications: General Statute #115C-238.29D(d); SBE Policy #EEO-U-000

Presenter(s): Mr. Philip Price (Associate Superintendent, Financial and Business Services) and Mr. Jack Moyer (Director, Office of Charter Schools)

Description:

As per GS 115C-238.29D(d), beginning with the charter school's second year of operation and annually thereafter, the State Board of Education shall allow a charter school to increase its enrollment by 10% of the school's previous year or as otherwise provided in the charter. This enrollment growth shall not be

considered a material revision of the charter application and shall not require prior approval of the State Board.

Schools submitting applications for enrollment increases larger than 10% of the previous year allowed have requested that material revisions be made in their charters to allow the added growth. Requests for Impact Statements from the host local education agency have been sent. The Charter School Advisory Committee has reviewed the requests and made recommendations using the following information: Impact Statement, ABCs data, financial history of the school, governance history of the school, and any other data that they feel is pertinent to the decision.

Schools have also requested to serve grade structures other than those requested in the original charter school application. The requests are considered material changes to the charter and, as such, require SBE approval. The Charter School Advisory Committee has reviewed these requests and forwarded the recommendations for approval.

Recommendations:

The Charter School Advisory Committee recommends that the SBE approve the enrollment increases and grade changes for the charter schools presented. The Department does not recommend approval of Carter Community, STARS, and Success Institute due to a decrease in performance composite scores. In the case of Kestrell Heights the current MAX should be approved at 426 rather than 480.

Discussion/Comments:

- Dr. Jane Norwood reported that she had received a letter about the impact in Cleveland County as it relates to the expansion request for Thomas Jefferson Classical Academy. A brief discussion occurred about whether the Board had ever denied a request due to the impact on an existing situation. Specific concerns have been addressed in the past; unfortunately the legislation was written specifically stating that the funding would come out per child and is not something that can be evaluated as part of the process, according to Mr. Price.
- Ms. Kathy Taft asked that under Recommendations that the Department recommendations be included as well.

This item is presented for discussion in January and will be presented at the February meeting for action. (See Attachment EEO 5)

Mr. Wayne McDevitt moved that the Board go into closed session to discuss legal and personnel matters with its legal advisors. Ms. Patricia Willoughby seconded the motion and the Board voted unanimously to go into closed session.

Mr. John Tate moved that the Board adjourn the closed session and resume the open session. Mr. Wayne McDevitt seconded the motion and the Board voted unanimously to resume the open session.

At this time, Superintendent Atkinson welcomed and acknowledged the presence of Dr. Samuel DePaul, Superintendent, Stanly County Schools.

Educational Value-Added Assessment System (EVAAS) Demonstration

- Dr. William Sanders and Dr. June Rivers – SAS Institute

Dr. Rivers and Dr. Sanders prefaced their presentation by reviewing that SAS merges state End-of-Grade and End-of-Course assessment data for all children longitudinally to deliver analyses at the district, building, and student levels. Work began with the Department of Public Instruction several years ago to figure out ways that these analyses would be useful for the technical assistance teams working with DSSF districts and other schools struggling to meet AYP requirements. SAS has developed a process and a professional development delivery plan that will be systemic in nature and ongoing to support those districts that are struggling to meet graduation requirements as well as AYP requirements. Dr. Rivers used a PowerPoint presentation to demonstrate the value of these diagnostic reports, which can assist educators to help all students meet their academic potential and bridge communication from building to building. EVAAS also can help local educators see where schools are being especially successful in particular grade levels or subjects and where schools need additional support to be successful in particular areas. Administrators and teachers can use the data proactively to positively affect academic change for individual students and groups of students. Currently 34 districts are utilizing this program.

Discussion/Comments:

- Dr. Meghan Doyle, Principal Advisor, asked about how non-Leandro districts could gain access to EVAAS. Dr. Rivers explained that those districts would enter into a contractual agreement with SAS.
- A brief discussion occurred regarding the type of analysis used to project students to the next grade. Dr. Sanders explained that data comes from the most recent cohorts of students who have completed a course to develop the models to make the projections for the current students.
- Discussion also occurred regarding other states and the success they have enjoyed with this system, specifically as a tool for individual classroom teachers to become more effective. Dr. Sanders clarified that success depends on local leadership and strong efforts for ongoing staff development to learn to use the data in positive diagnostic ways. It is a paradigm shift to first look at individual students and figure out how the school can deliver for the needs of individual students.

**Information Agenda: High Student Performance
Facilitator: Ms. Kathy Taft**

INFORMATION

HSP 8 – Academic Rigor, Relevance, and Relationships Policy: Timeline for Implementing the Core Course of Study

Policy Implications: General Statute #S656; SBE Policy #HSP-C-005, HSP-F-016, HSP-F-000, HSP-L-003, HSP-N-000, HSP-N-003, HSP-N-004

Presenters: Ms. Kathy A. Taft (Chair, SBE Ad Hoc Committee on Academic Rigor, Relevance, and Relationships), Dr. Elsie C. Leak (Associate Superintendent, Curriculum and School Reform Services) and Dr. Wandra C. Polk (Director, Secondary Education Division)

Description:

Three significant actions taken by the State Board of Education promote and support movement toward achieving the imperative to graduate all students prepared for work and post secondary opportunities. These actions include the adoption of High School Exit Standards, adoption of a policy on Academic

Rigor, and the state's participation in the American Diploma Project through the National Governors' Association. The context of these actions supports raising academic standards and bringing the core content and skills for 21st century learning into focus in all classrooms across our state.

When the Academic Rigor policy was adopted in 2005, it called for the state to move toward two graduation Courses of Study as a transition step to one core course of study. However, a specific timeline for implementation was not included in the policy. Provided with this item is a chronology of activities that delineates previous steps taken to move the state to higher standards and to the core course of study. It also includes future activities to be implemented, along with a start date for schools to implement the two graduation Courses of Study as required in the Academic Rigor policy. All of these activities are designed to lead the state to implementation of one course of study which will contain core subjects required of all students. The core course of study will also require students to earn at least one endorsement in a select area (Career-Technical Education, JROTC, Arts Education, etc.) based on their choice and interest. Those who choose to do so may earn more than one endorsement. The attachments also include other supporting information.

Recommendations:

The State Board of Education in its deliberation should determine (a) if the timeline for moving to one core course of study is acceptable, (b) if earning an endorsement should be required (as stated) or optional, and (c) an official name for the core course of study.

Discussion/Comments:

- There was no discussion.

This item was presented for information. (See Attachment HSP 8)

INFORMATION

HSP 9 – Evaluation of *Learn and Earn* Early College High Schools

Policy Implications: General Statute #SL 2005-276, Sec. 7.32

Presenters: Dr. Elsie C. Leak (Associate Superintendent, Curriculum and School Reform Services) and Ms. Carolyn White (Director for Learn and Earn, North Carolina New Schools Project)

Description:

On September 8, 2004, Governor Mike Easley launched the Learn and Earn Early College High School Initiative in response to workforce needs in North Carolina. The initiative is jointly administered by the North Carolina Department of Public Instruction and the North Carolina New Schools Project. It is designed to improve high schools, to better prepare students for college and career, to create a seamless curriculum between high school and college, and to provide work-based experiences to students. Based on the campuses of two- or four- year colleges and universities, *Learn and Earn* early college high schools will provide an academically rigorous course of study with the goal of ensuring that all students graduate with a high school diploma and two years of university transfer credit or an associate degree.

Thirteen *Learn and Earn* early college high schools opened for students for the 2005-06 school year, and an additional 20 have opened for the 2006-07 school year. Part of their relationship with the North Carolina New Schools Project and the North Carolina Department of Public Instruction will be to monitor them as individual schools and compare them as a group of early college high schools. While the evaluation of the *Learn and Earn* early college high schools is ongoing and much of the evaluation data,

including data points around graduation rates and higher education persistence rates, will not be available for several years, this report provides data on the schools' progress over the 2005-06 school year.

Recommendations:

This item is presented for information only.

Discussion/Comments:

- Dr. Sam DePaul, Superintendent, Stanly County Schools, reported that Stanly County Early College High School is going extremely well with 47 students enrolled this year. That number will increase ideally to 200 with the addition of all grade levels. He thanked the Board for the opportunity, stating that it has been well received by the community college and the community as a whole.

This item was presented for information. (See Attachment HSP 9)

INFORMATION

HSP 10 – Healthy Active Children Policy Progress Report 2005-2006

Policy Implications: SBE Policy # HSP-S-000

Presenters: Dr. Elsie C. Leak (Associate Superintendent, Curriculum and School Reform Services), Ms. Sherry Lehman (Section Chief, Healthy Schools), and Ms. Kymm Ballard (Healthful Living Consultant, Division of Elementary Education)

Description:

The summative report is presented to the State Board of Education for information each year. This is the third year of the report. Information regarding School Health Advisory Councils, minutes per week of physical activity and physical education, and trend data are included from 2004-2005 and 2005-2006 school years.

Recommendations:

This item is presented for information only.

Discussion/Comments:

- There was no discussion.

This item was presented for information. (See Attachment HSP 10)

INFORMATION

HSP 11 – NC Virtual Public School - Director's Report

Policy Implications:

Presenters: Dr. Elsie C. Leak (Associate Superintendent, Curriculum and School Reform Services) and Dr. John Boling, Chairman (NC Virtual Public School Advisory Board)

Description:

Mr. John Boling will present an update on NC Virtual Public School projects and timeline including course audits, teacher recruitment, and staff and asset consolidation.

Recommendations:

This item is presented for information only.

Discussion/Comments:

- Brief discussions occurred regarding the process for auditing online courses, lab experiences for the sciences, and future opportunities for elementary and middle school students.
- Board members expressed concern about students who take courses such as math on an accelerated basis in middle school, yet the courses are not eligible for high school credit. Chairman Lee asked that a comparison of other states as it relates to this issue be brought to the Board in February for information.

This item was presented for information. (See Attachment HSP 11)

Information Agenda: Effective and Efficient Operations

Facilitator: Mr. Wayne McDevitt

EEO 6 – Joint Technology Commission Report

Policy Implications:

Presenters: Mr. Philip Price (Associate Superintendent, Financial and Business Services) and Ms. Myra Best (BETA)

Description:

SL 2006-248 requires the Joint Legislative Oversight Commission on Information Technology review the newly revised Board of Education. The Commission's review shall also include best practices for using technology to enhance teaching and learning in North Carolina schools. The Commission shall review existing research-based best practices such as the IMPACT model, NC Wise Owl, and successful 1:1 (computer to student) initiatives across the State and nation. The Commission shall receive recommendations from the Business and Education Technology Alliance, the E-Learning Commission, the business community, and the North Carolina Center for 21st Century Skills. The final report including findings and recommendations shall be submitted by February 1, 2007.

Recommendations:

This item is presented for information only.

Discussion/Comments:

- Ms. Best asked Board members to offer feedback no later than January 10.
- A conversation ensued about disparities across the state relative to connectivity.

This item was presented for information. (See Attachment EEO 6)

EEO 7 – Update of School Connectivity Implementation

Policy Implications: General Statute #Session Law 2006-66, Senate Bill 1741

Presenters: Mr. Phil Emer (Friday Institute and School Connectivity Project), Mr. Peter Asmar (Associate Superintendent, Technology Services), and Mr. Philip Price (Associate Superintendent, Financial and Business Services)

Description:

This presentation will provide the plan for the School Connectivity Project. Funds in the amount of 6 million dollars were appropriated in during the 2006 session of the General Assembly for School Connectivity. Provides funds to be used to upgrade public school connectivity as part of efforts to establish a comprehensive PreK- 20 NC Regional Education Network. Funds shall be used to expand the number of public schools serving pre- kindergarten through grade 12 with broadband connectivity; provide “last mile” connectivity to public schools and enhance development of regional broadband networks; infuse technology into schools' instructional efforts; maximize the use of e- Rate; and revise School Technology Plans. Funds that are not expended by June 30, 2007, shall be carried forward for expenditure in FY 2007- 08.

Recommendations:

This item is presented for information only.

Discussion/Comments:

- There was no discussion.

This item was presented for information. (See Attachment EEO 7)

Update on Contracts

Discussion/Comments:

There was no discussion.

CLOSED SESSION/ADJOURNMENT

Dr. Jane Norwood moved that the Board go into closed session to consider one or more personnel issues described in General Statute §143-318.11(a)(6) and for the purpose of deliberating and making a decision in the following adjudicatory proceedings: EEO2-The Appeal of John H. Baker, Jr., Charter High School, and QP7-Ellis vs. State Board of Education, Purcell vs. State Board of Education, and Handest v. State Board of Education. Mr. John Tate seconded the motion and the Board voted unanimously to go into closed session.

Upon motion by Ms. Melissa Bartlett, seconded by Ms. Patricia Willoughby, the Board voted unanimously to recess the SBE meeting until 8:30 am on Thursday, January 4, 2007.

The North Carolina State Board of Education met and the following members were present:

Howard N. Lee, Chairman
Jane Norwood, Vice Chair
Melissa Bartlett
Shirley Harris
Michelle Howard-Vital
Wayne McDevitt

Richard Moore
Edgar Murphy
Kathy Taft
John Tate
Patricia Willoughby

Also present:

June St. Clair Atkinson, Superintendent
Diana Beasley, Teacher Advisor

Carr Ipock, Local Board Member Advisor

CALL TO ORDER/INVOCATION

Chairman Lee called the Thursday Board meeting to order and declared the Board in official session. He reminded the audience that Board members held their discussions of the agenda items yesterday and that today's agenda includes voting on the Board's Action Items.

Chairman Lee recognized Mr. John Tate to lead the Board with the Pledge of Allegiance.

The invocation followed and was presented by Ms. Melissa Bartlett. Ms. Taft suggested that a copy of Ms. Bartlett's resolutions be displayed in the Board lounge.

Next, the Chairman read the following statement:

"I would like to remind Board members that it is our duty to avoid conflicts of interest and the appearance of conflicts of interest as we handle the work of this Board. Does any member of the Board know of any conflict of interest or any appearance of conflict with respect to any matters coming before us at this meeting? If so, please state them for the record. If during the course of the meeting you become aware of an actual or apparent conflict of interest, please bring this matter to the attention of the chair. It will then be your duty to abstain from participating in discussion on the matter and from voting on the matter."

Dr. Jane Norwood stated that she would abstain from discussion as it relates to QP 1 – State Evaluation Committee Program Approval Recommendations, Appalachian State University. No other Board members indicated a conflict of interest.

MINUTES

Chairman Lee asked for a motion to approve the minutes of the December 6-7, 2006, Board meeting. Upon motion by Treasurer Richard Moore, and seconded Mr. Wayne McDevitt, the Board voted unanimously to approve the minutes for the December 6-7, 2006 meeting.

At this time, Chairman Lee relinquished the microphone to Superintendent Atkinson. Dr. Atkinson publicly thanked Dr. Janice Davis, Deputy Superintendent for her service and dedication to the Department.

After providing a brief vitae, Superintendent Atkinson asked the Board's consideration of candidate J.B. Buxton as Deputy Superintendent for the Department.

Upon motion by Mr. John Tate, and seconded Ms. Kathy Taft, the Board voted to approve the appointment of Mr. J.B. Buxton as Deputy Superintendent, N.C. Department of Public Instruction, subject to the terms and conditions approved by the Board in closed session. A roll-call vote was taken. The following Board members voted affirmatively: Ms. Melissa Bartlett, Ms. Shirley Harris, Dr. Michelle Howard-Vital, Chairman Howard Lee, Mr. Wayne McDevitt, Dr. Jane Norwood, Ms. Kathy Taft, Mr. John Tate, and Ms. Patricia Willoughby. The following members were not present during the vote: Treasurer Richard Moore, Mr. Edgar Murphy, Lt. Governor Beverly Perdue, and Mr. Tom Speed.

Mr. Buxton expressed his appreciation for the Superintendent's recommendation and the Board's approval that he serve as the next Deputy Superintendent for the N.C. Department of Public Instruction. Mr. Buxton pledged a sense of urgency, energy and commitment to the Department and the State Board of Education.

CHAIRMAN'S REMARKS

In lieu of his remarks, Chairman Lee introduced Dr. Shirley Prince, Superintendent of the Year, Scotland County Schools, who provided the Board with a presentation regarding Scotland County's high school delivery system. Her school district is reinventing its one comprehensive high school to meet the 21st century needs of students. The district has taken its one large high school and broken it up in to smaller, more personalized, autonomous schools while infusing rigor into the curriculum and working on relationships between students and teachers. Educators in Scotland County are in the very early stages of this major change but see forward movement. She provided a PowerPoint presentation "Large to Small" while speaking about the status of this movement in Scotland County, goals for the future, current challenges, and timelines for whole-school conversion.

Superintendent Atkinson and Board members commended Dr. Prince for her leadership as she helps move Scotland County toward higher achievement for all students. The Board requested a copy of her PowerPoint presentation to integrate some of the ideas into high school reform efforts statewide.

Executive Director's Report

Dr. Rebecca Garland, Executive Director, State Board of Education, reported briefly about the meetings she recently attended, including a joint meeting of Achieve and NASBE concerning high school reform and two meetings with committees of the General Assembly on the New Schools Project and how students with disabilities will be affected by the Board's new core course of study.

Legislative Update

State Board Legislative Liaison Ms. Rita Joyner briefly reviewed the draft SBE Legislative Policy Agenda with Board members. The items for consideration during the 2007 Session include: High School Exit Standards, DPI Criminal History Background Checks, Clarification of Teacher Certificate Renewal, Praxis I Alternative for Teacher Education Program Admission, Extend Sunset (now June 2007) for Reemployment of Retired Teachers, Reemployment of Retired Licensed School Professionals, Mentor Teacher Funds Special Provision, and Innovative High School Programs. Ms. Joyner requested Board members review the proposed agenda for further discussion at its February meeting.

STATE SUPERINTENDENT'S REPORT

In her Superintendent's Report, Superintendent Atkinson reported that the Superintendents' Quarterly Meeting was held on December 8. Discussion items included:

- Effective Local Efforts
- Proposed Graduation Requirements and High School Reform Initiatives
- Expansion Budget
- Performance Audit
- Community College Remediation Rate
- Data Resources

Dr. Atkinson provided a 21st Century Schools Update stating that two new strategies are underway. 1) The DPI, in collaboration with the Center for 21st Century Skills and the New Schools Project, will develop a website to assist school administrators to develop 21st century schools. 2) NCDPI has invited state education groups to assist with providing train-the-trainer workshops on 21st century schools to assist school leaders in facilitating local 21st century schools focus groups. In addition, a presentation on 21st century schools was delivered to the Governor's Advisory Council on Hispanic/Latino Affairs on December 15.

Superintendent Atkinson then spoke briefly about NC DPI's collaboration with the NC University System, the NC Community College System, and SAS to develop a data management system for birth-20 education. The system will permit North Carolina's K-20 institutions to make informed decisions about programs and practices that prepare students to be productive citizens in the 21st century. The outcome will be unprecedented insight into two areas in which North Carolina is currently experiencing shortages in teaching and nursing.

Dr. Atkinson reported that the Microelectronics Center of North Carolina (MCNC) held its annual North Carolina Research and Education Network Community Day on December 8. Agenda items discussed included:

- K-12 Networking Panel
- Federal Policy Issues Panel
- Regional Networking
- Ad Hoc Videoconferencing
- Virtual Computing

Superintendent Atkinson shared good news received in a recent press release by Standard & Poor's School Evaluation Services. The company identified 14 North Carolina schools that have significantly narrowed the achievement gap between higher- and lower-performing student groups during the 2003-04 and 2004-05 school years. Of the 14 schools in North Carolina that have been able to narrow the achievement gap, six are recognized for reducing their black-white gap, and nine schools are recognized for narrowing their "economically-disadvantaged and non-disadvantaged students tested" gap. The following schools were recognized:

Williamston Middle School, Martin County
Peachland-Polkton Elementary School, Anson County
Liberty Middle School, Burke County
Southeast Middle School, Forsyth County
John Chavis Middle School, Gaston County
Boone Trail Elementary School, Harnett County
Ebenezer Elementary School, Iredell-Statesville Schools
West McDowell Junior High School, McDowell County
A.G. Cox Middle School, Pitt County

South Brunswick Middle School, Brunswick County
Table Rock Middle School, Burke County
L.J. Bell Elementary School and Richmond Primary, Richmond County
Carroll Middle School, Wake County

Next, the Superintendent provided a handout from the Education Everybody's Business Coalition announcing the regional public forums on School Facility Needs scheduled in January across the state.

In addition, Dr. Atkinson announced the Food Lion-sponsored Innovative Educational Technology, Teacher Training Programs for North Carolina schools. In early 2007, OPEN, a Boston-based international education technology provider will initially offer to at least 50 North Carolina classrooms "Quest Atlantis," a standards-based online 3D Learning Environment (academic "games" and 3D simulations). They will pilot this initiative starting with the eleven IMPACT schools. This technology is an exciting medium for learning and is also designed to help students master key skills demanded by today's employers – strategic and analytical thinking, problem-solving, collaborative learning, team building, planning and execution, decision-making, and adaptation to rapid change.

In conclusion, Dr. Atkinson shared a report from the NC Community College System of the 2005 High School Graduates by LEA. The report tracks the academic status summary of graduates enrolled in the community college system in 2005-06. The report features data on course enrollment and Performance for Cohort by LEA. This is a valuable tool as it relates to the new future-ready graduation requirements. Superintendent Atkinson shared with Board members the information needed to gain online access to this report.

NC Wise Update

John Wetsch, NC WISE Program Management Project Manager, updated members on the conversion and deployment schedule, training, configuration management, production support, data management and ad hoc reporting. Some districts and charter schools in Wave 2 were moved to Wave 3. A brief discussion ensued regarding local districts that choose to establish independent reporting systems. Chairman Lee requested that the Board be informed immediately if the independent systems are not compatible to NCWISE.

High Priority Schools

In her monthly report, Dr. Pat Ashley, High School Turnaround Team Director, shared highlights of turnaround efforts since the December Board meeting. Thirty-five high priority high schools (those under 60 percent performance composite) must identify their redesign or reform model by January 31. The models schools may choose from are America's Choice, New Schools Project, Talent Development and First Things First. Thirteen of the 25 schools have chosen the New Schools Project. However, the New Schools Project has a limit on the number of new schools it can bring on board at one time. In addition, 57 assessment teams will soon be deployed to those high schools with a performance composite under 70 percent for two years or whose performance composite recently dropped to below 60 percent.

Personnel Actions

It is recommended that the State Board approve the personnel recommendations presented in closed session on Wednesday, January 3, 2006.

Upon motion by Mr. Wayne McDevitt, and seconded by Dr. Michelle Howard-Vital, the Board unanimously approved the personnel recommendations presented on Wednesday, January 3, in the Personnel Report in closed session and are available now to the public.

ACTION AGENDA

The Board moved into the Action Agenda and Chairman Lee requested that the priority chairs present items under their priority area.

Action Agenda: High Student Performance Facilitator: Ms. Kathy Taft

ACTION

HSP 1 – The Cooperative Innovative High School Program Act - Waivers for Educational Purposes Policy Implications: General Statute # S656

The State Board of Education is requested to approve the following: (a) the calendar waivers for educational purposes as submitted, and (b) that the period of an approved calendar waiver be aligned with the five (5) year span of the approved program application.

Upon motion by Mr. Wayne McDevitt, and seconded by Ms. Patricia Willoughby, the Board voted unanimously to approve (a) the calendar waivers for educational purposes as submitted, and (b) that the period of an approved calendar waiver be aligned with the five (5) year span of the approved program application. (See Attachment HSP 1)

ACTION ON FIRST READING

HSP 2 – Report to the Joint Legislative Education Oversight Committee on the Implementation of the ABCs, January, 2007

Policy Implications: General Statute #115C-12(25)

It is recommended that the SBE approve the report.

Upon motion by Mr. John Tate, and seconded by Mr. Edgar Murphy, the Board voted unanimously to approve the report with updated information to the Joint Legislative Education Oversight Committee on the Implementation of the ABCs, January, 2007. (See Attachment HSP 2)

ACTION ON FIRST READING

HSP 3 – Changes to the 2005-06 ABCs/AYP Report

Policy Implications: General Statute #115-105.20 (Article 8B), 115C-105.35

It is recommended that the State Board of Education approve the changes to the 2005-06 ABCs/AYP Report.

Upon motion by Mr. Edgar Murphy, and seconded by Ms. Shirley Harris, the Board voted unanimously to approve the changes to the 2005-06 ABCs/AYP Report including Waynesville Middle School. (See Attachment HSP 3)

ACTION ON FIRST READING

**HSP 4 – Recommended Final Academic Achievement Standards (Cut Scores) for the NCCLAS
Alternate Assessment**

Policy Implications: SBE Policy #HSP-C-02; NCLB

The department recommends that the interim academic achievement standards (cut scores) for NCCLAS, an alternative assessment, be approved as final for implementation effective with the 2006-07 school year.

Upon motion by Dr. Jane Norwood, and seconded by Mr. John Tate, the Board voted unanimously to approve the interim academic achievement standards (cut scores) for NCCLAS, an alternative assessment as final for implementation effective with the 2006-07 school year. (See Attachment HSP 4)

ACTION ON FIRST READING

**HSP 5 – Recommended Final Academic Achievement Standards (Cut Scores) for the Social Studies
EOC Tests**

Policy Implications: SBE Policy #HSP-C-010

The department recommends that the Board amend policy HSP-C-010 and that the final academic achievement standards (cut scores) for the revised U. S. History and the Civics and Economics EOC tests be approved using the Reasoned Judgment Standard Setting Methodology.

Upon motion by Ms. Shirley Harris, and seconded by Dr. Michelle Howard-Vital, the Board voted unanimously to approve the final academic achievement standards (cut scores) for the revised U. S. History and the Civics and Economics EOC tests using the Reasoned Judgment Standard Setting Methodology. (See Attachment HSP 5)

**Action: Quality Teachers, Administrators, and Staff
Facilitator: Dr. Jane Norwood**

ACTION

QP 1 – State Evaluation Committee Program Approval Recommendations

Policy Implications: SBE Policy # QP-B-003

It is requested that the program approval recommendations of the State Evaluation Committee on Teacher Education be approved as presented.

- Dr. Jane Norwood asked Dr. Michelle Howard-Vital to present QP1 for action. (Dr. Norwood abstained from the discussion and vote of this item due to a conflict of interest with respect to Appalachian State University.)

Upon motion by Ms. Kathy Taft, and seconded by Ms. Patricia Willoughby, the Board voted unanimously to approve the program approval recommendations of the State Evaluation Committee on Teacher Education. Dr. Norwood abstained from voting. (See Attachment QP 1.)

ACTION

QP 2 – Appointment of Individuals to the State Evaluation Committee on Teacher Education

Policy Implications: SBE Policy #EEO-B-004; APA #16NCAC6C.0201

That the two members eligible for reappointment be reappointed and that the three nominees for vacant positions be appointed.

Upon motion by Ms. Kathy Taft, and seconded by Ms. Patricia Willoughby, the Board voted unanimously to approve the appointments of individuals to the State Evaluation Committee on Teacher Education as recommended. (See Attachment QP 2.)

ACTION

QP 3 – Proposed Revisions to the Requirements for an International Faculty License

Policy Implications: SBE Policy #QP-A-001

It is recommended that the proposed revision to Board policy be approved.

Upon motion by Ms. Melissa Bartlett, and seconded by Ms. Shirley Harris, the Board voted unanimously to approve the proposed revisions to the requirements for an international faculty license. (See Attachment QP 3.)

ACTION

QP 4 – Proposal to Facilitate the Licensing of More at Four Teachers through the Office of School Readiness

Policy Implications: SBE Policy #QP-A-002

It is recommended that the proposed revisions to Board policy be approved to allow the Office of School Readiness to work with More at Four teachers in non-public settings to obtain and maintain licenses.

Upon motion by Mr. John Tate, and seconded by Ms. Shirley Harris, the Board voted unanimously to approve the proposed revisions to Board policy to allow the Office of School Readiness to work with More at Four teachers in non-public settings to obtain and maintain licenses. (See Attachment QP 4)

ACTION

QP 5 – Revision of Board Policy to Reflect Changes in the Provisional Licensing Requirements for Career-Technical Education Teachers

Policy Implications: SBE Policy #QP-A-001, QP-A-002

That the proposed revisions to Board policy be approved.

Upon motion by Ms. Kathy Taft, and seconded by Mr. Wayne McDevitt, the Board voted unanimously to approve the proposed revisions to Board policy to reflect changes in the provisional licensing requirements for Career-Technical Education teachers. (See Attachment QP 5.)

ACTION

QP 6 – Study of the Adequacy of Compensation of School Psychologists with National Certification Policy Implications: Session Law 2006-66, Section 7.22

It is requested that the report be approved as presented.

Upon motion by Dr. Michelle Howard-Vital, and seconded by Mr. John Tate, the Board voted unanimously to approve the report of the adequacy of compensation of school psychologists with national certification and to forward the report to the Joint Legislation Education Oversight Committee. (See Attachment QP 6.)

ACTION ON FIRST READING

QP 7 – Final Decisions in Contested Cases

Policy Implications: General Statute #G.S. 115C-3, 150B-36

It is requested that the State Board of Education approve the Final Decisions prepared by staff.

Upon motion by Dr. Jane Norwood, and seconded by Mr. John Tate, in the contested cases of Ellis v. N.C. Department of Public Instruction, Purcell v. N.C. Department of Public Instruction; and Handest v. N.C. Department of Public Instruction, the Board voted unanimously to reject the administrative law judge's recommended decisions and remand these matters to the office of administrative hearings for hearing on grounds that: 1) The undisputed material facts show that petitioners did not complete the National Board for professional Teaching Standards Certification process within one year as required by N.C. G.S. § 115C-296.2(2005) and the terms of their promissory notes; 2). N.C.G.S. §115C-296.2(2005) does not prohibit the State Board of Education from requiring teachers for whom the State pays the participation fee but who do not complete the application process within one year to repay the certification application fee to the state; and 3.) Petitioners have not proven that they are entitled to judgment on their petitions as a matter of law. (See Attachment QP 7.)

Upon motion by Mr. Wayne McDevitt, and seconded by Treasurer Richard Moore, the Board voted unanimously to go into closed session for the purpose of deliberating and making a decision in the adjudicatory proceeding: EEO2-The Appeal of John H. Baker, Jr., Charter High School.

Upon motion by Ms. Shirley Harris, and seconded by Mr. Edgar Murphy, the Board voted unanimously to adjourn the closed session and return to open session.

Action Agenda: Effective and Efficient Operations
Facilitator: Mr. Wayne McDevitt

ACTION

EEO 1 – LEA-Wide Calendar Waiver Requests

Policy Implications: General Statute #115-C 84.2; SBE Policy #EEO-V-000

It is recommended that the State Board of Education approve the waiver requests allowing LEAs to vary from the August 25 beginning and June 10 ending dates.

Upon motion by Mr. John Tate, and seconded by Treasurer Richard Moore, the Board voted unanimously to approve waiver requests allowing LEAs to vary from the August 25 beginning and June 10 ending dates. (See Attachment EEO 1)

ACTION

EEO 2 – Recommendation of Appeal Panel on John H. Baker, Jr., Charter High School Revocation

Policy Implications: General Statute #115C-238.29G(a)(1-6) and 115C-238.29F(f)(1-2);
SBE Policy #EEO-U-006

Financial and Business Services recommends the State Board concur with the recommendation of the appeal panel.

Dr. Norwood reported that the appeal panel was composed of Ms. Shirley Harris, Dr. Michelle Howard-Vital, and herself. The panel was asked to review three charges on November 31. The Findings of Facts are located on pg. 3. The Conclusions are located on pg. 9 and the Recommendations of the panel are located on pg. 10.

Upon motion by Mr. Edgar Murphy, and seconded by Mr. John Tate, the Board voted unanimously to accept the appeal panel's Findings of Fact and Conclusions related to the charter of John H. Baker, Jr., Charter High School. (See Attachment EEO 2)

Upon motion by Ms. Kathy Taft, and seconded by Mr. John Tate, the Board voted unanimously to approve the revocation of the charter for John H. Baker, Jr., Charter High School effective June 30, 2007, for the reasons stated in the approved Findings of Fact and Conclusions which, in addition to showing that the school is guilty of violating its charter, Board policy and the law, demonstrate that the school has failed to comply with the terms and conditions for renewal of the school's charter as stated in the memorandum to the school dated January 11, 2006, and, therefore, provide sufficient grounds for nonrenewing the school's charter beyond June 30, 2007. (See Attachment EEO 2)

ACTION

EEO 3 – Appointment for Charter School Advisory Committee Membership

Policy Implications: General Statute #115C-238.29I(d); SBE Policy # EEO-U-005

It is recommended that the State Board of Education appoint a new member.

Upon motion by Treasurer Richard Moore, and seconded by Ms. Kathy Taft, the Board voted unanimously to approve the appointment of Mr. Ken Butcher as a member of the Charter School Advisory Committee. (See Attachment EEO 3)

ACTION ON FIRST READING

EEO 4 – Individual Class Size Exceptions Waiver Requests

Policy Implications: General Statute #115C-301

The Department recommends that the State Board of Education approve the attached waivers pertaining to the class size exception request submitted by Bladen County Schools, Forsyth County, Madison County, and Clinton City Schools, the Department will then notify the LEA(s) of the action taken by the State Board of Education.

Upon motion by Mr. John Tate, and seconded by Dr. Michelle Howard-Vital, the Board voted unanimously to approve the waivers pertaining to the class size exception request submitted by Bladen County Schools, Forsyth County, Madison County, and Clinton City Schools. (See Attachment EEO 4)

OLD BUSINESS

- There was no old business discussed.

ON-GOING BUSINESS

- Mr. John Tate spoke briefly about the December meetings with the Deans of Education and Social Work at Chapel Hill. The purpose of the meetings was to dialogue about the prospects that these two schools might contribute to training in the field of social work so that teachers might have a better understanding of challenges facing students outside of school.
- Deputy Superintendent Janice Davis presented Board members with a progress report on the Future-Ready Students' Plan and Implementation. She reported that as part of the work she has wrapped up, a framework is in place including enabling processes for the agency to accomplish the major focus and goals of the Board. In conclusion, she reported that Superintendent Atkinson has scheduled a meeting with the Agency leadership to ensure that the work continues.

NEW BUSINESS

- Ms. Kathy Taft shared that she represented the Board in Hertford County recently to celebrate the Credit Union's partnership with Hertford County Schools in building housing for teachers. She commended the Credit Union's creativity to help solve teacher shortage issues in Hertford County.
- Kathy Taft was recently named Executive Director of Communities in Schools, Pitt County.
- Ms. Patricia Willoughby directed the Board's attention to two items. 1) NC Business Committee for Education's white paper about the graduation project and 2) an invitation to all of the regional

meetings sponsored by the Business Committee in the seven economic regions in partnership with local chambers across the state.

ADJOURNMENT

Chairman Lee asked for a motion to adjourn. Upon motion by Mr. John Tate, and seconded by Ms. Kathy Taft, the Board voted unanimously to adjourn the January 3-4 meeting of the State Board of Education.