

**EXECUTIVE SUMMARY****Title:** Program Approval Exemption Requests Under the Innovative Education Initiatives Act**Type of Executive Summary:**

Action       Action on First Reading       Discussion       Information

**Policy Implications:**

- Constitution \_\_\_\_\_  
 General Statute #115C-238.50 Part 9 (General Session 2003-277 – Senate Bill (656))  
 SBE Policy # \_\_\_\_\_  
 SBE Policy Amendment  
 SBE Policy (New)  
 APA # \_\_\_\_\_  
 APA Amendment  
 APA (New)  
 Other \_\_\_\_\_

**Presenter(s):** Mr. Rob Hines (Director, LEA Council)**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, recommendations to support the first year of implementation along with programmatic details, and a copy of the enabling legislation.

**Resources:**

N/A

**Input Process:**

Personnel of LEAs and Community Colleges

**Stakeholders:**

Local Education Agencies, Community Colleges, University of North Carolina, Independent College Personnel, High School Students, Parents, and School Staff

**Timeline For Action:**

This item is presented for Action on First Reading at the April 2009 State Board of Education meeting.

**Recommendations:**

It is recommended that the SBE approve the recommendations for exemptions under the Innovative Education Initiatives Act as presented.

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Audiovisual equipment requested for the presentation:

- Data Projector/Video (Videotape/DVD and/or Computer Data, Internet, Presentations-PowerPoint preferred)

Specify: \_\_\_\_\_

Audio Requirements (computer or other, except for PA system which is provided)

Specify: \_\_\_\_\_

Document Camera (for transparencies or paper documents – white paper preferred)

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Motion By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

Vote: Yes \_\_\_\_\_ No \_\_\_\_\_

Abstain \_\_\_\_\_

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_

Postponed \_\_\_\_\_ Revised \_\_\_\_\_

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\*Person responsible for SBE agenda materials and SBE policy updates: Susan Auton, 919-807-3435

### Cooperative Innovative High School Programs (G.S. 115C-238.50)

Cooperative Innovative High School programs will expand students' opportunities for educational success through high quality instructional programming. Except as provided in 115C-238.53 and under the terms of the agreement, a program may be exempted by the applicable governing board from laws and rules applicable to a local board of education, a local school administrative unit, a community college, a constituent institution, or a local board of trustees. The table below lists exemptions requested to facilitate implementation.

SBE District	LEA Code	LEA Name	School Name	New School?	Exemption(s)	Rationale (provided by LEA)	Recommend	Effective
2	250	Craven	Early College East	Yes	1. <b>Hold harmless from negative impact on current transportation efficiency formulas for providing transportation to students</b>	<b>Smaller schools with longer routes will affect ratings</b>	<i>No action required</i>	2009-14
					2. Exempt principal from requirements of NC principal's certificate		<i>Grant</i>	
					3. Allow for different start and end date, including modification of testing window (calendar waiver)		<i>Grant</i>	
					4. Allow partners to develop curriculum to meet graduation requirements through college classes/faculty	School will need to offer dual credit for college courses using articulation agreements and the course crosswalk as related to the student's program of study and requirements for graduation	<i>Grant</i>	
					5. Exempt program from strict seat or clock hour requirements	Flexibility needed for course contact hours to create a master schedule with large blocks of time to use as student support seminar	<i>Not required</i>	
	310	Duplin	Duplin ECHS	New program	1. <b>Hold harmless from negative impact on current transportation efficiency formulas for providing transportation to students</b>	<b>Less efficient bus routes may be necessary in order to avoid unacceptably long bus rides</b>	<i>No action required</i>	2009-12
					2. Exempt from the seven paid staff members and one hundred students to qualify for state support for a principal paid at level three	There is no guarantee that enrollment requirements will be met and school should not be negatively impacted; principal responsibilities are comparable to those of a principal at a much larger school	<i>Not required for first year; do not grant thereafter</i>	

SBE District	LEA Code	LEA Name	School Name	New School?	Exemption(s)	Rationale	Recommend	Effective
					3. Allow a college class to count for core graduation requirements provided EOC is passed	Students will benefit from receiving high school graduation credit for similar college courses	<i>Grant</i>	
					4. Allow STEM students to meet graduation requirements using college-level courses	College courses that closely correlate to high school courses should convey graduation requirement credit to eliminate repetitive content	<i>Grant</i>	
					5. Allow enrollment in summer community college courses even if equivalent of one-half of a full-time schedule of high school classes during the previous semester was not taken	Facilitates retaking of courses or acceleration	<i>Grant only if local funds available</i>	
					6. Allow full time students to enroll in more than one community college course	This promotes acceleration and helps fulfill the mission of producing college-ready students	<i>Grant</i>	
					7. Amend school calendar to facilitate dual enrollment of high school students in courses taught by community college faculty (calendar waiver)	Concurrent schedules with partnering community college creates a more seamless schedule	<i>Grant</i>	
					8. Allow the partners to develop curriculum that permits students to meet graduation requirements using college-level courses taught by college faculty	This is an opportunity to help students accelerate their studies by developing college courses that will meet graduation requirements, especially in the STEM strands of study	<i>Grant</i>	
					9. Allow students to test out of required courses by passing the EOC or scoring an 85 or better on requisite final exams - waive certain specific required courses so long as students earn 28 credits	Provides accelerated learning	<i>Grant</i>	
					10. Allow students to enroll in developmental courses based on joint assessment of individual student need by a high school-community college faculty/staff	This will allow school to provide additional resources to better meet individual student needs	<i>Grant</i>	

SBE District	LEA Code	LEA Name	School Name	New School?	Exemption(s)	Rationale	Recommend	Effective
					11. Exempt students from strict instructional hour requirements	The exemption allows for flexible scheduling and gives the school more freedom to creatively meet student needs	<i>Not required</i>	
					12. Allow the community college to develop a course, even though such a course is available from at least one high school in the district	Eliminates the supplanting of high school courses and provides additional options	<i>Grant</i>	
					13. Allow students to enroll in community college courses using assessments that indicate readiness in lieu of required admissions placement testing	Use of EOC data, benchmark test results, and/or teacher recommendation may eliminate additional testing	<i>Not required of SBE</i>	
	960	Wayne	Wayne Sch of Engineering	No	<b>1. Allow full time students to enroll in more than one community college course</b>	<b>This will allow acceleration</b>	<i>Grant</i>	<b>2009-14</b>
					2. Allow students to substitute community college courses for Eng III and Eng IV	Provides greater efficiency in staffing and also better preparation and acceleration	<i>Grant</i>	
			Wayne Early Middle College	No	<b>1. Allow enrollment in summer community college courses even if equivalent of one-half of a full-time schedule of high school classes during the previous semester was not taken</b>	<b>This will provide additional time to earn a degree and accelerates the curriculum</b>	<i>Grant only if local funds are available</i>	<b>2009-14</b>
					2. Allow full time students to enroll in more than one community college course	Students may take more college than high school courses in the fourth and fifth years	<i>Grant</i>	
3	390	Granville	Granville Early College	Yes	<b>1. Hold harmless from negative impact on current transportation efficiency formulas for providing transportation to students</b>	<b>Will require additional buses, as students will travel from feeder high schools. When the Early College is in session and other high schools are not, students will be transported to and from their homes</b>	<i>No action required</i>	<b>2009-14</b>
					2. Exempt school from the requirement of seven paid staff members and one hundred students to qualify for state support for a principal, paid at level three	Flexibility is needed to operate with either fewer than seven staff members or fewer than 100 students or both	<i>Not required for first year; do not grant thereafter</i>	

					3. Allow for different start and end date, including modification of testing window (calendar waiver)	Need to align with the community college schedule	<i>Grant</i>	
					4. Allow students to count a college health class and a college physical education class for the health and physical education graduation requirement	The college does not have a physical education facility; a college health course may be needed to compensate for the lack of a gym/field for PE instruction	<i>Grant</i>	
					5. Amend calendar to facilitate dual enrollment of high school students in courses at the community college or taught by community college faculty	This will not hold students accountable for attendance for college courses on holidays that high schools are required to observe or on high school teacher workdays	<i>Grant</i>	
					6. Allow credit for English III and English IV to be met using college level courses	This gives students the ability through flexible scheduling to complete an Associates Degree in five years after beginning 9 <sup>th</sup> grade	<i>Grant</i>	
					7. Allow full time students to enroll in more than one community college course	Students will participate in a variety of courses which will be taught in a collaborative partnership between the high school and college	<i>Grant</i>	
					8. Allow the ECHS to be exempt from strict instructional hour requirements	The master course schedule encompasses 180 days of instruction, but will not meet the 1000 hours instructional time requirement for grades 11-12 and year 13	<i>Not required</i>	
	422	Weldon City	Roanoke Valley Early College	Yes	<b>1. Exempt school from the requirement of seven paid staff members and one hundred students to qualify for state support for a principal, paid at level three</b>	<b>The district is widely spread and students living outside the district will also attend the early college high school</b>	<i>Not required for first year; do not grant thereafter</i>	<b>2009-14</b>
					2. Allow the LEA to hire a principal funded by the state for funding Year I when the student population is less than 100	During the first school year, the student enrollment will be between 50 – 60 students. By the second year, the student enrollment will increase to 100 -120 students thus increasing the staff size	<i>Grant</i>	
					3. Allow the NC principal certification requirements to be waived	The early college principal may or may not have a principal's certification. If the hired principal does not hold a principal's certification, then the principal will be	<i>Grant</i>	

						expected to pursue his/her principal certification		
					4. Schools accepted under this act should be automatically considered for and granted a waiver under the calendar bill regulating the opening and ending dates of the public school instructional calendar	The early college high school will operate using the community college calendar schedule which will require an earlier start and ending for the school year	<i>Grant</i>	
					5. Allow students to count a college health class and a college physical education class for the health and physical education graduation requirement	It is more feasible for the community college instructors to teach this course for our high school students. The high school teachers will not have health and physical education certification	<i>Grant</i>	
					6. Allow students to count a college class for core graduation requirements, provided they successfully complete the course and pass the EOC for the required course	See previous rationale for same exemption	<i>Grant</i>	
					7. Allow full-time students who are enrolled in one high school course to enroll in more than one community college course for which they are eligible	Students during their 5 <sup>th</sup> and 6 <sup>th</sup> year will have the majority of their high school graduation courses completed	<i>Grant</i>	
					8. Allow the partners to develop curriculum that permits students to meet graduation requirements using college-level courses taught by college faculty	Community college instructors, high school staff, and business partner representatives will work collaboratively to align curriculum to the North Carolina Standard Course of Study and develop problem-based and thematic learning for the students	<i>Grant</i>	
					9. Allow the partners to restructure courses to increase opportunities for experiential and project-based learning as well as differentiated independent learning	To enhance the teaching and learning opportunities for the students	<i>Not required</i>	
					10. Permit the "blended" high school and community college courses	Necessary to align curriculum to formative, benchmark, and statewide assessments	<i>Grant</i>	

					11. Allow faculty meeting the community college and SACS certification requirements to teach courses accepted for high school graduation requirements	The community college instructors may not meet the NCLB requirements for highly qualified teachers	<i>Not required</i>	
					12. Exempt programs from the strict seat or clock (instructional) hour requirements		<i>Not required</i>	
					13. Allow the sites to develop a testing calendar for the administration of state tests that may differ from the usual state timeline		<i>Not required</i>	
					14. Allow Early College High School students to test out of required high school courses by taking and passing the End of Course Test or scoring an 85 or better on requisite final exams. (Students will still need to complete 28 graduation credits; however, this exemption could waive certain specific required courses)	To meet both graduation and testing requirements	<i>Grant</i>	
					15. Exempt the courses listed below from high school graduation requirements in favor of required designated college two course sequences which adequately cover and/or surpass the competency goals of the listed courses: Health & PE Replace w/ HEA 110 and PED 142 English III Replace w/ ENG 231 & 232 English IV Replace w/ ENG 241 & 242 Spanish I Replace w/ SPA 111 & 112 Spanish II Replace w/ SPA 211 & 212	To ensure that students meet the graduation requirements	<i>Grant</i>	

	980	Wilson	Wilson Early College Academy	Yes	1. Hold harmless from negative impact on current transportation efficiency formulas for providing transportation to students	See previous rationale for same exemption	No action required	2009-14
					2. Flexibility in opening and closing date (calendar waiver)	This is necessary in order to align calendar with community college	Grant	
					3. Exempt from the seven paid staff members and one hundred students to qualify for state support for a principal paid at level three	See previous rationale for same exemption	Not required for first year; do not grant thereafter	
					4. Allow NC principal certification requirements to be waived	See previous rationale for same exemption	Grant	
					5. Allow students to count a college health class and a college physical education class for the health and physical education graduation requirement	See previous rationale for same exemption	Grant	
					6. Amend calendar to facilitate dual enrollment of high school students in courses at the community college or taught by community college faculty	See previous rationale for same exemption	Grant	
					7. Allow students to count a college class for core graduation requirements, provided they successfully complete the course and pass the EOC for the required course	See previous rationale for same exemption	Grant	
					8. Exempt the courses listed below from high school graduation requirements in favor of required designated college two course sequences which adequately cover and/or surpass the competency goals of the listed courses: Health & PE Replace w/ HEA 110 and PED 142 English III	See previous rationale for same exemption	Grant	

					Replace w/ ENG 231 &232 English IV Replace w/ ENG 241& 242 Spanish I Replace w/ SPA 111 &112 Spanish II Replace w/ SPA 211 &212			
					16. Allow the partners to restructure courses to increase opportunities for experiential and project-based learning as well as differentiated independent learning	See previous rationale for same exemption	<i>Not required</i>	
					17. Exempt programs from the strict seat or clock (instructional) hour requirements	See previous rationale for same exemption	<i>Not required</i>	
					18. Allow school to meet five year graduation cohort rate for AYP	Students will not graduate within the four year cohort due to attending for five years to earn diploma and associates degree	<i>Not required</i>	
	510	Johnston	Johnston Co. Early College Academy	No	<b>1. Allow enrollment in summer community college courses even if equivalent of one-half of a full-time schedule of high school classes during the previous semester was not taken</b>	<b>Acceleration</b>	<i>Grant only if local funds available</i>	2009-13
					2. Allow students to enroll in developmental courses to build skill levels	Additional support for diverse student population	<i>Grant</i>	
					3. Allow students to count a college health class and a college physical education class for the health and physical education graduation requirement	See previous rationale for same exemption	<i>Grant</i>	
					4. Allow full time early college students who are enrolled in one high school course to enroll in more than one community college course	Acceleration	<i>Grant</i>	
					5. Allow foreign language graduation requirement to be met using college level classes	Limited high school staffing	<i>Grant</i>	

			<b>Johnston Co. Middle College</b>	<b>No</b>	<b>1. Allow enrollment in summer community college courses even if equivalent of one-half of a full-time schedule of high school classes during the previous semester was not taken</b>	<b>See previous rationale for same exemption</b>	<i>Grant only if local funds available</i>	<b>2009-10</b>
					2. Allow students (no more than 10 percent of prior year's unduplicated enrollment) to enroll in developmental courses based on Accuplacer assessment into highest level of reading, writing, and mathematics	None provided	<i>Not required of SBE</i>	
					3. Allow foreign language graduation requirement to be met using college level classes	See previous rationale for same exemption	<i>Grant</i>	
					4. Allow students who are enrolled in one high school course to enroll in more than one college course	See previous rationale for same exemption	<i>Grant</i>	
4	240	Columbus	<b>Fair Bluff Academy</b>	<b>Yes</b>	<b>1. Exempt principal from requirements of NC principal's certificate</b>	<b>School will seek individual with qualifications that may extend beyond principal certification, i.e., familiarity with community college processes</b>	<i>Grant</i>	<b>2009-14</b>
					2. Allow for different start and end date, including modification of testing window (calendar waiver)	School will need to align calendar with community college	<i>Grant</i>	
5	340	Winston-Salem/Forsyth	<b>Early College of Forsyth</b>	<b>Yes</b>	<b>1. Allow high school students to count a college class for core graduation requirements provided they pass the EOC for the course.</b>	<b>Standards and rubrics should be established for quality assurance across the state from program to program.</b>	<i>Grant</i>	<b>2009-14</b>
					2. Allow fulltime students who are enrolled in one high school course to enroll in more than one community college course for which they are eligible.	Students will have fewer high school courses and more required college courses to complete the AA or AS degree within the specified time frame	<i>Grant</i>	
					3. Allow the partners to restructure courses to increase opportunities for learning as well as differentiated independent learning	Local LEA and community college will agree on courses to be used based on College Transfer Agreement and course content.	<i>Grant</i>	

					4. Allow the community college to develop a course needed by students in the program (and open to other, non-high school students) even though such a course was available from at least one high school in the district.	It would not be efficient for students to return to a school campus to get a designated course	<i>Grant</i>
					5. Exempt the courses listed below from high school graduation requirements in favor of required designated college course which adequately cover and/or surpass the competency goals of the listed courses: Health & PE (replace w/ HEA 110 and PED 110); English III (replace w/ ENG 111); English IV (replace w/ ENG 112); Spanish I (replace w/ SPA 110 & 111); Spanish II (replace w/ SPA 112); Spanish III (replace w/ SPA 211); Spanish IV (replace w/ SPA 212)	More efficient completion of courses on community college campus	<i>Grant</i>
					6. Allow ECHS students to have the college courses ENG 095 and ENG 095A count as a high school elective as long as students earn an 80 or higher grade average upon completion of the course(s).	Developmental course to be used as elective	<i>Grant</i>
					7. Allow the partners to develop curriculum that permits students to meet graduation requirements using college level courses taught by college faculty	A review panel (personnel from DPI and the four higher education entities) should be established to review and approve such courses	<i>Grant</i>
					8. Exempt programs from the strict seat or clock (instructional) hour requirements.		<i>Not required</i>
					9. Allow faculty meeting the community college and SACS	Only teachers who are employed by the LEA/school count in determining the	<i>Grant</i>

					certification requirements to teach courses accepted for high school graduation requirements	percentage of teachers being high qualified under NCLB		
					10. Allow Early College of Forsyth students to test out of required high school courses by taking and passing the End of Course Test or scoring an 85 or better on requisite final exams. (Students will still need to complete 28 graduation credits; however, this exemption could waive certain specific required courses)	Testing out of the EOC courses should occur based on a certain standard (better than passing - a B level but not regular exams	<i>Grant</i>	
					11. Establish a school calendar that aligns with the community college involved in the partnership. Schools accepted under this act should be automatically considered for and granted a waiver under the calendar bill regulating the opening and ending dates of the public school instructional calendar (school calendar)	There is an established procedure for this purpose	<i>Grant</i>	
					12. Exempt programs from 180 days for the high school Carnegie unit requirement to allow meshing with community college calendar	This allows the class schedule to better reflect the CC calendar and plan a better daily class schedule. We will meet the required contact hours of the community college to allow for maximum teaching time for student learning	<i>Do not grant</i>	
					13. Allow modification of course selection within the CTE pathway	This would allow community college courses to count as high school CTE credit	<i>Grant</i>	
					14. Allow previously home-schooled or private school or charter school students to “test out” of required high school courses by passing the EOC at a B level or higher	Grant this for students scoring at 70 <sup>th</sup> percentile or higher	<i>Grant</i>	
					15. Allow students to test out of required high school courses by passing the EOC or scoring 85 or	Setting a standard for testing out of EOCs	<i>Do not grant</i>	

					better on requisite final exams			
					16. Exempt students from EOC testing except NCLB courses, i.e., Eng I, Alg I, and Biology			<i>Do not grant</i>
					17. Provide relief from a reduction in transportation efficiency ratings caused by transporting students to the community college campus	Documented excess transportation costs will be reimbursed		<i>No action required</i>
					18. Use textbook funds to purchase college textbooks, software, and instructional materials not in State Textbook Catalog			<i>Not required</i>
					19. Fund the principal using a different formula than per teacher basis	Greater flexibility in hiring		<i>Not required</i>
					20. Allow qualified elementary and middle school certified teachers to teach upper level students as needed	Need to maintain the integrity of highly qualified professionals for NCLB. Some Early Colleges are already doing this		<i>Do not grant</i>
					21. Allow the LEA to hire a principal funded by the state during Year 1 when the student population is less than 100			<i>Not required for first year; do not grant thereafter</i>
					22. Hold LEAs harmless in the loss of state paid teaching positions during the first four years of implementation	This requires an allocation of additional funding by the General Assembly		<i>Do not grant; cannot cost state</i>
					23. Pending legislative appropriations, schools applying under this act should be exempt from the existing requirements of seven paid staff members and one hundred students to qualify for state support for a principal, paid at level three	See previous rationale for same exemption		<i>Not required for first year</i>
					24. Allow vocational funds to be used for other technical education instruction, supplies, materials and equipment	Requirements are specified in Perkins		<i>Do not grant</i>

					25. Allow a waiver from categorical funding so that the amount funded is in a lump sum to be utilized as best meets the needs of the school	Specified in state legislation	<i>Do not grant</i>	
6	840	Stanly	Stanly Early College		<b>1. Allow requirements of School Calendar statute to be waived (calendar waiver)</b>	<b>To allow the school to align its calendar with the university/community college</b>	<i>Grant</i>	
					2. Hold harmless from negative impact on current transportation efficiency formulas for providing transportation to students to the new early college high school.	See previous rationale for same exemption	<i>No action required</i>	
					3. Permit the Early College High School to “blend” high school and community college courses.	See previous rationale for same exemption	<i>Grant</i>	
					4. Allow ECHS students to substitute college health and physical education classes to meet the high school graduation requirement.	See previous rationale for same exemption	<i>Grant</i>	
					5. Allow full-time students who are enrolled in one high school course to enroll in more than one community college course for which they are eligible.	See previous rationale for same exemption	<i>Grant</i>	
					6. Allow the community college to develop a course needed by students in the program (and open to other non-high school students) even though course was available from at least one high school in the district.	See previous rationale for same exemption	<i>Grant</i>	
					7. Allow credit for English IV and foreign language to be met using college-level English classes.	See previous rationale for same exemption	<i>Grant</i>	
	850	Stokes	Stokes Early College HS	Yes	<b>1. Hold Stokes harmless from negative impact on current transportation efficiency formulas for providing transportation</b>	<b>See previous rationale for same exemption</b>	<i>No action required</i>	

					2. Pending legislative appropriations, schools applying under this act should be exempt from the existing requirements of seven paid staff members and one hundred students to qualify for state support for a principal, paid at level three	See previous rationale for same exemption	<i>Not required</i>	
					3. Schools accepted under this act should be automatically considered for and granted a waiver under the calendar bill regulating the opening and ending dates of the public school instructional calendar (calendar waiver)	See previous rationale for same exemption	<i>Grant</i>	
					4. Allow the NC principal certification requirements to be waived	See previous rationale for same exemption	<i>Grant</i>	
					5. Fund the principal at Stokes College Early College High School using a different formula than the per teacher basis	See previous rationale for same exemption	<i>Grant if local funds are available</i>	
					6. Allow students to count a college health class and a college physical education class for the health and physical education graduation requirement	See previous rationale for same exemption	<i>Grant</i>	
					7. Allow students to count a college class for core graduation requirements provided they pass the EOC for the course	See previous rationale for same exemption	<i>Grant</i>	
					8. Allow students to enroll in summer community college courses for which they are eligible even if they have not taken the equivalent of one-half of a full-time schedule of high school classes during the preceding year.	See previous rationale for same exemption	<i>Grant if paid for with local funds</i>	
					9. Allow full-time students who are enrolled in one high school course to enroll in more than one	See previous rationale for same exemption	<i>Grant</i>	

					community college course for which they are eligible			
					10. Amend school calendar to facilitate dual enrollment of high school students in courses at the community college or taught by community college faculty	See previous rationale for same exemption	<i>Grant</i>	
					11. Allow the partners to develop curriculum that permits students to meet graduation requirements using college level courses taught by college faculty	See previous rationale for same exemption	<i>Grant</i>	
					12. Allow the partners to restructure courses to increase opportunities for experiential and project-based learning as well as differentiated independent learning.	See previous rationale for same exemption	<i>Grant</i>	
					13. Allow “blended” high school and community college courses.	See previous rationale for same exemption	<i>Grant</i>	
					14. Allow the community college to develop a course needed by students in the program (and open to other, non-high school students) even though such a course was available from at least one high school in the district.	See previous rationale for same exemption	<i>Grant</i>	
					15. Allow students to test out of required high school courses by taking and passing the End-of-Course test at a B level or higher. (Students would still need to complete the required number of graduation credits.)	See previous rationale for same exemption	<i>Grant</i>	
					16. Exempt the courses listed below from high school graduation requirements in favor of required designated college two course sequences which adequately cover and/or surpass the competency	See previous rationale for same exemption	<i>Grant</i>	

					goals of the listed courses: Health & PE Replace w/ HEA 110 and PED 110 English III Replace w/ ENG 111 English IV Replace w/ ENG 112 Spanish I Replace w/ SPA 110 & SPA 111 Spanish II Replace w/ SPA 112 Spanish III Replace w/ SPA 211 Spanish IV Replace w/ SPA 212			
					17. Allow students to enroll in community college courses using assessments that indicate readiness in lieu of required admissions placement testing	See previous rationale for same exemption	<i>Grant</i>	
					18. Allow student to have the college courses ENG 095 and ENG 095A count as a high school elective as long as student has an 80 or higher average upon completion of the courses	See previous rationale for same exemption	<i>Grant</i>	
					19. Allow the school to be exempt from strict instructional hour requirements	See previous rationale for same exemption	<i>Not required</i>	
					20. Allow faculty meeting the community college and SACS certification requirements to teach courses accepted for high school graduation requirements	See previous rationale for same exemption	<i>Not required</i>	
					21. Allow the sites to develop a testing calendar for the administration of state tests that may differ from the usual state timeline	See previous rationale for same exemption	<i>Not required</i>	

					22. Exempt programs from 180 days for the high school Carnegie unit requirement to allow meshing with community college calendar.	See previous rationale for same exemption	<i>Do not grant</i>	
					23. Allow qualified elementary and middle school certified teachers to teach upper level students as needed.	See previous rationale for same exemption	<i>Do not grant</i>	
					24. Hold LEAs harmless in the loss of state paid teaching positions during the first four years of implementation.	See previous rationale for same exemption	<i>Cannot cost state</i>	
					25. Allow vocational funds to be used for other technical education instruction, supplies, materials and equipment.	See previous rationale for same exemption	<i>Do not grant</i>	
					26. Allow a waiver from categorical funding so that the amount funded is in a lump sum to be utilized as best meets the needs of the school.	See previous rationale for same exemption	<i>Do not grant</i>	
					27. Allow Early College High School Students who were home-schooled and/or previously enrolled in charter/private schools to test out of required high school courses by taking and passing the End-of-Course test at a B level or higher. (Students would still need to complete the required number of graduation credits.)	See previous rationale for same exemption	<i>Grant</i>	
					28. Textbook waiver	See previous rationale for same exemption	<i>Not required</i>	
7	970	Wilkes	Wilkes Early College HS	Yes	<b>1. Hold Learn and Earn ECHS harmless from negative impact on current transportation efficiency formulas for providing transportation to students to the new early college high school.</b>	<b>Having ECHS at one central location necessitates transporting students across district lines creating longer, less efficient bus routes and therefore negatively impacting our efficiency rating</b>	<i>Not required</i>	<i>2009-14</i>

					2. Pending legislative appropriations, schools applying under this act should be exempt from the existing requirements of seven paid staff members and one hundred students to qualify for state support for a principal, paid at level three.	Due to the incremental growth of the ECHS model of adding only one class per year for five years, the need for a full staff of seven and a principal is not warranted in the first year	<i>Grant as local funding may allow</i>	
					3. Grant a waiver under the calendar bill regulating the opening and ending dates of the public school instructional calendar (calendar waiver)	A waiver is needed to develop a calendar that is a blend of the public school and college calendars in order for students to take advantage of the college courses available	<i>Grant</i>	
					4. Allow the NC principal certification requirements to be waived	Waiver will allow employment of the person best suited to lead this innovative learning environment	<i>Grant</i>	
					5. Allow the NC counselor certification requirements to be waived	Waiver will allow employment of the person best suited through training/education and personal life experiences to serve as counselor	<i>Do not grant</i>	
					6. Allow students to count a college class for core graduation requirements, provided they successfully complete the course and pass the EOC for the required course	Waiver will allow students to more quickly be involved in the college and offer more challenge to students as they progress through the ECHS. Requiring the EOC assures that high school expectations/exit standards are met	<i>Grant</i>	
					7. Amend school calendar to facilitate dual enrollment of high school students in courses at the community college or taught by community college faculty	A waiver is needed to allow WECHS to operate on a different calendar from other Wilkes County schools so that students can enroll in both high school and college courses	<i>Grant</i>	
					8. Allow the partners to develop curriculum that permits students to meet graduation requirements using college-level courses taught by college faculty	Waiver will allow freedom to collaborate with community college faculty to design appropriate courses for powerful teaching and learning that meet graduation requirements such as thematic integration	<i>Grant</i>	
					9. Allow the partners to restructure courses to increase opportunities for experiential and project-based learning as well as differentiated independent learning	Waiver will allow community college faculty and ECHS faculty to collaborate to develop courses that go beyond lecture and study of the text	<i>Grant</i>	

					10. Permit the Early College High School to “blend” high school and community college courses	Waiver will allow college faculty and ECHS faculty, after examination of the blueprint and SCOS, to align course content so that both college and high school curriculum requirements are met	<i>Grant</i>	
					11. Allow ECHS students to substitute college classes that are equivalent to high school classes	Waiver will allow flexibility to substitute a college class for a high school class when close examination of the course content yields equivalent goals	<i>Grant</i>	
	990	Yadkin	Yadkin Early College HS	No	<b>1. Allow course replacement for Health and PE to be replaced by community college course</b>	<b>See previous rationale for same exemption</b>	<i>Grant</i>	<b>2009-14</b>
					2. Permit a calendar waiver to accommodate community college calendar	Ensure that schedules are compatible	<i>Grant</i>	
					3. Allow full-time students who are enrolled in one high school course to enroll in more than one community college course for which they are eligible	Allow acceleration	<i>Grant</i>	
8	500	Jackson	Jackson ECHS	No	<b>4. Exempt the courses listed below from high school graduation requirements in favor of required designated college two course sequences which adequately cover and/or surpass the competency goals of the listed courses: Health &amp; PE Replace w/ PED 110 and another PED course, or HEA 110 and PED 110, or PED 110 or HEA 110 and 2 PED credits English III Replace w/ ENG 111 &amp; ENG 131 English IV Replace w/ ENG 113 &amp; ENG 241</b>	<b>See previous rationale for same exemption</b>	<i>Grant</i>	<b>2009-13</b>
					5. Permit the Early College High School to “blend” high school and community college courses	See previous rationale for same exemption	<i>Grant</i>	

					6. Allow students to take college foreign language courses in lieu of high school foreign language to meet graduation requirements	See previous rationale for same exemption	<i>Grant</i>	
					7. Allow high school students to count a college class for core graduation requirements provided they pass the EOC for the course	See previous rationale for same exemption	<i>Grant</i>	
					8. Allow fulltime student who are enrolled in one high school course to enroll in more than one community college course	See previous rationale for same exemption	<i>Grant</i>	
					9. Allow the partners to restructure courses to increase opportunities for experiential and project based learning as well as differentiated independent learning	See previous rationale for same exemption	<i>Grant</i>	
					10. Allow the community college to develop a course needed by students in the program (and open to other, non-high school students) even though such a course was available from at least one high school in the district	See previous rationale for same exemption	<i>Grant</i>	
					11. Allow ECHS student enrollment (with FTE reimbursement) in developmental courses where necessary to establish prerequisite skill levels for required coursework	See previous rationale for same exemption	<i>Grant</i>	
					12. Allow Early College High School students to test out of required high school courses by taking and passing the End-of-Course test at a B level or higher	See previous rationale for same exemption	<i>Grant</i>	
					13. To allow ECHS student to count college courses ENG 095 or RED 111 as a high school elective	See previous rationale for same exemption	<i>Grant</i>	
					14. Allow the school to align its calendar with the college (calendar waiver)	See previous rationale for same exemption	<i>Grant</i>	

					15. Hold harmless from negative impact on current transportation efficiency formulas for providing transportation to students to the new early college high school	See previous rationale for same exemption	<i>No action required</i>	
					16. Permit the Early College High School to “blend” high school and community college courses	See previous rationale for same exemption	<i>Grant</i>	
					17. Allow full-time students who are enrolled in one high school course to enroll in more than one community college course for which they are eligible	See previous rationale for same exemption	<i>Grant</i>	
					18. Allow the community college to develop a course needed by students in the program (and open to other non-high school students) even though course was available from at least one high school in the district	See previous rationale for same exemption	<i>Grant</i>	
	610	Mitchell	Mayland Early College HS	Yes	<b>1. Hold Learn and Earn ECHS harmless from negative impact on current transportation efficiency formulas for providing transportation to students to the Mayland Early College High School for Avery, Mitchell, and Yancey County Schools</b>	<b>See previous rationale for same exemption</b>	<i>Grant</i>	
					2. Pending legislative appropriations, schools applying this act should be exempt from the existing requirements of seven paid state staff members and one hundred students for state support for a principal paid at level three	See previous rationale for same exemption	<i>Not required for first year; do not grant thereafter</i>	
					3. Granted a waiver under the calendar bill regulating the opening and ending dates of the public school instructional calendar	See previous rationale for same exemption	<i>Grant</i>	

					4. Fund the principal using a different formula than the per teacher basis.	See previous rationale for same exemption	<i>Grant</i>	
					5. Allow students to count a college health class and a college physical education class for the health and physical education graduation requirement	See previous rationale for same exemption	<i>Grant</i>	
					6. Allow students to count a college class for core graduation requirements provided they pass the EOC for the course	See previous rationale for same exemption	<i>Grant</i>	
					7. Allow students to enroll in summer community college courses for which they are eligible even if they have not taken the equivalent of on0half or a full time schedule of high school courses during the preceding year	See previous rationale for same exemption	<i>Grant</i>	
					8. Allow full-time students who are enrolled in one high school course to enroll in more than one community college course for which they are eligible	See previous rationale for same exemption	<i>Grant</i>	
					9. Amend school calendar to facilitate dual enrollment of high school students at the community college or taught by community college faculty	See previous rationale for same exemption	<i>Grant</i>	
					10. Allow the partners to develop curriculum that permits students to meet graduation requirements using college-level courses taught by college faculty	See previous rationale for same exemption	<i>Grant</i>	
					11. Allow the partners to restructure courses to increase opportunities for experimental and project-based learning as well as differentiated independent learning	See previous rationale for same exemption	<i>Grant</i>	

					12. Permit the school to combine high school and community college courses	See previous rationale for same exemption	<i>Grant</i>	
					13. Allow students to test out of required high school courses by taking and passing the EOC test and at a B level or higher	See previous rationale for same exemption	<i>Grant</i>	
					14. Exempt courses listed below from high school graduation requirements in favor of required designated courses on a case by case basis: Healthful Living English III English IV Spanish I Spanish II	See previous rationale for same exemption	<i>Grant</i>	

**PART 9.**  
**COOPERATIVE INNOVATIVE HIGH SCHOOL PROGRAMS.**

**§ 115C-238.50. Purpose.**

(a) The purpose of this Part is to authorize local boards of education to jointly establish with one or more boards of trustees cooperative innovative programs in high schools and colleges or universities that will expand students' opportunities for educational 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 school before attaining a high school diploma; or

(2) High school students who would benefit from accelerated academic instruction.

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

(1) Prepare students adequately for future learning in the workforce or in an institution of higher education.

(2) Expand students' educational opportunities within the public school system.

(3) Be centered on the core academic standards represented by the college preparatory or tech prep program of study as defined by the State Board of Education.

(4) Encourage the cooperative or shared use of resources, personnel, and facilities between public schools and colleges or universities, or both.

(5) Integrate and emphasize both academic and technical skills necessary for students to be successful in a more demanding and changing workplace.

(6) Emphasize parental involvement and provide consistent counseling, advising, and parent conferencing so that parents and students can make responsible decisions regarding course taking and can track the students' academic progress and success.

(7) Be held accountable for meeting measurable student achievement results.

(8) Encourage the use of different and innovative teaching methods.

(9) Establish joint institutional responsibility and accountability for support of students and their success.

(10) Effectively utilize existing funding sources for high school, college, university, and vocational programs and actively pursue new funding from other sources.

(11) Develop methods for early identification of potential participating students in the middle grades and through high school.

(12) Reduce the percentage of students needing remedial courses upon their initial entry from high school into a college or university.

(c) Programs developed under this Part that target students who are at risk of dropping out of high school before attaining a high school diploma shall:

(1) Provide these students with the opportunity to graduate from high school possessing the core academic skills needed for postsecondary education and high-skilled employment.

(2) Enable students to complete a technical or academic program in a field that is in high demand and has high wages.

(3) Set and achieve goals that significantly reduce dropout rates and raise high school and college retention, certification, and degree completion rates.

(4) Enable students who complete these programs to pass employer exams, if applicable.

(d) Cooperative innovative high school programs that offer accelerated learning programs shall:

(1) Provide a flexible, customized program of instruction for students who would benefit from accelerated, higher level coursework or early graduation from high school.

(2) Enable students to obtain a high school diploma in less than four years, to begin or complete an associate degree program, to master a certificate or vocational program, or to earn up to two years of college credit.

(3) Offer a college preparatory academic core and in-depth studies in a career or technical field that will lead to advanced programs or employment opportunities in engineering, health sciences, or teaching.

(e) Cooperative innovative high school programs may include the creation of a school within a school, a technical high school, or a high school or technical center located on the campus of a college or university.

(f) Students are eligible to attend these programs as early as ninth grade.

(2003-277, s. 2; 2005-276, s. 7.33(a).)

**Cross References.** - As to First in America Innovative Education Initiatives Act, see G.S. 116C-4.

**Learn and Earn High Schools.** - Session Laws 2007-323, s. 7.19(a)-(i), provide as follows: "(a) Funds are appropriated in this act for the Learn and Earn high school workforce development program. The purpose of the program is to create rigorous and relevant high school options that provide students with the opportunity and assistance to earn an associate degree or two years of college credit by the conclusion of the year after their senior year in high school. The State Board of Education shall work closely with the Education Cabinet and the New Schools Project in administering the program.

"(b) These funds shall be used to establish new high schools in which a local school administrative unit, two- and four-year colleges and universities, and local employers work together to ensure that high school and postsecondary college curricula operate seamlessly and meet the needs of participating employers.

"Funds shall not be allotted until Learn and Earn high schools are certified as operational.

"(c) During the first year of its operation, a high school established under G.S. 115C-238.50 shall be allotted a principal regardless of the number of State-paid teachers assigned to the school or the number of students enrolled in the school. The budget flexibility authorized by G.S. 115C-105.25 does not apply to these positions.

"(d) The State Board of Education, in consultation with the State Board of Community Colleges and The University of North Carolina Board of Governors, shall conduct an annual evaluation of this program. The evaluation shall include measures as identified in G.S. 115C-238.55. It shall also include: (i) an accounting of how funds and personnel resources were utilized and their impact on student achievement, retention, and employability; (ii) recommended statutory and policy changes; and (iii) recommendations for improvement of the program. The State Board of Education shall report the results of this evaluation to the Office of State Budget and Management, the Joint Legislative Education Oversight Committee, and the Fiscal Research Division by January 15 of each fiscal year.

"(e) Enrollment fees and tuition for The University of North Carolina courses in which Learn and Earn students are enrolled are allowable uses of these funds. Tuition costs may include laboratory fees assessed to all students enrolled in the course or a similar course.

"(f) Textbooks required for college courses in which Learn and Earn students are enrolled may be purchased with these funds.

"(g) Payment of fees from these funds by local school administrative units to partnering community colleges and universities are restricted to technology or course fees. Funds appropriated in this act shall not be used to support the cost of athletic or other student activity or campus fees not required by enrollment in a specific course.

"(h) The State Board of Education shall allot funds for university enrollment, tuition and fees, and textbooks on the basis of and after verification of the credit hour enrollment of Learn and Earn students in university courses. The State Board of Education shall allot funds for community college fees and textbooks on the basis of and after verification of the credit hour enrollment of Learn and Earn students in community college courses.

"(i) Of the funds appropriated to the State Public School Fund for the 2007-2008 fiscal year, the State Board of Education may use up to eight hundred fifty thousand dollars (\$850,000) to establish additional

Learn and Earn high schools that become certified as operational."

For similar prior provisions, see 2005-276, s. 7.32, as amended by 2005-345, s. 6(a) and by 2006-66, s. 7.11.

**Learn and Earn Online.** - Session Laws 2007-323, s. 7.27(a)-(i), provides: "(a) Funds are appropriated in this act for the Learn and Earn Online program. This program will allow high school students to enroll in college courses to qualify for college credit. Online courses will be made available to students through The University of North Carolina and the North Carolina Community College System.

"(b) Funds shall be used for course tuition and only those technology and course fees and textbooks required for course participation. Funds shall also support a liaison position to be housed at the Department of Public Instruction to coordinate with The University of North Carolina and the North Carolina Community College System, and to communicate course availability and related information to high school administrators, teachers, and counselors.

"(c) The State Board of Education shall determine the allocation of Learn and Earn Online course offerings across the State.

"(d) The State Board of Education shall allot funds for tuition, fees, and textbooks on the basis of, and after verification of, the credit hour enrollment of high school students in Learn and Earn Online courses. Community college student enrollments in Learn and Earn Online shall not be considered as a regular budget full-time equivalent (FTE) in the curriculum enrollment formula, but shall be accounted for separately and funds shall be allotted as a special allotment.

"(e) The University of North Carolina program shall report to The University of North Carolina Board of Governors, and the North Carolina Community College program shall report to the North Carolina Community College Board of Trustees. The Department of Public Instruction shall report to the State Board of Education.

"(f) Both The University of North Carolina and the North Carolina Community College System shall provide oversight and coordination, including coordination with the Department of Public Instruction and with the North Carolina Virtual Public School (NCVPS) to avoid course duplication.

"(g) Course quality and rigor standards shall be established, and each program shall conduct course evaluations to ensure that the online courses made available to students meet the established standards.

"(h) The State Board of Education, The University of North Carolina, and the North Carolina Community College System shall report to the Joint Legislative Education Oversight Committee, the Office of State Budget and Management, and the Fiscal Research Division no later than April 15, 2008, on the implementation of the program for the 2007-2008 school year and the proposed operating plan for the 2008-2009 school year. The report shall include the number of students enrolled in courses under the Learn and Earn Online program and the number of students who completed courses during the fall semester of the 2007-2008 school year.

"(i) Local school administrative units may purchase textbooks for Learn and Earn Online courses through the Department of Public Instruction's textbook warehouse in the same manner as textbooks that have been adopted for public school students by the State Board of Education."

**Cooperative Innovative High School Programs.** - Session Laws 2005-276, s. 7.33(b), provides: "It is the intent of the General Assembly that three cooperative innovative high school programs are established that emphasize the educational development of high school students in the areas of science

and mathematics in a nonresidential setting. One of these programs shall be located in the eastern region of the State, one shall be located in the central region of the State, and one shall be located in the western region of the State. The State Board of Education shall begin planning for the design and implementation of these programs and shall report their plan to the Joint Legislative Education Oversight Committee and the Fiscal Research Division of the General Assembly by March 15, 2006.

"The plan shall include, but not be limited to, the following aspects of the proposed programs:

"(1) Programmatic design including location, curriculum, student access, and calendar.

"(2) Projected costs of operation, including instructional, administrative, transportation, capital, and other costs.

"(3) Any plans for coordination with institutes of higher education.

"(4) Proposed implementation schedule."