

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023**

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HOUSE BILL 729

Short Title: Add Segregation Score to School Report Cards. (Public)

Sponsors: Representatives Brockman, Ball, Clemmons, and Buansi (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Rules, Calendar, and Operations of the House

April 19, 2023

A BILL TO BE ENTITLED
AN ACT TO INCORPORATE MEASURES OF PROPORTIONALITY AND EQUALITY
INTO STATE ACCOUNTABILITY MODELS.

Whereas, the Supreme Court has ruled that segregation of children in public schools solely on the basis of race deprives the children of the minority group of equal educational opportunities; and

Whereas, decades of research have found that racial and socioeconomic integration of schools benefits all students; and

Whereas, the Elementary and Secondary Education Act of 1965, 20 U.S.C. § 6301, et seq., as amended, requires state accountability systems to include an indicator of school quality or student success that meaningfully differentiates among schools and is valid, reliable, and comparable statewide; Now, therefore,

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-83.15 reads as rewritten:

"§ 115C-83.15. School achievement, growth, performance scores, and grades.

(a) School Scores and Grades – The State Board of Education shall award (i) school achievement, growth, and performance scores and an associated performance grade and (ii) racial and ethnic proportionality scores and a proportionality designation as required by G.S. 115C-12(9)c1., and calculated as provided in this section.

...

(d4) Racial and Ethnic Proportionality Score and Designation. – For each school, the State Board of Education shall calculate a proportionality score and assign a proportionality designation that compares the demographic profile of the school to the demographic profile of the county in which the school is located. In determining the proportionality score and designation, the following apply:

(1) Calculation of school proportionality score. – The State Board shall calculate the proportionality score for each school as follows:

- a. Multiply the percentage of each racial or ethnic subgroup identified pursuant to subsection (d1) of this section by the total population of the school.
- b. Subtract the population of each subgroup from the value determined under sub-subdivision a. of this subdivision for each racial or ethnic group identified pursuant to subsection (d1) of this section.
- c. Convert each number calculated under sub-subdivisions a. and b. of this subdivision to an absolute value.



- 1 d. Sum the values calculated for every identified subgroup to determine
 2 the sum total value.
 3 e. Divide the sum total value by an amount equal to the total number of
 4 students in the school multiplied by two.
 5 (2) School proportionality designation. – The State Board shall assign each school
 6 a proportionality designation as follows:
 7 a. Highly Proportional, if their proportionality score is less than ten
 8 percent (10%).
 9 b. Proportional, if their proportionality score is between ten percent
 10 (10%) and less than twenty-five percent (25%).
 11 c. Somewhat Disproportional, if their proportionality score is between
 12 twenty-five percent (25%) and less than fifty percent (50%).
 13 d. Highly Disproportional, if their proportionality score is fifty percent
 14 (50%) or above.
 15 (d5) Measures of Equality of Access. – For each school that serves the minimum number
 16 of students in subgroups identified under subsection (d1) of this section, the State Board of
 17 Education shall calculate measures of equality of access that demonstrate the extent to which
 18 each school's population of each subgroup has access to school resources associated with high
 19 educational achievement. In calculating measures of equality of access, the following applies:
 20 (1) For racial and ethnic subgroups and economically disadvantaged subgroups
 21 within a school, as identified in subsection (d1) of this section, the State Board
 22 shall calculate each subgroup's participation in or exposure to each of the
 23 following:
 24 a. Gifted and talented programs or advanced courses.
 25 b. Teachers with at least three years of experience.
 26 c. Teachers with certification from the National Board for Professional
 27 Teaching Standards.
 28 (2) For racial and ethnic subgroups and economically disadvantaged subgroups
 29 within a local school administrative unit, as identified in subsection (d1) of
 30 this section, the State Board shall calculate the school and subgroup's average
 31 of each of the following:
 32 a. Number of field trips.
 33 b. Hours of instruction in arts or music.
 34 c. School-level ratio of students to psychologists.
 35 d. School-level ratio of students to guidance counselors.
 36 e. School-level ratio of students to nurses.
 37 f. School-level ratio of students to media specialists.
 38 (d6) Reporting. – The data calculated in subsections (d4) and (d5) of this section shall be
 39 reported separately on the annual school report card in a way that allows for easy comparison of
 40 school-level and local school administrative unit-level data. The school report card shall also
 41 indicate any measures taken by the school or local school administrative unit to make progress
 42 toward reducing school segregation and providing students with equality of access to school
 43 resources associated with high educational achievement.

44 "

45 **SECTION 2.** There is appropriated from the General Fund to the Department of
 46 Public Instruction the sum of two hundred fifty thousand dollars (\$250,000) in nonrecurring
 47 funds for each year of the 2023-2025 fiscal biennium to adhere to the requirements of this act.

48 **SECTION 3.(a)** G.S. 115C-12(9)c1. reads as rewritten:

- 49 "c1. To issue an annual "report card" for the State and for each local school
 50 administrative unit, assessing each unit's efforts to improve student
 51 performance based on the growth in performance of the students in

1 each school and taking into account progress over the previous years'
 2 level of performance and the State's performance in comparison with
 3 other states. This assessment shall take into account factors that have
 4 been shown to affect student performance and that the State Board
 5 considers relevant to assess the State's efforts to improve student
 6 performance. The annual "report card" for each local school
 7 administrative unit shall include the following:

8 1. The State Board shall award, in accordance with
 9 G.S. 115C-83.15, an overall numerical school achievement,
 10 growth, and performance score on a scale of zero to 100 and a
 11 corresponding performance letter grade of A, B, C, D, or F
 12 earned by each school within the local school administrative
 13 unit. The school performance score and grade shall reflect
 14 student performance on annual subject-specific assessments,
 15 college and workplace readiness measures, graduation rates,
 16 and student progress in achieving English language
 17 proficiency. In addition, the State Board shall award separate
 18 performance scores and grades for the following:

19 I. School performance of certain subgroups of students as
 20 provided in G.S. 115C-83.15.

21 II. For schools serving students in any grade from
 22 kindergarten to eighth grade, school performance in
 23 reading and mathematics respectively.

24 1a. The State Board shall award, in accordance with
 25 G.S. 115C-83.15(d4) and (d5), a racial and ethnic
 26 proportionality score and designation and shall indicate
 27 measures of equality of access.

28"

29 **SECTION 3.(b)** G.S. 115C-12(18)f. reads as rewritten:

30 "f. The State Board of Education shall develop a process for local school
 31 administrative units to annually identify enrolled military-connected
 32 students using the Uniform Education Reporting System. The
 33 identification of military-connected students shall not be used for the
 34 purposes of determining ~~school achievement, growth, and~~
 35 ~~performance scores as the annual "report card" scores~~ required by
 36 G.S. 115C-12(9)c1. The identification of military-connected students
 37 is not a public record within the meaning of G.S. 132-1 and shall not
 38 be made public by any person, except as permitted under the
 39 provisions of the Family Educational and Privacy Rights Act of 1974,
 40 20 U.S.C. § 1232g. For purposes of this section, a "military-connected
 41 student" means a student enrolled in a local school administrative unit
 42 who has a parent, step-parent, sibling, or any other person who resides
 43 in the same household serving in the active or reserve components of
 44 the Army, Navy, Air Force, Marine Corps, Coast Guard, or National
 45 Guard. Beginning in the 2016-2017 school year, and annually
 46 thereafter, the identification of military-connected students for all
 47 local school administrative units shall be completed by January 31 of
 48 each school year."

49 **SECTION 3.(c)** G.S. 115C-83.17 reads as rewritten:

50 **"§ 115C-83.17. Definitions.**

51 The following definitions apply in this Part:

- 1 (1) Achievement score. – A numerical score on a scale of zero to 100 that is based
2 on the sum of points earned by a school or by a subgroup of students pursuant
3 to G.S. 115C-83.15.
- 4 (2) Growth score. – A numerical score measuring student growth calculated for a
5 school or for a subgroup of students pursuant to G.S. 115C-83.15.
- 6 (3) Overall school performance grade. – The letter grade earned by a school for
7 all students served by a school pursuant to G.S. 115C-83.15(d).
- 8 (4) Overall school performance score. – The numerical score earned by a school
9 that is calculated by adding the school achievement score and the school
10 growth score earned by a school pursuant to G.S. 115C-83.15(d).
- 11 (4a) Proportionality designation. – The designation given to a school pursuant to
12 G.S. 115C-83.15(d4).
- 13 (4b) Racial and ethnic proportionality score. – The numerical score determined
14 pursuant to G.S. 115C-83.15(d4).
- 15 (5) Subgroup performance grade. – The letter grade earned by a school for a
16 subgroup of students served by the school pursuant to G.S. 115C-83.15(d2).
- 17 (6) Subgroup performance score. – The numerical score earned by a school that
18 is calculated by adding the subgroup achievement score and the subgroup
19 growth score earned by a school pursuant to G.S. 115C-83.15(d2)."

20 **SECTION 4.** This act becomes effective July 1, 2023, and applies beginning with
21 reports based on data from the 2023-2024 school year.