

§ 115C-105.37A. Continually low-performing schools; definition; assistance and intervention; reassignment of students.

(a) **Definition of Continually Low-Performing Schools.** – A continually low-performing school is a school that has received State-mandated assistance and has been designated by the State Board as low performing for at least two of three consecutive years. If the State Board identifies a school as continually low performing:

- (1) The school improvement team at that school shall review its school improvement plan to ensure consistency with the plan adopted pursuant to G.S. 115C-105.38(b)(3), and
- (2) The plan must be reviewed and approved by the State Board of Education.

(b) **Assistance to Schools That Are Low Performing for Two Years.** – If a school that has received State-mandated assistance is designated by the State Board as low performing for two consecutive years or for two of three consecutive years, the State Board shall provide a series of progressive assistance and intervention strategies to that school. These strategies shall be designed to improve student achievement and to maintain student achievement at appropriate levels and may include, to the extent that funds are available for this purpose, assistance such as reductions in class size, extension of teacher and assistant principal contracts, extension of the instructional year, and grant-based assistance.

(c) **Intervention in Schools That Are Low Performing for Three or More Years.** – The State Board of Education shall develop and implement a series of actions for providing assistance and intervention to schools that have previously received State-mandated assistance and have been designated by the State Board as low performing for three or more consecutive years or for at least three out of four years. These actions shall be the least intrusive actions that are consistent with the need to improve student achievement at each such school and shall be adapted to the unique characteristics of each such school and the effectiveness of other actions developed or implemented to improve student achievement at each such school.

(d) **(Repealed effective June 30, 2023)** The State Board of Education shall report annually to the Superintendent of the North Carolina Innovative School District on any schools identified under this section as qualifying schools as defined in G.S. 115C-75.5 for consideration to be selected as innovative schools in accordance with Article 7A of this Chapter. (2001-424, s. 29.3; 2009-223, s. 3; 2011-145, s. 7.13(n); 2011-391, s. 14(b); 2016-110, s. 2; 2017-57, s. 7.26E(b), (f); 2018-145, s. 27(b); 2021-180, s. 7.14(i).)