

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 24

Short Title: Refocus Sch. Testing on Basics.

(Public)

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Sponsors: Senators Lucas; Perdue, Albertson, Edwards, Warren, Parnell, Dannelly, Hoyle, Kerr, Martin of Guilford, Odom, Rand, Gulley, and Plyler.

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Referred to: Education/Higher Education.

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January 26, 1995

A BILL TO BE ENTITLED

AN ACT TO REFOCUS THE SCHOOL TESTING PROGRAM ON THE BASICS.

The General Assembly of North Carolina enacts:

Section 1. Part 1 of Article 10A of Chapter 115C of the General Statutes is repealed.

Sec. 2. G.S. 115C-174.10 reads as rewritten:

**"§ 115C-174.10. Purposes of the Statewide Testing Program.**

The three testing programs in this Article have three purposes: (i) to assure that all high school graduates possess those minimum skills and that knowledge thought necessary to function as a member of society; (ii) to provide a means of identifying strengths and weaknesses in the education ~~process;~~ process in order to improve instructional delivery; and (iii) to establish additional means for making the education system at the State, local, and school levels accountable to the public for results."

Sec. 3. G.S. 115C-174.11 reads as rewritten:

**"§ 115C-174.11. Components of the testing program.**

(a) ~~Annual Testing Program.~~ Assessment instruments for first and second grades. – The State Board of Education shall adopt and provide to the local school administrative units developmentally appropriate individualized assessment instruments consistent with the Basic Education Program for the first and second grades, rather than standardized

1 tests. Local school administrative units may use these assessment instruments provided  
2 to them by the State Board for first and second grade students, and shall not use  
3 standardized tests. ~~The State Board of Education shall report to the Joint Legislative~~  
4 ~~Commission on Governmental Operations prior to May 1, 1988, and to the Senate and House~~  
5 ~~Appropriations Committees on Education prior to March 1, 1989, on the assessment instruments~~  
6 ~~it develops.~~

7 ~~If the State Board of Education finds that testing in grades other than the first and~~  
8 ~~second grade is necessary to allow comparisons with national indicators of student~~  
9 ~~achievement, that testing shall be conducted with the smallest size sample of students~~  
10 ~~necessary to assure valid comparisons with other states.~~

11 (b) Competency Testing Program.

12 (1) The State Board of Education shall adopt tests or other measurement  
13 devices which may be used to assure that graduates of the public high  
14 schools and graduates of nonpublic schools supervised by the State  
15 Board of Education pursuant to the provisions of Part 1 of Article 39 of  
16 this Chapter possess the skills and knowledge necessary to function  
17 independently and successfully in assuming the responsibilities of  
18 citizenship.

19 (2) The tests shall be administered annually to all tenth grade students in the  
20 public schools. Students who fail to attain the required minimum  
21 standard for graduation in the tenth grade shall be given remedial  
22 instruction and additional opportunities to take the test up to and  
23 including the last month of the twelfth grade. Students who fail to pass  
24 parts of the test shall be retested on only those parts they fail. Students  
25 in the tenth grade who are enrolled in special education programs or  
26 who have been officially designated as eligible for participation in such  
27 programs may be excluded from the testing programs.

28 (3) The State Board of Education may develop and validate alternate means  
29 and standards for demonstrating minimum competence. These  
30 standards, which must be more difficult than the tests adopted pursuant  
31 to subdivision (1) of this subsection, may be passed by students in lieu  
32 of the testing requirement of subdivision (2) of this subsection.

33 (4) Funds appropriated for the purpose of remediation support for students  
34 who fail the high school competency test shall be distributed in  
35 accordance with rules promulgated by the State Board of Education.  
36 The State Board of Education shall allocate remediation funds to  
37 institutions administered by the Department of Human Resources on the  
38 same basis as funds allocated to other local education agencies.

39 (c) ~~End of course and End of grade Tests.~~ Annual Testing Program.

40 (1) The State Board of Education shall adopt a system of ~~end of course and~~  
41 ~~end of grade tests~~ annual testing for grades three through 12. These tests  
42 shall be designed to measure progress toward reading, communication  
43 skills, and mathematics for grades three through eight, and toward

1           competencies designated by the State Board for grades nine through  
2           twelve. selected competencies, especially core academic competencies,  
3           described in the Standard Course of Study for appropriate grade levels. With  
4           regard to students who are identified as not demonstrating satisfactory  
5           academic progress, end-of-course and end-of-grade test results shall be used  
6           in developing strategies and plans for assisting those students in achieving  
7           satisfactory academic progress.

8           (2) If the State Board of Education finds that additional testing in grades  
9           three through twelve is desirable to allow comparisons with national  
10           indicators of student achievement, that testing shall be conducted with  
11           the smallest size sample of students necessary to assure valid  
12           comparisons with other states."

13           Sec. 4. G.S. 115C-174.12 reads as rewritten:

14           "**§ 115C-174.12. Responsibilities of agencies.**

15           (a) The State Board of Education shall review the ~~recommendations of the~~  
16           ~~Commission on Testing and tests being administered through State and local testing~~  
17           programs and shall select the tests that it believes will are necessary to provide the best  
18           measures of the levels of academic achievement attained by students in various subject  
19           areas. The State Board of Education shall also establish policies and guidelines necessary  
20           for minimizing the time students spend taking tests administered through State and local  
21           testing programs and for otherwise carrying out the provisions of this Article.

22           The State Board of Education may appoint an Advisory Council on Testing to assist  
23           in carrying out its responsibilities under this Article.

24           (b) The Superintendent of Public Instruction shall be responsible, under policies  
25           adopted by the State Board of Education, for the statewide administration of the testing  
26           program provided by this ~~Article and for providing necessary staff services to the Commission.~~  
27           Article.

28           (c) Local boards of education shall cooperate with the State Board of Education in  
29           implementing the provisions of this Article, including the regulations and policies  
30           established by the State Board of Education. Local school administrative units shall use  
31           the annual and competency testing programs to fulfill the purposes set out in this Article.  
32           Local school administrative units are encouraged to continue to develop local testing  
33           programs designed to diagnose student needs further."

34           Sec. 5. G.S. 143A-48 is repealed.

35           Sec. 6. This act is effective upon ratification.