

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 24  
Education/Higher Education Committee Substitute Adopted 4/3/95  
House Committee Substitute Favorable 5/29/95

Short Title: Refocus Sch. Testing on Basics.

(Public)

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Sponsors:

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Referred to:

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 Part 1 of Article 10A of Chapter 115C of the General Statutes is repealed.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

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

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

12 (b) Competency Testing Program.

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

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

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

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

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

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

1 skills, and mathematics for grades three through eight, and toward  
2 competencies designated by the State Board for grades nine through 12.  
3 selected competencies, especially core academic competencies, described in  
4 the Standard Course of Study for appropriate grade levels. With regard to  
5 students who are identified as not demonstrating satisfactory academic  
6 progress, end-of-course and end-of-grade test results shall be used in  
7 developing strategies and plans for assisting those students in achieving  
8 satisfactory academic progress.

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

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

15 "**§ 115C-174.12. Responsibilities of agencies.**

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

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

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

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

35 Sec. 5. Except as provided in G.S. 115C-174.11(c)(2), the State Board of  
36 Education shall adopt no new tests until it receives the report on standards and a system  
37 of assessment, which is due no later than July 1, 1996, from the North Carolina Education  
38 Standards and Accountability Commission. Pending the receipt of this report, the State  
39 Board of Education shall consider reducing the number of tests currently administered by  
40 the State.

41 Sec. 6. The State Board of Education shall examine the testing programs that  
42 have been used in the public schools, determine the strengths and weaknesses of those  
43 programs, and report to the General Assembly prior to September 1, 1996, on its

1 recommendations on how to measure best the academic achievements of public school  
2 students and the effectiveness of public school teachers. In the course of this study, the  
3 State Board may consider issues including the following:

- 4 (1) The best way to measure academic achievement of North Carolina  
5 students and at the same time provide a meaningful comparison with  
6 students in other states;
- 7 (2) Ways to measure the increase in individual student's knowledge or  
8 abilities over the course of an academic year and to compare end-of-  
9 year results with goals for individual students;
- 10 (3) Whether evaluation should concentrate on achievements in the areas of  
11 reading, communication skills, and mathematics; and
- 12 (4) Ways to measure the effectiveness of teachers by focusing on the  
13 academic achievements of the teachers' students.

14 The State Board of Education shall also consider the use of nationally  
15 standardized achievement tests rather than tests created for the North Carolina public  
16 schools. If the State Board determines that tests created for the North Carolina public  
17 schools are preferable, the State Board shall include in its report to the General Assembly  
18 the reasons those tests offer significantly greater benefits in measuring student  
19 performance.

20 The State Board of Education shall also consider ways to decrease the amount  
21 of class and teacher time devoted to testing or practice testing rather than to academic  
22 instruction.

23 Sec. 7. This act is effective upon ratification.