

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE BILL 479
Second Edition Engrossed 4/27/11

Short Title: Testing in the Public Schools. (Public)

Sponsors: Senators Tillman, Preston, Soucek; Blake, Brock, Brown, Daniel, Forrester, Gunn, Hise, Hunt, Jones, Meredith, Pate, Rabon, Rucho, Stein, and Stevens.

Referred to: Education/Higher Education.

April 4, 2011

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR THE ASSESSMENT OF CAREER AND COLLEGE READINESS WITH NATIONALLY AND INTERNATIONALLY BENCHMARKED TESTS; THE CONTINUATION OF NORTH CAROLINA'S PARTICIPATION IN THE DEVELOPMENT AND IMPLEMENTATION OF TESTS RELATED TO COMMON CORE STATE STANDARDS ADOPTED BY A MAJORITY OF STATES; AND DIAGNOSTIC TOOLS TO ASSIST IN TEACHING AND STUDENT LEARNING.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-174.11 reads as rewritten:

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

(a) 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 tests. Local school administrative units may use these assessment instruments provided to them by the State Board for first and second grade students, and shall not use standardized tests except as required as a condition of receiving federal grants.

(b) Repealed by Session Laws 2009-451, s. 7.20(c), effective July 1, 2009.

(c) Annual Testing Program.

(1) The State Board of Education shall adopt the tests for grades three through 12 that are required by federal law or as a condition of a federal grant. These tests shall be designed to measure progress toward reading, communication skills, and mathematics for grades three through eight, and toward competencies for grades nine through 12. Students who do not pass the tests adopted for eighth grade shall be provided remedial instruction in the ninth grade.

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

(3) The State Board of Education shall continue to participate in the development of the Common Core State Standards in conjunction with the consortium of other states, review all national assessments developed by both multistate consortia, and implement the assessments that the State



1 Board deems most appropriate to assess student achievement on the
2 Common Core State Standards.

3 (4) To the extent funds are made available, the State Board shall plan for and
4 require the administration of the ACT test for all students in the eleventh
5 grade unless the student has already taken a comparable test and scored at or
6 above a level set by the State Board.

7 (d) Except as provided in ~~subdivision (2)~~ of subsection (c) of this section, the State
8 Board of Education shall not require the public schools to administer any standardized tests
9 except for those required by federal law or as a condition of a federal grant.

10 The State Board of Education shall adopt and provide to local school administrative units
11 all tests required by federal law or as a condition of a federal grant."

12 **SECTION 2.** Article 10A of Chapter 115C of the General Statutes is amended by
13 adding two new Parts to read:

14 "Part 4. Student Diagnostic Tests.

15 "**§ 115C-174.20. Tools for student learning.**

16 To the extent funds are made available for this purpose, the State Board shall plan for and
17 require the administration of diagnostic tests in the eighth and tenth grades that align to the
18 ACT test in order to help diagnose student learning and provide for students an indication of
19 whether they are on track to be remediation-free at a community college or university.

20 "Part 5. Career Readiness.

21 "**§ 115C-174.25. WorkKeys.**

22 To the extent funds are made available for this purpose, the State Board shall plan for and
23 require local school administrative units to make available the appropriate WorkKeys tests for
24 all students who complete the second level of vocational/career courses."

25 **SECTION 3.** This act becomes effective July 1, 2011, and applies beginning with
26 the 2011-2012 school year.