

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 19

Education/Higher Education Committee Substitute Adopted 4/24/97

Short Title: No Social Promotions Permitted.

(Public)

Sponsors:

Referred to:

February 3, 1997

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE THAT STUDENTS MASTER THE BASICS AT ONE GRADE
3 LEVEL BEFORE THEY ARE PROMOTED TO THE NEXT GRADE LEVEL.
Whereas, some students in North Carolina receive social promotions; that is, they are promoted to the next grade level before they master the basics at their grade level; and
Whereas, a student who has not mastered the basics at one grade level is unlikely to succeed at the next grade level; and
Whereas, it is imperative that the promotion standards we set for our students are high enough to provide them with the skills and knowledge they need to be successful as citizens and in the workplace; and
Whereas, it is imperative that the promotion standards we set for our students are high enough to ensure that a high school diploma means that a student has the skills and knowledge we should expect of a high school graduate; and
Whereas, it is imperative that every North Carolina school identify students who are lagging behind these high standards and help them meet these standards along with their age-level peers; Now, therefore,
4 The General Assembly of North Carolina enacts:
5 Section 1. G.S. 115C-174.11 reads as rewritten:
6 **"§ 115C-174.11. Components of the testing program.**

1 (a) Assessment Instruments for ~~First-Kindergarten, First, and Second Grades.~~ –
2 The State Board of Education shall adopt and provide to the local school administrative
3 units developmentally appropriate individualized assessment instruments in reading,
4 writing, and mathematics consistent with the Basic Education Program for ~~the~~
5 kindergarten and first and second grades, rather than standardized tests. These
6 instruments shall be used to assist teachers in determining student progress and
7 improving classroom instruction.

8 Local school administrative units ~~may~~ shall use these assessment instruments provided
9 to them by the State Board for kindergarten and first and second grade students, and shall
10 not use standardized tests.

11 (a1) Student Performance Benchmarks for Grades Four and Eight.

12 (1) The State Board of Education shall establish student performance
13 benchmarks in reading, writing, and mathematics for students in grades
14 four and eight. In establishing these benchmarks, the State Board of
15 Education shall take into consideration the grade-level student
16 performance expectations outlined in the ABC's Plan, the standard
17 course of study, the recommendations of the North Carolina Education
18 Standards and Accountability Commission, and the benchmarks
19 established for grades four and eight by the National Assessment of
20 Educational Progress (NAEP). The benchmarks shall include State test
21 scores, a standardized student performance checklist, and other
22 information the State Board of Education deems appropriate.

23 The State Board of Education shall also establish grade-level
24 standards for students in kindergarten through third grade and in fifth
25 grade through seventh grade that can be used to identify students who
26 may not meet the benchmarks.

27 (2) The State Board of Education shall adopt rules and guidelines to ensure
28 that students who do not successfully meet the student performance
29 benchmarks at grades four and eight shall not be promoted. These rules
30 may provide for (i) alternative ways for students to demonstrate that
31 they have met the benchmarks and for (ii) waivers of this requirement
32 for narrowly defined classes of students including children with special
33 needs. Local boards of education shall provide these students with
34 intensive, accelerated instructional support to assist them in meeting the
35 benchmarks for their grade level.

36 (3) The State Board of Education shall also develop rules and guidelines
37 for providing technical assistance to local school administrative units to
38 ensure compliance with this subsection. These rules and guidelines
39 shall:

40 a. Identify for local boards of education the existing State and
41 federal funds they can use to identify students who may not meet
42 the student performance benchmarks and to provide services to
43 students who may not or have not met the benchmarks;

- 1 b. Identify options for incorporating strategies for implementing
2 this subsection into local school improvement plans; and
3 c. Advise local boards of education to commit the resources
4 necessary to comply with this subsection.
- 5 (4) At the beginning of each school year, local boards of education shall
6 notify parents of children in kindergarten through eighth grade of the
7 student performance benchmarks in reading, writing, and mathematics
8 that students are expected to meet that year and must meet in grades
9 four and eight.
- 10 (b) Competency Testing Program.
- 11 (1) The State Board of Education shall adopt tests or other measurement
12 devices which may be used to assure that graduates of the public high
13 schools and graduates of nonpublic schools supervised by the State
14 Board of Education pursuant to the provisions of Part 1 of Article 39 of
15 this Chapter possess the skills and knowledge necessary to function
16 independently and successfully in assuming the responsibilities of
17 citizenship.
- 18 (2) The tests shall be administered annually to all tenth grade students in the
19 public schools. Students who fail to attain the required minimum
20 standard for graduation in the tenth grade shall be given remedial
21 instruction and additional opportunities to take the test up to and
22 including the last month of the twelfth grade. Students who fail to pass
23 parts of the test shall be retested on only those parts they fail. Students
24 in the tenth grade who are enrolled in special education programs or
25 who have been officially designated as eligible for participation in such
26 programs may be excluded from the testing programs.
- 27 (3) The State Board of Education may develop and validate alternate means
28 and standards for demonstrating minimum competence. These
29 standards, which must be more difficult than the tests adopted pursuant
30 to subdivision (1) of this subsection, may be passed by students in lieu
31 of the testing requirement of subdivision (2) of this subsection.
- 32 (4) Repealed by Session Laws 1996, Second Extra Session, c. 18, s. 18.14.
- 33 (c) Annual Testing Program.
- 34 (1) The State Board of Education shall adopt a system of annual testing for
35 grades three through 12. These tests shall be designed to measure
36 progress toward reading, communication skills, and mathematics for
37 grades three through eight, and toward competencies designated by the
38 State Board for grades nine through 12.
- 39 (2) If the State Board of Education finds that additional testing in grades
40 three through 12 is desirable to allow comparisons with national
41 indicators of student achievement, that testing shall be conducted with
42 the smallest size sample of students necessary to assure valid
43 comparisons with other states."

1 Section 2. Prior to June 1, 1998, the State Board of Education shall:

- 2 (1) Establish student performance benchmarks for grades four and eight in
3 accordance with G.S. 115C-174.11(a1), as enacted in Section 1 of this
4 act;
- 5 (2) Conduct research on and develop information on the best methods for
6 providing accelerated learning for students that are at risk of not
7 meeting the fourth and eighth grade benchmarks and provide this
8 information to local school administrative units;
- 9 (3) Identify current resources available and additional resources necessary
10 to implement these best methods;
- 11 (4) Develop a comprehensive plan to assist local school administrative units
12 in providing appropriate educational opportunities for students that are
13 at risk of not meeting the fourth and eighth grade benchmarks; and
- 14 (5) Evaluate the impact of this act on exceptional students and establish
15 guidelines to assist local school administrative units in developing
16 appropriate individualized education programs for exceptional students
17 who are at risk of not meeting the fourth and eighth grade benchmarks.

18 Section 3. The State Board of Education shall report to the Joint Legislative
19 Education Oversight Committee on July 15, 1998, on its progress in implementing this
20 act. The State Board shall report on November 15, 2000, on the impact of this
21 legislation on the public schools and on student achievement.

22 Section 4. The State Board of Education may expend from funds appropriated
23 to add to local school administrative units funds to develop the assessment instruments
24 for kindergarten, first, and second grades.

25 Section 5. This act is effective when it becomes law. Section 1 of this act
26 applies to all school years beginning with the 1999-2000 school year.