

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011

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SENATE BILL 479

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; A PILOT STUDY OF A NEW ASSESSMENT OF U.S. HISTORY BASED ON THE REVISED CURRICULUM AND THAT ASSESSES CRITICAL THINKING AND WRITING SKILLS; 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(b) Repealed by Session Laws 2009-451, s. 7.20(c), effective July 1, 2009.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



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1           both multistate consortia, and implement the assessments that the State  
2           Board deems most appropriate to assess student achievement on the  
3           Common Core State Standards.

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

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

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

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

15                                   "Part 4. Student Diagnostic Tests.

16   "§ 115C-174.20. Tools for student learning.

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

21                                   "Part 5. Career Readiness.

22   "§ 115C-174.25. WorkKeys.

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

26          **SECTION 3.** The State Board of Education shall pilot a United States History  
27   assessment during the 2011-2012 school year that incorporates writing, use of primary  
28   documents, and critical thinking skills. The State Board shall report to the Joint Legislative  
29   Education Oversight Committee by November 15, 2012, with results and recommendations  
30   from the pilot study.

31          **SECTION 4.** This act becomes effective July 1, 2011, and applies beginning with  
32   the 2011-2012 school year.