

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019**

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**SENATE BILL 621  
Education/Higher Education Committee Substitute Adopted 4/17/19  
House Committee Substitute Favorable 6/25/19**

Short Title: Testing Reduction Act of 2019.

(Public)

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Sponsors:

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Referred to:

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April 4, 2019

1 A BILL TO BE ENTITLED  
2 AN ACT TO REDUCE TESTING ADMINISTERED TO STUDENTS IN PUBLIC SCHOOLS.  
3 The General Assembly of North Carolina enacts:  
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5 **PART I. ELIMINATE NC FINAL EXAM**

6 **SECTION 1.(a)** The State Board of Education shall eliminate the use of the NC  
7 Final Exam as part of the statewide testing program to assess teacher performance and  
8 professional growth. The NC Final Exam shall not be administered as part of the statewide testing  
9 program for any other purpose.

10 **SECTION 1.(b)** This section is effective when it becomes law and applies beginning  
11 with the 2019-2020 school year.  
12

13 **PART II. REPLACE EOGS WITH THROUGH-GRADE ASSESSMENT MODEL**  
14 **SIMILAR TO NC CHECK-INS**

15 **SECTION 2.(a)** The State Board of Education shall eliminate the use of  
16 End-of-Grade (EOG) tests for grades three through eight. The State Board shall adopt a policy  
17 to require administration of a through-grade assessment model with three interim assessments  
18 similar to NC Check-Ins in grades three through eight three times per school year as follows: The  
19 first through-grade assessment shall be administered no later than November 15, the second  
20 through-grade assessment shall be administered no later than the end of February, and the third  
21 through-grade assessment shall be administered within the final 10 instructional days of the  
22 school year for year-long courses and within the final five instructional days of the semester for  
23 semester courses. The average of the combined scores earned for at least two of the through-grade  
24 assessments shall constitute the annual assessment for grades three through eight, and all  
25 provisions of Subchapter IV of Chapter 115C of the General Statutes concerning annual  
26 assessments for grades three through eight shall apply to this averaged score.

27 In addition to making any necessary adjustments to currently developed  
28 through-grade assessments, the State Board shall develop through-grade assessments for science  
29 for grade five and grade eight and for reading for grade three. A third grade student who fails to  
30 demonstrate reading proficiency, as demonstrated by the averaged score of the relevant  
31 through-grade assessments for reading, may retake the third through-grade assessment for  
32 reading prior to the end of the school year, and the score of the readministered third through-grade  
33 assessment for reading may be used for the purpose of demonstrating reading proficiency.



1 Policies regarding participation in the NCEXTEND1 alternative assessment may be  
2 applied in the same manner as prior to the enactment of this act, and the State Board of Education  
3 may continue use of the NCEXTEND1 for students with disabilities, as appropriate.

4 The State Board of Education shall review existing testing security policies and shall  
5 revise them as necessary to provide for as secure a testing environment as required by federal  
6 law or as a condition of a federal grant. The State Board shall not require testing security  
7 measures in excess of those required for federal compliance.

8 **SECTION 2.(b)** G.S. 115C-81.36(b) reads as rewritten:

9 "(b) When advanced courses are offered in mathematics, any student scoring at a level  
10 ~~five on the end-of-grade or end-of-course test that denotes superior command of knowledge and~~  
11 ~~skills~~ for the mathematics course in which the student was most recently enrolled shall be  
12 enrolled in the advanced course for the next mathematics course in which the student is enrolled.  
13 A student in seventh grade scoring at a level five on the seventh grade mathematics end-of-grade  
14 ~~test that denotes superior command of knowledge and skills~~ shall be enrolled in a high school  
15 level mathematics course in eighth grade. No student who qualifies under this subsection shall  
16 be removed from the advanced or high school mathematics course in which the student is enrolled  
17 unless a parent or guardian of the student provides written consent for the student to be excluded  
18 or removed from that course."

19 **SECTION 2.(c)** G.S. 115C-105.41(a) reads as rewritten:

20 "(a) In order to implement Part 1A of Article 8 of this Chapter, local school administrative  
21 units shall identify students who are at risk for academic failure and who are not successfully  
22 progressing toward grade promotion and graduation, beginning in kindergarten. Identification  
23 shall occur as early as can reasonably be done and can be based on grades, observations,  
24 diagnostic and formative assessments, State assessments, and other factors, including reading on  
25 grade level, that impact student performance that teachers and administrators consider  
26 appropriate, without having to await the results of ~~end-of-grade or end-of-course State-mandated~~  
27 tests."

28 **SECTION 2.(d)** G.S. 115C-276(q) reads as rewritten:

29 "(q) To Assign School Principals. – Subject to local board policy, the superintendent shall  
30 have the authority to assign principals to school buildings. When making an assignment, the  
31 superintendent shall consider (i) whether a principal has demonstrated the leadership ability to  
32 increase student achievement at a school where conditions indicated a significant risk of low  
33 student performance; and (ii) how to maintain stability at a school where, during the time the  
34 principal has been at a school, there has been significant improvement on ~~end-of-course or~~  
35 ~~end-of-grade tests and other~~ accountability measures developed by the State Board of Education."

36 **SECTION 2.(e)** This section is effective when it becomes law and applies beginning  
37 with testing administered for the 2022-2023 school year.

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39 **PART III. REPLACE EOCS WITH THE ACT OR OTHER NATIONALLY**  
40 **RECOGNIZED ASSESSMENT OF HIGH SCHOOL ACHIEVEMENT AND COLLEGE**  
41 **READINESS**

42 **SECTION 3.(a)** The State Board of Education shall eliminate use of End-of-Course  
43 (EOC) tests for grades nine through 12. The nationally recognized assessment of high school  
44 achievement and college readiness, or the alternate assessment, administered to all students in  
45 eleventh grade pursuant to G.S. 115C-174.11(c)(4), as amended by subsection (d) of this section,  
46 shall constitute the State-mandated testing in grades nine through 12 required by  
47 G.S. 115C-174.11(c)(1). Policies regarding participation in the NCEXTEND1 alternative  
48 assessment may be applied in the same manner as prior to the enactment of this act, and the State  
49 Board of Education may continue the use of the NCEXTEND1 for students with disabilities, as  
50 appropriate.

51 **SECTION 3.(b)** G.S. 115C-83.15(b)(2) reads as rewritten:

- 1           "(2) For schools serving any students in ninth through twelfth grade, the State  
2 Board shall assign points on the following measures available for that school:  
3           a. One point for each percent of students who score at or above proficient  
4 on ~~either the Algebra I or Integrated Math I end-of-course test or, for~~  
5 ~~students who completed Algebra I or Integrated Math I before ninth~~  
6 ~~grade, another mathematics course with an end-of-course test, the math~~  
7 ~~subtest of a nationally recognized assessment of high school~~  
8 ~~achievement and college readiness.~~  
9           b. One point for each percent of students who score at or above proficient  
10 on ~~the English II end-of-course test, the reading subtest of a nationally~~  
11 ~~recognized assessment of high school achievement and college~~  
12 ~~readiness.~~  
13           c. One point for each percent of students who score at or above proficient  
14 on the ~~Biology end-of-course test, science subtest or the science subject~~  
15 ~~test of a nationally recognized assessment of high school achievement~~  
16 ~~and college readiness.~~  
17           d. One point for each percent of students who complete Algebra II or  
18 Integrated Math III with a passing grade.  
19           e. One point for each percent of students who achieve the minimum score  
20 required for admission into a constituent institution of The University  
21 of North Carolina on a nationally normed test of college readiness.  
22           f. One point for each percent of students enrolled in Career and  
23 Technical Education courses who meet the standard when scoring at  
24 Silver, Gold, or Platinum levels on a nationally normed test of  
25 workplace readiness.  
26           g. One point for each percent of students who graduate within four years  
27 of entering high school.  
28           h. One point for each percent of students who progress in achieving  
29 English language proficiency."

30 **SECTION 3.(c)** G.S. 115C-83.16(a)(2) reads as rewritten:

- 31 "(2) For schools serving any students in ninth through twelfth grade, the State  
32 Board shall define the indicators as follows:  
33           a. Academic indicators. –  
34               1. The academic achievement indicator shall include the  
35 following measures:  
36               I. Proficiency on ~~either the Algebra I or Integrated Math~~  
37 ~~I end-of-course test or, for students who completed~~  
38 ~~Algebra I or Integrated Math I before ninth grade,~~  
39 ~~another mathematics course with an end-of-course~~  
40 ~~test, the math subtest of a nationally recognized~~  
41 ~~assessment of high school achievement and college~~  
42 ~~readiness.~~  
43               II. Proficiency on the ~~English II end-of-course test, reading~~  
44 ~~subtest of a nationally recognized assessment of high~~  
45 ~~school achievement and college readiness.~~  
46               III. The growth score earned by schools.  
47               2. Repealed by Session Laws 2017-206, s. 1(b), effective August  
48 30, 2017, and applicable beginning with the 2017-2018 school  
49 year.

3. The graduation rate indicator shall be the percentage of students who graduate within four years of entering high school.

4. The English language proficiency indicator shall be the percentage of students who progress in achieving English language proficiency.

b. School quality and student success indicator. – The school quality and student success indicator shall be made up of the following measures:

1. Proficiency on the ~~Biology end-of-course test~~science subtest of a nationally recognized assessment of high school achievement and college readiness.

2. The percentage of students who complete Algebra II or Integrated Math III with a passing grade.

3. The percentage of students who achieve the minimum score required for admission into a constituent institution of The University of North Carolina on a nationally normed test of college readiness.

4. The percentage of students enrolled in Career and Technical Education courses who meet the standard when scoring at Silver, Gold, or Platinum levels on a nationally normed test of workplace readiness."

**SECTION 3.(d)** G.S. 115C-174.11(4) reads as rewritten:

"(4) ~~To the extent funds are made available, the~~The State Board of Education shall use a competitive bid process to adopt one nationally norm referenced college admissions test nationally recognized assessment of high school achievement and college readiness to make available to local school administrative units, regional schools, and charter schools to administer to all students in the eleventh grade unless the student has already taken a comparable test and scored at or above a level set by the State Board. ~~students.~~ The State Board of Education shall require the administration of an alternate to the ~~nationally norm referenced college admissions test~~nationally recognized assessment of high school achievement and college readiness or an alternate precursor test to the ~~nationally norm referenced college admissions test~~nationally recognized assessment of high school achievement and college readiness to a student who (i) exhibits severe and pervasive delays in all areas of conceptual, linguistic, and academic development and in adaptive behaviors, including communication, daily living skills, and self care, (ii) is following the extended content standards of the Standard Course of Study as provided in G.S. 115C-81.5, or is following a course of study that, upon completing high school, may not lead to admission into a college level course of study resulting in a college degree, and (iii) has a written parental request for an alternate assessment in accordance with federal law.

~~The State Board of Education shall ensure that parents of students enrolled in all public schools, including charter and regional schools, have the necessary information to make informed decisions regarding participation in the nationally norm referenced college admissions test and precursor test.~~

Alternate assessment results and ~~nationally norm referenced college admissions test assessment~~nationally recognized assessment of high school achievement and college readiness results of students with disabilities shall be included in school accountability reports, including charter and regional schools, provided by the State Board of Education."

1           **SECTION 3.(e)** G.S. 116-11(10a) reads as rewritten:

2           "(10a) The Board of Governors, the State Board of Community Colleges, and the  
3           State Board of Education, in consultation with nonprofit postsecondary  
4           educational institutions shall plan a system to provide an exchange of  
5           information among the public schools and institutions of higher education to  
6           be implemented no later than June 30, 1995. As used in this section,  
7           "institutions of higher education" shall mean (i) public higher education  
8           institutions defined in G.S.116-143.1(a)(3), and (ii) those nonprofit  
9           postsecondary educational institutions as described in G.S. 116-280 that  
10          choose to participate in the information exchange. The information shall  
11          include:

- 12          a.       The number of high school graduates who apply to, are admitted to,  
13          and enroll in institutions of higher education;  
14          b.       College performance of high school graduates for the year  
15          immediately following high school graduation including each  
16          student's: need for remedial coursework at the institution of higher  
17          education that the student attends; performance in standard freshmen  
18          courses; and continued enrollment in a subsequent year in the same or  
19          another institution of higher education in the State;  
20          c.       The progress of students from one institution of higher education to  
21          another; and  
22          d.       Consistent and uniform public school course information including  
23          course code, name, and description.

24          The Department of Public Instruction shall generate and the local school  
25          administrative units shall use standardized transcripts in an automated format  
26          for applicants to higher education institutions. The standardized transcript  
27          shall include grade point average, class rank, ~~end of course test scores, scores~~  
28          from the nationally recognized assessment of high school achievement and  
29          college readiness administered pursuant to G.S. 115C-174.11(c), and uniform  
30          course information including course code, name, units earned toward  
31          graduation, and credits earned for admission from an institution of higher  
32          education. The grade point average and class rank shall be calculated by a  
33          standard method to be devised by the institutions of higher education."

34           **SECTION 3.(f)** Subsections (a) and (d) of this section become effective January 1,  
35          2020, and apply beginning with testing administered for the 2020-2021 school year. Subsections  
36          (b) and (c) of this section become effective January 1, 2021, and apply beginning with school  
37          performance grades issued based on data from the 2020-2021 school year. Subsection (e) of this  
38          section becomes effective July 1, 2020, and applies beginning with students entering their junior  
39          year in the 2020-2021 school year.

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41           **PART IV. PLAN TO REDUCE STANDARDIZED TESTING BY LOCAL SCHOOL**  
42           **ADMINISTRATIVE UNITS**

43           **SECTION 4.(a)** G.S. 115C-174.12 reads as rewritten:

44           "**§ 115C-174.12. Responsibilities of agencies.**

45           ...

46           (d1) In each even-numbered year, each local board of education shall review all local  
47           standardized testing administered to students by the local school administrative unit at the  
48           direction of the local board of education for the prior two school years, in order to determine the  
49           number of tests administered to students and the number of hours required for students to  
50           complete the tests. If the average over the prior two-year period of either (i) the number of tests  
51           administered or (ii) the number of hours required for students to complete the tests exceeds the

1 State average over the prior two-year period, as published pursuant to subsection (e1) of this  
 2 section, the local board of education shall submit to the Department of Public Instruction and the  
 3 State Board of Education, by October 1 of the even-numbered year, a plan to eliminate certain  
 4 local standardized testing in order to ensure that neither the number of tests nor the number of  
 5 hours required for students to complete the tests exceeds the State average. The State Board of  
 6 Education shall waive the requirement that a local board develop and submit a plan if the State  
 7 Board finds that the local board has made significant progress toward reducing local testing to  
 8 the State average.

9 (e) By November 1 of each year, the State Board of Education shall submit a report to  
 10 the Joint Legislative Education Oversight Committee containing information regarding the  
 11 statewide administration of the testing program, including the number and type of tests and the  
 12 testing schedule, and a summary of any local testing programs reported by local boards of  
 13 education to the State Board of Education in accordance with subsection (d) of this section. The  
 14 report shall also include a summary of any local plans provided to the State Board in accordance  
 15 with subsection (d1) of this section.

16 (e1) By September 1 of each year, the Superintendent of Public Instruction shall publish  
 17 on the Web site of the Department of Public Instruction a the following:

- 18 (1) A uniform calendar that includes schedules for State-required testing and  
 19 reporting results of tests for at least the next two school years, including  
 20 estimates of the average time for administering State-required standardized  
 21 tests. The uniform calendar shall be provided to local boards of education in  
 22 an electronic format that allows each local board of education to populate the  
 23 calendar with, at a minimum, the information required by subsection (d) of  
 24 this section. The uniform calendar shall be searchable by local school  
 25 administrative unit and denote whether a test on the calendar is required by  
 26 the State or required by a local board of education.
- 27 (2) For the local standardized testing information populated by local boards of  
 28 education under subdivision (1) of this subsection, a summary of the nature  
 29 and extent of the local testing, including the average over the prior two-year  
 30 period of (i) the number of tests administered and (ii) the number of hours  
 31 required for students to complete the tests."

32 **SECTION 4.(b)** This section applies beginning with reports issued in 2020 based on  
 33 data from the 2019-2020 school year.

## 35 **PART V. PROHIBIT GRADUATION PROJECTS AS A CONDITION OF** 36 **GRADUATION**

37 **SECTION 5.(a)** G.S. 115C-12(9d) reads as rewritten:

38 "(9d) Power to Develop Exit Standards and Graduation Requirements. –

39 ...

40 b. The following restrictions apply to the Board regarding Algebra I and  
 41 high school graduation projects:

42 ...

43 2. The Board shall not require any student to prepare a high  
 44 school graduation project as a condition of graduation from  
 45 high school; ~~local boards of education may, however, require~~  
 46 ~~their students to complete a high school graduation~~  
 47 ~~project.school."~~

48 **SECTION 5.(b)** G.S. 115C-47 is amended by adding a new subdivision to read:

49 "(54a) To ensure that graduation is not conditioned on a graduation project. – A  
 50 student shall not be required to complete a high school graduation project as

1                                    a condition of graduation from high school. Requirements for graduation shall  
2                                    be connected only to the completion of required courses."

3                                    **SECTION 5.(c)** This section is effective when it becomes law and applies beginning  
4 with the 2019-2020 school year.

5  
6                                    **PART VI. EXAMINATION OF THIRD GRADE ENGLISH LANGUAGE ARTS**  
7                                    **ASSESSMENTS TO BETTER MEET GOALS OF READ TO ACHIEVE**

8                                    **SECTION 6.** The Department of Public Instruction shall examine the End-of-Grade  
9 English Language Arts assessment administered in third grade as compared to the Read to  
10 Achieve alternative assessment in order to determine whether the End-of-Grade English  
11 Language Arts assessment should be modified to better meet the goals of Read to Achieve,  
12 pursuant to Part 1A of Article 8 of Chapter 115C of the General Statutes. Based on its  
13 examination, the Department shall develop any modifications needed. No later than March 15,  
14 2020, the Department shall report to the Joint Legislative Education Oversight Committee on the  
15 results of its examination and any modifications developed.

16  
17                                    **PART VII. EFFECTIVE DATE**

18                                    **SECTION 7.** Except as otherwise provided, this act is effective when it becomes  
19 law.