

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003**

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**SENATE BILL 699**

Short Title: Eliminate High School Exit Exam. (Public)

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Sponsors: Senators Metcalf; Apodaca, Carpenter, Dannelly, Garwood, Holloman, Kinnaird, Lucas, and Tillman.

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Referred to: Education/Higher Education.

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April 2, 2003

A BILL TO BE ENTITLED

AN ACT TO ELIMINATE THE HIGH SCHOOL EXIT EXAM AND RESTRICT THE STATE BOARD OF EDUCATION FROM DEVELOPING ANY FURTHER STANDARDIZED TESTS THAT ARE NOT REQUIRED TO FULFILL THE NO CHILD LEFT BEHIND ACT OF 2001 OR OTHER FEDERAL LAW.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 115C-12(9a) and G.S. 115C-12(9b) read as rewritten:

**"§ 115C-12. Powers and duties of the Board generally.**

The general supervision and administration of the free public school system shall be vested in the State Board of Education. The State Board of Education shall establish policy for the system of free public schools, subject to laws enacted by the General Assembly. The powers and duties of the State Board of Education are defined as follows:

...

(9a) Power to Develop Content Standards. – The Board shall develop a comprehensive plan to revise content standards and the standard course of study in the core academic areas of reading, writing, mathematics, science, history, geography, and civics. The Board shall involve and survey a representative sample of parents, teachers, and the public to help determine academic content standard priorities and usefulness of the content standards. A full review of available and relevant academic content standards that are rigorous, specific, sequenced, clear, focused, and measurable, whenever possible, shall be a part of the process of the development of content standards. The revised content standards developed in the core academic areas shall (i) reflect high expectations for students and an in-depth mastery of the content; (ii) be clearly grounded in the content of each academic area; (iii) be defined grade-by-grade and course-by-course; (iv) be

1 understandable to parents and teachers; (v) be developed in full  
2 recognition of the time available to teach the core academic areas at  
3 each grade level; and (vi) be measurable, whenever possible, in a  
4 reliable, valid, and efficient manner for accountability purposes.

5 High school course content standards shall include the knowledge  
6 and skills necessary to enter the workforce and also shall be aligned  
7 with the coursework required for admission to the constituent  
8 institutions of The University of North Carolina. The Board shall  
9 develop and implement a plan for end-of-course tests for ~~the minimum~~  
10 ~~courses required for admission to the constituent institutions. those~~  
11 courses identified by the State Board of Education and not inconsistent  
12 with G.S. 115C-174.11(d). All end-of-course tests shall be aligned  
13 with the content standards.

14 The Board also shall develop and implement an ongoing process to  
15 align State programs and support materials with the revised academic  
16 content standards for each core academic area on a regular basis.  
17 Alignment shall include revising textbook criteria, support materials,  
18 State tests, teacher and school administrator preparation, and ongoing  
19 professional development programs to be compatible with content  
20 standards. The Board shall develop and make available to teachers and  
21 parents support materials, including teacher and parent guides, for  
22 academic content standards. The State Board of Education shall work  
23 in collaboration with the Board of Governors of The University of  
24 North Carolina to ensure that teacher and school administrator degree  
25 programs, ongoing professional development and other university  
26 activity in the State's public schools align with the State Board's  
27 priorities.

28 (9b) Power to Develop Exit Exams. – The Board shall develop a plan to  
29 implement ~~high school exit exams,~~ grade-level student proficiency  
30 benchmarks, student proficiency benchmarks for academic courses  
31 ~~required for admission to constituent institutions of The University of~~  
32 ~~North Carolina,~~ designated by the State Board of Education not  
33 inconsistent with G.S. 115C-174.11(d), and student proficiency  
34 benchmarks for the knowledge and skills necessary to enter the  
35 workforce. The State Board may develop student proficiency  
36 benchmarks for other courses offered to secondary school students.  
37 The ~~high school exit exams and~~ student proficiency benchmarks shall  
38 be aligned with G.S. 115C-12(9a) and may contain pertinent  
39 components of the school-based accountability annual performance  
40 goals."

41 **SECTION 2.** G.S. 115C-174.11 reads as rewritten:

42 **"§ 115C-174.11. Components of the testing program.**

43 (a) Assessment Instruments for First and Second Grades. – The State Board of  
44 Education shall adopt and provide to the local school administrative units

1 developmentally appropriate individualized assessment instruments consistent with the  
2 Basic Education Program for the first and second grades, rather than standardized tests.  
3 Local school administrative units may use these assessment instruments provided to  
4 them by the State Board for first and second grade students, and shall not use  
5 standardized tests.

6 (b) Competency Testing Program.

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

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

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

28 (4) Repealed by Session Laws 1996, Second Extra Session, c. 18, s. 18.14.

29 (c) Annual Testing Program.

30 (1) The State Board of Education shall adopt a system of annual testing  
31 for grades three through 12. These tests shall be designed to measure  
32 progress toward reading, communication skills, and mathematics for  
33 grades three through eight, and toward competencies designated by the  
34 State Board for grades nine through 12. Students who do not pass the  
35 tests adopted for eighth grade shall be provided remedial instruction in  
36 the ninth grade. This assistance shall be calculated to prepare the  
37 students to pass the competency test administered under subsection (b)  
38 of this section. ~~Notwithstanding subsection (a) of this section, the State~~  
39 ~~Board shall develop and implement a study allowing selected local~~  
40 ~~school administrative units that volunteer to administer a standardized~~  
41 ~~test in May, 12 months prior to the third grade end-of-grade test, in~~  
42 ~~order to establish a baseline that will be used to measure academic~~  
43 ~~growth at the end of third grade. Initially, the State Board shall select~~  
44 ~~12 volunteer local school administrative units that are diverse in~~

1 ~~geography and size to participate in the study. If the State Board~~  
2 ~~determines that a standardized test administered in May, 12 months~~  
3 ~~prior to the third grade end of grade test, is more reliable than a~~  
4 ~~standardized test administered at the beginning of third grade for the~~  
5 ~~purpose of measuring academic growth, the State Board may change~~  
6 ~~the test date for additional local school units. The State Board shall~~  
7 ~~report the results of the study to the Joint Legislative Education~~  
8 ~~Oversight Committee by October 15, 2000.~~

9 Baseline measurements administered in May, 12 months prior to  
10 the third grade end-of-grade test, are not public records as provided in  
11 Chapter 132 of the General Statutes.

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

17 (d) Limitation on Additional Tests. – The State Board of Education shall not  
18 require any additional standardized tests beyond those that were administered in the  
19 2002-2003 academic year, unless the administration of the tests is required to comply  
20 with the No Child Left Behind Act, Public Law 107-110 (115 U.S. Stat. 1425-2094) or  
21 any other federal law. Nothing in this subsection shall preclude modification of existing  
22 tests or the creation of an end-of-course test for Civics and Economics."

23 **SECTION 3.** This act is effective when it becomes law.