

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

H

3

HOUSE BILL 78  
Committee Substitute Favorable 2/23/21  
Senate Education/Higher Education Committee Substitute Adopted 8/4/21

Short Title: Various Education Changes. (Public)

Sponsors:

Referred to:

February 16, 2021

1 A BILL TO BE ENTITLED  
2 AN ACT TO AUTHORIZE ADDITIONAL NATIONALLY STANDARDIZED TESTS TO  
3 SATISFY NINTH GRADE PRIVATE SCHOOL TESTING REQUIREMENTS AND TO  
4 MAKE CHANGES FOR IN-STATE TUITION FOR VETERANS TO COMPLY WITH  
5 FEDERAL LAW.

6 The General Assembly of North Carolina enacts:

7  
8 **PART I. PRIVATE SCHOOL STANDARDIZED TESTING REQUIREMENTS**

9 **SECTION 1.(a)** G.S. 115C-549 reads as rewritten:

10 "**§ 115C-549. Standardized testing requirements.**

11 (a) Each private church school or school of religious charter shall administer, at least  
12 once in each school year, a nationally standardized test or other nationally standardized  
13 equivalent measurement selected by the chief administrative officer of such school, to all students  
14 enrolled or regularly attending grades three, six and ~~nine-nine~~, as follows:

15 (1) ~~The~~ For grades three and six, the nationally standardized test or other  
16 equivalent measurement selected must measure achievement in the areas of  
17 English grammar, reading, spelling and mathematics.

18 (2) For grade nine, the nationally standardized test or other equivalent  
19 measurement selected must measure either of the following:

20 a. Achievement in the areas of English grammar, reading, spelling, and  
21 mathematics.

22 b. Competencies in the verbal and quantitative areas.

23 (b) Each school shall make and maintain records of the results achieved by its students.  
24 For one year after the testing, all records shall be made available, subject to G.S. 115C-174.13,  
25 at the principal office of such school, at all reasonable times, for annual inspection by a duly  
26 authorized representative of the State of North Carolina."

27 **SECTION 1.(b)** G.S. 115C-557 reads as rewritten:

28 "**§ 115C-557. Standardized testing requirements.**

29 (a) Each qualified nonpublic school shall administer, at least once in each school year, a  
30 nationally standardized test or other nationally standardized equivalent measurement selected by  
31 the chief administrative officer of such school, to all students enrolled or regularly attending  
32 grades three, six and ~~nine-nine~~, as follows:

33 (1) ~~The~~ For grades three and six, the nationally standardized test or other  
34 equivalent measurement selected must measure achievement in the areas of  
35 English grammar, reading, spelling and mathematics.



1           (2) For grade nine, the nationally standardized test or other equivalent  
2 measurement selected must measure either of the following:  
3           a. Achievement in the areas of English grammar, reading, spelling, and  
4 mathematics.  
5           b. Competencies in the verbal and quantitative areas.  
6       (b) Each school shall make and maintain records of the results achieved by its students.  
7 For one year after the testing, all records shall be made available, subject to G.S. 115C-174.13,  
8 at the principal office of such school, at all reasonable times, for annual inspection by a duly  
9 authorized representative of the State of North Carolina."

10       **SECTION 1.(c)** G.S. 115C-562.5(a)(4) reads as rewritten:

11       "(4) Administer, at least once in each school year, a nationally standardized test or  
12 other nationally standardized equivalent measurement selected by the chief  
13 administrative officer of the nonpublic school to all eligible students whose  
14 tuition and fees are paid in whole or in part with a scholarship grant enrolled  
15 in grades three and higher. ~~The~~ For grades three through eight, the nationally  
16 standardized test or other equivalent measurement selected must measure  
17 achievement in the areas of English grammar, reading, spelling, and  
18 mathematics. For grades nine through 12, the nationally standardized test or  
19 other equivalent measurement selected must measure either (i) achievement  
20 in the areas of English grammar, reading, spelling, and mathematics or (ii)  
21 competencies in the verbal and quantitative areas. Test performance data shall  
22 be submitted to the Authority by July 15 of each year. Test performance data  
23 reported to the Authority under this subdivision is not a public record under  
24 Chapter 132 of the General Statutes."

25       **SECTION 1.(d)** This section is effective when it becomes law and applies to tests  
26 given beginning with the 2021-2022 school year.

## 27 **PART II. IN-STATE TUITION/VETERANS/FEDERAL LAW COMPLIANCE**

28       **SECTION 2.** G.S. 116-143.3A reads as rewritten:

29       "**§ 116-143.3A. Waiver of 12-month residency requirement for certain veterans and other**  
30 **individuals.**

31       ...  
32       (b) Waiver of 12-month residency requirement for certain veterans and other Certain  
33 Individuals. – Any veteran, dependent of a veteran, or other individual who qualifies for  
34 admission to an institution of higher education as defined in G.S. 116-143.1(a)(3) is eligible to  
35 be charged the in-State tuition rate and applicable mandatory fees for enrollment, to the extent  
36 required by ~~Section 702 of the Veterans Access, Choice, and Accountability Act of 2014, as~~  
37 ~~amended,~~ 38 U.S.C. § 3679, without satisfying the 12-month residency requirement under  
38 G.S. 116-143.1, provided the individual meets all of the following criteria:

39       ...  
40       (d) ~~After the expiration of the three-year period following discharge as described in 38~~  
41 ~~U.S.C. § 3679(e), any enrolled individual who is eligible for in-State tuition under this section~~  
42 ~~shall continue to be eligible for the in-State tuition rate so long as the covered individual remains~~  
43 ~~continuously enrolled (other than during regularly scheduled breaks between courses, quarters,~~  
44 ~~terms, or semesters) at that institution of higher education.~~

45       ...."  
46

## 47 **PART III. EFFECTIVE DATE**

48       **SECTION 3.** Except as otherwise provided, this act is effective when it becomes  
49 law.  
50