

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 486
Committee Substitute Favorable 4/27/21
Third Edition Engrossed 4/28/21

Short Title: Replace EOC with National Assessment.

(Public)

Sponsors:

Referred to:

April 5, 2021

1 A BILL TO BE ENTITLED
2 AN ACT TO USE A NATIONALLY RECOGNIZED ASSESSMENT OF HIGH SCHOOL
3 ACHIEVEMENT AND COLLEGE READINESS TO REPLACE THE END-OF-COURSE
4 TESTS FOR GRADES NINE THROUGH TWELVE AND TO ESTABLISH A NEW
5 CAREER READINESS INDICATOR.

6 The General Assembly of North Carolina enacts:

7
8 **PART I. ELIMINATE EOC FOR GRADES 9-12**

9 **SECTION 1.(a)** The State Board of Education shall eliminate use of end-of-course
10 (EOC) tests for grades nine through 12 beginning with the 2023-2024 school year. The nationally
11 recognized assessment of high school achievement and college readiness administered to all
12 students in eleventh grade pursuant to G.S. 115C-174.11(c)(1a), as enacted by Section 1(d) of
13 this act, shall constitute the testing in grades nine through 12 required by federal law. Policies
14 regarding participation in the NCEXTEND1 alternative assessment may be applied in the same
15 manner as prior to the enactment of this act, and the State Board of Education may continue the
16 use of the NCEXTEND1 for students with significant cognitive disabilities, as appropriate.

17 **SECTION 1.(b)** By October 1, 2021, the State Board of Education shall identify
18 which reading, mathematics, and science content standards adopted pursuant to
19 G.S. 115C-12(9c) are aligned with the following nationally recognized assessments of high
20 school achievement and college readiness: (i) ACT, (ii) SAT, (iii) SAT Subject Test in Biology
21 Ecological, (iv) SAT Subject Test in Biology Molecular, (v) SAT Subject Test in Chemistry, and
22 (vi) SAT Subject Test in Physics.

23 **SECTION 1.(c)** By November 1, 2021, the State Board of Education shall contract
24 with a vendor to evaluate the alignment between the North Carolina content standards identified
25 in subsection (b) of this section and the nationally recognized assessments of high school
26 achievement and college readiness. For the ACT and SAT, the vendor shall evaluate alignment
27 of each assessment with the identified reading, mathematics, and science standards. For the
28 remaining SAT subject tests, the vendor shall evaluate alignment between the identified science
29 standards and each SAT subject test. The State Board of Education shall report the results of the
30 evaluation to the Joint Legislative Education Oversight Committee by April 15, 2022.

31 **SECTION 1.(d)** G.S. 115C-174.11(c) reads as rewritten:

32 "(c) Annual Testing Program. –

- 33 (1) The State Board of Education shall adopt the tests for grades three through ~~12~~
34 eight that are required by federal law or as a condition of a federal grant. These
35 tests shall be designed to measure progress toward reading, communication



1 skills, and mathematics for grades three through eight, and toward
 2 competencies for grades nine through 12. eight. Students who do not pass the
 3 tests adopted for eighth grade shall be provided remedial instruction in the
 4 ninth grade.

5 (1a) The State Board of Education shall use a competitive bid process to adopt one
 6 nationally recognized assessment of high school achievement and college
 7 readiness to make available to public school units to administer to all students
 8 in the eleventh grade. This assessment shall be used to measure progress
 9 toward reading, mathematics, and science competencies in compliance with
 10 federal law. The results of students with disabilities on the nationally
 11 recognized assessment of high school achievement and college readiness shall
 12 be included in the school accountability reports for all public school units
 13 provided by the State Board of Education.

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

18 (3) Repealed by Session Laws 2014-78, s. 3(a), effective July 1, 2014.

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

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

39 ~~Alternate assessment and nationally norm-referenced college admissions~~
 40 ~~test assessment results of students with disabilities shall be included in school~~
 41 ~~accountability reports, including charter and regional schools, provided by the~~
 42 ~~State Board of Education."~~

44 PART II. REPLACE ACT WORKKEYS WITH NEW CAREER READINESS 45 INDICATOR

46 SECTION 2.(a) The State Board of Education shall eliminate required
 47 administration of ACT WorkKeys for career and technical education students.

48 SECTION 2.(b) G.S. 115C-83.15(b)(2)e. reads as rewritten:

49 "e. One point for each percent of students who meet at least one of the
 50 following:

- 1 1. either (i) achieve Achieve the minimum score required for
 2 admission into a constituent institution of The University of
 3 North Carolina on a nationally normed test of college ~~readiness~~
 4 readiness.
- 5 2. or (ii) are Meet all of the following criteria for career readiness:
- 6 I. Are enrolled in Career and Technical Education
 7 courses and score at Silver, Gold, or Platinum levels on
 8 a nationally normed test of workplace
 9 readiness courses.
- 10 II. Earn a credential of value aligned to the pathway.
- 11 III. Complete a work-based learning experience for
 12 academic credit."

13 **SECTION 2.(c)** The State Board of Education shall develop a plan to implement the
 14 new career readiness indicator established by G.S. 115C-83.15(b)(2)e.2., as enacted by
 15 subsection (b) of this section. In developing the implementation plan, the State Board of
 16 Education shall consider ways to incentivize schools to engage in partnerships with local
 17 businesses to provide a variety of course offerings to meet the job skills relevant to the
 18 community in which the schools are located. The State Board shall report on the implementation
 19 plan to the Joint Legislative Education Oversight Committee by April 15, 2022.

20 **SECTION 2.(d)** G.S. 115C-174.25 is repealed.

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22 **PART III. CONFORMING CHANGES**

23 **SECTION 3.(a)** G.S. 115C-81.36(b) reads as rewritten:

24 "(b) When advanced courses are offered in mathematics in grades six and higher, any
 25 student scoring at the highest level on the end-of-grade ~~or end-of-course~~ test for the mathematics
 26 course in which the student was most recently enrolled shall be enrolled in the advanced course
 27 for the next mathematics course in which the student is enrolled. A student in seventh grade
 28 scoring at the highest level on the seventh grade mathematics end-of-grade test shall be enrolled
 29 in a high school level mathematics course in eighth grade. Local boards of education may provide
 30 supplemental content enrichment, which may include the administration of diagnostic
 31 assessments, to students enrolled in a high school level mathematics course. No student who
 32 qualifies under this subsection shall be removed from the advanced or high school mathematics
 33 course in which the student is enrolled unless a parent or guardian of the student provides written
 34 consent for the student to be excluded or removed from that course after being adequately
 35 informed that the student's placement was determined by the student's achievement on the
 36 previous end-of-grade ~~or end-of-course~~ test."

37 **SECTION 3.(b)** G.S. 115C-83.15(b)(2), as amended by subsection (b) of Section 2
 38 of this act, reads as rewritten:

- 39 "(2) For schools serving any students in ninth through twelfth grade, the State
 40 Board shall assign points on the following measures available for that school:
- 41 a. One point for each percent of students who ~~score at or above proficient~~
 42 ~~on either the Algebra I or Integrated Math I end-of-course test or, for~~
 43 ~~students who completed Algebra I or Integrated Math I before ninth~~
 44 ~~grade, another mathematics course with an end-of-course test.~~ meet the
 45 standard for proficiency in high school mathematics.
- 46 b. One point for each percent of students who ~~score at or above proficient~~
 47 ~~on the English II end-of-course test.~~ meet the standard for proficiency
 48 in high school reading.
- 49 c. One point for each percent of students who ~~score at or above proficient~~
 50 ~~on the Biology end-of-course test.~~ meet the standard for proficiency in
 51 high school science.

- d. One point for each percent of students who complete Algebra II or Integrated Math III with a passing grade.

...."

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

"(2) For schools serving any students in ninth through twelfth grade, the State Board shall define the indicators as follows:

- a. Academic indicators. –
1. The academic achievement indicator shall include the following measures:
 - I. Proficiency ~~on either the Algebra I or Integrated Math I end-of-course test or, for students who completed Algebra I or Integrated Math I before ninth grade, another mathematics course with an end-of-course test in high school math.~~
 - II. Proficiency ~~on the English II end-of-course test in high school reading.~~
 - III. The growth score earned by schools.
 2. Repealed by Session Laws 2017-206, s. 1(b), effective August 30, 2017, and applicable beginning with the 2017-2018 school 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 in high school science.~~
 2. The percentage of students who complete Algebra II or Integrated Math III with a passing grade.
 3. The percentage of students who either (i) 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 or (ii) ~~are enrolled in Career and Technical Education courses and score at Silver, Gold, or Platinum levels on a nationally normed test of workplace readiness.~~ meet the career readiness criteria identified in G.S. 115C-83.15(b)(2)e.2."

SECTION 3.(d) G.S. 115C-105.41(a) reads as rewritten:

"(a) In order to implement Part 1A of Article 8 of this Chapter, local school administrative units shall identify students who are at risk for academic failure and who are not successfully progressing toward grade promotion and graduation, beginning in kindergarten. Identification shall occur as early as can reasonably be done and can be based on grades, observations, diagnostic and formative assessments, State assessments, and other factors, including reading on grade level, that impact student performance that teachers and administrators consider appropriate, without having to await the results of ~~end-of-grade or end-of-course tests.~~ annual assessments of student achievement adopted by the State Board of Education pursuant to G.S. 115C-174.11(c)(1) or (1a)."

SECTION 3.(e) G.S. 115C-174.12(a) reads as rewritten:

1 "(a) The State Board of Education shall establish policies and guidelines necessary for
2 minimizing the time students spend taking tests administered through State and local testing
3 programs, for minimizing the frequency of field testing at any one school, and for otherwise
4 carrying out the provisions of this Article. These policies and guidelines shall include all of the
5 following:

- 6 (1) Schools shall devote no more than two days of instructional time per year to
7 the taking of practice tests that do not have the primary purpose of assessing
8 current student ~~learning;~~learning.
- 9 (2) Students in a school shall not be subject to field tests or national tests during
10 the two-week period preceding the administration of ~~end-of-grade tests,~~
11 ~~end-of-course tests,~~ annual assessments of student achievement adopted by
12 the State Board of Education pursuant to G.S. 115C-174.11(c)(1) or (1a), or
13 the school's regularly scheduled final ~~exams;~~ and exams.
- 14 (3) No school shall participate in more than two field tests at any one grade level
15 during a school ~~year;~~year.
- 16 (4) All annual assessments of student achievement adopted by the State Board of
17 Education pursuant to G.S. 115C-174.11(c)(1) ~~and (3)~~ and all final exams for
18 courses shall be administered within the final 10 instructional days of the
19 school year for year-long courses and within the final five instructional days
20 of the semester for semester courses. Exceptions shall be permitted to
21 accommodate a student's individualized education program and section 504
22 (29 U.S.C. § 794) plans and for the administration of final exams for courses
23 with national or international curricula required to be held at designated times.

24 These policies shall reflect standard testing practices to insure reliability and validity of the
25 sample testing. The results of the field tests shall be used in the final design of each test. The
26 State Board of Education's policies regarding the testing of children with disabilities shall (i)
27 provide broad accommodations and alternate methods of assessment that are consistent with a
28 student's individualized education program and section 504 (29 U.S.C. § 794) plans, (ii) prohibit
29 the use of statewide tests as the sole determinant of decisions about a student's graduation or
30 promotion, and (iii) provide parents with information about the Statewide Testing Program and
31 options for children with disabilities. The State Board shall report its proposed policies and
32 proposed changes in policies to the Joint Legislative Education Oversight Committee prior to
33 adoption.

34 The State Board of Education may appoint an Advisory Council on Testing to assist in
35 carrying out its responsibilities under this Article."

36 **SECTION 3.(f)** G.S. 115C-276(q) reads as rewritten:

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

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

45 "(10a) The Board of Governors, the State Board of Community Colleges, and the
46 State Board of Education, in consultation with nonprofit postsecondary
47 educational institutions shall plan a system to provide an exchange of
48 information among the public schools and institutions of higher education to
49 be implemented no later than June 30, 1995. As used in this section,
50 "institutions of higher education" shall mean (i) public higher education
51 institutions defined in G.S. 116-143.1(a)(3), and (ii) those nonprofit

1 postsecondary educational institutions as described in G.S. 116-280 that
2 choose to participate in the information exchange. The information shall
3 include:

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

16 The Department of Public Instruction shall generate and the local school
17 administrative units shall use standardized transcripts in an automated format
18 for applicants to higher education institutions. The standardized transcript
19 shall include grade point average, class rank, ~~end-of-course test scores,~~ and
20 uniform course information including course code, name, units earned toward
21 graduation, and credits earned for admission from an institution of higher
22 education. The grade point average and class rank shall be calculated by a
23 standard method to be devised by the institutions of higher education."

24 **SECTION 3.(h)** Subsection (g) of this section becomes effective July 1, 2023, and
25 applies to transcripts for students in eleventh grade in the 2023-2024 school year and thereafter.

26 **SECTION 4.** Except as otherwise provided, this act is effective when it becomes law
27 and applies to high school test administrations beginning with the 2023-2024 school year and
28 school performance grades beginning with those based on data from the 2023-2024 school year.