

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 19  
Education/Higher Education Committee Substitute Adopted 4/24/97  
House Committee Substitute Favorable 7/14/97

Short Title: No Social Promotions Permitted.

(Public)

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Sponsors:

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Referred to:

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February 3, 1997

1                                   A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE THAT STUDENTS MASTER THE BASICS AT ONE GRADE  
3 LEVEL BEFORE THEY ARE PROMOTED TO THE NEXT GRADE LEVEL.

Whereas, some students in North Carolina receive social promotions; that is, they are promoted to the next grade level before they master the basics at their grade level; and

Whereas, a student who has not mastered the basics at one grade level is unlikely to succeed at the next grade level; and

Whereas, it is imperative that the promotion standards we set for our students are high enough to provide them with the skills and knowledge they need to be successful as citizens and in the workplace; and

Whereas, it is imperative that the promotion standards we set for our students are high enough to ensure that a high school diploma means that a student has the skills and knowledge we should expect of a high school graduate; and

Whereas, it is imperative that every North Carolina school identify students who are lagging behind these high standards and help them meet these standards along with their age-level peers; Now, therefore,

4 The General Assembly of North Carolina enacts:

5         Section 1. G.S. 115C-174.11 reads as rewritten:

1 **"§ 115C-174.11. Components of the testing program.**

2 (a) Assessment Instruments for ~~First-Kindergarten, First, and Second Grades.~~ –  
3 The State Board of Education shall adopt and provide to the local school administrative  
4 units developmentally appropriate individualized assessment instruments in reading,  
5 writing, and mathematics consistent with the Basic Education Program for ~~the~~  
6 kindergarten and first and second grades, rather than standardized tests. These  
7 instruments shall be used to assist teachers in determining student progress and  
8 improving classroom instruction.

9 Local school administrative units ~~may~~shall use these assessment instruments provided  
10 to them by the State Board for kindergarten and first and second grade students, and shall  
11 not use standardized tests.

12 (a1) Student Performance Benchmarks for Grades Four and Eight.

13 (1) The State Board of Education shall establish student performance  
14 benchmarks in reading, writing, and mathematics for students in grades  
15 four and eight. In establishing these benchmarks, the State Board of  
16 Education shall take into consideration the grade-level student  
17 performance expectations outlined in the ABC's Plan, the standard  
18 course of study, the recommendations of the North Carolina Education  
19 Standards and Accountability Commission, and the benchmarks  
20 established for grades four and eight by the National Assessment of  
21 Educational Progress (NAEP). The benchmarks shall include State test  
22 scores, a standardized student performance checklist, and other  
23 information the State Board of Education deems appropriate.

24 The State Board of Education shall also establish grade-level  
25 standards for students in kindergarten through third grade and in fifth  
26 grade through seventh grade that can be used to identify students who  
27 may not meet the benchmarks.

28 (2) The State Board of Education shall adopt rules and guidelines to ensure  
29 that students who do not successfully meet the student performance  
30 benchmarks at grades four and eight shall not be promoted. These rules  
31 may provide for (i) alternative ways for students to demonstrate that  
32 they have met the benchmarks and for (ii) waivers of this requirement  
33 for narrowly defined classes of students including children with special  
34 needs. Local boards of education shall provide students who do not  
35 successfully meet the performance benchmarks at grades four and eight  
36 with intensive, accelerated instructional support to assist them in  
37 meeting the benchmarks for their grade level.

38 (3) The State Board of Education shall also develop rules and guidelines  
39 for providing technical assistance to local school administrative units to  
40 ensure compliance with this subsection. These rules and guidelines  
41 shall:

42 a. Identify for local boards of education the existing State and  
43 federal funds they can use to identify students who may not meet

- 1                   the student performance benchmarks and to provide services to  
2                   students who may not or have not met the benchmarks;  
3            b.     Identify options for incorporating strategies for implementing  
4                   this subsection into local school improvement plans; and  
5            c.     Advise local boards of education to commit the resources  
6                   necessary to comply with this subsection.
- 7           (4)    At the beginning of each school year, local boards of education shall  
8                   notify parents of children in kindergarten through eighth grade of the  
9                   student performance benchmarks in reading, writing, and mathematics  
10                  that students are expected to meet that year and must meet in grades  
11                  four and eight.
- 12       (b)    Competency Testing Program.
- 13           (1)    The State Board of Education shall adopt tests or other measurement  
14                  devices which may be used to assure that graduates of the public high  
15                  schools and graduates of nonpublic schools supervised by the State  
16                  Board of Education pursuant to the provisions of Part 1 of Article 39 of  
17                  this Chapter possess the skills and knowledge necessary to function  
18                  independently and successfully in assuming the responsibilities of  
19                  citizenship.
- 20           (2)    The tests shall be administered annually to all tenth grade students in the  
21                  public schools. Students who fail to attain the required minimum  
22                  standard for graduation in the tenth grade shall be given remedial  
23                  instruction and additional opportunities to take the test up to and  
24                  including the last month of the twelfth grade. Students who fail to pass  
25                  parts of the test shall be retested on only those parts they fail. Students  
26                  in the tenth grade who are enrolled in special education programs or  
27                  who have been officially designated as eligible for participation in such  
28                  programs may be excluded from the testing programs.
- 29           (3)    The State Board of Education may develop and validate alternate means  
30                  and standards for demonstrating minimum competence. These  
31                  standards, which must be more difficult than the tests adopted pursuant  
32                  to subdivision (1) of this subsection, may be passed by students in lieu  
33                  of the testing requirement of subdivision (2) of this subsection.
- 34           (4)    Repealed by Session Laws 1996, Second Extra Session, c. 18, s. 18.14.
- 35       (c)    Annual Testing Program.
- 36           (1)    The State Board of Education shall adopt a system of annual testing for  
37                  grades three through 12. These tests shall be designed to measure  
38                  progress toward reading, communication skills, and mathematics for  
39                  grades three through eight, and toward competencies designated by the  
40                  State Board for grades nine through 12.
- 41           (2)    If the State Board of Education finds that additional testing in grades  
42                  three through 12 is desirable to allow comparisons with national  
43                  indicators of student achievement, that testing shall be conducted with

1                   the smallest size sample of students necessary to assure valid  
2                   comparisons with other states."

3                   Section 2. Prior to June 1, 1998, the State Board of Education shall:

- 4                   (1) Establish student performance benchmarks for grades four and eight in  
5                   accordance with G.S. 115C-174.11(a1), as enacted in Section 1 of this  
6                   act;  
7                   (2) Conduct research on and develop information on the best methods for  
8                   providing accelerated learning for students that are at risk of not  
9                   meeting the fourth and eighth grade benchmarks and provide this  
10                  information to local school administrative units;  
11                  (3) Identify current resources available and additional resources necessary  
12                  to implement these best methods;  
13                  (4) Develop a comprehensive plan to assist local school administrative units  
14                  in providing appropriate educational opportunities for students that are  
15                  at risk of not meeting the fourth and eighth grade benchmarks; and  
16                  (5) Evaluate the impact of this act on exceptional students and establish  
17                  guidelines to assist local school administrative units in developing  
18                  appropriate individualized education programs for exceptional students  
19                  who are at risk of not meeting the fourth and eighth grade benchmarks.

20                  Section 3. The State Board of Education shall report to the Joint Legislative  
21                  Education Oversight Committee on July 15, 1998, on its progress in implementing this  
22                  act. The State Board shall report on November 15, 2000, on the impact of this  
23                  legislation on the public schools and on student achievement.

24                  Section 4. The State Board of Education may expend from funds appropriated  
25                  to add to local school administrative units funds to develop the assessment instruments  
26                  for kindergarten, first, and second grades.

27                  Section 5. This act is effective when it becomes law. Section 1 of this act  
28                  applies to all school years beginning with the 1999-2000 school year.