

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013**

**SENATE BILL 812  
RATIFIED BILL**

AN ACT TO EXERCISE NORTH CAROLINA'S CONSTITUTIONAL AUTHORITY OVER ALL ACADEMIC STANDARDS; TO REPLACE COMMON CORE; AND TO ENSURE THAT STANDARDS ARE ROBUST AND APPROPRIATE AND ENABLE STUDENTS TO SUCCEED ACADEMICALLY AND PROFESSIONALLY.

Whereas, the North Carolina Constitution, Article IX, Section 5, directs the State Board of Education to supervise and administer a free public school system and make all needed rules and regulations in relation thereto, subject to laws enacted by the General Assembly; and

Whereas, the North Carolina General Statutes direct the State Board of Education to adopt and modify academic standards for the public schools; and

Whereas, the North Carolina General Statutes also grant local boards of education broad discretion and authority with respect to specific curricular decisions and academic programs, as long as they align with the standards adopted by the State Board of Education; and

Whereas, North Carolina desires its academic standards to be among the highest in the nation; and

Whereas, the adoption and implementation of demanding, robust academic standards is essential for providing high-quality education to our students and for fostering a competitive economy for the future of our State; and

Whereas, North Carolina's standards must be age-level and developmentally appropriate; Now, therefore,

The General Assembly of North Carolina enacts:

**SECTION 1.(a)** The State Board of Education shall:

- (1) Continue to exercise its authority under the North Carolina Constitution and G.S. 115C-12(9c) to adopt academic standards for the public schools.
- (2) Conduct a comprehensive review of all English Language Arts and Mathematics standards adopted under G.S. 115C-12(9c) and propose modifications to ensure that those standards meet all of the following criteria:
  - a. Increase students' level of academic achievement.
  - b. Meet and reflect North Carolina's priorities.
  - c. Are age-level and developmentally appropriate.
  - d. Are understandable to parents and teachers.
  - e. Are among the highest standards in the nation.
- (3) Not enter into any agreement, understanding, or contract that would cede control of the Standard Course of Study and related assessments. This requirement does not prohibit the use of national or international curricula, such as the Advanced Placement or International Baccalaureate programs.
- (4) Involve and survey a representative sample of parents, teachers, and the public to help determine academic content standards that meet and reflect North Carolina's priorities and the usefulness of the content standards.
- (5) Prior to making changes to the standards, consult with the Academic Standards Review Commission, which is established in Section 2 of this act.

**SECTION 1.(b)** Academic standards adopted by the State Board of Education under G.S. 115C-12(9c) shall continue to be named and referred to as the "North Carolina



Standard Course of Study," reflecting emphasis on North Carolina's needs and priorities. The State Board of Education shall maintain and reinforce the independence of the North Carolina Standard Course of Study and related student assessments, rejecting usurpation and intrusion from federally mandated national or standardized controls.

**SECTION 2.(a)** There is established the Academic Standards Review Commission. The Commission shall be located administratively in the Department of Administration but shall exercise all its prescribed powers independently of the Department of Administration.

**SECTION 2.(b)** The Commission shall be composed of 11 members as follows:

- (1) Four members appointed by the President Pro Tempore of the Senate. The President Pro Tempore shall consider, but is not limited to, appointing representatives from the following groups in these appointments: parents of students enrolled in the public schools; Mathematics and English Language Arts teachers; Mathematics and English Language Arts curriculum experts; school leadership to include principals and superintendents; members of the business community; and members of the postsecondary education community who are qualified to assure the alignment of standards to career and college readiness.
- (2) Four members appointed by the Speaker of the House of Representatives. The Speaker of the House of Representatives shall consider, but is not limited to, appointing representatives from the following groups in these appointments: parents of students enrolled in the public schools; Mathematics and English Language Arts teachers; Mathematics and English Language Arts curriculum experts; school leadership to include principals and superintendents; members of the business community; and members of the postsecondary education community who are qualified to assure the alignment of standards to career and college readiness.
- (3) Two members of the State Board of Education as follows: (i) the Chair or the Chair's designee and (ii) a member appointed by the Chair, representing the State Board's Task Force on Summative Assessment.
- (4) One member appointed by the Governor.

No individual serving in a statewide elected office or as a member of the General Assembly shall be appointed to the Commission. The Commission shall meet on the call of the Chair of the State Board of Education no later than September 1, 2014. The cochairs of the Commission shall be elected during the first meeting from among the members of the Commission by the members of the Commission.

**SECTION 2.(c)** The Commission shall:

- (1) Conduct a comprehensive review of all English Language Arts and Mathematics standards that were adopted by the State Board of Education under G.S. 115C-12(9c) and propose modifications to ensure that those standards meet all of the following criteria:
  - a. Increase students' level of academic achievement.
  - b. Meet and reflect North Carolina's priorities.
  - c. Are age-level and developmentally appropriate.
  - d. Are understandable to parents and teachers.
  - e. Are among the highest standards in the nation.
- (2) As soon as practicable upon convening, and at any time prior to termination, recommend changes and modifications to these academic standards to the State Board of Education.
- (3) Recommend to the State Board of Education assessments aligned to proposed changes and modifications that would also reduce the number of high-stakes assessments administered to public schools.
- (4) Consider the impact on educators, including the need for professional development, when making any of the recommendations required in this section.

The Commission shall assemble content experts to assist it in evaluating the rigor of academic standards. The Commission shall also involve interested stakeholders in this process and otherwise ensure that the process is transparent.

**SECTION 2.(d)** The Commission shall meet upon the call of the cochairs. A quorum of the Commission shall be nine members. Any vacancy on the Commission shall be filled by the appointing authority. The Commission shall hold its first meeting no later than September 1, 2014.

**SECTION 2.(e)** To the extent that funds are available, the Commission may contract for professional, clerical, and consultant services. Professional and clerical staff positions for the Commission may be filled by persons whose services are loaned to the Commission to fulfill the work of the Commission.

**SECTION 2.(f)** The Department of Administration shall provide meeting rooms, telephones, office space, equipment, and supplies to the Commission and shall be reimbursed from the Commission's budget, to the extent that funds are available.

**SECTION 2.(g)** To the extent that funds are available, the Commission members shall receive per diem, subsistence, and travel allowances in accordance with G.S. 138-5, 138-6, or 120-3.1, as appropriate.

**SECTION 2.(h)** Upon the request of the Commission, all State departments and agencies and local governments and their subdivisions shall furnish the Commission with any information in their possession or available to them.

**SECTION 2.(i)** The Commission shall make a final report of its findings and recommendations to the State Board of Education, the Joint Legislative Education Oversight Committee, and the 2016 Session of the 2015 General Assembly. The Commission shall terminate on December 31, 2015, or upon the filing of its final report, whichever occurs first.

**SECTION 3.(a)** G.S. 115C-174.11(c)(3) is repealed.

**SECTION 3.(b)** The State Board of Education shall continue to develop and update the North Carolina Standard Course of Study in accordance with G.S. 115C-12(9c), including a review of standards in other states and of national assessments aligned with those standards, and shall implement the assessments the State Board deems most aligned to assess student achievement on the North Carolina Standard Course of Study, in accordance with Section 9.2(b) of S.L. 2013-360 and Section 5 of this act.

**SECTION 4.** G.S. 115C-12(39) reads as rewritten:

"(39) Power to Accredite Schools. – Upon the request of a local board of education, the State Board of Education shall evaluate schools in local school administrative units to determine whether the education provided by those schools meets acceptable levels of quality. The State Board shall adopt rigorous and appropriate academic standards for accreditation after consideration of (i) the standards of regional and national accrediting agencies, (ii) ~~the Common Core Standards adopted by the National Governors Association Center for Best Practices and the Council of Chief State School Officers, the academic standards adopted in accordance with subdivision (9c) of this section,~~ and (iii) other information it deems appropriate.

The local school administrative unit shall compensate the State Board for the actual costs of the accreditation process."

**SECTION 5.** The State Board of Education shall report to the Joint Legislative Education Oversight Committee by July 15, 2015, on the acquisition and implementation of a new assessment instrument or instruments to assess student achievement on the academic standards adopted pursuant to G.S. 115C-12(9c). The State Board shall not acquire or implement the assessment instrument or instruments without the enactment of legislation by the General Assembly authorizing the purchase. The assessment instrument or instruments shall be nationally normed, aligned with the North Carolina Standard Course of Study, and field-tested. Examples of appropriate assessment models would include, but not be limited to, the Iowa Test of Basic Skills (ITBS), the Scholastic Aptitude Test (SAT), ACT Aspire, and the National Assessment of Educational Progress (NAEP).

**SECTION 6.** Local boards of education shall continue to provide for the efficient teaching of the course content required by the Standard Course of Study as provided under G.S. 115C-47(12). The current Standard Course of Study remains in effect until official notice is provided to all public school teachers, administrators, and parents or guardians of students enrolled in the public schools of any changes made in the Standard Course of Study by the State Board of Education.

**SECTION 7.** This act becomes effective July 1, 2014.  
In the General Assembly read three times and ratified this the 16<sup>th</sup> day of July, 2014.

s/ Philip E. Berger  
President Pro Tempore of the Senate

s/ Thom Tillis  
Speaker of the House of Representatives

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Pat McCrory  
Governor

Approved \_\_\_\_\_ .m. this \_\_\_\_\_ day of \_\_\_\_\_, 2014