

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

**H.B. 1061**  
**May 14, 2014**  
**HOUSE PRINCIPAL CLERK**

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**HOUSE DRH40138-TLza-24A\* (04/14)**

Short Title: Replace Common Core To Meet NC's Needs. (Public)

Sponsors: Representatives Holloway, Pittman, and Speciale (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO REPLACE THE COMMON CORE BY EXERCISING NORTH CAROLINA'S  
3 PROPER CONSTITUTIONAL AUTHORITY OVER ALL ACADEMIC STANDARDS  
4 AND TO ENSURE THAT STANDARDS ARE ROBUST AND APPROPRIATE AND  
5 THAT THEY ENABLE STUDENTS TO SUCCEED ACADEMICALLY AND  
6 PROFESSIONALLY, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH  
7 COMMISSION STUDY COMMITTEE ON THE COMMON CORE STATE  
8 STANDARDS.

9 Whereas, under the United States Constitution, public education is a power reserved  
10 to states; and

11 Whereas, the North Carolina Constitution directs the State Board of Education to  
12 supervise and administer the free public school system, subject to laws enacted by the General  
13 Assembly; and

14 Whereas, both the North Carolina Constitution and the North Carolina General  
15 Statutes recognize that academic standards should be developed and established by the State  
16 Board of Education to meet North Carolina's needs; and

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

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

23 Whereas, implementation of standards that are not tailored to the needs of North  
24 Carolina's students would be costly, inefficient, and ineffective; and

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

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

30 The General Assembly of North Carolina enacts:

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

- 32 (1) Continue to exercise its authority under the North Carolina Constitution and  
33 G.S. 115C-12(9c) to adopt, revise, and replace academic standards for the  
34 public schools.  
35 (2) Conduct a comprehensive review of all English Language Arts and  
36 Mathematics standards and propose modifications to ensure that they are



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1 rigorous, meet and reflect North Carolina's priorities, are age and  
2 developmentally appropriate, and are understandable to parents and teachers.  
3 Prior to making changes to the standards, the State Board shall consult with  
4 the Academic Standards Review Commission, which is established in  
5 Section 2 of this act.

6 **SECTION 1.(b)** Academic standards adopted by the State Board of Education  
7 under G.S. 115C-12(9c) shall continue to be named and referred to as the "North Carolina  
8 Standard Course of Study," reflecting emphasis on North Carolina's needs and priorities.

9 **SECTION 1.(c)** The State Board shall ensure that the implementation of this  
10 section is consistent with federal law and the conditions of federal grants.

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

15 **SECTION 2.(b)** The Commission shall be composed of 17 members as follows:

- 16 (1) The Lieutenant Governor or a designee.
- 17 (2) The Superintendent of Public Instruction or a designee.
- 18 (3) Six members appointed by the President Pro Tempore of the Senate, of  
19 whom no more than one may be a member of the Senate. The President Pro  
20 Tempore shall consider, but is not limited to, appointing representatives  
21 from the following groups in these appointments: parents of students  
22 enrolled in the public schools; Mathematics and English Language Arts  
23 teachers; and Mathematics and English Language Arts curriculum experts.
- 24 (4) Six members appointed by the Speaker of the House of Representatives, of  
25 whom no more than one may be a member of the House of Representatives.  
26 The Speaker of the House of Representatives shall consider, but is not  
27 limited to, appointing representatives from the following groups in these  
28 appointments: parents of students enrolled in the public schools;  
29 Mathematics and English Language Arts teachers; and Mathematics and  
30 English Language Arts curriculum experts.
- 31 (5) Two members of the State Board of Education appointed by the chair of the  
32 State Board of Education.
- 33 (6) One member appointed by the Governor.

34 The Senator and Representative appointed to the Commission shall serve as  
35 cochairs of the Commission.

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

- 37 (1) Conduct a comprehensive review of the academic standards for English  
38 Language Arts and Mathematics that were adopted by the State Board of  
39 Education under G.S. 115C-12(9c).
- 40 (2) As soon as practicable upon convening, and at any time prior to termination,  
41 recommend changes and modifications to these academic standards to the  
42 State Board of Education.
- 43 (3) Review the proposed changes to academic standards submitted to it by the  
44 State Board of Education in accordance with subdivision (2) of Section 1 of  
45 this act.
- 46 (4) Recommend to the State Board of Education assessments aligned to  
47 proposed changes and modification that would also reduce the number of  
48 assessments administered to public schools.
- 49 (5) Consider the impact on educators, including the need for professional  
50 development, when making any of the recommendations required in this  
51 section.

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

4 **SECTION 2.(d)** The Commission shall meet upon the call of the cochairs. A  
5 quorum of the Commission shall be nine members. Any vacancy on the Commission shall be  
6 filled by the appointing authority.

7 The Commission shall hold its first meeting no later than September 1, 2014.

8 **SECTION 2.(e)** The Commission may contract for professional, clerical, and  
9 consultant services. The Commission may also contract with an individual who has an excellent  
10 national reputation in the area of school standards and assessments to facilitate the work of the  
11 Commission. Professional and clerical staff positions for the Commission may be filled by  
12 persons whose services are loaned to the Commission to fulfill the work of the Commission.

13 **SECTION 2.(f)** The Department of Administration shall provide meeting rooms,  
14 telephones, office space, equipment, and supplies to the Commission and shall be reimbursed  
15 from the Commission's budget.

16 **SECTION 2.(g)** Commission members shall receive per diem, subsistence, and  
17 travel allowances in accordance with G.S. 138-5, 138-6, or 120-3.1, as appropriate.

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

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

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

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

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

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

40 **SECTION 5.** The State Board of Education shall report to the Joint Legislative  
41 Education Oversight Committee prior to the acquisition and implementation of a new  
42 assessment instrument to assess student achievement on the academic standards adopted  
43 pursuant to G.S. 115C-12(9c), including the Common Core Smarter Balanced Consortium  
44 Assessments and the PARCC Assessment developed by the Partnership for Assessment of  
45 Readiness of College and Careers. The State Board shall not acquire or implement such an  
46 assessment instrument without the enactment of legislation by the General Assembly  
47 authorizing the purchase.

48 **SECTION 6.** There is appropriated from the General Fund to the Department of  
49 Administration the sum of two hundred fifty thousand dollars (\$250,000) for the 2014-2015  
50 fiscal year to implement Section 2 of this act.

51 **SECTION 7.** This act becomes effective July 1, 2014.