

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 78
Committee Substitute Favorable 2/23/21
PROPOSED SENATE COMMITTEE SUBSTITUTE H78-PCS10522-BN-9

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.



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- 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.

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

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

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

32 ...

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

40 ...

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

46 "

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48 **PART III. EFFECTIVE DATE**

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