GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

SESSION LAW 2013-208
HOUSE BILL 587

AN ACT TO REQUIRE AN ALTERNATE ACT AND PLAN PRECURSOR TEST FOR CERTAIN STUDENTS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-174.11(c)(4) reads as rewritten:

"(4) To the extent funds are made available, the State Board of Education shall plan for and require the administration of the ACT test for all students in the eleventh grade unless the student has already taken a comparable test and scored at or above a level set by the State Board. The State Board of Education shall require the administration of an alternate to the ACT or an alternate to the PLAN precursor test to the ACT to a student who (i) exhibits severe and pervasive delays in all areas of conceptual, linguistic, and academic development and in adaptive behaviors, including communication, daily living skills, and self-care, (ii) is following the extended content standards of the Standard Course of Study as provided in G.S. 115C-81, or is following a course of study that, upon completing high school, may not lead to admission into a college-level course of study resulting in a college degree, and (iii) has a written parental request for an alternate assessment.

(a) The State Board of Education shall ensure that parents of students enrolled in all public schools, including charter and regional schools, have the necessary information to make informed decisions regarding participation in the ACT and the PLAN precursor test to the ACT.

(b) Alternate assessment and ACT assessment results of students with disabilities shall be included in school accountability reports, including charter and regional schools, provided by the State Board of Education."

SECTION 2. G.S. 115C-174.22 reads as rewritten:

"**§ 115C-174.22. Tools for student learning.**

To the extent funds are made available for this purpose, and except as otherwise provided in G.S. 115C-174.11(c)(4), the State Board shall plan for and require the administration of diagnostic tests in the eighth and tenth grades that align to the ACT test in order to help diagnose student learning and provide for students an indication of whether they are on track to be remediation-free at a community college or university."

SECTION 3. The State Board of Education shall develop an alternate assessment to measure career and college readiness for students who are not required to take the ACT or PLAN under this act. Pilot testing for the alternate ACT assessment shall occur simultaneously with the ACT administration during the 2013-2014 school year. Pilot testing for the alternate PLAN assessment shall occur simultaneously with the PLAN administration during the 2014-2015 school year. Students who participate in the pilot testing shall not be administered the ACT or PLAN, and where possible, results from the ACT pilot will be included in the accountability reports.

SECTION 4. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 18th day of June, 2013.

s/ Tom Apodaca
Presiding Officer of the Senate

s/ Thom Tillis
Speaker of the House of Representatives

s/ Pat McCrory
Governor

Approved 4:36 p.m. this 26th day of June, 2013