

NORTH CAROLINA GENERAL ASSEMBLY
1979 SESSION

CHAPTER 506
SENATE BILL 526

AN ACT TO CREATE AN ARTICLE TO DEAL WITH CERTAIN QUALIFIED
NONPUBLIC SCHOOLS.

The General Assembly of North Carolina enacts:

Section 1. A new Article is added to Chapter 115 of the General Statutes to read as follows:

"ARTICLE 32B.

"Qualified Nonpublic Schools.

"§ 115-257.8. **Qualification of nonpublic schools.** — The provisions of this Article shall apply to nonpublic schools which:

- (a) shall be accredited by the State Board of Education; or
- (b) shall be accredited by the Southern Association of Colleges and Schools; or
- (c) shall be an active member of the North Carolina Association of Independent Schools; or
- (d) receives no funding from the State of North Carolina.

"§ 115-257.9. **Attendance; health and safety regulations.** — Each qualified nonpublic school shall make, and maintain annual attendance and disease immunization records for each pupil enrolled and regularly attending classes. Attendance by a child at any school to which this Article relates and which complies with this Article shall satisfy the requirements of compulsory school attendance, (provided however, that such school operates on a regular schedule, excluding reasonable holidays and vacations, during at least nine calendar months of the year). Each school shall be subject to reasonable fire, health and safety inspections by State, county and municipal authorities as required by law.

"§ 115-257.10. **Standardized testing requirements.** — Each qualified nonpublic school shall administer, at least once in each school year, a nationally standardized test or other nationally standardized equivalent measurement selected by the chief administrative officer of such school, to all students enrolled or regularly attending grades 1, 2, 3, 6, and 9. The nationally standardized test or other equivalent measurement selected must measure achievement in the areas of English grammar, reading, spelling and mathematics. Each school shall make and maintain records of the results achieved by its students. For one year after the testing, all records shall be made available, subject to the provision of G.S. 115-320.26, at the principal office of such school, at all reasonable times, for annual inspection by a duly authorized representative of the State of North Carolina.

"§ 115-257.11. **High School Competency Testing.** — To assure that all high school graduates possess those minimum skills and that knowledge thought necessary to function in society, each qualified nonpublic school shall administer at least once in each school year, a nationally standardized test or other nationally standardized equivalent measure selected by the chief administrative officer of such school, to all students enrolled and regularly attending the eleventh grade. The nationally standardized test or other equivalent measurement selected must measure competencies in the verbal and quantitative areas. Each qualified nonpublic school shall establish a minimum score which must be attained by a student on the selected test in order to be graduated from high school. For one year after the testing, all records shall be made

available, subject to the provision of G.S. 115-320.26, at the principal office of such school, at all reasonable times, for annual inspection by a duly authorized representative of the State of North Carolina.

"§ 115-257.12. **Voluntary participation in the State programs.** — Any such school may, on a voluntary basis, participate in any State operated or sponsored program which would otherwise be available to such school, including but not limited to the high school competency testing and statewide testing programs.

"§ 115-257.13. **New school notice requirements; termination.** — (a) Any new school to which this Article relates shall send to a duly authorized representative of the State of North Carolina a notice of intent to operate, name and address of the school, and name of the school's owner and chief administrator.

(b) Any school to which this Article applies shall notify a duly authorized representative of the State of North Carolina upon termination.

"§ 115-257.14. **Duly authorized representative.** — The duly authorized representative of the State of North Carolina to whom reports of commencing operation and termination shall be made and who may inspect certain records under this Article shall be designated by the Governor.

"§ 115-257.15. **Requirements exclusive.** — No qualifying nonpublic school, which complies with the requirements of this Article, shall be subject to any other provision of law relating to education except requirements of law respecting fire, safety, sanitation and immunization."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 2nd day of May, 1979.