

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2017

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HOUSE BILL 1048

Short Title: Require Equal Access to Advanced Classes. (Public)

Sponsors: Representatives Hanes and Malone (Primary Sponsors).

*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Education - K-12, if favorable, Appropriations

May 31, 2018

1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE ACCESS TO ADVANCED CLASSES FOR ALL STUDENTS WHO  
3 SCORE LEVEL FIVE ON END-OF-GRADE TESTS IN THIRD THROUGH SEVENTH  
4 GRADE.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 115C-150.7 reads as rewritten:

7 "§ 115C-150.7. Local plans.

8 ...

9 (b1) In addition to the screening, identification, and placement procedures developed  
10 under subdivision (1) of subsection (b) of this section, each plan's screening, identification, and  
11 placement procedures shall identify as academically or intellectually gifted any student in third  
12 grade through seventh grade who achieves level five on the math end-of-grade test or who scores  
13 at or above the ninetieth percentile on an aptitude test administered by the local school  
14 administrative unit for the purpose of identifying gifted students. For students identified as gifted  
15 under this subsection, each local plan shall:

- 16 (1) Make available the same programs and courses that are available to students  
17 identified as gifted by other procedures.  
18 (2) Give placement priority in courses over students who achieve below a level  
19 five on the math end-of-grade test or who score below the ninetieth percentile  
20 on the aptitude test used for identifying gifted students.  
21 (3) Not exclude or remove any student from gifted programs or courses unless a  
22 parent or guardian of the student provides written consent for the student to  
23 be excluded or removed from gifted programs or courses.

24 The local plan shall only allow placement to students who achieve below a level five on the  
25 math end-of-grade test, score below the ninetieth percentile on the aptitude test, or qualify for  
26 gifted placement based on an evaluation from a private provider if space is available in a program  
27 or course after placement of students under this subsection.

28 (c) Upon its approval of the plan developed under this section, the local board shall  
29 submit the plan to the State Board of Education for its review and comments. The local board  
30 shall consider the comments it receives from the State Board before it implements the plan.

31 (d) A plan shall remain in effect for no more than three years; however, the local board  
32 may amend the plan as often as it considers necessary or appropriate. Any changes the local  
33 board makes to a plan shall be submitted to the State Board of Education for its review and  
34 comments. The local board shall consider the State Board's comments before it implements the  
35 changes."



1           **SECTION 2.** There is appropriated from the General Fund to the Department of  
2 Public Instruction for the 2018-2019 fiscal year the sum of up to six hundred seventy-seven  
3 thousand nine hundred forty-eight dollars (\$677,948) in recurring funds to implement the  
4 requirements of this act.

5           **SECTION 3.** Section 7.2(a) of S.L. 2017-57 reads as rewritten:

6           **"SECTION 7.2.(a)** The State Board of Education shall allocate additional funds for  
7 academically or intellectually gifted children on the basis of one thousand three hundred fourteen  
8 dollars and fifty-six cents (\$1,314.56) per child for ~~fiscal years the 2017-2018 and 2018-2019. A~~  
9 ~~fiscal year. For the 2017-2018 fiscal year, a local school administrative unit shall receive funds~~  
10 ~~for a maximum of four percent (4%) of its 2017-2018 allocated average daily membership,~~  
11 ~~regardless of the number of children identified as academically or intellectually gifted in the unit.~~

12           The State Board of Education shall allocate additional funds for academically or intellectually  
13 gifted children on the basis of one thousand three hundred fifty dollars (\$1,350) per child for the  
14 2018-2019 fiscal year. For the 2018-2019 fiscal year, a local school administrative unit shall  
15 receive funds for a maximum of four percent (4%) of its 2018-2019 allocated average daily  
16 membership, regardless of the number of children identified as academically or intellectually  
17 gifted in the unit.

18           The dollar amounts allocated under this section for academically or intellectually gifted  
19 children shall also be adjusted in accordance with legislative salary increments, retirement rate  
20 adjustments, and health benefit adjustments for personnel who serve academically or  
21 intellectually gifted children."

22           **SECTION 4.** This act becomes effective July 1, 2018, and applies beginning with  
23 the 2019-2020 school year.