

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

SESSION LAW 2019-120  
SENATE BILL 500

AN ACT TO MAKE CERTAIN MODIFICATIONS TO THE IMPLEMENTATION OF  
ADVANCED MATH COURSES OFFERED WHEN PRACTICABLE FOR GRADES SIX  
AND HIGHER.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 115C-81.36 reads as rewritten:

**"§ 115C-81.36. Advanced courses in mathematics.**

(a) When practicable, local boards of education shall offer advanced learning opportunities in mathematics in grades three through five, and advanced courses in mathematics in all grades ~~three~~—~~six~~ and higher. For the purposes of this section, advanced learning opportunities are those services and curricular modifications in mathematics for academically or intellectually gifted students approved as part of the local plan, as required by G.S. 115C-150.7.

(a1) When advanced learning opportunities are offered in mathematics in grades three through five, any student scoring at the highest level on the end-of-grade test shall, for the next school year, be provided advanced learning opportunities in mathematics approved for that student's grade level. No student who qualifies under this subsection shall be removed from the advanced learning opportunity provided to the student unless a parent or guardian of the student provides written consent for the student to be excluded or removed after being adequately informed that the student's placement was determined by the student's achievement on the previous end-of-grade test.

(b) When advanced courses are offered in ~~mathematics~~,—mathematics in grades six and higher, any student scoring a level ~~five~~—at the highest level on the end-of-grade or end-of-course test for the mathematics course in which the student was most recently enrolled shall be enrolled in the advanced course for the next mathematics course in which the student is enrolled. A student in seventh grade scoring a level ~~five~~—at the highest level on the seventh grade mathematics end-of-grade test shall be enrolled in a high school level mathematics course in eighth grade. Local boards of education may provide supplemental content enrichment, which may include the administration of diagnostic assessments, to students enrolled in a high school level mathematics course. No student who qualifies under this subsection shall be removed from the advanced or high school mathematics course in which the student is enrolled unless a parent or guardian of the student provides written consent for the student to be excluded or removed from that ~~course~~—course after being adequately informed that the student's placement was determined by the student's achievement on the previous end-of-grade or end-of-course test.

(c) By December 15, 2020, and annually thereafter, the Department of Public Instruction shall submit a report to the Joint Legislative Education Oversight Committee containing data collected for the current school year on the number and demographics of students who were eligible for advanced mathematics courses under this section, including high school level mathematics courses in eighth grade, and of those students, the number and demographics of those who were placed in advanced mathematics courses and were not placed in advanced mathematics courses. The report shall include information on the type and format of advanced



mathematics courses provided and shall also include any feedback provided by local boards of education on the implementation of this section.

(d) The Department of Public Instruction shall provide guidance to local boards of education on how to best develop programming and courses to ensure all impacted students receive rigorous, academically appropriate instruction in mathematics."

**SECTION 2.** Notwithstanding G.S. 115C-81.36(b), as amended by this act, schools that did not offer Math I to eighth grade students during the 2018-2019 school year, either in person or virtually through the North Carolina Virtual Public School, may offer Math I in eighth grade for the 2019-2020 school year but shall not be required to do so.

**SECTION 3.** Each local board of education with schools exempted from G.S. 115C-81.36(b) for the 2019-2020 school year under Section 2 of this act shall develop a plan to implement, beginning with the 2020-2021 school year, G.S. 115C-81.36(b), as amended by this act. The plan shall be submitted to the Superintendent of Public Instruction by January 15, 2020. At a minimum, the plan shall include the following:

- (1) An explanation of staffing for eighth grade Math I courses, including an indication of how adequate staffing will be accomplished and any anticipated shortages in staffing or other staffing challenges. This explanation shall also include any anticipated coordination with community colleges or coordination between schools in order to provide appropriate instructors for each eighth grade Math I course. If the local board of education continues to find it is not practicable to offer Math I in eighth grade, the plan shall include a detailed rationale for that determination.
- (2) An estimate, based on student performance over the previous three years, of the expected number of students enrolled eligible for enrollment in Math I courses in eighth grade for the 2020-2021 school year.

**SECTION 4.** The Superintendent of Public Instruction shall compile the plans submitted by each local board of education into a summary report to be submitted to the Joint Legislative Education Oversight Committee, along with any recommended changes, by March 15, 2020.

**SECTION 5.** This act is effective when it becomes law and, except as otherwise provided, applies beginning with the 2019-2020 school year.

In the General Assembly read three times and ratified this the 28<sup>th</sup> day of June, 2019.

s/ Philip E. Berger  
President Pro Tempore of the Senate

s/ Sarah Stevens  
Speaker Pro Tempore of the House of Representatives

s/ Roy Cooper  
Governor

Approved 1:50 p.m. this 11<sup>th</sup> day of July, 2019