

1 Article 9B.

2 Academically or Intellectually Gifted Students.

3 **§ 115C-150.5. Academically or intellectually gifted students.**

4 The General Assembly believes the public schools should challenge all students to aim for
5 academic excellence and that academically or intellectually gifted students perform or show the
6 potential to perform at substantially high levels of accomplishment when compared with others
7 of their age, experience, or environment. Academically or intellectually gifted students exhibit
8 high performance capability in intellectual areas, specific academic fields, or in both
9 intellectual areas and specific academic fields. Academically or intellectually gifted students
10 require differentiated educational services beyond those ordinarily provided by the regular
11 educational program. Outstanding abilities are present in students from all cultural groups,
12 across all economic strata, and in all areas of human endeavor. (1996, 2nd Ex. Sess., c. 18, s.
13 18.24(f).)

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15 **§ 115C-150.6. State Board of Education responsibilities.**

16 In order to implement this Article, the State Board of Education shall:

- 17 (1) Develop and disseminate guidelines for developing local plans under G.S.
18 115C-150.7(a). These guidelines should address identification procedures,
19 differentiated curriculum, integrated services, staff development, program
20 evaluation methods, and any other information the State Board considers
21 necessary or appropriate.
22 (2) Provide ongoing technical assistance to the local school administrative units
23 in the development, implementation, and evaluation of their local plans
24 under G.S. 115C-150.7. (1996, 2nd Ex. Sess., c. 18, s. 18.24(f).)
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26 **§ 115C-150.7. Local plans.**

27 (a) Each local board of education shall develop a local plan designed to identify and
28 establish a procedure for providing appropriate educational services to each academically or
29 intellectually gifted student. The board shall include parents, the school community,
30 representatives of the community, and others in the development of this plan. The plan may be
31 developed by or in conjunction with other committees.

32 (b) Each plan shall include the following components:

- 33 (1) Screening, identification, and placement procedures that allow for the
34 identification of specific educational needs and for the assignment of
35 academically or intellectually gifted students to appropriate services.
36 (2) A clear statement of the program to be offered that includes different types
37 of services provided in a variety of settings to meet the diversity of identified
38 academically or intellectually gifted students.
39 (3) Measurable objectives for the various services that align with core
40 curriculum and a method to evaluate the plan and the services offered. The
41 evaluation shall focus on improved student performance.
42 (4) Professional development clearly matched to the goals and objectives of the
43 plan, the needs of the staff providing services to academically or
44 intellectually gifted students, the services offered, and the curricular
45 modifications.
46 (5) A plan to involve the school community, parents, and representatives of the
47 local community in the ongoing implementation of the local plan,
48 monitoring of the local plan, and integration of educational services for
49 academically or intellectually gifted students into the total school program.
50 This should include a public information component.

- 1 (6) The name and role description of the person responsible for implementation
2 of the plan.
3 (7) A procedure to resolve disagreements between parents or guardians and the
4 local school administrative unit when a child is not identified as an
5 academically or intellectually gifted student or concerning the
6 appropriateness of services offered to the academically or intellectually
7 gifted student.
8 (8) Any other information the local board considers necessary or appropriate to
9 implement this Article or to improve the educational performance of
10 academically or intellectually gifted students.

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

14 (d) A plan shall remain in effect for no more than three years; however, the local board
15 may amend the plan as often as it considers necessary or appropriate. Any changes to a plan
16 shall be submitted to the State Board of Education for its review and comments. The local
17 board shall consider the State Board's comments before it implements the changes. (1996, 2nd
18 Ex. Sess., c. 18, s. 18.24(f).)
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20 **§ 115C-150.8. Review of Disagreements.**

21 In the event that the procedure developed under G.S. 115C-150.7(b)(7) fails to resolve a
22 disagreement, the parent or guardian may file a petition for a contested case hearing under
23 Article 3 of Chapter 150B of the General Statutes. The scope of review shall be limited to (i)
24 whether the local school administrative unit improperly failed to identify the child as an
25 academically or intellectually gifted student, or (ii) whether the local plan developed under G.S.
26 115C-150.7 has been implemented appropriately with regard to the child. Following the
27 hearing, the administrative law judge shall make a decision that contains findings of fact and
28 conclusions of law. Notwithstanding the provisions of Chapter 150B of the General Statutes,
29 the decision of the administrative law judge becomes final, is binding on the parties, and is not
30 subject to further review under Article 4 of Chapter 150B of the General Statutes. (1996, 2nd
31 Ex. Sess., c. 18, s. 18.24(f).)