

NORTH CAROLINA GENERAL ASSEMBLY
1961 SESSION

CHAPTER 1077
SENATE BILL 383

1 AN ACT TO PROVIDE FOR THE PUBLIC SCHOOL EDUCATION OF EXCEPTIONALLY
2 TALENTED CHILDREN IN NORTH CAROLINA.

3
4 WHEREAS, there was created by joint Resolution of the General Assembly of the State of
5 North Carolina in Session in the year 1959, a Commission to Study the Public School
6 Education of Exceptionally Talented Children; and

7 WHEREAS, this Commission after two years of intensive investigation and study has
8 found the institution of a program for the education of exceptionally talented school children in
9 the public school system of North Carolina to be strongly in the public interest and long
10 overdue; and

11 WHEREAS, this Commission of the Legislature has made certain basic recommendations
12 for the establishment of a State-wide program for the exceptionally talented children; and this
13 Act is necessary to implement that report and to establish a program under which all the
14 exceptionally talented children of North Carolina shall have an opportunity fully to develop
15 their talents and burgeon out the best that is within them; and

16 WHEREAS, the establishment of such a program is essential in order that North Carolina
17 and the Nation may develop and utilize fully these valuable human resources in this time of
18 local and national challenge and crisis: Now, therefore,

19
20 The General Assembly of North Carolina do enact:

21
22 **Section 1.** There is hereby established a program for the education of exceptionally
23 talented children within the public school system of North Carolina which shall be State-wide
24 in operation and opportunity.

25 **Sec. 2.** As used in this Act,

26 (1) The term "Exceptionally Talented Child" means a pupil in the public school
27 system of North Carolina who possesses the following qualifications:

28 (a) A group intelligence quotient of 120 or higher,

29 (b) A majority of marks of A and B,

30 (c) Emotional adjustment that is average or better,

31 (d) Achievements at least two grades above the State norm, or in the
32 upper 10% of local norms of the administrative unit, and

33 (e) Shall be recommended by the pupil's teacher or principal.

34 The State Board is authorized to change the foregoing criteria for qualification as an
35 exceptionally talented child, if deemed necessary, provided the qualifications shall be uniform
36 in application.

37 (2) The term "Director" means the Director of the Division for the Education of
38 Exceptionally Talented Children within the public school system.

39 (3) The term "State Board" means the State Board of Education.

40 (4) The term "State Superintendent" means the State Superintendent of Public
41 Instruction.

42 **Sec. 3.** There is created within the State Department of Public Instruction a division
43 to be known as the Division for the Education of Exceptionally Talented Children.

1 **Sec. 4.** The Division for the Education of Exceptionally Talented Children within
2 the public school system shall be administered by a Director under the general supervision of
3 the State Superintendent. The Director shall be appointed by the State Superintendent subject to
4 the approval of the State Board. The salary of the Director shall be determined by the State
5 Personnel Council upon recommendation of the State Board and shall be adequate to obtain a
6 person highly trained and qualified by reason of education and experience. The State Board is
7 authorized to provide the Director with such assistance, clerical help, and travel allowances as
8 it may determine to be necessary to carry out the responsibilities of the office of Director under
9 this Act.

10 **Sec. 5.** The Director shall recommend and the State Superintendent appoint, with
11 the approval of the State Board, a supervisor for testing and pupil classification who shall, in
12 cooperation with existing testing and pupil classification services of the Department of Public
13 Instruction, be charged with the responsibility of testing and evaluating all children in the
14 public school system for the purpose of identifying the exceptionally talented children. Said
15 supervisor shall be a person well trained and professionally qualified to carry out this
16 responsibility. In addition, the Director shall recommend and the State Superintendent appoint
17 with the approval of the State Board, such specialists as may be necessary for adequate
18 counseling and identification of such exceptionally talented school children throughout the
19 State; and the State Board shall provide necessary funds for office expense and travel for the
20 conduct of their work.

21 **Sec. 6.** In each of the eight educational districts into which the State is divided by
22 the General Assembly pursuant to Article IX, Section 8 of the Constitution of North Carolina,
23 appropriate programs of education for exceptionally talented children shall be established and
24 developed by a district supervisor of education of the exceptionally talented children in the
25 district. The district supervisors shall be recommended by the Director and appointed by the
26 State Superintendent with the approval of the State Board, and shall be well trained,
27 professional personnel. The district supervisors shall be provided funds for office expense and
28 travel allowances. Their duties shall include assistance of local administrative units in planning
29 programs and developing curricula for the exceptionally talented pupils.

30 **Sec. 7.** The Director, under the direction of the State Board and in accordance with
31 the rules and regulations prescribed by it, is authorized to perform such other powers and duties
32 as the State Board may prescribe for the implementation of the purposes of this Act, including
33 the following:

- 34 (1) Research studies which will develop techniques, curricula, and materials
35 especially applicable to exceptionally talented children;
- 36 (2) Recommendation of special books, materials, and other supplies to be
37 purchased by the State Board for the proper implementation of this Act,
38 including the local programs provided in Section 8;
- 39 (3) Direction of the district supervisors provided for in Section 6 in the
40 development of proper curriculum and studies to fit the individual needs of
41 exceptionally talented children within the district of the supervisor and of the
42 local administrative units within such districts; and
- 43 (4) Establishment of standards for the teachers of the exceptionally talented to
44 be employed or paid in whole or in part pursuant to the provisions of this
45 Act and to give such examinations or tests as may be necessary to determine
46 such qualifications.

47 **Sec. 8.** The superintendent of any school administrative unit may submit to the
48 Director a proposal, including any program already in operation, for a local program for the
49 education of the exceptionally talented children in that administrative unit. If such proposal is
50 approved by the Director, in accordance with rules and regulations to be prescribed by the State
51 Board, for qualification of local programs under this Act, there shall be allocated by the State

1 Board out of the Nine Months' School Fund, to the school administrative unit such funds as
2 may be necessary to carry out the program. Such programs may include additional teachers,
3 special materials and books, plans for identifying and guiding exceptionally talented students,
4 or other items of excess cost not properly borne by the local unit, provided that the amount
5 allocated shall not exceed a maximum amount for each participant pupil to be fixed by the State
6 Board. Teachers for such approved local programs may be allotted out of the teachers provided
7 for the Nine Months' School Fund, provided such allotments may be in addition to the regular
8 teacher allotment to the administrative unit involved. Two or more administrative units may
9 join together for the purpose of operating such a program, under the direction of the Division
10 for the Education of Exceptionally Talented Children.

11 **Sec. 9.** Demonstrative programs for the education of exceptionally talented children
12 in five pilot centers throughout the State shall be continued under the supervision of the
13 Director for the school year 1961-1962, the excess expense of such pilot centers over and above
14 local expenditure to be borne by the State out of the appropriation provided in this Act. The
15 Director shall recommend rules and regulations subject to approval of the State Board, for the
16 reimbursement of such excess expense.

17 Subsequent to the school year 1961-1962, the Director shall, with the approval of
18 the State Board, determine whether pilot centers shall continue to be operated, and if so, the
19 number, location, and manner of operation thereof; provided that these pilot centers shall be
20 representative of the various conditions and geographic areas throughout the State.

21 **Sec. 10.** There is hereby appropriated to the Nine Months' School Fund for the
22 fiscal year 1961-1962 the sum of one hundred fifty thousand dollars (\$150,000.00) and for the
23 fiscal year 1962-1963 the sum of one hundred fifty thousand dollars (\$150,000.00) for the
24 implementation of the program for the education of exceptionally talented children in the
25 public school system provided by this Act. The State Board shall transfer from this
26 appropriation to the Department of Public Instruction the amounts the State Board deems to be
27 required for the functions provided in Sections 3, 4, 5, 6 and 7 of this Act. The remainder of
28 this appropriation shall be used for the allocations for approved local programs provided in
29 Section 8 of this Act, and the allocations to the pilot centers, provided in Section 9 of this Act;
30 provided that said allocations shall be over and above amounts which are available for
31 implementation of these local programs and pilot centers from the regular allotments made
32 from the Nine Months' School Fund to administrative units.

33 **Sec. 11.** Nothing in this Act shall prohibit or interfere with the operation in a local
34 school administrative unit of any program for exceptionally talented children not qualifying for
35 the State funds provided in Section 8 of this Act, but which is financed out of local funds.

36 **Sec. 12.** All laws and clauses of laws in conflict with this Act are hereby repealed.

37 **Sec. 13.** This Act shall become effective on and after July 1, 1961.

38 In the General Assembly read three times and ratified, this the 21st day of June,
39 1961.