

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2025

FILED SENATE  
Apr 30, 2026  
S.B. 1044  
PRINCIPAL CLERK

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SENATE BILL DRS45549-NGa-135

Short Title: Foundational Mathematics Act. (Public)

Sponsors: Senators Corbin, Hise, and Lee (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO IMPROVE GRADE LEVEL PROFICIENCY IN MATHEMATICS, CODIFY  
3 THE OFFICE OF LEARNING RESEARCH (OLR) AT THE NORTH CAROLINA  
4 COLLABORATORY, REQUIRE OLR TO EVALUATE VENDORS OF  
5 INSTRUCTIONAL MATERIALS, TO ESTABLISH THE AI INSTRUCTIONAL  
6 SUPPORT PROGRAM, AND TO APPROPRIATE FUNDS FOR THOSE PURPOSES.

7 The General Assembly of North Carolina enacts:

8  
9 **PART I. HIGH QUALITY MATHEMATICS INSTRUCTION**

10 **SECTION 1.(a)** Article 8 of Chapter 115C of the General Statutes is amended by  
11 adding a new Part to read:

12 "Part 1C. High-Quality Mathematics Instruction.

13 **"§ 115C-83.20. State goal.**

14 The goal of the State is to ensure that every student has mathematics skills at or above grade  
15 level by the end of each grade and continues to progress so that he or she can have the  
16 mathematics skills needed for secondary education and career success. The State Board of  
17 Education and the Department of Public Instruction shall provide technical assistance as needed  
18 to aid local school administrative units in reaching this goal and implementing all provisions of  
19 this Part.

20 **"§ 115C-83.21. Purposes.**

21 The purposes of this Part are to ensure that (i) difficulty with mathematics skill development  
22 is identified before students transition to a new grade, (ii) students receive appropriate  
23 mathematics interventions to address difficulty with mathematics skill development and to  
24 remediate math skill deficiencies, and (iii) each student and his or her parent or guardian be  
25 informed of the student's academic needs and progress.

26 **"§ 115C-83.22. Definitions.**

27 The following definitions apply in this Part:

- 28 (1) Difficulty with mathematics skill development. – Performing at or below  
29 grade level on screening assessments administered pursuant to  
30 G.S. 115C-83.24.  
31 (2) High-quality instruction. – Instruction that meets the criteria set forth in  
32 G.S. 115C-83.23.  
33 (3) Major mathematics skills. – Mathematics skills identified by the State Board  
34 of Education to show grade level proficiency.



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- 1           (4)   Progressing toward grade level standards. – Showing improved performance  
2           in major mathematics skills based on results on the screening assessment  
3           administered pursuant to G.S. 115C-83.24.

4   **"§ 115C-83.23. High-quality instruction.**

5       Governing bodies of public school units shall implement high-quality mathematics  
6       instruction for students in kindergarten through grade eight that meets the following criteria:

- 7           (1)   Aligns with the North Carolina Standard Course of Study.  
8           (2)   Is evidence-based.  
9           (3)   Engages students and provides them with relevant challenges and pathways  
10          to deeper understanding.  
11          (4)   Provides students at all levels of language proficiency with opportunities to  
12          use written and oral forms of communication to learn and demonstrate  
13          understanding of mathematics skills.  
14          (5)   Is for at least 60 minutes per day.

15   **"§ 115C-83.24. Mathematics screening assessment.**

16       (a)   All students in kindergarten through grade eight shall be assessed at least three times  
17       per school year with formative and diagnostic mathematics assessments made available to local  
18       school administrative units by the State Board of Education pursuant to G.S. 115C-174.11(a1).  
19       The first assessment in a given school year shall be administered within 30 days of the start of  
20       the school year. Assessments shall meet the following criteria:

- 21           (1)   Be valid and reliable.  
22           (2)   Align with the North Carolina Standard Course of Study.  
23           (3)   Align with this Part.  
24           (4)   Yield data that can be used with the Education Value-Added Assessment  
25           System (EVAAS) to analyze student data to identify root causes for difficulty  
26           with mathematics skill development and to determine actions to address them.

27       (b)   The Department of Public Instruction shall partner with the vendor selected pursuant  
28       to subsection (c) of this section to provide guidance and professional development to teachers  
29       and administrators on the following to ensure that mathematics screening assessment data is used  
30       to meaningfully inform instruction:

- 31           (1)   Using mathematics screening assessment results to influence in-class  
32           instruction.  
33           (2)   Planning for student interventions and MSPs.  
34           (3)   Progress monitoring of students based on mathematics screening assessment  
35           results.

36       (c)   The Department of Public Instruction shall develop and issue a request for proposals  
37       (RFP) for a mathematics screening assessment tool to be administered to all students in  
38       kindergarten through grade eight consistent with the requirements of Part 1C of Article 8 of  
39       Chapter 115C. The Department may issue a new RFP if the State Board or Department  
40       determines that a new contract is needed to comply with the provisions of subsection (a1) of this  
41       section or G.S. 115C-83.24. The RFP shall require that proposals include at least the following:

- 42           (1)   Assessments that align with the standard course of study.  
43           (2)   Assessments that can be administered three times per year, with progressing  
44           standards for each subsequent assessment.  
45           (3)   Progress monitoring tools for teachers and administrators to be able to track  
46           student progress.  
47           (4)   Provide results of assessments to teachers and parents no later than 15  
48           calendar days after the assessment is administered.  
49           (5)   Ability to identify students in need of intervention.  
50           (6)   Ability to report results of assessments to the Department.

51   **"§ 115C-83.25. Interventions and Mathematics Success Plans (MSPs).**

1       (a) Students who are not grade level proficient in mathematics skills based on the results  
2 of either (i) the first diagnostic or formative assessment of a school year or (ii) the first diagnostic  
3 or formative assessment of the second semester of a school year administered pursuant to  
4 G.S. 115C-83.24(a), shall be provided with intervention and remediation services documented in  
5 a Mathematics Success Plan (MSP) that meets the requirements of this section and aligns with  
6 the guidance and professional development provided pursuant to G.S. 115C-83.24(b). Students  
7 shall continue to receive an MSP through the end of eighth grade or when the student  
8 demonstrates grade level proficiency on the third mathematics screening assessment in a given  
9 school year, whichever is earlier.

10       (b) A student's parent or guardian shall be given notice that the student has been identified  
11 as having difficulty with mathematics skill development and that an MSP is being developed.

12       (c) The MSP shall be developed by a team consisting of the following:

13           (1) The math teacher of the student.

14           (2) Other relevant school personnel.

15       (d) The MSP shall be regularly adjusted based on multiple data sources indicating that  
16 the student is not progressing toward grade level standards in one or more major mathematics  
17 skills. Based on the most recently collected data, an MSP shall include the following information,  
18 specific to the identified student:

19           (1) The specific mathematics skill deficiencies identified by the assessment data.

20           (2) Goals and benchmarks for growth.

21           (3) The means by which progress will be monitored and evaluated.

22           (4) The specific additional mathematics interventions the student will receive.

23           (5) Any additional services the teacher deems appropriate to accelerate the  
24 student's mathematics skill development.

25       (e) A multitiered system of support intervention may be used to satisfy the requirements  
26 of this section if all of the components of subsection (d) of this section are incorporated in the  
27 intervention.

28       (f) The Department shall develop the following model documentation of compliance  
29 with the requirements of this section:

30           (1) An MSP checklist.

31           (2) An alternative document for use with a multitiered system of support  
32 intervention."

33       **SECTION 1.(b)** G.S. 115C-174.11 reads as rewritten:

34 **"§ 115C-174.11. Components of the testing program.**

35       (a) Reading Assessment Instruments for Kindergarten, First, Second, and Third Grades.  
36 – The State Board of Education shall develop, adopt, and provide to the local school  
37 administrative units developmentally appropriate individualized assessment instruments aligned  
38 with the standard course of study and Part 1A of Article 8 of this Chapter for the kindergarten,  
39 first, second, and third grades. Local school administrative units shall use these assessment  
40 instruments provided to them by the State Board for kindergarten, first, second, and third grade  
41 students to assess progress, diagnose difficulties, and inform instruction and remediation needs.  
42 Local school administrative units shall not use standardized tests for summative assessment of  
43 kindergarten, first, and second grade students except as required as a condition of receiving  
44 federal grants.

45       (a1) Mathematics Assessment Instrument for kindergarten through eighth grade. – The  
46 State Board of Education shall adopt and provide to the local school administrative units a series  
47 of mathematics screener assessment instruments aligned with the standard course of study and  
48 Part 1C of Article 8 of this Chapter for students in kindergarten through eighth grade. Public  
49 school units shall administer the assessment instrument made available to them by the State  
50 Board to assess progress, diagnose difficulties, and inform instruction and remediation needs for  
51 students in kindergarten through eighth grade. Public school units shall not use these formative

1 and diagnostic assessments for summative assessment of students in kindergarten through eight  
 2 grade, except as required as a condition of receiving federal grants.

3 (b) Repealed by Session Laws 2009-451, s. 7.20(c), effective July 1, 2009.

4 (c) Annual Testing Program. –

5 (1) The State Board of Education shall adopt the tests for grades three through 12  
 6 that are required by federal law or as a condition of a federal grant. These tests  
 7 shall be designed to measure progress toward reading, communication skills,  
 8 and mathematics for grades three through eight, and toward competencies for  
 9 grades nine through 12. Students who do not pass the tests adopted for eighth  
 10 grade shall be provided remedial instruction in the ninth grade.

11 (2) If the State Board of Education finds that additional testing in grades three  
 12 through 12 is desirable to allow comparisons with national indicators of  
 13 student achievement, that testing shall be conducted with the smallest size  
 14 sample of students necessary to assure valid comparisons with other states.

15 (3) Repealed by Session Laws 2014-78, s. 3(a), effective July 1, 2014.

16 (4) To the extent funds are made available, the State Board of Education shall use  
 17 a competitive bid process to adopt one nationally norm-referenced college  
 18 admissions test to make available to local school administrative units, regional  
 19 schools, and charter schools to administer to all students in the eleventh grade  
 20 unless the student has already taken a comparable test and scored at or above  
 21 a level set by the State Board. The State Board of Education shall require the  
 22 administration of an alternate to the nationally norm-referenced college  
 23 admissions test or an alternate precursor test to the nationally norm-referenced  
 24 college admissions test to a student who (i) exhibits severe and pervasive  
 25 delays in all areas of conceptual, linguistic, and academic development and in  
 26 adaptive behaviors, including communication, daily living skills, and  
 27 self-care, (ii) is following the extended content standards of the Standard  
 28 Course of Study as provided in G.S. 115C-81.5, or is following a course of  
 29 study that, upon completing high school, may not lead to admission into a  
 30 college-level course of study resulting in a college degree, and (iii) has a  
 31 written parental request for an alternate assessment.

32 The State Board of Education shall ensure that parents of students enrolled  
 33 in all public schools, including charter and regional schools, have the  
 34 necessary information to make informed decisions regarding participation in  
 35 the nationally norm-referenced college admissions test and precursor test.

36 Alternate assessment and nationally norm-referenced college admissions  
 37 test assessment results of students with disabilities shall be included in school  
 38 accountability reports, including charter and regional schools, provided by the  
 39 State Board of Education.

40 (d) Except as provided in subsection (c) of this section, the State Board of Education shall  
 41 not require the public schools to administer any standardized tests except for those required by  
 42 federal law or as a condition of a federal grant.

43 The State Board of Education shall adopt and provide to local school administrative units all  
 44 tests required by federal law or as a condition of a federal grant."

45 **SECTION 1.(c)** Section 6(d)(5) of S.L. 2018-32 reads as rewritten:

46 "(5) Part 1A, North Carolina Read to Achieve Program, ~~and Part 1B of Article 8,~~  
 47 Part 1B, School Performance Performance, and Part 1C of Article 8,  
 48 High-Quality Mathematics Instruction."

49 **SECTION 1.(d)** G.S. 115C-218.85 is amended by adding a new subsection to read:

1       "(b1) High-quality mathematics instruction. – A charter school shall provide high-quality  
2 mathematics instruction and mathematics screening assessments consistent with the requirements  
3 of Part 1C of Article 8 of this Chapter."

4       **SECTION 1.(e)** G.S. 115C-238.66(1) is amended by adding a new sub-subdivision  
5 to read:

6               "h. High-quality mathematics instruction. – The board of directors shall  
7 provide high-quality mathematics instruction and mathematics  
8 screening assessments consistent with the requirements of Part 1C of  
9 Article 8 of this Chapter."

10       **SECTION 1.(f)** G.S. 115C-150.12C is amended by adding a new subdivision to  
11 read:

12       "(3b) The board of trustees shall provide high-quality mathematics instruction and  
13 mathematics screening assessments consistent with the requirements of Part  
14 1C of Article 8 of this Chapter."

15       **SECTION 1.(g)** G.S. 116-239.8(b)(2) is amended by adding a new sub-subdivision  
16 to read:

17               "a1. The chancellor shall ensure that laboratory schools provide  
18 high-quality mathematics instruction and mathematics screening  
19 assessments consistent with the requirements of Part 1C of Article 8  
20 of this Chapter."

21       **SECTION 1.(h)** The Department shall select a vendor based on a proposal submitted  
22 pursuant to G.S. 115C-83.24(c), as enacted by this act, by January 15, 2028, and the State Board  
23 of Education shall make assessments available to public school units for use beginning with the  
24 2028-2029 school year.

25       **SECTION 1.(i)** Beginning with the 2028-2029 school year, public school units shall  
26 only use materials approved by the Office of Learning Research pursuant to Part 3 of this act for  
27 mathematics instruction. MSPs developed pursuant to G.S. 115C-83.25 shall include a list of  
28 high-quality instructional materials approved by OLR pursuant to Part 3 of this act to be used for  
29 implementation of the MSP.

30       **SECTION 1.(j)** There is appropriated from the General Fund to the Department of  
31 Public Instruction the sum of twenty-one million dollars (\$21,000,000) in recurring funds  
32 beginning with the 2026-2027 fiscal year to implement the provisions of this section.

33       **SECTION 1.(k)** Subsection (a) of this section becomes effective July 1, 2027.  
34 Subsection (j) of this section expires June 30, 2031.

## 35 36 **PART II. INITIAL REVIEW OF HIGH-QUALITY INSTRUCTIONAL MATERIALS**

37       **SECTION 2.(a)** The Office of Learning Research (OLR), in consultation with the  
38 Department of Public Instruction, researchers in the field of mathematics instruction, and other  
39 relevant stakeholders, shall establish a process for evaluating vendors of instructional materials  
40 intended for use in kindergarten through grade eight math instruction based on the following  
41 criteria:

- 42               (1) Alignment with the standard course of study.
- 43               (2) Use of sound mathematical and evidence-based pedagogical strategies.
- 44               (3) Implementation of mathematical learning trajectories that are coherent and  
45               mathematically accurate.
- 46               (4) Evidence of positive effects in other states.
- 47               (5) Inclusion of intervention materials that support the development of  
48               grade-level math knowledge.
- 49               (6) Extent to vendor-led professional development accompanying materials  
50               enhances teacher knowledge of evidence-based approaches to teaching math.

1           **SECTION 2.(b)** OLR shall provide a list of vendors approved pursuant to subsection  
2 (a) of this section to the Department of Public Instruction by April 30, 2027. The Department  
3 shall distribute this list to public school units by June 1, 2027.  
4

5 **PART III. LONG-TERM REVIEW OF HIGH-QUALITY INSTRUCTIONAL**  
6 **MATERIALS**

7           **SECTION 3.(a)** The North Carolina Collaboratory (Collaboratory) shall study  
8 models used in other states to develop high-quality instructional materials at the state level and  
9 report on the results of that study to the Joint Legislative Education Oversight Committee by  
10 April 15, 2027. The report shall include recommendations for how to implement a model to  
11 develop high-quality instructional materials in North Carolina, including at least the following:

- 12           (1) Feasibility.
- 13           (2) Infrastructure and personnel needs.
- 14           (3) Analysis of start-up costs.
- 15           (4) Analysis of longer-term funding needs.

16           **SECTION 3.(b)** The Collaboratory shall conduct analyses of instructional quality,  
17 teacher practice, and student outcomes based on the provisions of this act. The Collaboratory  
18 shall use continuous improvement tools, including readiness assessments, observational rubrics,  
19 high-quality instructional material implementation checklists, and educator surveys when  
20 conducting these analyses. The Collaboratory shall report on the results of these analyses by  
21 December 15, 2031.

22           **SECTION 3.(c)** There is appropriated from the General Fund to the Board of  
23 Governors of the University of North Carolina the sum of two million five hundred thousand  
24 dollars (\$2,500,000) in nonrecurring funds for the 2026-2027 fiscal year to allocate to the  
25 Collaboratory to implement the provisions of Parts II and III of this act.  
26

27 **PART IV. EFFECTIVE DATE**

28           **SECTION 4.** Except as otherwise provided, this act becomes effective July 1, 2026.