

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by adding Article 14A
5 as follows:

6 (105 ILCS 5/Art. 14A heading new)

7 ARTICLE 14A. GIFTED AND TALENTED CHILDREN

8 (105 ILCS 5/14A-5 new)

9 Sec. 14A-5. Applicability. This Article applies beginning
10 with the 2006-2007 school year.

11 (105 ILCS 5/14A-10 new)

12 Sec. 14A-10. Legislative findings. The General Assembly
13 finds the following:

14 (1) that gifted and talented children (i) exhibit high
15 performance capabilities in intellectual, creative, and
16 artistic areas, (ii) possess an exceptional leadership
17 potential, (iii) excel in specific academic fields, and
18 (iv) have the potential to be influential in business,
19 government, health care, the arts, and other critical
20 sectors of our economic and cultural environment;

21 (2) that gifted and talented children require services
22 and activities that are not ordinarily provided by schools;
23 and

24 (3) that outstanding talents are present in children
25 and youth from all cultural groups, across all economic
26 strata, and in all areas of human endeavor.

27 (105 ILCS 5/14A-15 new)

28 Sec. 14A-15. Purpose. The purpose of this Article is to
29 provide encouragement, assistance, and guidance to school

1 districts in the development and improvement of educational
2 programs for gifted and talented children as defined in Section
3 14A-20 of this Code. School districts shall continue to have
4 the authority and flexibility to design education programs for
5 gifted and talented children in response to community needs,
6 but these programs must comply with the requirements
7 established in Section 14A-30 of this Code by no later than
8 September 1, 2006 in order to merit recognition by the State
9 Board of Education and to qualify for State funding for the
10 education of gifted and talented children, should such funding
11 become available.

12 (105 ILCS 5/14A-20 new)

13 Sec. 14A-20. Gifted and talented children. For purposes of
14 this Article, "gifted and talented children" means children and
15 youth with outstanding talent who perform or show the potential
16 for performing at remarkably high levels of accomplishment when
17 compared with other children and youth of their age,
18 experience, and environment. A child shall be considered gifted
19 and talented in any area of aptitude, and, specifically, in
20 language arts and mathematics, by scoring in the top 5% locally
21 in that area of aptitude.

22 (105 ILCS 5/14A-25 new)

23 Sec. 14A-25. Non-discrimination. Eligibility for
24 participation in programs established pursuant to this Article
25 shall be determined solely through identification of a child as
26 gifted or talented. No program shall condition participation
27 upon race, religion, sex, disability, or any factor other than
28 the identification of the child as gifted or talented.

29 (105 ILCS 5/14A-30 new)

30 Sec. 14A-30. Local programs; requirements. In order for a
31 local program for the education of gifted and talented children
32 to be recognized by the State Board of Education and to qualify
33 for State funding, if available, as of the beginning of the

1 2006-2007 academic year, the local program must meet the
2 following minimum requirements and demonstrate the fulfillment
3 of these requirements in a written program description
4 submitted to the State Board of Education by the local
5 educational agency operating the program and modified if the
6 program is substantively altered:

7 (1) The use of a minimum of 3 assessment measures used
8 to identify gifted and talented children in each area of
9 aptitude, which may include without limitation scores on
10 standardized achievement tests, observation checklists,
11 portfolios, and currently-used district assessments.

12 (2) A priority emphasis on language arts and
13 mathematics.

14 (3) An identification method that uses the definition
15 of gifted and talented children as defined in Section
16 14A-20 of this Code.

17 (4) Assessment instruments sensitive to the inclusion
18 of underrepresented groups, including low-income students,
19 minority students, and English language learners.

20 (5) A process of identification of gifted and talented
21 children that is of equal rigor in each area of aptitude
22 addressed by the program.

23 (6) The use of identification procedures that
24 appropriately correspond with the planned programs,
25 curricula, and services.

26 (7) A fair and equitable decision-making process.

27 (8) The availability of a fair and impartial appeal
28 process within the local educational agency for parents or
29 guardians whose children are aggrieved by a decision of the
30 local educational agency regarding eligibility for
31 participation in a program.

32 (9) Procedures for annually informing the community
33 at-large, including parents, about the program and the
34 methods used for the identification of gifted and talented
35 children.

36 (10) Procedures for notifying parents or guardians of a

1 child of a decision affecting that child's participation in
2 a program.

3 (11) A description of how gifted and talented children
4 will be grouped and instructed in language arts and in
5 mathematics in order to maximize the educational benefits
6 they derive from participation in a program addressing
7 those areas of aptitude, including curriculum
8 modifications and options that accelerate and add depth and
9 complexity to the curriculum content.

10 (12) An explanation of how the program emphasizes
11 higher-level skills attainment, including problem-solving,
12 critical thinking, creative thinking, and research skills,
13 as embedded within relevant content areas.

14 (13) A methodology for measuring academic growth for
15 gifted and talented children and a procedure for
16 communicating a child's progress to his or her parents or
17 guardian.

18 (14) The collection of data on performance outcomes for
19 children in a program for gifted and talented children and
20 the reporting of the data to the State Board of Education.

21 (15) The designation of a building-level supervisor
22 responsible for overseeing the educational program for
23 gifted and talented children.

24 (16) A showing that the certified teachers who are
25 assigned to teach gifted and talented children are
26 qualified to address the educational needs of the children
27 and to differentiate the curriculum and apply
28 instructional methods to meet the needs of the children.

29 (17) Plans for the continuation of professional
30 development for staff assigned to the program serving
31 gifted and talented children.

32 (105 ILCS 5/14A-35 new)

33 Sec. 14A-35. Administrative functions of the State Board of
34 Education.

35 (a) The State Board of Education must designate a staff

1 person who shall be in charge of educational programs for
2 gifted and talented children. This staff person shall, at a
3 minimum, (i) be responsible for developing a recognition
4 program for educational programs for gifted and talented
5 children by no later than September 1, 2006, (ii) receive and
6 maintain the written descriptions of all programs for gifted
7 and talented children in the State, (iii) collect and maintain
8 the annual performance outcome data submitted by local
9 educational agencies, (iv) identify potential funding sources
10 for the education of gifted and talented children, and (v)
11 serve as the main contact person at the State Board of
12 Education for local educational agencies, parents, and other
13 stakeholders regarding the education of gifted and talented
14 children.

15 (b) Subject to the availability of funds for these
16 purposes, the State Board of Education may perform a variety of
17 additional administrative functions with respect to the
18 education of gifted and talented children, including, but not
19 limited to, supervision, quality assurance, compliance
20 monitoring, and oversight of local programs, analysis of
21 performance outcome data submitted by local educational
22 agencies, the establishment of personnel standards, and a
23 program of personnel development for teachers and
24 administrative personnel in the education of gifted and
25 talented children.

26 (105 ILCS 5/14A-40 new)

27 Sec. 14A-40. Advisory Council. There is hereby created an
28 Advisory Council on the Education of Gifted and Talented
29 Children to consist of 7 members appointed by the State
30 Superintendent of Education. Members shall serve terms of 4
31 years from the date of appointment. Upon the expiration of the
32 term of a member, that member shall continue to serve until a
33 replacement is appointed. The Council shall meet at least 3
34 times each year. The Council shall organize with a chairperson
35 selected by the Council members and shall meet at the call of

1 the chairperson upon at least 10 days' written notice. Members
2 of the Council shall serve without compensation, but shall be
3 reimbursed for their travel to and from meetings and other
4 reasonable expenses in connection with meetings if approved by
5 the State Board of Education.

6 The State Board of Education shall consider
7 recommendations for membership on the Council from
8 organizations of educators and parents of gifted and talented
9 children and other groups with an interest in the education of
10 gifted and talented children. The members appointed shall be
11 residents of the State and be selected on the basis of their
12 knowledge of, or experience in, programs and problems of the
13 education of gifted and talented children.

14 The State Board of Education shall seek the advice of the
15 Council regarding all rules and policies to be adopted by the
16 State Board relating to the education of gifted and talented
17 children. The staff person designated pursuant to subsection
18 (a) of Section 14A-35 of this Code shall serve as the State
19 Board of Education's liaison to the Council. The State Board of
20 Education shall provide necessary clerical support and
21 assistance in order to facilitate meetings of the Council.

22 (105 ILCS 5/14A-45 new)

23 Sec. 14A-45. Grants for services and materials. Subject to
24 the availability of categorical grant funding or other funding
25 and pursuant to rules of the State Board of Education, the
26 State Board of Education shall make grants available to fund
27 educational programs for gifted and talented children. A
28 request-for-proposal process shall be used in awarding grants
29 for services and materials, with carry over to the next fiscal
30 year, under this Section. A proposal may be submitted to the
31 State Board of Education by a school district, 2 or more
32 cooperating school districts, a county, 2 or more cooperating
33 counties, or a regional office of education. The proposals
34 shall include a statement of the qualifications and duties of
35 the personnel required in the field of diagnostic, counseling,

1 and consultative services and the educational materials
2 necessary. Upon receipt, the State Board of Education shall
3 evaluate the proposals in accordance with criteria developed by
4 the State Board of Education that is consistent with this
5 Article and shall award grants to the extent funding is
6 available. Educational programs for gifted and talented
7 children may be offered during the regular school term and may
8 include optional summer programs. As a condition for State
9 funding, a grantee must comply with the requirements of this
10 Article.

11 (105 ILCS 5/14A-50 new)

12 Sec. 14A-50. Contracts for experimental projects and
13 institutes. Subject to the availability of funds, the State
14 Board of Education shall have the authority to enter into and
15 monitor contracts with school districts, regional offices of
16 education, colleges, universities, and professional
17 organizations for the conduct of experimental projects and
18 institutes, including summer institutes, in the field of
19 education of gifted and talented children as defined in Section
20 14A-20 of this Code. These projects and institutes shall be
21 established in accordance with rules adopted by the State Board
22 of Education. Prior to entering into a contract, the State
23 Board of Education shall evaluate the proposal as to the
24 soundness of the design of the project or institute, the
25 probability of obtaining productive outcomes, the adequacy of
26 resources to conduct the proposed project or institute, and the
27 relationship of the project or institute to other projects and
28 institutes already completed or in progress. The contents of
29 these projects and institutes must be designed based on
30 standards adopted by professional organizations for gifted and
31 talented children.

32 (105 ILCS 5/14A-55 new)

33 Sec. 14A-55. Rulemaking. The State Board of Education shall
34 have the authority to adopt all rules necessary to implement

1 and regulate the provisions of this Article.

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.