

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 approval by the State Board
9 of Education in order 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 approved by the State Board of Education in order to
33 qualify for State funding, if available, as of the beginning of

1 the 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 in
9 which a program for gifted and talented children is
10 established, which may include without limitation scores
11 on standardized achievement tests, observation checklists,
12 portfolios, and currently-used district assessments.

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

15 (3) An identification method that uses the definition
16 of gifted and talented children as defined in Section
17 14A-20 of this Code.

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

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

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

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

28 (8) The availability of a fair and impartial appeal
29 process within the school, school district, or cooperative
30 of school districts operating a program for parents or
31 guardians whose children are aggrieved by a decision of the
32 school, school district, or cooperative of school
33 districts regarding eligibility for participation in a
34 program.

35 (9) Procedures for annually informing the community
36 at-large, including parents, about the program and the

1 methods used for the identification of gifted and talented
2 children.

3 (10) Procedures for notifying parents or guardians of a
4 child of a decision affecting that child's participation in
5 a program.

6 (11) A description of how gifted and talented children
7 will be grouped and instructed in order to maximize the
8 educational benefits the children derive from
9 participation in the program, including curriculum
10 modifications and options that accelerate and add depth and
11 complexity to the curriculum content.

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

16 (13) A methodology for measuring academic growth for
17 gifted and talented children and a procedure for
18 communicating a child's progress to his or her parents or
19 guardian, including but not limited to, a report card.

20 (14) The collection of data on growth in learning for
21 children in a program for gifted and talented children and
22 the reporting of the data to the State Board of Education.

23 (15) The designation of a supervisor responsible for
24 overseeing the educational program for gifted and talented
25 children.

26 (16) A showing that the certified teachers who are
27 assigned to teach gifted and talented children understand
28 the characteristics and educational needs of children and
29 are able to differentiate the curriculum and apply
30 instructional methods to meet the needs of the children.

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

34 (105 ILCS 5/14A-35 new)

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

1 Education.

2 (a) The State Board of Education must designate a staff
3 person who shall be in charge of educational programs for
4 gifted and talented children. This staff person shall, at a
5 minimum, (i) be responsible for developing an approval process
6 for educational programs for gifted and talented children by no
7 later than September 1, 2006, (ii) receive and maintain the
8 written descriptions of all programs for gifted and talented
9 children in the State, (iii) collect and maintain the annual
10 growth in learning data submitted by a school, school district,
11 or cooperative of school districts, (iv) identify potential
12 funding sources for the education of gifted and talented
13 children, and (v) serve as the main contact person at the State
14 Board of Education for program supervisors and other school
15 officials, parents, and other stakeholders regarding the
16 education of gifted and talented children.

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

28 (105 ILCS 5/14A-40 new)

29 Sec. 14A-40. Advisory Council. There is hereby created an
30 Advisory Council on the Education of Gifted and Talented
31 Children to consist of 7 members appointed by the State
32 Superintendent of Education. Upon initial appointment, 4
33 members of the Advisory Council shall serve terms through
34 January 1, 2007 and 3 members shall serve terms through January
35 1, 2009. Thereafter, members shall serve 4-year terms. Upon the

1 expiration of the term of a member, that member shall continue
2 to serve until a replacement is appointed. The Council shall
3 meet at least 3 times each year. The Council shall organize
4 with a chairperson selected by the State Superintendent of
5 Education. Members of the Council shall serve without
6 compensation, but shall be reimbursed for their travel to and
7 from meetings and other reasonable expenses in connection with
8 meetings if approved by the State Board of Education.

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

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

26 (105 ILCS 5/14A-45 new)

27 Sec. 14A-45. Grants for services and materials. Subject to
28 the availability of categorical grant funding or other funding
29 appropriated for such purposes, the State Board of Education
30 shall make grants available to fund educational programs for
31 gifted and talented children. A request-for-proposal process
32 shall be used in awarding grants for services and materials,
33 with carry over to the next fiscal year, under this Section. A
34 proposal may be submitted to the State Board of Education by a
35 school district, 2 or more cooperating school districts, a

1 county, 2 or more cooperating counties, or a regional office of
2 education. The proposals shall include a statement of the
3 qualifications and duties of the personnel required in the
4 field of diagnostic, counseling, and consultative services and
5 the educational materials necessary. Upon receipt, the State
6 Board of Education shall evaluate the proposals in accordance
7 with criteria developed by the State Board of Education that is
8 consistent with this Article and shall award grants to the
9 extent funding is available. Educational programs for gifted
10 and talented children may be offered during the regular school
11 term and may include optional summer programs. As a condition
12 for State funding, a grantee must comply with the requirements
13 of this Article.

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

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

1 (105 ILCS 5/14A-55 new)

2 Sec. 14A-55. Rulemaking. The State Board of Education shall
3 have the authority to adopt all rules necessary to implement
4 and regulate the provisions of this Article.

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.