



Filed: 4/7/2005

09400SB0223sam001

LRB094 05524 RAS 44396 a

1 AMENDMENT TO SENATE BILL 223

2 AMENDMENT NO. _____. Amend Senate Bill 223 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by adding Article
5 14A 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;

1 and

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

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

6 Sec. 14A-15. Purpose. The purpose of this Article is to
7 provide encouragement, assistance, and guidance to school
8 districts in the development and improvement of educational
9 programs for gifted and talented children as defined in Section
10 14A-20 of this Code. School districts shall continue to have
11 the authority and flexibility to design education programs for
12 gifted and talented children in response to community needs,
13 but these programs must comply with the requirements
14 established in Section 14A-30 of this Code by no later than
15 September 1, 2006 in order to merit recognition by the State
16 Board of Education and to qualify for State funding for the
17 education of gifted and talented children, should such funding
18 become available.

19 (105 ILCS 5/14A-20 new)

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

29 (105 ILCS 5/14A-25 new)

30 Sec. 14A-25. Non-discrimination. Eligibility for
31 participation in programs established pursuant to this Article

1 shall be determined solely through identification of a child as
2 gifted or talented. No program shall condition participation
3 upon race, religion, sex, disability, or any factor other than
4 the identification of the child as gifted or talented.

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

6 Sec. 14A-30. Local programs; requirements. In order for a
7 local program for the education of gifted and talented children
8 to be recognized by the State Board of Education and to qualify
9 for State funding, if available, as of the beginning of the
10 2006-2007 academic year, the local program must meet the
11 following minimum requirements and demonstrate the fulfillment
12 of these requirements in a written program description
13 submitted to the State Board of Education by the local
14 educational agency operating the program and modified if the
15 program is substantively altered:

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

21 (2) A priority emphasis on language arts and
22 mathematics.

23 (3) An identification method that uses the definition
24 of gifted and talented children as defined in Section
25 14A-20 of this Code.

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

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

32 (6) The use of identification procedures that
33 appropriately correspond with the planned programs,

1 curricula, and services.

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

3 (8) The availability of a fair and impartial appeal
4 process within the local educational agency for parents or
5 guardians whose children are aggrieved by a decision of the
6 local educational agency regarding eligibility for
7 participation in a program.

8 (9) Procedures for annually informing the community
9 at-large, including parents, about the program and the
10 methods used for the identification of gifted and talented
11 children.

12 (10) Procedures for notifying parents or guardians of a
13 child of a decision affecting that child's participation in
14 a program.

15 (11) A description of how gifted and talented children
16 will be grouped and instructed in language arts and in
17 mathematics in order to maximize the educational benefits
18 they derive from participation in a program addressing
19 those areas of aptitude, including curriculum
20 modifications and options that accelerate and add depth and
21 complexity to the curriculum content.

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

26 (13) A methodology for measuring academic growth for
27 gifted and talented children and a procedure for
28 communicating a child's progress to his or her parents or
29 guardian.

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

33 (15) The designation of a building-level supervisor
34 responsible for overseeing the educational program for

1 gifted and talented children.

2 (16) A showing that the certified teachers who are
3 assigned to teach gifted and talented children are
4 qualified to address the educational needs of the children
5 and to differentiate the curriculum and apply
6 instructional methods to meet the needs of the children.

7 (17) Plans for the continuation of professional
8 development for staff assigned to the program serving
9 gifted and talented children.

10 (105 ILCS 5/14A-35 new)

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

13 (a) The State Board of Education must designate a staff
14 person who shall be in charge of educational programs for
15 gifted and talented children. This staff person shall, at a
16 minimum, (i) be responsible for developing a recognition
17 program for educational programs for gifted and talented
18 children by no later than September 1, 2006, (ii) receive and
19 maintain the written descriptions of all programs for gifted
20 and talented children in the State, (iii) collect and maintain
21 the annual performance outcome data submitted by local
22 educational agencies, (iv) identify potential funding sources
23 for the education of gifted and talented children, and (v)
24 serve as the main contact person at the State Board of
25 Education for local educational agencies, parents, and other
26 stakeholders regarding the education of gifted and talented
27 children.

28 (b) Subject to the availability of funds for these
29 purposes, the State Board of Education may perform a variety of
30 additional administrative functions with respect to the
31 education of gifted and talented children, including, but not
32 limited to, supervision, quality assurance, compliance
33 monitoring, and oversight of local programs, analysis of

1 performance outcome data submitted by local educational
2 agencies, the establishment of personnel standards, and a
3 program of personnel development for teachers and
4 administrative personnel in the education of gifted and
5 talented children.

6 (105 ILCS 5/14A-40 new)

7 Sec. 14A-40. Advisory Council. There is hereby created an
8 Advisory Council on the Education of Gifted and Talented
9 Children to consist of 7 members appointed by the State
10 Superintendent of Education. Members shall serve terms of 4
11 years from the date of appointment. Upon the expiration of the
12 term of a member, that member shall continue to serve until a
13 replacement is appointed. The Council shall meet at least 3
14 times each year. The Council shall organize with a chairperson
15 selected by the Council members and shall meet at the call of
16 the chairperson upon at least 10 days' written notice. Members
17 of the Council shall serve without compensation, but shall be
18 reimbursed for their travel to and from meetings and other
19 reasonable expenses in connection with meetings if approved by
20 the State Board of Education.

21 The State Board of Education shall consider
22 recommendations for membership on the Council from
23 organizations of educators and parents of gifted and talented
24 children and other groups with an interest in the education of
25 gifted and talented children. The members appointed shall be
26 residents of the State and be selected on the basis of their
27 knowledge of, or experience in, programs and problems of the
28 education of gifted and talented children.

29 The State Board of Education shall seek the advice of the
30 Council regarding all rules and policies to be adopted by the
31 State Board relating to the education of gifted and talented
32 children. The staff person designated pursuant to subsection
33 (a) of Section 14A-35 of this Code shall serve as the State

1 Board of Education's liaison to the Council. The State Board of
2 Education shall provide necessary clerical support and
3 assistance in order to facilitate meetings of the Council.

4 (105 ILCS 5/14A-45 new)

5 Sec. 14A-45. Grants for services and materials. Subject to
6 the availability of categorical grant funding or other funding
7 and pursuant to rules of the State Board of Education, the
8 State Board of Education shall make grants available to fund
9 educational programs for gifted and talented children. A
10 request-for-proposal process shall be used in awarding grants
11 for services and materials, with carry over to the next fiscal
12 year, under this Section. A proposal may be submitted to the
13 State Board of Education by a school district, 2 or more
14 cooperating school districts, a county, 2 or more cooperating
15 counties, or a regional office of education. The proposals
16 shall include a statement of the qualifications and duties of
17 the personnel required in the field of diagnostic, counseling,
18 and consultative services and the educational materials
19 necessary. Upon receipt, the State Board of Education shall
20 evaluate the proposals in accordance with criteria developed by
21 the State Board of Education that is consistent with this
22 Article and shall award grants to the extent funding is
23 available. Educational programs for gifted and talented
24 children may be offered during the regular school term and may
25 include optional summer programs. As a condition for State
26 funding, a grantee must comply with the requirements of this
27 Article.

28 (105 ILCS 5/14A-50 new)

29 Sec. 14A-50. Contracts for experimental projects and
30 institutes. Subject to the availability of funds, the State
31 Board of Education shall have the authority to enter into and
32 monitor contracts with school districts, regional offices of

1 education, colleges, universities, and professional
2 organizations for the conduct of experimental projects and
3 institutes, including summer institutes, in the field of
4 education of gifted and talented children as defined in Section
5 14A-20 of this Code. These projects and institutes shall be
6 established in accordance with rules adopted by the State Board
7 of Education. Prior to entering into a contract, the State
8 Board of Education shall evaluate the proposal as to the
9 soundness of the design of the project or institute, the
10 probability of obtaining productive outcomes, the adequacy of
11 resources to conduct the proposed project or institute, and the
12 relationship of the project or institute to other projects and
13 institutes already completed or in progress. The contents of
14 these projects and institutes must be designed based on
15 standards adopted by professional organizations for gifted and
16 talented children.

17 (105 ILCS 5/14A-55 new)

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

21 Section 99. Effective date. This Act takes effect upon
22 becoming law.".