

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 in this Article.

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