

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 changing Section
5 10-22.3a and by adding Article 14A as follows:

6 (105 ILCS 5/10-22.3a) (from Ch. 122, par. 10-22.3a)

7 Sec. 10-22.3a. To provide for or to participate in
8 provisions for insurance protection and benefits for its
9 employees and their dependents including but not limited to
10 retirement annuities, medical, surgical and hospitalization
11 benefits in such types and amounts, if any, as shall be
12 determined by the board, for the purpose of aiding in securing
13 and retaining the services of competent employees. Where
14 employee participation in such provisions is involved, the
15 board, with the consent of the employee, may withhold
16 deductions from the employee's salary necessary to defray the
17 employee's share of such insurance costs. Such insurance or
18 benefits may be contracted for only with an insurance company
19 authorized to do business in this State. Such insurance may
20 include provisions for employees and their dependents who rely
21 on treatment by prayer or spiritual means alone for healing, in
22 accordance with the tenets and practice of a recognized
23 religious denomination.

24 For purposes of this Section, the term "dependent" means an
25 employee's spouse and any unmarried child (1) under the age of
26 19 years including (a) an adopted child and (b) a step-child or
27 recognized child who lives with the employee in a regular
28 parent-child relationship, or (2) under the age of 23 who is
29 enrolled as a full-time student in any accredited school,
30 college or university. Nothing contained in this Code may
31 preclude an elected school board member from participating in a
32 group health insurance program provided to an employee of the

1 school district that the board member serves if the board
2 member is a dependent of that employee.

3 (Source: P.A. 90-655, eff. 7-30-98.)

4 (105 ILCS 5/Art. 14A heading new)

5 ARTICLE 14A. GIFTED AND TALENTED CHILDREN

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

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

9 (105 ILCS 5/14A-10 new)

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

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

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

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

25 (105 ILCS 5/14A-15 new)

26 Sec. 14A-15. Purpose. The purpose of this Article is to
27 provide encouragement, assistance, and guidance to school
28 districts in the development and improvement of educational
29 programs for gifted and talented children as defined in Section
30 14A-20 of this Code. School districts shall continue to have
31 the authority and flexibility to design education programs for
32 gifted and talented children in response to community needs,

1 but these programs must comply with the requirements
2 established in Section 14A-30 of this Code by no later than
3 September 1, 2006 in order to merit approval by the State Board
4 of Education in order to qualify for State funding for the
5 education of gifted and talented children, should such funding
6 become available.

7 (105 ILCS 5/14A-20 new)

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

17 (105 ILCS 5/14A-25 new)

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

24 (105 ILCS 5/14A-30 new)

25 Sec. 14A-30. Local programs; requirements. In order for a
26 local program for the education of gifted and talented children
27 to be approved by the State Board of Education in order to
28 qualify for State funding, if available, as of the beginning of
29 the 2006-2007 academic year, the local program must meet the
30 following minimum requirements and demonstrate the fulfillment
31 of these requirements in a written program description
32 submitted to the State Board of Education by the local
33 educational agency operating the program and modified if the

1 program is substantively altered:

2 (1) The use of a minimum of 3 assessment measures used
3 to identify gifted and talented children in each area in
4 which a program for gifted and talented children is
5 established, which may include without limitation scores
6 on standardized achievement tests, observation checklists,
7 portfolios, and currently-used district assessments.

8 (2) A priority emphasis on language arts and
9 mathematics.

10 (3) An identification method that uses the definition
11 of gifted and talented children as defined in Section
12 14A-20 of this Code.

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

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

19 (6) The use of identification procedures that
20 appropriately correspond with the planned programs,
21 curricula, and services.

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

23 (8) The availability of a fair and impartial appeal
24 process within the school, school district, or cooperative
25 of school districts operating a program for parents or
26 guardians whose children are aggrieved by a decision of the
27 school, school district, or cooperative of school
28 districts regarding eligibility for participation in a
29 program.

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

34 (10) Procedures for notifying parents or guardians of a
35 child of a decision affecting that child's participation in
36 a program.

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

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

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

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

18 (15) The designation of a supervisor responsible for
19 overseeing the educational program for gifted and talented
20 children.

21 (16) A showing that the certified teachers who are
22 assigned to teach gifted and talented children understand
23 the characteristics and educational needs of children and
24 are able to differentiate the curriculum and apply
25 instructional methods to meet the needs of the children.

26 (17) Plans for the continuation of professional
27 development for staff assigned to the program serving
28 gifted and talented children.

29 (105 ILCS 5/14A-35 new)

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

32 (a) The State Board of Education must designate a staff
33 person who shall be in charge of educational programs for
34 gifted and talented children. This staff person shall, at a
35 minimum, (i) be responsible for developing an approval process

1 for educational programs for gifted and talented children by no
2 later than September 1, 2006, (ii) receive and maintain the
3 written descriptions of all programs for gifted and talented
4 children in the State, (iii) collect and maintain the annual
5 growth in learning data submitted by a school, school district,
6 or cooperative of school districts, (iv) identify potential
7 funding sources for the education of gifted and talented
8 children, and (v) serve as the main contact person at the State
9 Board of Education for program supervisors and other school
10 officials, parents, and other stakeholders regarding the
11 education of gifted and talented children.

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

23 (105 ILCS 5/14A-40 new)

24 Sec. 14A-40. Advisory Council. There is hereby created an
25 Advisory Council on the Education of Gifted and Talented
26 Children to consist of 7 members appointed by the State
27 Superintendent of Education. Upon initial appointment, 4
28 members of the Advisory Council shall serve terms through
29 January 1, 2007 and 3 members shall serve terms through January
30 1, 2009. Thereafter, members shall serve 4-year terms. Upon the
31 expiration of the term of a member, that member shall continue
32 to serve until a replacement is appointed. The Council shall
33 meet at least 3 times each year. The Council shall organize
34 with a chairperson selected by the State Superintendent of
35 Education. Members of the Council shall serve without

1 compensation, but shall be reimbursed for their travel to and
2 from meetings and other reasonable expenses in connection with
3 meetings if approved by the State Board of Education.

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

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

21 (105 ILCS 5/14A-45 new)

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

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

9 (105 ILCS 5/14A-50 new)

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

30 (105 ILCS 5/14A-55 new)

31 Sec. 14A-55. Rulemaking. The State Board of Education shall
32 have the authority to adopt all rules necessary to implement
33 and regulate the provisions in this Article.

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