



Rep. Renee Kosel

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1 AMENDMENT TO HOUSE BILL 881

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 881 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."