

1 A bill to be entitled
2 An act relating to gifted and academically talented
3 student education; creating s. 1003.572, F.S.; requiring
4 the Department of Education to develop procedures for
5 screening students for identification as gifted or
6 academically talented students; specifying parental notice
7 and other requirements for such screening; requiring the
8 department to develop eligibility criteria for gifted and
9 academically talented student identification and
10 specifying criteria therefor; requiring the department to
11 develop model gifted and academically talented student
12 education programs and specifying program requirements;
13 requiring the department to develop procedures for
14 evaluating the effectiveness of model education programs;
15 requiring the department to develop procedures and
16 eligibility criteria for whole-grade acceleration;
17 requiring district school boards to implement screening
18 procedures, eligibility criteria, model education
19 programs, evaluation procedures, and whole-grade
20 acceleration policies; requiring district school board
21 reporting; requiring rulemaking; amending s. 1004.04,
22 F.S.; requiring state-approved teacher preparation
23 programs to incorporate specified gifted and academically
24 talented student instruction; amending s. 1011.62, F.S.;
25 requiring certain school district guaranteed allocation
26 expenditures to be reported separately; providing an
27 effective date.
28

29 Be It Enacted by the Legislature of the State of Florida:

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 31 Section 1. Section 1003.572, Florida Statutes, is created
 32 to read:

33 1003.572 Gifted and academically talented student
 34 education.--

35 (1) The Department of Education shall develop, and
 36 district school boards shall implement:

37 (a) Screening procedures for the determination of students
 38 who should be further evaluated for identification as a gifted
 39 or an academically talented student. The screening shall be
 40 annually conducted for all students in an elementary, middle,
 41 and high school grade level designated by the department, based
 42 upon peer-reviewed research, to be the most appropriate time for
 43 such screening and shall also be made available at least
 44 annually to students in all other K through 12 grade levels upon
 45 written request by a student's parent or teacher. Each district
 46 school board shall annually provide written notification to
 47 parents of students in grades K through 12 of the availability
 48 of such screening.

49 (b) Eligibility criteria for gifted and academically
 50 talented student identification that includes, but is not
 51 limited to, demonstration of a need for services or activities
 52 not ordinarily provided by the school in order to fully develop
 53 the student's capabilities and demonstration of:

54 1. Superior intellectual development on a standardized
 55 intelligence test for gifted student identification; or

56 2. High achievement capability in one or more academic
57 subject areas for academically talented student identification.

58 (c) Model gifted and academically talented student
59 education programs for students identified under paragraph (b).
60 The programs must:

61 1. Be based upon best practices set forth in peer-reviewed
62 research.

63 2. Include classroom-based, school-based, and district-
64 based implementation options.

65 3. Include, but are not limited to, subject matter
66 acceleration opportunities, differentiated curricula that
67 address the exceptional learning needs of gifted and
68 academically talented students, and enrichment activities that
69 extend learning opportunities available in the classroom.

70 (d) Procedures for annually evaluating the effectiveness
71 of model gifted and academically talented student education
72 programs.

73 (e) Policies that set forth procedures and eligibility
74 criteria for whole-grade acceleration.

75 (2) Each student participating in a gifted or academically
76 talented student education program shall be evaluated at least
77 every 3 years according to procedures developed by the
78 department to determine whether the student is benefiting from,
79 and continues to be eligible to participate in, the program.

80 (3) Each district school board shall report annually to
81 the department by school and grade level: the number of students
82 screened and identified under subsection (1); the types of
83 gifted and academically talented student education programs that

84 it offers; the number of, and performance data for, students in
85 such programs; and the number of students who were accelerated
86 one or more whole grades. When reporting the number of students,
87 district school boards shall classify students according to
88 race, ethnicity, and national origin.

89 (4) The State Board of Education shall adopt rules
90 pursuant to ss. 120.536(1) and 120.54 necessary to implement
91 this section.

92 Section 2. Paragraph (c) of subsection (3) of section
93 1004.04, Florida Statutes, is amended to read:

94 1004.04 Public accountability and state approval for
95 teacher preparation programs.--

96 (3) DEVELOPMENT OF TEACHER PREPARATION PROGRAMS.--A system
97 developed by the Department of Education in collaboration with
98 postsecondary educational institutions shall assist departments
99 and colleges of education in the restructuring of their programs
100 in accordance with this section to meet the need for producing
101 quality teachers now and in the future.

102 (c) State-approved teacher preparation programs must
103 incorporate:

104 1. Appropriate English for Speakers of Other Languages
105 instruction so that program graduates will have completed the
106 requirements for teaching limited English proficient students in
107 Florida public schools.

108 2. Scientifically researched, knowledge-based reading
109 literacy and computational skills instruction so that program
110 graduates will be able to provide the necessary academic

111 foundations for their students at whatever grade levels they
 112 choose to teach.

113 3. Gifted and academically talented student instruction so
 114 that program graduates will be able to recognize the
 115 characteristics of a gifted or academically talented student and
 116 will have knowledge of the requirements under s. 1003.572 for
 117 the screening, identification, and education of such students.

118 Section 3. Paragraph (e) of subsection (1) of section
 119 1011.62, Florida Statutes, is amended to read:

120 1011.62 Funds for operation of schools.--If the annual
 121 allocation from the Florida Education Finance Program to each
 122 district for operation of schools is not determined in the
 123 annual appropriations act or the substantive bill implementing
 124 the annual appropriations act, it shall be determined as
 125 follows:

126 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
 127 OPERATION.--The following procedure shall be followed in
 128 determining the annual allocation to each district for
 129 operation:

130 (e) Funding model for exceptional student education
 131 programs.--

132 1.a. The funding model uses basic, at-risk, support levels
 133 IV and V for exceptional students and career Florida Education
 134 Finance Program cost factors, and a guaranteed allocation for
 135 exceptional student education programs. Exceptional education
 136 cost factors are determined by using a matrix of services to
 137 document the services that each exceptional student will
 138 receive. The nature and intensity of the services indicated on

139 the matrix shall be consistent with the services described in
140 each exceptional student's individual educational plan.

141 b. In order to generate funds using one of the two
142 weighted cost factors, a matrix of services must be completed at
143 the time of the student's initial placement into an exceptional
144 student education program and at least once every 3 years by
145 personnel who have received approved training. Nothing listed in
146 the matrix shall be construed as limiting the services a school
147 district must provide in order to ensure that exceptional
148 students are provided a free, appropriate public education.

149 c. Students identified as exceptional, in accordance with
150 chapter 6A-6, Florida Administrative Code, who do not have a
151 matrix of services as specified in sub-subparagraph b. shall
152 generate funds on the basis of full-time-equivalent student
153 membership in the Florida Education Finance Program at the same
154 funding level per student as provided for basic students.
155 Additional funds for these exceptional students will be provided
156 through the guaranteed allocation designated in subparagraph 2.

157 2. For students identified as exceptional who do not have
158 a matrix of services and students who are gifted in grades K
159 through 8, there is created a guaranteed allocation to provide
160 these students with a free appropriate public education, in
161 accordance with s. 1001.42(4) (1) ~~(m)~~ and rules of the State Board
162 of Education, which shall be allocated annually to each school
163 district in the amount provided in the General Appropriations
164 Act. These funds shall be in addition to the funds appropriated
165 on the basis of FTE student membership in the Florida Education
166 Finance Program, and the amount allocated for each school

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167 district shall not be recalculated during the year. These funds
168 shall be used to provide special education and related services
169 for exceptional students and students who are gifted in grades K
170 through 8. Beginning with the 2007-2008 fiscal year, a
171 district's expenditure of funds from the guaranteed allocation
172 for students in grades 9 through 12 who are gifted may not be
173 greater than the amount expended during the 2006-2007 fiscal
174 year for gifted students in grades 9 through 12. Each district
175 school board in its annual financial report to the department
176 shall separately identify the amount expended from the
177 guaranteed allocation for students identified as exceptional who
178 do not have a matrix of services and for gifted students in
179 grades K through 12.

180 Section 4. This act shall take effect July 1, 2008.