

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 district school boards to provide parental notice of
5 requirements and procedures for requesting evaluations for
6 gifted student classification; requiring district school
7 board reporting of gifted student classification,
8 services, and performance data; requiring the Department
9 of Education to develop data elements for district
10 reporting; requiring rulemaking; creating s. 1003.573,
11 F.S.; requiring the department to develop procedures and
12 eligibility criteria for whole-grade and subject matter
13 acceleration; requiring district school boards to
14 implement procedures and eligibility criteria; requiring
15 district school board reporting of student acceleration
16 data; requiring the department to develop data elements
17 for district reporting; requiring rulemaking; amending s.
18 1004.04, F.S.; requiring state-approved teacher
19 preparation programs to incorporate specified gifted
20 student instruction; amending s. 1011.62, F.S.; requiring
21 certain school district guaranteed allocation expenditures
22 to be reported separately; creating the Gifted and
23 Academically Talented Student Task Force within the
24 department; designating members; providing for per diem
25 and travel expenses; requiring the task force to submit a
26 report to the Governor and Legislature; providing report
27 requirements; providing for the future abolishment of the
28 task force; providing effective dates.

29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55

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

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

1003.572 Gifted student education.--

(1) For students in grades K through 12, each district school board shall annually:

(a) Provide written notice to each student's parent of the eligibility criteria for gifted student classification and the procedures for requesting an evaluation of a student to determine his or her eligibility for such classification.

(b) Report to the department by school and grade level:

1. The number of students classified as gifted. Such reporting shall separately identify the number of students classified as gifted under generally applicable criteria set forth in State Board of Education rule and under a department-approved school district plan for increasing the participation of underrepresented groups.

2. The types of gifted student education services that it provides and the number of students receiving each service. Such reporting shall:

a. Separately identify gifted student education services that provide: direct instruction to a class consisting only of gifted students; differentiated instruction for gifted students within a class that also includes students who are not gifted; and noninstructional consultation services.

56 b. Indicate the number of hours per week that each service
 57 identified under sub-subparagraph a. is provided to each gifted
 58 student and whether the service is provided by a teacher who has
 59 received the gifted endorsement under State Board of Education
 60 rule.

61 3. Performance data for students receiving gifted student
 62 education services.

63
 64 When reporting the number of students under this paragraph,
 65 district school boards shall classify students according to
 66 race, ethnicity, limited English proficient status, and free or
 67 reduced-price lunch eligibility status under the National School
 68 Lunch Act.

69 (3) The department shall develop data elements to
 70 facilitate district school board reporting under subsection (2).

71 (4) The State Board of Education shall adopt rules
 72 pursuant to ss. 120.536(1) and 120.54 to implement this section.

73 Section 2. Section 1003.573, Florida Statutes, is created
 74 to read:

75 1003.573 Whole-grade and subject matter acceleration.--

76 (1) For students in grades K through 12, the department
 77 shall develop, and district school boards shall implement,
 78 statewide policies that set forth procedures and eligibility
 79 criteria for whole-grade and subject matter acceleration.

80 (2) Each district school board shall report annually to
 81 the department by school and grade level: the number of, and
 82 performance data for, students who were accelerated one or more
 83 whole grades; the types of subject matter acceleration programs

84 offered; and the number of, and performance data for, students
85 who participated in subject matter acceleration programs. When
86 reporting the number of students, district school boards shall
87 classify students according to race, ethnicity, limited English
88 proficient status, and free or reduced-price lunch eligibility
89 status under the National School Lunch Act.

90 (3) The department shall develop data elements to
91 facilitate district school board reporting under subsection (2).

92 (4) The State Board of Education shall adopt rules
93 pursuant to ss. 120.536(1) and 120.54 to implement this section.

94 Section 3. Paragraph (c) of subsection (3) of section
95 1004.04, Florida Statutes, is amended to read:

96 1004.04 Public accountability and state approval for
97 teacher preparation programs.--

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

104 (c) State-approved teacher preparation programs must
105 incorporate:

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

110 2. Scientifically researched, knowledge-based reading
111 literacy and computational skills instruction so that program

112 graduates will be able to provide the necessary academic
 113 foundations for their students at whatever grade levels they
 114 choose to teach.

115 3. Gifted student instruction so that program graduates
 116 will:

117 a. Be able to recognize the characteristics of gifted
 118 students.

119 b. Have knowledge of the eligibility criteria for gifted
 120 student classification and the procedures for referring a
 121 student for an evaluation to determine his or her eligibility
 122 for such classification.

123 c. Have knowledge of how to differentiate the general
 124 education curriculum for gifted students.

125 Section 4. Paragraph (e) of subsection (1) of section
 126 1011.62, Florida Statutes, is amended to read:

127 1011.62 Funds for operation of schools.--If the annual
 128 allocation from the Florida Education Finance Program to each
 129 district for operation of schools is not determined in the
 130 annual appropriations act or the substantive bill implementing
 131 the annual appropriations act, it shall be determined as
 132 follows:

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

137 (e) Funding model for exceptional student education
 138 programs.--

139 1.a. The funding model uses basic, at-risk, support levels

140 IV and V for exceptional students and career Florida Education
141 Finance Program cost factors, and a guaranteed allocation for
142 exceptional student education programs. Exceptional education
143 cost factors are determined by using a matrix of services to
144 document the services that each exceptional student will
145 receive. The nature and intensity of the services indicated on
146 the matrix shall be consistent with the services described in
147 each exceptional student's individual educational plan.

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

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

164 2. For students identified as exceptional who do not have
165 a matrix of services and students who are gifted in grades K
166 through 8, there is created a guaranteed allocation to provide
167 these students with a free appropriate public education, in

168 accordance with s. 1001.42(4) (1) ~~(m)~~ and rules of the State Board
 169 of Education, which shall be allocated annually to each school
 170 district in the amount provided in the General Appropriations
 171 Act. These funds shall be in addition to the funds appropriated
 172 on the basis of FTE student membership in the Florida Education
 173 Finance Program, and the amount allocated for each school
 174 district shall not be recalculated during the year. These funds
 175 shall be used to provide special education and related services
 176 for exceptional students and students who are gifted in grades K
 177 through 8. Beginning with the 2007-2008 fiscal year, a
 178 district's expenditure of funds from the guaranteed allocation
 179 for students in grades 9 through 12 who are gifted may not be
 180 greater than the amount expended during the 2006-2007 fiscal
 181 year for gifted students in grades 9 through 12. Each district
 182 school board in its annual financial report to the department
 183 shall separately identify the following amounts expended from
 184 the guaranteed allocation:

185 a. The amount expended for students identified as
 186 exceptional who do not have a matrix of services.

187 b. The amount expended for gifted students in grades K
 188 through 12 according to grade level.

189 Section 5. Gifted and Academically Talented Student Task
 190 Force.--

191 (1) Effective upon this act becoming a law, there is
 192 created the Gifted and Academically Talented Student Task Force.
 193 The task force is composed of the following seven members:

194 (a) The chair of the State Board of Education or his or
 195 her designee, who shall serve as chair.

196 (b) The Commissioner of Education or his or her designee,
197 who shall serve as vice chair.

198 (c) Four members who collectively have experience in
199 gifted and academically talented student screening,
200 identification, and education, one of whom shall be appointed by
201 the Governor, one of whom shall be appointed by the President of
202 the Senate, one of whom shall be appointed by the Speaker of the
203 House of Representatives, and one of whom shall be appointed by
204 the chair of State Board of Education.

205 (d) One member who represents an advocacy group for
206 parents of gifted children who shall be appointed by the
207 Governor.

208 (2) The members of the task force shall be appointed by
209 July 1, 2008, and shall convene the initial meeting of the task
210 force by August 1, 2008.

211 (3) The task force is assigned to the Department of
212 Education for administrative purposes. Members of the task force
213 are not entitled to compensation but are entitled to per diem
214 and travel expenses under s. 112.061, Florida Statutes. Members
215 of the task force are subject to the Code of Ethics for Public
216 Officers and Employees under part III of chapter 112, Florida
217 Statutes.

218 (4) By February 1, 2009, the task force shall submit a
219 report to the Governor, the President of the Senate, and the
220 Speaker of the House of Representatives that includes, but is
221 not limited to, recommendations, based upon peer-reviewed
222 research and the members' collective expertise, for the
223 following:

224 (a) Revisions to statute and rule governing eligibility
225 criteria for gifted student classification generally and in
226 underrepresented groups.

227 (b) Eligibility criteria for academically talented student
228 classification. Such criteria shall identify students who are
229 not classified as gifted but who possess high achievement
230 capability in one or more academic subject areas and who would
231 benefit from participation in accelerated or differentiated
232 curricula learning opportunities.

233 (c) Annual screening procedures for the determination of
234 students who should be further evaluated for identification as
235 gifted or academically talented students. These procedures, at a
236 minimum, shall identify:

237 1. The most appropriate grade or grades within each of the
238 elementary, middle, and high school levels to administer such
239 screenings for all students.

240 2. One or more recommended screening instruments.

241 (d) Model gifted and academically talented student
242 education programs. The programs must include, but are not
243 limited to:

244 1. Classroom-based, school-based, and district-based
245 implementation options.

246 2. Subject matter acceleration opportunities,
247 differentiated curricula that address the exceptional learning
248 needs of gifted and academically talented students, and
249 enrichment activities that extend learning opportunities
250 available in the classroom.

251 (e) Procedures for annually evaluating the effectiveness

CS/HB 297

2008

252 of model gifted and academically talented student education
253 programs.

254 (f) Procedures for evaluating students participating in
255 gifted or academically talented student education programs to
256 determine student performance and whether the students are
257 benefiting from, and continue to be eligible to participate in,
258 the programs.

259 (5) Upon delivery of its final report and recommendations,
260 the task force is abolished.

261 Section 6. Except as otherwise expressly provided in this
262 act, this act shall take effect July 1, 2008.