

By Senator Wise

5-00606A-08

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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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30  
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 district  
36 school boards shall implement:

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

49 (b) Eligibility criteria for gifted and academically  
50 talented student identification which 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.

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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 address  
67 the exceptional learning needs of gifted and academically  
68 talented students, and enrichment activities that extend learning  
69 opportunities available in the classroom.

70        (d) Procedures for annually evaluating the effectiveness of  
71 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 department  
78 to determine whether the student is benefiting from, and  
79 continues to be eligible to participate in, the program.

80        (3) Each district school board shall report annually to the  
81 department by school and grade level: the number of students  
82 screened and identified under subsection (1); the types of gifted  
83 and academically talented student education programs that it  
84 offers; the number of, and performance data for, students in such  
85 programs; and the number of students who were accelerated one or  
86 more whole grades. When reporting the number of students,

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87 district school boards shall classify students according to race,  
88 ethnicity, and national origin.

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

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

93 1004.04 Public accountability and state approval for  
94 teacher preparation programs.--

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

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

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

107 2. Scientifically researched, knowledge-based reading  
108 literacy and computational skills instruction so that program  
109 graduates will be able to provide the necessary academic  
110 foundations for their students at whatever grade levels they  
111 choose to teach.

112 3. Gifted and academically talented student instruction so  
113 that program graduates will be able to recognize the  
114 characteristics of a gifted or academically talented student and

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115 will have knowledge of the requirements under s. 1003.572 for the  
116 screening, identification, and education of such students.

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

119 1011.62 Funds for operation of schools.--If the annual  
120 allocation from the Florida Education Finance Program to each  
121 district for operation of schools is not determined in the annual  
122 appropriations act or the substantive bill implementing the  
123 annual appropriations act, it shall be determined as follows:

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

127 (e) Funding model for exceptional student education  
128 programs.--

129 1.a. The funding model uses basic, at-risk, support levels  
130 IV and V for exceptional students and career Florida Education  
131 Finance Program cost factors, and a guaranteed allocation for  
132 exceptional student education programs. Exceptional education  
133 cost factors are determined by using a matrix of services to  
134 document the services that each exceptional student will receive.  
135 The nature and intensity of the services indicated on the matrix  
136 shall be consistent with the services described in each  
137 exceptional student's individual educational plan.

138 b. In order to generate funds using one of the two weighted  
139 cost factors, a matrix of services must be completed at the time  
140 of the student's initial placement into an exceptional student  
141 education program and at least once every 3 years by personnel  
142 who have received approved training. Nothing listed in the matrix  
143 shall be construed as limiting the services a school district

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144 must provide in order to ensure that exceptional students are  
145 provided a free, appropriate public education.

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

154 2. For students identified as exceptional who do not have a  
155 matrix of services and students who are gifted in grades K  
156 through 8, there is created a guaranteed allocation to provide  
157 these students with a free appropriate public education, in  
158 accordance with s. 1001.42(4) (1) ~~(m)~~ and rules of the State Board  
159 of Education, which shall be allocated annually to each school  
160 district in the amount provided in the General Appropriations  
161 Act. These funds shall be in addition to the funds appropriated  
162 on the basis of FTE student membership in the Florida Education  
163 Finance Program, and the amount allocated for each school  
164 district shall not be recalculated during the year. These funds  
165 shall be used to provide special education and related services  
166 for exceptional students and students who are gifted in grades K  
167 through 8. Beginning with the 2007-2008 fiscal year, a district's  
168 expenditure of funds from the guaranteed allocation for students  
169 in grades 9 through 12 who are gifted may not be greater than the  
170 amount expended during the 2006-2007 fiscal year for gifted  
171 students in grades 9 through 12. Each district school board in  
172 its annual financial report to the department shall separately

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173 identify the amount expended from the guaranteed allocation for  
174 students identified as exceptional who do not have a matrix of  
175 services and for gifted students in grades K through 12.

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