

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Legg offered the following:

2  
3 **Amendment (with title amendment)**

4 Remove line 674 and insert:

5  
6 Section 10. Effective July 1, 2010, section 1003.572,  
7 Florida Statutes, is created to read:

8 1003.572 Gifted student education.--

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

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

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

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

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

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

30       b. Indicate the number of hours per week that each service  
31 identified under sub-subparagraph a. is provided to each gifted  
32 student and whether the service is provided by a teacher who has  
33 received the gifted endorsement under State Board of Education  
34 rule.

35       3. Performance data for students receiving gifted student  
36 education services.

37  
38 When reporting the number of students under this paragraph,  
39 district school boards shall classify students according to  
40 race, ethnicity, limited English proficient status, and free or  
41 reduced-price lunch eligibility status under the National School  
42 Lunch Act.

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43       (2) The department shall develop data elements to  
44 facilitate district school board reporting under paragraph  
45 (1) (b).

46       (3) The State Board of Education shall adopt rules  
47 pursuant to ss. 120.536(1) and 120.54 to implement this section.

48       Section 11. Effective July 1, 2010, section 1003.573,  
49 Florida Statutes, is created to read:

50       1003.573 Whole-grade and subject matter acceleration.--

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

55       (2) Each district school board shall report annually to  
56 the department by school and grade level: the number of, and  
57 performance data for, students who were accelerated one or more  
58 whole grades; the types of subject matter acceleration programs  
59 offered; and the number of, and performance data for, students  
60 who participated in subject matter acceleration programs. When  
61 reporting the number of students, district school boards shall  
62 classify students according to race, ethnicity, limited English  
63 proficient status, and free or reduced-price lunch eligibility  
64 status under the National School Lunch Act.

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

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

69       Section 12. Effective July 1, 2010, paragraph (c) of  
70 subsection (3) of section 1004.04, Florida Statutes, is amended  
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71 to read:

72 1004.04 Public accountability and state approval for  
73 teacher preparation programs.--

74 (3) DEVELOPMENT OF TEACHER PREPARATION PROGRAMS.--A system  
75 developed by the Department of Education in collaboration with  
76 postsecondary educational institutions shall assist departments  
77 and colleges of education in the restructuring of their programs  
78 in accordance with this section to meet the need for producing  
79 quality teachers now and in the future.

80 (c) State-approved teacher preparation programs must  
81 incorporate:

82 1. Appropriate English for Speakers of Other Languages  
83 instruction so that program graduates will have completed the  
84 requirements for teaching limited English proficient students in  
85 Florida public schools.

86 2. Scientifically researched, knowledge-based reading  
87 literacy and computational skills instruction so that program  
88 graduates will be able to provide the necessary academic  
89 foundations for their students at whatever grade levels they  
90 choose to teach.

91 3. Gifted student instruction so that program graduates  
92 will:

93 a. Be able to recognize the characteristics of gifted  
94 students.

95 b. Have knowledge of the eligibility criteria for gifted  
96 student classification and the procedures for referring a  
97 student for an evaluation to determine his or her eligibility  
98 for such classification.

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99           c. Have knowledge of how to differentiate the general  
100 education curriculum for gifted students.

101           Section 13. Effective July 1, 2010, paragraph (e) of  
102 subsection (1) of section 1011.62, Florida Statutes, is amended  
103 to read:

104           1011.62 Funds for operation of schools.--If the annual  
105 allocation from the Florida Education Finance Program to each  
106 district for operation of schools is not determined in the  
107 annual appropriations act or the substantive bill implementing  
108 the annual appropriations act, it shall be determined as  
109 follows:

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

114           (e) Funding model for exceptional student education  
115 programs.--

116           1.a. The funding model uses basic, at-risk, support levels  
117 IV and V for exceptional students and career Florida Education  
118 Finance Program cost factors, and a guaranteed allocation for  
119 exceptional student education programs. Exceptional education  
120 cost factors are determined by using a matrix of services to  
121 document the services that each exceptional student will  
122 receive. The nature and intensity of the services indicated on  
123 the matrix shall be consistent with the services described in  
124 each exceptional student's individual educational plan.

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

133 c. Students identified as exceptional, in accordance with  
134 chapter 6A-6, Florida Administrative Code, who do not have a  
135 matrix of services as specified in sub-subparagraph b. shall  
136 generate funds on the basis of full-time-equivalent student  
137 membership in the Florida Education Finance Program at the same  
138 funding level per student as provided for basic students.

139 Additional funds for these exceptional students will be provided  
140 through the guaranteed allocation designated in subparagraph 2.

141 2. For students identified as exceptional who do not have  
142 a matrix of services and students who are gifted in grades K  
143 through 8, there is created a guaranteed allocation to provide  
144 these students with a free appropriate public education, in  
145 accordance with s. 1001.42(4) (1) ~~(m)~~ and rules of the State Board  
146 of Education, which shall be allocated annually to each school  
147 district in the amount provided in the General Appropriations  
148 Act. These funds shall be in addition to the funds appropriated  
149 on the basis of FTE student membership in the Florida Education  
150 Finance Program, and the amount allocated for each school  
151 district shall not be recalculated during the year. These funds  
152 shall be used to provide special education and related services  
153 for exceptional students and students who are gifted in grades K  
154 through 8. Beginning with the 2007-2008 fiscal year, a

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155 district's expenditure of funds from the guaranteed allocation  
156 for students in grades 9 through 12 who are gifted may not be  
157 greater than the amount expended during the 2006-2007 fiscal  
158 year for gifted students in grades 9 through 12. Each district  
159 school board in its annual financial report to the department  
160 shall separately identify the following amounts expended from  
161 the guaranteed allocation:

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

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

166 Section 14. Gifted and Academically Talented Student Task  
167 Force.--

168 (1) There is created the Gifted and Academically Talented  
169 Student Task Force. The task force is composed of the following  
170 seven members:

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

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

175 (c) Four members who collectively have experience in  
176 gifted and academically talented student screening,  
177 identification, and education, one of whom shall be appointed by  
178 the Governor, one of whom shall be appointed by the President of  
179 the Senate, one of whom shall be appointed by the Speaker of the  
180 House of Representatives, and one of whom shall be appointed by  
181 the chair of the State Board of Education.

182 (d) One member who represents an advocacy group for

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183 parents of gifted children who shall be appointed by the  
184 Governor.

185 (2) The members of the task force shall be appointed by  
186 October 1, 2009, and shall convene the initial meeting of the  
187 task force by November 1, 2009.

188 (3) The task force is assigned to the Department of  
189 Education for administrative purposes. Members of the task force  
190 shall serve without compensation and are not entitled to receive  
191 reimbursement for per diem and travel expenses under s. 112.061.  
192 Meetings may be held via teleconference or other electronic  
193 means. Members of the task force are subject to the Code of  
194 Ethics for Public Officers and Employees under part III of  
195 chapter 112, Florida Statutes.

196 (4) By February 1, 2010, the task force shall submit a  
197 report to the Governor, the President of the Senate, and the  
198 Speaker of the House of Representatives that includes, but is  
199 not limited to, recommendations, based upon peer-reviewed  
200 research and the members' collective expertise, for the  
201 following:

202 (a) Revisions to statute and rule governing eligibility  
203 criteria for gifted student classification generally and in  
204 underrepresented groups.

205 (b) Eligibility criteria for academically talented student  
206 classification. Such criteria shall identify students who are  
207 not classified as gifted but who possess high achievement  
208 capability in one or more academic subject areas and who would  
209 benefit from participation in accelerated or differentiated  
210 curricula learning opportunities.

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211 (c) Annual screening procedures for the determination of  
212 students who should be further evaluated for identification as  
213 gifted or academically talented students. These procedures, at a  
214 minimum, shall identify:

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

218 2. One or more recommended screening instruments.

219 (d) Model gifted and academically talented student  
220 education programs. The programs must include, but are not  
221 limited to:

222 1. Classroom-based, school-based, and district-based  
223 implementation options.

224 2. Subject matter acceleration opportunities,  
225 differentiated curricula that address the exceptional learning  
226 needs of gifted and academically talented students, and  
227 enrichment activities that extend learning opportunities  
228 available in the classroom.

229 (e) Procedures for annually evaluating the effectiveness  
230 of model gifted and academically talented student education  
231 programs.

232 (f) Procedures for evaluating students participating in  
233 gifted or academically talented student education programs to  
234 determine student performance and whether the students are  
235 benefiting from, and continue to be eligible to participate in,  
236 the programs.

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

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239 Section 15. Except as otherwise expressly provided in this  
240 act, this act shall take effect July 1, 2009.

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**T I T L E A M E N D M E N T**

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Remove line 40 and insert:

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creating s. 1003.572, F.S.; requiring district school boards to

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provide parental notice of requirements and procedures for

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requesting evaluations for gifted student classification;

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requiring district school board reporting of gifted student

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classification, services, and performance data; requiring the

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Department of Education to develop data elements for district

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reporting; requiring rulemaking; creating s. 1003.573, F.S.;

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requiring the department to develop procedures and eligibility

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criteria for whole-grade and subject matter acceleration;

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requiring district school boards to implement procedures and

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eligibility criteria; requiring district school board reporting

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of student acceleration data; requiring the department to

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develop data elements for district reporting; requiring

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rulemaking; amending s. 1004.04, F.S.; requiring state-approved

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teacher preparation programs to incorporate specified gifted

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student instruction; amending s. 1011.62, F.S.; requiring

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certain school district guaranteed allocation expenditures to be

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reported separately; creating the Gifted and Academically

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Talented Student Task Force within the department; designating

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members; requiring members to serve without compensation or

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reimbursement for per diem and travel expenses; requiring the

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task force to submit a report to the Governor and Legislature;

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HOUSE AMENDMENT

Bill No. HB 7087

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267 providing report requirements; providing for the future  
268 abolishment of the task force; providing effective dates.

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