S T A T E O F N E W Y O R K

4435

2009-2010 Regular Sessions

I N A S S E M B L Y

February 4, 2009

Introduced by M. of A. ESPAILLAT -- Multi-Sponsored by -- M. of A. TITUS -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to requiring certain school districts to establish programs for gifted pupils

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The education law is amended by adding a new section 4454 to read as follows:

S 4454. GIFTED AND TALENTED PROGRAM IN CITIES WITH A POPULATION OF ONE MILLION OR MORE. 1. THIS SECTION SHALL APPLY TO EVERY SCHOOL DISTRICT LOCATED IN CITIES WITH A POPULATION OF ONE MILLION OR MORE. THE SCHOOL DISTRICT SHALL ESTABLISH A DISTRICT-WIDE GIFTED AND TALENTED PROGRAM FOR PUPILS WHO MEET THE CRITERIA ESTABLISHED IN SUBDIVISION ONE OF SECTION FORTY-FOUR HUNDRED FIFTY-TWO OF THIS ARTICLE, AND SHALL BE RESPONSIBLE FOR ENSURING THAT APPROPRIATE INSTRUCTIONAL ADAPTATIONS ARE DESIGNED AND DELIVERED FOR SUCH PUPILS.

2. THE SCHOOL DISTRICT SHALL ESTABLISH AN ONGOING IDENTIFICATION PROCESS FOR GIFTED PUPILS INITIATED IN KINDERGARTEN AND REVIEWED ANNUALLY THROUGH GRADE TWELVE. THE SCHOOL DISTRICT SHALL ENSURE THAT THE IDENTIFICATION METHODOLOGY USED IS DEVELOPMENTALLY APPROPRIATE, NON-DISCRIMINATORY, AND RELATED TO THE PROGRAMS AND SERVICES OFFERED.

3. THE DEPARTMENT SHALL PROVIDE EACH SCHOOL DISTRICT WITH CURRICULUM FRAMEWORKS WHICH SHALL SUGGEST A VARIETY OF ACTIVITIES AND STRATEGIES THAT MAY ASSIST IN THE DEVELOPMENT OF LOCAL CURRICULA FOR GIFTED PUPILS. SUCH FRAMEWORKS SHALL ADDRESS ADAPTATIONS THAT ARE EDUCATIONALLY CHALLENGING FOR GIFTED PUPILS IN CORE SUBJECT AREAS AS IDENTIFIED BY THE DEPARTMENT.

4. IN ADDITION, THE SCHOOL BOARDS OF EACH SUCH SCHOOL DISTRICT SHALL ENCOURAGE THE ACTIVE INVOLVEMENT OF REPRESENTATIVES FROM THE COMMUNITY, BUSINESS, INDUSTRY, LABOR, AND HIGHER EDUCATION IN THE DEVELOPMENT OF THE GIFTED AND TALENTED PROGRAM.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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S 2. This act shall take effect on the first of July next succeeding the date on which it shall have become a law; provided, however, that the commissioner of education is authorized to promulgate any rules and regulations necessary for the effective implementation of this act on or before such date.