

3281

2011-2012 Regular Sessions

I N A S S E M B L Y

January 24, 2011

Introduced by M. of A. THIELE -- read once and referred to the Committee
on Education

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

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

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

3 S 4454. GIFTED AND TALENTED PROGRAM. 1. EACH SCHOOL DISTRICT IN THIS
4 STATE SHALL ESTABLISH A DISTRICT-WIDE GIFTED AND TALENTED PROGRAM FOR
5 PUPILS WHO MEET THE CRITERIA ESTABLISHED IN SUBDIVISION ONE OF SECTION
6 FORTY-FOUR HUNDRED FIFTY-TWO OF THIS ARTICLE, AND SHALL BE RESPONSIBLE
7 FOR ENSURING THAT APPROPRIATE INSTRUCTIONAL ADAPTATIONS ARE DESIGNED AND
8 DELIVERED FOR SUCH PUPILS.

9 2. EACH SCHOOL DISTRICT SHALL ESTABLISH AN ONGOING IDENTIFICATION
10 PROCESS FOR GIFTED PUPILS INITIATED IN KINDERGARTEN AND REVIEWED ANNUAL-
11 LY THROUGH GRADE TWELVE. THE SCHOOL DISTRICT SHALL ENSURE THAT THE IDEN-
12 TIFICATION METHODOLOGY USED IS DEVELOPMENTALLY APPROPRIATE, NON-DISCRI-
13 MINATORY, AND RELATED TO THE PROGRAMS AND SERVICES OFFERED.

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

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

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

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

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