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

4745--A

2013-2014 Regular Sessions

I N A S S E M B L Y

February 8, 2013

Introduced by M. of A. THIELE, AUBRY, JAFFEE, MAISEL, SCARBOROUGH, STEVENSON, TITONE -- Multi-Sponsored by -- M. of A. JOHNS, MAGNARELLI, McDONOUGH -- read once and referred to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to requiring school districts to establish programs for gifted and twice-exceptional 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. 1. EACH SCHOOL DISTRICT IN THIS STATE 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 INCLUDING, BUT NOT LIMITED TO GIFTED IEPS (GIEPS) DEVELOPED BY CERTIFIED GIFTED AND TALENTED LEARNING SPECIALISTS, DIFFERENTIATED INSTRUCTION, CONTACT TIME, SOCIAL AND EMOTIONAL SUPPORT, ACADEMIC GUIDANCE AND COUNSELING, AND CONTENT-BASED ACCELERATION, ARE DESIGNED AND DELIVERED FOR SUCH PUPILS.

2. EACH SCHOOL DISTRICT SHALL ESTABLISH AN ONGOING IDENTIFICATION PROCESS FOR GIFTED PUPILS, INCLUDING TWICE-EXCEPTIONAL PUPILS, INITIATED IN PRE-KINDERGARTEN AND REVIEWED ANNUALLY THROUGH GRADE TWELVE. THE SCHOOL DISTRICT SHALL ENSURE THAT THE IDENTIFICATION METHODOLOGY EMPLOYS MULTIFACETED CRITERIA CONSISTENT WITH RECOMMENDED PRACTICES IN THE FIELD, AND 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 AND

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

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TWICE-EXCEPTIONAL PUPILS. SUCH FRAMEWORKS SHALL ADDRESS ADAPTATIONS THAT ARE EDUCATIONALLY CHALLENGING FOR GIFTED AND TWICE-EXCEPTIONAL PUPILS IN CORE SUBJECT AREAS AS IDENTIFIED BY THE DEPARTMENT.

4. IN ADDITION, THE SCHOOL BOARDS OF EACH SCHOOL DISTRICT SHALL PROVIDE PROFESSIONAL DEVELOPMENT AND PROGRAM EVALUATION, DIFFERENTIATED INSTRUCTION, CONTACT TIME, SOCIAL AND EMOTIONAL SUPPORT, ACADEMIC GUIDANCE AND COUNSELING, AND CONTENT-BASED ACCELERATION, AND ENCOURAGE THE ACTIVE INVOLVEMENT OF REPRESENTATIVES FROM THE COMMUNITY, BUSINESS, INDUSTRY, LABOR, AND HIGHER EDUCATION IN THE DEVELOPMENT OF THE GIFTED AND TALENTED PROGRAM.

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.