

4745--A

2013-2014 Regular Sessions

I N   A S S E M B L Y

February 8, 2013

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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:

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 INCLUDING, BUT  
8     NOT LIMITED TO GIFTED IEPS (GIEPS) DEVELOPED BY CERTIFIED GIFTED AND  
9     TALENTED LEARNING SPECIALISTS, DIFFERENTIATED INSTRUCTION, CONTACT TIME,  
10    SOCIAL AND EMOTIONAL SUPPORT, ACADEMIC GUIDANCE AND COUNSELING, AND  
11    CONTENT-BASED ACCELERATION, ARE DESIGNED AND DELIVERED FOR SUCH PUPILS.

12    2. EACH SCHOOL DISTRICT SHALL ESTABLISH AN ONGOING IDENTIFICATION  
13    PROCESS FOR GIFTED PUPILS, INCLUDING TWICE-EXCEPTIONAL PUPILS, INITIATED  
14    IN PRE-KINDERGARTEN AND REVIEWED ANNUALLY THROUGH GRADE TWELVE. THE  
15    SCHOOL DISTRICT SHALL ENSURE THAT THE IDENTIFICATION METHODOLOGY EMPLOYS  
16    MULTIFACETED CRITERIA CONSISTENT WITH RECOMMENDED PRACTICES IN THE  
17    FIELD, AND IS DEVELOPMENTALLY APPROPRIATE, NON-DISCRIMINATORY, AND  
18    RELATED TO THE PROGRAMS AND SERVICES OFFERED.

19    3. THE DEPARTMENT SHALL PROVIDE EACH SCHOOL DISTRICT WITH CURRICULUM  
20    FRAMEWORKS WHICH SHALL SUGGEST A VARIETY OF ACTIVITIES AND STRATEGIES  
21    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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1 TWICE-EXCEPTIONAL PUPILS. SUCH FRAMEWORKS SHALL ADDRESS ADAPTATIONS  
2 THAT ARE EDUCATIONALLY CHALLENGING FOR GIFTED AND TWICE-EXCEPTIONAL  
3 PUPILS IN CORE SUBJECT AREAS AS IDENTIFIED BY THE DEPARTMENT.

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

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