

SHORT TITLE: Schools; modifying duties of State Department of Education related to gifted and talented programs.

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

SENATE BILL NO. 475

By: Williams (Penny)

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 1991, Sections 1210.301 and 1210.303, which relate to gifted and talented programs; modifying duties of State Department of Education; and deleting obsolete language.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 1991, Section 1210.301, is amended to read as follows:

Section 1210.301. As used in this act:

1. "Gifted and talented children" means those children identified at the preschool, elementary and secondary level as having demonstrated potential abilities of high performance capability and needing differentiated or accelerated education or services. For the purpose of this definition, "demonstrated abilities of high performance capability" means:

- a. ~~for the 1985-86 school year, those identified students who score in the top three percent (3%) on any national standardized test or may include students who excel in one or more of the following areas:~~
- ~~(1) Intellectual ability,~~
  - ~~(2) Creative thinking ability,~~
  - ~~(3) Leadership ability,~~
  - ~~(4) Visual and performing arts ability, and~~
  - ~~(5) Specific academic ability;~~

- ~~b. beginning with the 1986-87 school year, those~~  
identified students who score in the top three percent  
(3%) on any national standardized test of intellectual  
ability. Said definition may also include students  
who excel in one or more of the following areas:
- ~~(1) a.~~ creative thinking ability,
  - ~~(2) b.~~ leadership ability,
  - ~~(3) c.~~ visual and performing arts ability, and
  - ~~(4) d.~~ specific academic ability;

A school district shall identify children in capability areas by means of a multicriteria evaluation. Provided, with first and second grade level children, a local school district may utilize other evaluation mechanisms such as, but not limited to, teacher referrals in lieu of standardized testing measures;

2. "Gifted child educational programs" means those special instructional programs, supportive services, unique educational materials, learning settings and other educational services which differentiate, supplement and support the regular educational program in meeting the needs of the gifted and talented child;

3. "Department" means the State Department of Education;

4. "Board" means the Oklahoma State Board of Education; and

5. "Act" means Sections 1210.301 through 1210.307 of this title.

SECTION 2. AMENDATORY 70 O.S. 1991, Section 1210.303, is amended to read as follows:

Section 1210.303. In administering this act the Department of Education shall provide:

- 1. The necessary State Department of Education staff with a primary responsibility for:
  - a. developing educational programs for gifted and talented children,

- b. assuring appropriate assessment and evaluation procedures for use by school districts of this state, and
- c. enforcing compliance with the provisions of Sections 1210.301 through 1210.308 of this title by school districts;

2. The procedures for educational screening, needs analysis and prescriptive programming for gifted and talented children by Regional Education Service Center personnel and others approved by the Department;

3. In-service training for selected teachers, administrators, college personnel, parents and interested lay persons;

4. Assistance in the development of new programs and the projection of program alternatives for the eventual provision of high quality programs for all identified gifted and talented children;

5. Recommendations to the State Board of Education concerning qualifications of teachers for gifted and talented children;

6. Recommendations for degree programs and short course seminars for the preparation of teaching personnel for gifted and talented children;

7. Selected procedural safeguards for all potentially identifiable and identified gifted and talented children; ~~and~~

8. Selected financial safeguards to track funds appropriated for this purpose to ascertain that the funds are being used for gifted and talented programs; and

9. Any other programs, services, supplies or facilities necessary to implement the provisions of this act.