

CF 7lr1151

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**By: The Speaker (Administration) and Delegates Heller, Conway, Fry, Workman, Kopp, Proctor, Rawlings, Willis, Cadden, Marriott, McIntosh, and Rudolph**

Introduced and read first time: January 27, 1997

Assigned to: Ways and Means

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 19, 1997

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CHAPTER \_\_\_\_

1 AN ACT concerning

2 **Gifted and Talented Student Education - Excellence in Education**

3 **Incentive Grant Program**

4 FOR the purpose of ~~requiring certain academic standards for students identified as gifted~~  
5 ~~and talented; establishing incentives to county boards of education for the~~  
6 ~~development, implementation, and evaluation of certain programs and services;~~  
7 ~~allowing county boards of education to develop certain databases; requiring the~~  
8 ~~State Board of Education to disseminate certain information, work with business~~  
9 ~~community members to permit certain options, and coordinate the development of~~  
10 ~~certain programs for gifted and talented students; authorizing the State Board of~~  
11 ~~Education to award grants for certain purposes; requiring the State Board of~~  
12 ~~Education to establish certain evaluation criteria; requiring the State Board of~~  
13 ~~Education to conduct certain monitoring activities; requiring county boards of~~  
14 ~~education to develop and implement certain programs and services for certain~~  
15 ~~students, maintain certain databases, provide certain kinds of communication with~~  
16 ~~parents and community members, and provide certain kinds of staff development;~~  
17 ~~establishing certain priorities for the awards; requiring a certain application~~  
18 ~~procedure and content~~ establishing the Excellence in Education Incentive Grant  
19 Program in the State Department of Education; requiring certain local boards of  
20 education that receive grants to develop and implement certain programs, provide  
21 certain staff development, and disseminate certain information; requiring the State  
22 Board of Education to adopt certain regulations and conduct certain monitoring;  
23 altering a certain definition; requiring that funding for this Act be provided from  
24 certain amounts; providing for the effective date of this Act; making stylistic and  
25 technical changes; and generally relating to the education for gifted and talented  
26 students establishment of the Excellence in Education Incentive Grant Program in  
27 the State Department of Education.

2

1 BY repealing and reenacting, with amendments,  
2 Article - Education  
3 Section 8-201, ~~8-202, 8-203, and 8-204~~  
4 Annotated Code of Maryland  
5 (1997 Replacement Volume)

6 ~~BY repealing~~  
7 ~~Article - Education~~  
8 ~~Section 8-202, 8-203, and 8-204~~  
9 ~~Annotated Code of Maryland~~  
10 ~~(1997 Replacement Volume)~~

11 BY adding to  
12 Article - Education  
13 Section ~~8-202, 8-203, 8-204, and 8-205~~ 8-2A-01 through 8-2A-03, inclusive, to be  
14 under the new subtitle "Subtitle 2A. Excellence in Education Incentive Grant  
15 Program"  
16 Annotated Code of Maryland  
17 (1997 Replacement Volume)

18 Preamble

19 WHEREAS, In September 1993, the Maryland State Superintendent of Schools  
20 established the Maryland Task Force on Gifted and Talented Education, which was  
21 charged with studying the current status of gifted and talented education across the State  
22 and making appropriate recommendations; and

23 WHEREAS, The Task Force recommended that the State Department of  
24 Education provide ongoing funding for gifted and talented education services to local  
25 school systems to assist them in meeting the needs of gifted and talented students; and

26 WHEREAS, The Task Force identified the selection, training, development, and  
27 evaluation of staff who educate gifted and talented students as a critical element in any  
28 program to provide for the special needs of these students; and

29 WHEREAS, The Task Force emphasized the importance of identifying students  
30 in need of gifted and talented services, ascertaining the needs of those students, and  
31 providing an appropriate range of services to meet their needs; now, therefore,

32 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
33 MARYLAND, That the Laws of Maryland read as follows:

34 **Article - Education**

35 8-201.

36 (A) In this subtitle ~~THE FOLLOWING WORDS HAVE THE MEANINGS~~  
37 ~~INDICATED.~~

1 ~~(B) "BLUE RIBBON SCHOOL" MEANS A PUBLIC SCHOOL THAT HAS SHOWN~~  
2 ~~SUBSTANTIAL AND SUSTAINED IMPROVEMENT IN ACHIEVING OR EXCEEDING THE~~  
3 ~~MARYLAND SCHOOL PERFORMANCE STANDARDS AND HAS BEEN SELECTED BY THE~~  
4 ~~DEPARTMENT FOR PARTICIPATION IN THE NATIONAL BLUE RIBBON SCHOOLS~~  
5 ~~PROGRAM OF THE UNITED STATES DEPARTMENT OF EDUCATION.~~

6 ~~(C) {"gifted"} "GIFTED and talented [child"] STUDENT" means an elementary or~~  
7 ~~secondary student who is identified by professionally qualified individuals as having~~  
8 ~~outstanding abilities in the area of:~~

- 9 (1) General intellectual capabilities;
- 10 (2) Specific academic aptitudes; or
- 11 (3) The creative, visual, or performing arts.

12 ~~{8-202.~~

13 A gifted and talented ~~child~~ STUDENT needs different services beyond those  
14 normally provided by the regular school program in order to develop ~~his~~ THE STUDENT'S  
15 potential.}

16 ~~8-202.~~

17 ~~THE GENERAL ASSEMBLY FINDS THAT:~~

18 ~~(1) RIGOROUS ACADEMIC STANDARDS MATCHED TO STUDENTS'~~  
19 ~~ABILITIES, ACCOMPANIED BY CHALLENGING CURRICULA ACROSS ALL ACADEMIC~~  
20 ~~CONTENT AREAS, MUST BE AVAILABLE FOR ALL STUDENTS INCLUDING THOSE~~  
21 ~~STUDENTS IDENTIFIED AS GIFTED AND TALENTED;~~

22 ~~(2) MECHANISMS MUST BE IDENTIFIED THAT SUPPORT INDIVIDUAL~~  
23 ~~PACING, EXTEND THE DEPTH AND COMPLEXITY OF THE SCHOOL CURRICULUM, AND~~  
24 ~~THAT PROMOTE INSTRUCTIONAL AND CURRICULAR FLEXIBILITY SO THAT~~  
25 ~~APPROPRIATE INSTRUCTIONAL OPTIONS AND SERVICES ARE AVAILABLE FOR~~  
26 ~~GIFTED AND TALENTED STUDENTS;~~

27 ~~(3) ACCESS TO DIFFERENTIATED SERVICES FOR PRIMARY AGE~~  
28 ~~STUDENTS ASSISTS WITH THE IDENTIFICATION, INSTRUCTION, AND ACADEMIC~~  
29 ~~PERFORMANCE OF GIFTED AND TALENTED STUDENTS WHO ARE AT RISK BECAUSE~~  
30 ~~OF LOW SOCIOECONOMIC STATUS OR ETHNIC OR CULTURAL DISADVANTAGES;~~

31 ~~(4) THERE MUST BE APPROPRIATE SELECTION, TRAINING, AND STAFF~~  
32 ~~DEVELOPMENT FOR SCHOOL SYSTEM PERSONNEL WHO WILL BE TEACHING GIFTED~~  
33 ~~AND TALENTED STUDENTS;~~

34 ~~(5) PARENTS AND COMMUNITY RESOURCES MUST BE INVOLVED IN THE~~  
35 ~~EDUCATION OF GIFTED AND TALENTED STUDENTS THROUGH LOCAL ADVISORY~~  
36 ~~COMMITTEES;~~

37 ~~(6) THE INEQUITIES OF RESOURCES AND SERVICES THAT ARE~~  
38 ~~AVAILABLE FOR GIFTED AND TALENTED STUDENTS ACROSS THE STATE MUST BE~~  
39 ~~ADDRESSED; AND~~

1                   ~~(7) THE DEVELOPMENT OF A GIFTED AND TALENTED STUDENT~~  
2 ~~DATABASE IS NECESSARY TO RESPOND TO THE ISSUES OF ACCOUNTABILITY,~~  
3 ~~EDUCATIONAL RESOURCES, INSTRUCTIONAL OPTIONS, AND TECHNICAL~~  
4 ~~ASSISTANCE TO COUNTY BOARDS.~~

5 ~~§8-203.~~

6                   The State Board shall encourage each county board to develop and implement  
7 programs for gifted and talented ~~children~~ STUDENTS.

8 ~~§ 203.~~

9                   ~~IT IS THE PURPOSE OF THIS SUBTITLE:~~

10                   ~~(1) TO OFFER INCENTIVES TO COUNTY BOARDS FOR THE~~  
11 ~~DEVELOPMENT AND IMPLEMENTATION OF A RANGE OF SERVICES AND~~  
12 ~~INSTRUCTIONAL PROGRAMS, INCLUDING THOSE THAT WILL MEET THE NEEDS OF~~  
13 ~~GIFTED AND TALENTED STUDENTS; AND~~

14                   ~~(2) TO ENABLE COUNTY BOARDS TO DEVELOP A GIFTED AND~~  
15 ~~TALENTED STUDENT DATABASE THAT WILL SUPPORT THE RECOGNITION AND~~  
16 ~~DISSEMINATION OF RESOURCES, INSTRUCTIONAL OPTIONS, AND TECHNICAL~~  
17 ~~ASSISTANCE NEEDED FOR THE APPROPRIATE EDUCATION OF GIFTED AND~~  
18 ~~TALENTED STUDENTS.~~

19 ~~§8-204.~~

20                   To the extent funds are provided in the State budget or are available from other  
21 sources, the State Board shall provide guidance, consultative and technical assistance,  
22 and fiscal support for programs that include:

23                   (1) Teacher training to incorporate instruction in methods and techniques  
24 that are designed to enable teachers to identify and teach gifted and talented ~~children~~  
25 STUDENTS;

26                   (2) Research undertaken to help develop new or modified curricula for  
27 gifted and talented ~~children~~ STUDENTS; and

28                   (3) Evaluation, demonstration, and distribution of findings that are related  
29 to programs for gifted and talented ~~children~~ STUDENTS.

30 ~~§ 204.~~

31                   ~~(A) THE STATE BOARD SHALL:~~

32                   ~~(1) DISSEMINATE INFORMATION TO ALL COUNTY BOARDS ON THE~~  
33 ~~EARLY IDENTIFICATION OF PRIMARY GIFTED AND TALENTED STUDENTS;~~

34                   ~~(2) WORK WITH BUSINESS AND INDUSTRY ENTITIES, COMMUNITY~~  
35 ~~ORGANIZATIONS, AND INSTITUTIONS OF HIGHER EDUCATION TO PROVIDE~~  
36 ~~ADDITIONAL OPTIONS FOR EDUCATIONAL AND CAREER PLANNING FOR GIFTED~~  
37 ~~AND TALENTED STUDENTS;~~

1           ~~(3) COORDINATE THE DEVELOPMENT OF A STRUCTURED STATEWIDE~~  
2 ~~PROGRAM FOR STAFF DEVELOPMENT IN TEACHING GIFTED AND TALENTED~~  
3 ~~STUDENTS THAT DIFFERENTIATES FOR DIVERSE LEARNING NEEDS;~~

4           ~~(4) TO THE EXTENT FUNDS ARE PROVIDED IN THE STATE BUDGET OR~~  
5 ~~ARE AVAILABLE FROM OTHER SOURCES, AWARD GRANTS TO ELIGIBLE COUNTY~~  
6 ~~BOARDS FOR THE DEVELOPMENT OF INNOVATIVE INSTRUCTIONAL PROGRAMS AND~~  
7 ~~SERVICES FOR GIFTED AND TALENTED STUDENTS;~~

8           ~~(5) DEVELOP EVALUATION CRITERIA FOR EFFECTIVE PROGRAMS AND~~  
9 ~~SERVICES FOR GIFTED AND TALENTED STUDENTS; AND~~

10           ~~(6) CONDUCT PERIODIC MONITORING IN LOCAL SCHOOL SYSTEMS OF~~  
11 ~~THE DELIVERY OF PROGRAMS AND SERVICES FOR GIFTED AND TALENTED~~  
12 ~~STUDENTS.~~

13           ~~(B) EACH COUNTY BOARD SHALL:~~

14           ~~(1) DEVELOP AND IMPLEMENT ARTICULATED PROGRAMS AND~~  
15 ~~SERVICES FOR IDENTIFIED GIFTED AND TALENTED STUDENTS IN GRADES K~~  
16 ~~THROUGH 12;~~

17           ~~(2) MAINTAIN A GIFTED AND TALENTED STUDENT DATABASE IN~~  
18 ~~ACCORDANCE WITH GUIDELINES ESTABLISHED BY THE STATE BOARD;~~

19           ~~(3) PROVIDE STAFF DEVELOPMENT FOR A VARIETY OF PROFESSIONAL~~  
20 ~~AUDIENCES INCLUDING TEACHERS, PRINCIPALS, GUIDANCE PERSONNEL,~~  
21 ~~SUPERVISORS, CONTENT SPECIALISTS, AND OTHER CENTRAL OFFICE STAFF THAT~~  
22 ~~INCLUDES DIFFERENTIATION FOR THE DIVERSE LEARNING NEEDS,~~  
23 ~~ADMINISTRATIVE ALTERNATIVES, AND INSTRUCTIONAL OPTIONS FOR GIFTED AND~~  
24 ~~TALENTED STUDENTS; AND~~

25           ~~(4) PROVIDE AND DISSEMINATE TO PARENTS AND COMMUNITY~~  
26 ~~GROUPS INFORMATION ON PROGRAMS AND SERVICES AVAILABLE FOR GIFTED AND~~  
27 ~~TALENTED STUDENTS.~~

28 ~~8-205.~~

29           ~~IN AWARDING GRANTS UNDER § 8-204 OF THIS SUBTITLE, THE STATE BOARD~~  
30 ~~SHALL GIVE PRIORITY TO APPLICATIONS DESCRIBING PROGRAMS THAT DO ONE OR~~  
31 ~~MORE OF THE FOLLOWING:~~

32           ~~(1) EXPAND OPPORTUNITIES FOR RIGOROUS, DIFFERENTIATED~~  
33 ~~INSTRUCTION TO REACH MORE GIFTED AND TALENTED STUDENTS;~~

34           ~~(2) ENCOURAGE MORE STUDENTS TO TAKE ADVANCED PLACEMENT~~  
35 ~~COURSES AND SUCCESSFULLY COMPLETE ADVANCED PLACEMENT EXAMINATIONS,~~  
36 ~~TO TAKE DUAL CREDIT ADVANCED OR FAST PACED COURSE OPPORTUNITIES AT~~  
37 ~~THE MIDDLE AND HIGH SCHOOL LEVELS FOR CREDIT, TO TAKE COURSES~~  
38 ~~AVAILABLE THROUGH TECHNOLOGY AND DISTANCE LEARNING SYSTEMS AND~~  
39 ~~OTHER INSTRUCTIONAL OPTIONS THAT ALLOW FOR INDIVIDUAL PACING,~~  
40 ~~INTERESTS, AND ABILITIES;~~

1           ~~(3) INCREASE OPTIONS FOR GIFTED AND TALENTED STUDENTS TO~~  
2 ~~PARTICIPATE IN PROGRAMS AND SERVICES WHICH SUPPORT AND ENCOURAGE~~  
3 ~~INDIVIDUAL PACING, CURRICULUM COMPACTING, DUAL ENROLLMENT FOR CREDIT~~  
4 ~~AT MIDDLE AND HIGH SCHOOL LEVELS, CREDIT THROUGH EXAMINATION, AND~~  
5 ~~OTHER OPTIONS AVAILABLE IN A FLEXIBLE SCHOOL ORGANIZATION THAT~~  
6 ~~PROMOTES ALTERNATIVE USES OF TIME, STAFF, FACILITIES, AND OTHER~~  
7 ~~RESOURCES TO MEET THE NEEDS OF EACH STUDENT;~~

8           ~~(4) INCLUDE BLUE RIBBON SCHOOLS TO SERVE AS MODELS FOR~~  
9 ~~EFFECTIVE PROGRAMS AND PRACTICES;~~

10           ~~(5) PAIR BLUE RIBBON SCHOOLS WITH OTHER SCHOOLS INTERESTED IN~~  
11 ~~REPLICATING EXEMPLARY PROGRAMS IMPLEMENTED BY THE BLUE RIBBON~~  
12 ~~SCHOOLS; AND~~

13           ~~(6) STRENGTHEN SKILLS AND OPTIONS FOR EDUCATIONAL AND~~  
14 ~~CAREER PLANNING FOR GIFTED AND TALENTED STUDENTS.~~

15   SUBTITLE 2A. EXCELLENCE IN EDUCATION INCENTIVE GRANT PROGRAM.

16   8-2A-01.

17           (A) THERE IS AN EXCELLENCE IN EDUCATION INCENTIVE GRANT PROGRAM  
18 IN THE DEPARTMENT.

19           (B) THE PURPOSE OF THE EXCELLENCE IN EDUCATION INCENTIVE GRANT  
20 PROGRAM IS TO AWARD GRANTS TO ELIGIBLE COUNTY BOARDS FOR THE  
21 DEVELOPMENT OF INNOVATIVE INSTRUCTIONAL PROGRAMS AND SERVICES FOR  
22 GIFTED AND TALENTED STUDENTS.

23   8-2A-02.

24           EACH COUNTY BOARD THAT RECEIVES A GRANT UNDER THIS SUBTITLE  
25 SHALL:

26           (1) DEVELOP AND IMPLEMENT ARTICULATED PROGRAMS FOR THE  
27 EARLY IDENTIFICATION OF GIFTED AND TALENTED STUDENTS IN GRADES K  
28 THROUGH 12 AND THE PROVISION OF SERVICES TO THOSE STUDENTS;

29           (2) PROVIDE STAFF DEVELOPMENT FOR A VARIETY OF PROFESSIONAL  
30 AUDIENCES, INCLUDING TEACHERS, PRINCIPALS, AND GUIDANCE PERSONNEL; AND

31           (3) PROVIDE AND DISSEMINATE TO PARENTS AND COMMUNITY  
32 GROUPS INFORMATION ON PROGRAMS AND SERVICES AVAILABLE FOR GIFTED AND  
33 TALENTED STUDENTS.

34   8-2A-03.

35           THE STATE BOARD SHALL:

36           (1) ADOPT REGULATIONS ESTABLISHING CRITERIA FOR:

37           (I) THE AWARDING OF GRANTS UNDER THE EXCELLENCE IN  
38 EDUCATION INCENTIVE GRANT PROGRAM; AND

7

1                   (II) THE EVALUATION OF EFFECTIVE PROGRAMS AND SERVICES  
2 FOR GIFTED AND TALENTED STUDENTS; AND

3                   (2) CONDUCT PERIODIC MONITORING OF THE DELIVERY OF  
4 PROGRAMS AND SERVICES FOR GIFTED AND TALENTED STUDENTS IN LOCAL  
5 SCHOOL SYSTEMS THAT RECEIVE THE GRANTS.

6           SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the  
7 General Assembly that funding for the provisions of this Act shall be provided from  
8 specifically identified discretionary amounts in the Governor's budget, other than any  
9 increase to the basic current expense formula.

10           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
11 ~~October~~ July 1, 1997.