

H. Holmes
H. Hunsicker
E. Anderson
F. Foster
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Waldman
Kessler
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 H BILL NO. *410* *Mular* *Vingent*
 INTRODUCED BY *Missouri Profiles Kraalen Smith*
Ellis Williams White - Ellerd, Bengtson, Foster, Samuel
met call Day, Stangmiller, Styer, Bradley
 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING SCHOOL *Bentley*
 DISTRICTS TO ESTABLISH PROGRAMS FOR SERVING GIFTED AND *Stuff*
 TALENTED CHILDREN AND PROVIDING FOR FUNDING OF THESE
 PROGRAMS." *Teague Dyeon, Hand Gilligan Pistoris*
Hirsch W. Balth Hunsicker Susan Seire Manuel

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: *Slide*
 Section 1. Definitions. As used in this act the *Barnett*
 following definitions apply: *Davis*
 (1) "Gifted and talented children" means children, *Dasinger*
 identified by professionally qualified persons, of
 outstanding abilities who are capable of high performance
 and require differentiated educational programs beyond those
 normally offered in public schools in order to realize their
 contribution to self and society.
 (2) "Professionally qualified persons" means teachers,
 administrators, school psychologists, counselors, curriculum
 specialists, artists, musicians, and others with special
 training who are qualified to appraise pupils' special
 competencies.
 Section 2. School district programs to identify and
 serve the gifted and talented child. (1) School districts
 may identify gifted and talented children and devise

1 programs to serve them.
 2 (2) In identifying gifted and talented children, the
 3 school district shall:
 4 (a) consult with professionally qualified persons and
 5 the parents of children being evaluated;
 6 (b) consider, singly or in combination, a child's
 7 demonstrated or potential intellectual, academic,
 8 psychomotor, and leadership abilities or his aptitudes for
 9 creative thinking or visual and performing arts; and
 10 (c) use a multiplicity of evaluation methods including
 11 objective measures and professional evaluation measures.
 12 Section 3. Funding of programs to serve talented and
 13 gifted children. School districts may submit proposals for
 14 programs to serve talented and gifted children to the
 15 superintendent of public instruction. Districts submitting
 16 proposals accepted by the superintendent shall receive funds
 17 for their programs from funds appropriated to the
 18 superintendent for that purpose. School districts must match
 19 any funds provided by the superintendent for these programs
 20 with equal funds from their budget.
 21 Section 4. Review and recommendation of proposals. (1)
 22 Program proposals submitted by school districts to the
 23 superintendent of public instruction must contain a
 24 description of the procedures used to identify gifted and
 25 talented children; the program content; areas of talent to

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1 be served, and a method to evaluate the effectiveness of the
2 program. A proposal may specify that special education
3 staff employed by the school district be used in the program
4 to serve gifted and talented children. School districts may
5 request assistance from the staff of the superintendent in
6 formulating proposals.

7 (2) The ESEA Title V advisory council shall review
8 school districts' proposals according to criteria it shall
9 formulate and publish and recommend program proposals to the
10 superintendent. The council may request assistance from the
11 staff of the superintendent in its work of reviewing
12 proposals.

-End-

STATE OF MONTANA

REQUEST NO. 198-77

FISCAL NOTE

Form BD-15

In compliance with a written request received January 25, 19 77, there is hereby submitted a Fiscal Note for House Bill 410 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

House Bill 410 allows school districts to establish programs for serving gifted and talented children and provides for funding of such programs.

FISCAL IMPACT:

Enactment of House Bill 410 by itself does not have any fiscal impact. The Bill merely provides that school districts may submit program proposals to the Superintendent of Public Instruction. If the proposal is approved, one-half of the cost of the program would be funded with funds appropriated to the Superintendent for that program, and one-half would be provided by the school district.

If House Bill 410 is enacted, an appropriation measure specifying an amount available for the purposes of the bill should also be enacted.

Richard L. Tracy
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-31-77

Approved by Committee
on Education

HOUSE BILL NO. 410

INTRODUCED BY DUSSAULT, TROPILA, KVAALEN, HURWITZ,

MULAR, MARKS, VINCENT, MELOY, ELLIS, WILLIAMS, UHDE,

ELLERD, BENGTSOEN, HARPER, ESTENSON, METCALP, DAY, JENSEN,

STAIGMILLER, KEYSER, HOLMES, HUENNEKENS, E. GUNDERSON, LIEN,

SHELDEH, LYNCH, WALDRON, KESSLER, PALMER, FABREGA, KANDUCH,

MENAHAN, TEAGUE, REGAN, GILLIGAN, PISTORIA, HIRSCH, FRATES,

W. BAETH, HARRINGTON, KINBLE, ESTENSON, BRADLEY, COURTNEY, HAND,

SCULLY, PISTORIA, MANUEL, GERKE, BARRETT, DRISCOLL, DASSINGER

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING SCHOOL
DISTRICTS TO ESTABLISH PROGRAMS FOR SERVING GIFTED AND
TALENTED CHILDREN AND PROVIDING FOR ~~FUNDING~~ ADMINISTRATION
OF THESE PROGRAMS; AMENDING SECTION 75-7212 TO ALLOW FOR
FINANCIAL ADMINISTRATION OF THE PROGRAM BY SCHOOL DISTRICTS
AND ESTABLISHING AN AUTOMATIC REPEAL DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Refer to Introduced Bill

(Strike everything after the enacting clause and insert:)

Section 1. There is a new R.C.M. section that reads as
follows:

Definitions. As used in this act the following
definitions apply:

(1) "Gifted and talented children" means children of

outstanding abilities who are capable of high performance
and require differentiated educational programs beyond those
normally offered in public schools in order to realize their
contribution to self and society. The children so identified
include those with demonstrated achievement or potential
ability in any one or more of the following areas:

- (a) general intellectual ability;
- (b) specific academic aptitude;
- (c) creative or productive thinking;
- (d) leadership ability;
- (e) visual and performing arts; and
- (f) psychomotor ability.

(2) "Professionally qualified persons" means teachers,
administrators, school psychologists, counselors, curriculum
specialists, artists, musicians, and others with special
training who are qualified to appraise pupils' special
competencies.

Section 2. There is a new R.C.M. section that reads as
follows:

School district programs to identify and serve the
gifted and talented child. (1) School districts may identify
gifted and talented children and devise programs to serve
them.

(2) In identifying gifted and talented children, the
school district shall:

1 (a) consult with professionally qualified persons and
 2 the parents of children being evaluated;

3 (b) consider a child's demonstrated or potential gifts
 4 or talents as listed in [section 1(1)]; and

5 (c) use a multiplicity of assessment methods including
 6 objective measures and professional assessment measures.

7 Section 3. There is a new R.C.M. section that reads as
 8 follows:

9 Funding of programs to serve gifted and talented
 10 children. The superintendent of public instruction shall
 11 make public the criteria for evaluating proposals and the
 12 procedures for submissions of proposals as such criteria and
 13 procedures are developed by the advisory council. Proposals
 14 approved by the superintendent shall be funded by moneys
 15 appropriated to the superintendent for that purpose.
 16 However, school districts shall match any funds provided by
 17 the superintendent for those programs with equal funds from
 18 other sources. Funds shall be administered by the school
 19 district as provided in 75-7212, miscellaneous program fund.

20 Section 4. There is a new R.C.M. section that reads as
 21 follows:

22 Review and recommendations of proposals. (1) Program
 23 proposals submitted by school districts to the
 24 superintendent of public instruction shall contain:

25 (a) a description of the procedures used to identify

1 the gifted and talented children to be served;

2 (b) areas of talent to be served;

3 (c) a description of proposed program content; and

4 (d) a method to evaluate the effectiveness of the
 5 program.

6 (2) Proposals may specify that special education
 7 support staff employed by the district or the regional
 8 services program be used to assist in the identification of
 9 children in the program. School districts may request
 10 assistance from the staff of the superintendent in
 11 formulating program proposals.

12 (3) The superintendent of public instruction shall
 13 establish a gifted and talented program advisory council of
 14 at least seven members representing educators, parents, and
 15 citizens or assign to an established advisory council
 16 additional responsibilities for the gifted and talented. The
 17 superintendent shall appoint representatives from all
 18 geographic areas of the state and at least half of the
 19 council shall represent second or third class school
 20 districts. The duties of the council are:

21 (a) to develop criteria and procedures for the
 22 submission of proposals;

23 (b) to review proposals submitted by school districts
 24 and make recommendations for approval to the superintendent;
 25 and

1 (c) to assure that project evaluation procedures are
2 completed.

3 (4) The council's organization, meetings, quorum, and
4 compensation are as provided in 82A-110.

5 Section 5. Act in force for two years. Sections 1, 2,
6 3 and 4 are repealed effective June 30, 1979.

7 Section 6. Section 75-7212, R.C.M. 1947, is amended to
8 read as follows:

9 "75-7212. Miscellaneous ~~federal~~ programs fund. The
10 trustees of any district receiving state grant money or
11 federal moneys other than moneys under the provisions of
12 Title I of Public Law 81-874 or federal moneys designated
13 for deposit in a specific fund of the district shall
14 establish a miscellaneous ~~federal~~ programs fund for the
15 deposit of such ~~federal~~ moneys. Such ~~federal~~ moneys may be a
16 reimbursement of expenditures already realized by the
17 district, or may be a grant of moneys for the financing of
18 expenditures to be realized by the district for a special,
19 approved program to be operated by the district. When the
20 ~~federal~~ moneys are a reimbursement, the moneys shall be
21 expended at the discretion of the trustees for school
22 purposes. When the ~~federal~~ moneys are a grant, the moneys
23 shall be expended according to the conditions of the program
24 approval by the superintendent of public instruction or any
25 other approval agent. Within the miscellaneous ~~federal~~

1 programs fund, the trustees shall cause a separate
2 accounting to be maintained for each ~~federal~~ grant program
3 and for the aggregate of all ~~federal~~ reimbursement moneys.

4 The financial administration of the miscellaneous
5 ~~federal~~ programs fund shall be in accordance with the
6 financial administration provisions of this ~~Title~~ title for
7 a nonbudgeted fund which shall be applied by individual
8 ~~federal~~ grant programs or for the aggregate amount of the
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10 total fund."

-End-

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outstanding abilities who are capable of high performance and require differentiated educational programs beyond those normally offered in public schools in order to realize their contribution to self and society. The children so identified include those with demonstrated achievement or potential ability in any one or more of the following areas:

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(2) "Professionally qualified persons" means teachers, administrators, school psychologists, counselors, curriculum specialists, artists, musicians, and others with special training who are qualified to appraise pupils' special competencies.

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7 Section 6. Section 75-7212, R.C.M. 1987, is amended to
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-End-