

HOUSE BILL 721

IN THE HOUSE

February 10, 1979

Introduced and referred to  
Committee on Education and  
Cultural Resources.

1 House Bill No. 721  
 2 INTRODUCED BY Rep. Salmit

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 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE SCHOOL  
 5 DISTRICTS TO ESTABLISH PROGRAMS FOR SERVING GIFTED AND  
 6 TALENTED CHILDREN; PROVIDING FOR ADMINISTRATION OF SUCH  
 7 PROGRAMS; AND AMENDING SECTION 20-9-507, MCA."

8  
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 NEW SECTION. Section 1. Definitions. As used in  
 11 [sections 2 through 6], unless the context clearly indicates  
 12 otherwise, the following definitions apply:

13 (1) "Gifted and talented children" means children of  
 14 outstanding abilities who are capable of high performance  
 15 and require differentiated educational programs beyond those  
 16 normally offered in public schools in order to realize their  
 17 contribution to self and society. Gifted and talented  
 18 children include those with demonstrated achievement or  
 19 potential ability in one or more recognized areas such as  
 20 general intellectual ability, specific academic aptitude,  
 21 creative or productive thinking, leadership ability, visual  
 22 and performing arts, and psychomotor ability.

23 (2) "Professionally qualified person" means a teacher,  
 24 administrator, school psychologist, counselor, curriculum  
 25 specialist, artist, musician, or any other person with

1 special training who is qualified to appraise a pupil's  
 2 special competencies.

3 NEW SECTION. Section 2. Advisory council for gifted  
 4 and talented children programs. (1) The superintendent of  
 5 public instruction shall:

6 (a) establish a state gifted and talented program  
 7 advisory council consisting of at least seven members  
 8 representing educators, parents, and citizens; or

9 (b) assign to an established advisory council  
 10 additional responsibilities for gifted and talented children  
 11 programs.

12 (2) When a state gifted and talented program advisory  
 13 council is created pursuant to subsection (1), the  
 14 superintendent of public instruction must appoint members in  
 15 such a manner as to assure representation from all  
 16 geographic areas of the state and that at least half of the  
 17 council members represent second- and third-class school  
 18 districts.

19 NEW SECTION. Section 3. Duties of advisory council --  
 20 organization and compensation. (1) The advisory council  
 21 provided for in [section 2] has the following duties:

22 (a) to advise the superintendent of public instruction  
 23 on the criteria and procedures for the submission of  
 24 proposals;

25 (b) to review proposals submitted by school districts

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1 and make recommendations for approval to the superintendent  
2 of public instruction; and

3 (c) to advise the superintendent of public instruction  
4 regarding the adequacy and completeness of project  
5 evaluation procedures.

6 (2) The council's organization, meetings, quorum, and  
7 compensation are as established in 2-15-122.

8 NEW SECTION. Section 4. Programs to identify and  
9 serve gifted and talented children. (1) A school district  
10 may identify gifted and talented children and institute  
11 programs to serve them.

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

14 (a) consult with professionally qualified persons and  
15 the parents of a child being evaluated;

16 (b) consider a child's demonstrated or potential gifts  
17 or talents as defined in [section 1(1)]; and

18 (c) use a multiplicity of assessment methods,  
19 including objective measurements and professional assessment  
20 measurements.

21 NEW SECTION. Section 5. Contents of proposal --  
22 staff. (1) Program proposals submitted by a school district  
23 to the superintendent of public instruction must contain:

24 (a) a description of the procedures used to identify  
25 the gifted and talented children to be served;

1 (b) specific areas of talent to be served;

2 (c) a description of the proposed program content; and

3 (d) the method to be used in evaluating the  
4 effectiveness of the program.

5 (2) (a) School districts may request assistance from  
6 the superintendent of public instruction in formulating  
7 gifted and talented children program proposals.

8 (b) Proposals may specify that special education or  
9 regional services program support staff employed by a  
10 district may be used to assist in the identification of  
11 children for the gifted and talented children program.

12 NEW SECTION. Section 6. Program approval -- funding.

13 (1) The superintendent of public instruction shall establish  
14 procedures for the evaluation and approval of program  
15 proposals for gifted and talented children.

16 (2) Programs approved by the superintendent of public  
17 instruction shall be funded from money appropriated by the  
18 legislature for gifted and talented children programs.

19 (3) A school district operating a program for gifted  
20 and talented children must match the funds provided by the  
21 superintendent of public instruction. A school district may  
22 use any funds that it may legally make available to match  
23 the state funding.

24 (4) A school district operating a program for gifted  
25 and talented children must administer the funds for the

1 program in accordance with the provisions of 20-9-507.

2 Section 7. Section 20-9-507, MCA, is amended to read:

3 "20-9-507. Miscellaneous ~~federal~~ programs fund. (1)

4 The trustees of any district receiving state grant money or

5 federal ~~moneys~~ money other than ~~moneys~~ money under the

6 provisions of Title I of Public Law 81-874 or federal ~~moneys~~

7 money designated for deposit in a specific fund of the

8 district shall establish a miscellaneous ~~federal~~ programs

9 fund for the deposit of such ~~federal--moneys~~ money. Such

10 ~~federal--moneys~~ The money may be a reimbursement of

11 expenditures already realized by the district or may be a

12 grant of ~~moneys~~ money for the financing of expenditures to

13 be realized by the district for a special, approved program

14 to be operated by the district. When the ~~federal--moneys--are~~

15 money is a reimbursement, the ~~moneys~~ money shall be expended

16 at the discretion of the trustees for school purposes. When

17 the ~~federal--moneys--are~~ money is a grant, the ~~moneys~~ money

18 shall be expended according to the conditions of the program

19 approval by the superintendent of public instruction or any

20 other approval agent. Within the miscellaneous ~~federal~~

21 programs fund, the trustees shall cause a separate

22 accounting to be maintained for each ~~federal~~ grant program

23 and for the aggregate of all ~~federal~~ reimbursement ~~moneys~~

24 money.

25 (2) The financial administration of the miscellaneous

1 ~~federal~~ programs fund shall be in accordance with the

2 financial administration provisions of this title for a

3 nonbudgeted fund which shall be applied by individual

4 ~~federal~~ grant programs or for the aggregate amount of the

5 ~~federal~~ reimbursement ~~moneys~~ money rather than on the basis

6 of the total fund."

-End-

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