

FLOOR AMENDMENT STATEMENT: Yes

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

Claire Lowe, "Gov. Murphy vetoes 2% school tax cap exemption Murphy vetoes 2% school tax cap exemption, signs several education bills." The Press of Atlantic City, January 14, 2020

RWH/JA

Title 18A.
Subtitle 6.
Part 2.
Chapter 35.
Article 5.(New)
Gifted and
Talented
Education
Programs
§§1-6 -
C.18A:35-34 to
18A:35-39
§7 - Note

P.L. 2019, CHAPTER 338, *approved January 13, 2020*
Assembly, No. 4710 (*First Reprint*)

1 **AN ACT** concerning gifted and talented students and supplementing
2 chapter 35 Title 18A of the New Jersey Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. This act shall be known and may be cited as the
8 “Strengthening Gifted and Talented Education Act.”

9

10 2. As used in this act:

11 "Gifted and talented student" means a student who possesses or
12 demonstrates a high level of ability in one or more content areas
13 when compared to his chronological peers in the school district and
14 who requires modifications of his educational program if he is to
15 achieve in accordance with his capabilities.

16 "Instructional adaptation" means an adjustment or modification
17 to instruction enabling a student who is gifted and talented to
18 participate in, benefit from, and demonstrate knowledge and
19 application of the New Jersey Student Learning Standards in one or
20 more content areas at the instructional level of the student, not just
21 the student’s grade level.

22

23 3. a. A board of education shall ensure that appropriate
24 instructional adaptations and educational services are provided to
25 gifted and talented students in kindergarten through grade 12 to
26 enable them to participate in, benefit from, and demonstrate
27 knowledge and application of the New Jersey Student Learning
28 Standards at the instructional level of the student.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate floor amendments adopted June 27, 2019.

1 b. A board of education shall:

2 (1) ensure that appropriate instructional adaptations are
3 designed for students who are gifted and talented;

4 (2) make provisions for an ongoing kindergarten through grade
5 12 identification process for gifted and talented students that
6 includes multiple measures in order to identify student strengths in
7 ¹~~various~~ intellectual ability, creativity, or a specific¹ academic
8 ¹~~areas~~ area¹. ¹~~A student shall not be required to meet all~~
9 ~~considered measures in order to be identified as gifted and talented.~~
10 ~~To assure~~ School districts shall ensure¹ equal access to a
11 continuum of gifted and talented education services ¹~~, the~~ .The¹
12 identification process shall include consideration of all students,
13 including those who are English language learners and those with
14 Individualized Education Plans or 504 plans;

15 (3) ¹~~maintain a list of students identified as gifted and talented~~
16 ~~in each grade for each school in the school district;~~

17 (4)¹ develop and document appropriate curricular and
18 instructional modifications used for gifted and talented students
19 indicating content, process, products, and learning environment, and
20 including ¹~~, but not limited to,~~¹ additional education activities such
21 as academic competitions, guest speakers, ¹~~or~~ and¹ lessons with a
22 specialist. ¹~~The modifications shall be identified in staff and~~
23 ~~student schedules, lesson and unit plans, and budgets for~~
24 ~~educational materials~~¹;

25 ¹~~(5)~~ (4)¹ take into consideration the ¹~~Pre-K-Grade 12~~¹
26 ~~Gifted Programming Standards~~ ¹~~, Position Statements, and White~~
27 ~~Papers~~¹ of the National Association for Gifted Children in
28 ¹~~developing programs for~~ identifying and serving¹ gifted and
29 talented students;

30 ¹~~(6)~~ (5)¹ provide the time and resources to develop, review,
31 and enhance instructional tools with modifications for helping
32 gifted and talented students acquire and demonstrate mastery of the
33 required knowledge and skills specified by the standards at the
34 instructional level of the student; and

35 ¹~~(7)~~ (6)¹ actively assist and support professional development
36 for teachers, educational services staff, and school leaders in the
37 area of gifted and talented instruction.

38

39 4. a. The Commissioner of Education shall appoint a
40 coordinator for gifted and talented ¹~~programs~~ services. The
41 coordinator shall have teaching experience and specialized
42 knowledge in gifted and talented education. The coordinator shall
43 be responsible for providing support by identifying and sharing
44 research and resources to school districts as they develop,
45 implement, and review their local gifted and talented services¹. The
46 coordinator shall be responsible for reviewing the ¹information

1 about¹ gifted and talented ¹**【**programs implemented in**】** services
2 provided by¹ each school district to ¹**【**ensure compliance with**】**
3 support implementation of¹ the provisions of this act.

4 b. Each school district shall file with the coordinator a report
5 ¹**【**within the first full school year following the date of enactment
6 and every three years**】** by October 1, 2020 and¹ thereafter on a
7 schedule that coincides with the school district's New Jersey
8 Quality Single Accountability Continuum review pursuant to
9 section 11 of P.L.1975, c.212 (C.18A:7A-11). The report shall
10 include, but not be limited to:

11 (1) the gifted and talented continuum of services, policies, and
12 ¹**【**curriculum**】** procedures¹ implemented in the school district;

13 (2) the total number of students receiving gifted and talented
14 services in each grade level ¹**【**and the total number of students who
15 have applied for acceptance into the program. The data shall also
16 be**】** kindergarten through grade 12¹ disaggregated by race, gender,
17 special education designation, and English language learner
18 designation ¹**【**, with an individual student being counted only
19 once**】**¹;

20 (3) the professional development opportunities provided for
21 teachers, educational services staff, and school leaders about¹
22 gifted and talented ¹students, their needs, and¹ educational
23 development; and

24 (4) the number of staff employed by the school district whose
25 job responsibilities include identification of and providing services
26 to gifted and talented students.

27

28 5. a. ¹**【**The Commissioner of Education shall develop a
29 protocol pursuant to which an individual may submit a complaint
30 alleging that a school district is not in compliance with the
31 provisions of this act, and the executive county superintendent of
32 schools shall investigate the complaint. The protocol shall also
33 include procedures for remediating gifted and talented programs in
34 school districts found to be in noncompliance.

35 b. A complaint submitted to the executive county
36 superintendent pursuant to this section may only allege
37 noncompliance that has occurred within one year prior to the date
38 that the complaint is submitted. The complaint shall include:

39 (1) a statement that the identified school district is not in
40 compliance with the provisions of this act, and the specific facts on
41 which the allegation of noncompliance is based; and

42 (2) the name, address, and contact information of the
43 complainant.

44 c. The executive county superintendent shall complete the
45 investigation within 60 calendar days after receipt of the complaint
46 and issue a written decision with proposed remediation, if
47 necessary, to the complainant and the school district **】** An individual

1 who believes that a school district has not complied with the
2 provisions of this act may file a complaint with the board of
3 education. The right to file a complaint shall be set forth in the
4 board's policy on gifted and talented education. The policy shall be
5 linked to the homepage of the board's Internet website. The board
6 shall issue a decision, in writing, to affirm, reject, or modify the
7 district's action in the matter.

8 b. The individual may then file a petition of appeal of the
9 board's written decision to the Commissioner of Education through
10 the Office of Controversies and Disputes in accordance with
11 N.J.S.18A:6-9 and the procedures set forth in State Board of
12 Education regulations¹.

13
14 6. A school district shall make detailed information available
15 on its website regarding the policies and procedures used to identify
16 students as gifted and talented and the continuum of services
17 offered to gifted and talented students. The information shall
18 include the criteria used for consideration for ¹**【participation in】**
19 eligibility for¹ the gifted and talented ¹**【program】** services¹,
20 including the multiple measures used in the identification process
21 ¹to match a student's needs with services¹ , and any applicable
22 timelines in the ¹**【selection】** identification¹ process.

23
24 ¹**【7.A student record shall document that the student has been**
25 **identified by the school district as a gifted and talented student.】**¹

26
27 ¹**【8.】** 7.¹ This act shall take effect in the ¹**【first full school year**
28 **following the date of enactment】** 2020-2021 school year¹.

29
30
31
32
33 _____
34 “Strengthening Gifted and Talented Education Act”; establishes
35 school district responsibilities in educating gifted and talented
students.

ASSEMBLY, No. 4710

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED NOVEMBER 26, 2018

Sponsored by:

Assemblywoman PAMELA R. LAMPITT

District 6 (Burlington and Camden)

Assemblyman ANDREW ZWICKER

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Co-Sponsored by:

Assemblymen Schaer, DePhillips, Assemblywoman Jasey, Assemblyman A.M.Bucco, Assemblywoman Downey, Assemblyman Houghtaling, Assemblywomen DiMaso, Reynolds-Jackson and Lopez

SYNOPSIS

“Strengthening Gifted and Talented Education Act”; establishes school district responsibilities in educating gifted and talented students.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/24/2019)

1 AN ACT concerning gifted and talented students and supplementing
2 chapter 35 Title 18A of the New Jersey Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. This act shall be known and may be cited as the
8 “Strengthening Gifted and Talented Education Act.”

9

10 2. As used in this act:

11 "Gifted and talented student" means a student who possesses or
12 demonstrates a high level of ability in one or more content areas
13 when compared to his chronological peers in the school district and
14 who requires modifications of his educational program if he is to
15 achieve in accordance with his capabilities.

16 "Instructional adaptation" means an adjustment or modification
17 to instruction enabling a student who is gifted and talented to
18 participate in, benefit from, and demonstrate knowledge and
19 application of the New Jersey Student Learning Standards in one or
20 more content areas at the instructional level of the student, not just
21 the student’s grade level.

22

23 3. a. A board of education shall ensure that appropriate
24 instructional adaptations and educational services are provided to
25 gifted and talented students in kindergarten through grade 12 to
26 enable them to participate in, benefit from, and demonstrate
27 knowledge and application of the New Jersey Student Learning
28 Standards at the instructional level of the student.

29 b. A board of education shall:

30 (1) ensure that appropriate instructional adaptations are
31 designed for students who are gifted and talented;

32 (2) make provisions for an ongoing kindergarten through grade
33 12 identification process for gifted and talented students that
34 includes multiple measures in order to identify student strengths in
35 various academic areas. A student shall not be required to meet all
36 considered measures in order to be identified as gifted and talented.
37 To assure equal access to a continuum of gifted and talented
38 education services, the identification process shall include
39 consideration of all students, including those who are English
40 language learners and those with Individualized Education Plans or
41 504 plans;

42 (3) maintain a list of students identified as gifted and talented in
43 each grade for each school in the school district;

44 (4) develop and document appropriate curricular and
45 instructional modifications used for gifted and talented students
46 indicating content, process, products, and learning environment, and
47 including additional education activities such as academic
48 competitions, guest speakers, or lessons with a specialist. The

1 modifications shall be identified in staff and student schedules,
2 lesson and unit plans, and budgets for educational materials;

3 (5) take into consideration the Pre-K-Grade 12 Gifted
4 Programming Standards of the National Association for Gifted
5 Children in developing programs for gifted and talented students;

6 (6) provide the time and resources to develop, review, and
7 enhance instructional tools with modifications for helping gifted
8 and talented students acquire and demonstrate mastery of the
9 required knowledge and skills specified by the standards at the
10 instructional level of the student; and

11 (7) actively assist and support professional development for
12 teachers, educational services staff, and school leaders in the area of
13 gifted and talented instruction.

14

15 4. a. The Commissioner of Education shall appoint a
16 coordinator for gifted and talented programs. The coordinator shall
17 be responsible for reviewing the gifted and talented programs
18 implemented in each school district to ensure compliance with the
19 provisions of this act.

20 b. Each school district shall file with the coordinator a report
21 within the first full school year following the date of enactment and
22 every three years thereafter on a schedule that coincides with the
23 school district's New Jersey Quality Single Accountability
24 Continuum review pursuant to section 11 of P.L.1975, c.212
25 (C.18A:7A-11). The report shall include, but not be limited to:

26 (1) the gifted and talented continuum of services, policies, and
27 curriculum implemented in the school district;

28 (2) the total number of students receiving gifted and talented
29 services in each grade level and the total number of students who
30 have applied for acceptance into the program. The data shall also
31 be disaggregated by race, gender, special education designation, and
32 English language learner designation, with an individual student
33 being counted only once;

34 (3) the professional development opportunities provided for
35 gifted and talented educational development; and

36 (4) the number of staff employed by the school district whose
37 job responsibilities include identification of and providing services
38 to gifted and talented students.

39

40 5. a. The Commissioner of Education shall develop a protocol
41 pursuant to which an individual may submit a complaint alleging
42 that a school district is not in compliance with the provisions of this
43 act, and the executive county superintendent of schools shall
44 investigate the complaint. The protocol shall also include
45 procedures for remediating gifted and talented programs in school
46 districts found to be in noncompliance.

47 b. A complaint submitted to the executive county
48 superintendent pursuant to this section may only allege

1 noncompliance that has occurred within one year prior to the date
2 that the complaint is submitted. The complaint shall include:

3 (1) a statement that the identified school district is not in
4 compliance with the provisions of this act, and the specific facts on
5 which the allegation of noncompliance is based; and

6 (2) the name, address, and contact information of the
7 complainant.

8 c. The executive county superintendent shall complete the
9 investigation within 60 calendar days after receipt of the complaint
10 and issue a written decision with proposed remediation, if
11 necessary, to the complainant and the school district.

12
13 6. A school district shall make detailed information available
14 on its website regarding the policies and procedures used to identify
15 students as gifted and talented and the continuum of services
16 offered to gifted and talented students. The information shall
17 include the criteria used for consideration for participation in the
18 gifted and talented program, including the multiple measures used
19 in the identification process, and any applicable timelines in the
20 selection process.

21
22 7. A student record shall document that the student has been
23 identified by the school district as a gifted and talented student.

24
25 8. This act shall take effect in the first full school year
26 following the date of enactment.

27

28

29

STATEMENT

30

31 This bill is entitled the “Strengthening Gifted and Talented
32 Education Act.” The bill codifies a requirement included in State
33 Board of Education regulations that boards of education ensure that
34 appropriate instructional adaptations and educational services are
35 provided to gifted and talented students in kindergarten through
36 grade 12 to enable them to participate in, benefit from, and
37 demonstrate knowledge and application of the New Jersey Student
38 Learning Standards. Under the bill, a school district would be
39 required to:

40 • ensure that appropriate instructional adaptations are
41 designed for gifted and talented students;

42 • make provisions for an ongoing identification process for
43 gifted and talented students that includes multiple
44 measures in order to identify student strengths in various
45 academic areas;

46 • maintain a list of students identified as gifted and talented
47 in each grade for each school within the school district;

- 1 • develop and document appropriate curricular and
2 instructional modifications used for gifted and talented
3 students indicating content, process, products, and
4 learning environment;
- 5 • take into consideration the Pre-K-Grade 12 Gifted
6 Programming Standards of the National Association for
7 Gifted Children in developing programs for gifted and
8 talented students;
- 9 • provide the time and resources to develop, review, and
10 enhance instructional tools with modifications for helping
11 gifted and talented students acquire and demonstrate
12 mastery of the required knowledge and skills specified by
13 the standards in one or more content areas at the
14 instructional level of the student, not just the student's
15 grade level; and
- 16 • actively assist and support professional development for
17 teachers, educational services staff, and school leaders in
18 the area of gifted and talented instruction.

19 The bill requires the Commissioner of Education to appoint a
20 coordinator for gifted and talented programs. The coordinator will
21 be responsible for reviewing the gifted and talented program
22 implemented in each school district. School districts will be
23 required to file periodically with the coordinator a report that
24 includes: the gifted and talented continuum of services, policies and
25 curriculum implemented in the school district; the total number of
26 students receiving gifted and talented services in each grade level;
27 the total number of students who have applied for acceptance into
28 the program; the professional development opportunities provided
29 for gifted and talented educational development; and the number of
30 staff employed by the school district whose job responsibilities
31 include identification of and providing services to gifted and
32 talented students.

33 The commissioner will develop a protocol for submitting a
34 complaint alleging that a school district is not in compliance with
35 the provisions of the bill and for the executive county
36 superintendent of schools to investigate a complaint. The protocol
37 will also include procedures for remediating gifted and talented
38 programs in school districts found to be in noncompliance. The bill
39 includes the information that must be included in the complaint
40 submitted to the executive county superintendent. The executive
41 county superintendent will have 60 days to complete the
42 investigation, and then must issue a written decision to the
43 complainant and the school district. The report will also include any
44 proposed remediation.

45 The bill also requires school districts to post detailed information
46 on their websites regarding the policies and procedures used to
47 identify students as gifted and talented and the continuum of
48 services offered within the school district. The information must

A4710 LAMPITT, ZWICKER

6

1 include the criteria used for consideration for participation in the
2 gifted and talented program, and any applicable timelines in the
3 selection process.

4 Finally, the bill provides that a student record must document
5 that the student has been identified by the school district as a gifted
6 and talented student.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4710

STATE OF NEW JERSEY

DATED: JANUARY 24, 2019

The Assembly Education Committee reports favorably Assembly Bill No. 4710.

This bill is entitled the “Strengthening Gifted and Talented Education Act.” The bill codifies a requirement included in State Board of Education regulations that boards of education ensure that appropriate instructional adaptations and educational services are provided to gifted and talented students in kindergarten through grade 12 to enable them to participate in, benefit from, and demonstrate knowledge and application of the New Jersey Student Learning Standards. Under the bill, a school district would be required to:

- ensure that appropriate instructional adaptations are designed for gifted and talented students;
- make provisions for an ongoing identification process for gifted and talented students that includes multiple measures in order to identify student strengths in various academic areas;
- maintain a list of students identified as gifted and talented in each grade for each school within the school district;
- develop and document appropriate curricular and instructional modifications used for gifted and talented students indicating content, process, products, and learning environment;
- take into consideration the Pre-K-Grade 12 Gifted Programming Standards of the National Association for Gifted Children in developing programs for gifted and talented students;
- provide the time and resources to develop, review, and enhance instructional tools with modifications for helping gifted and talented students acquire and demonstrate mastery of the required knowledge and skills specified by the standards in one or more content areas at the instructional level of the student, not just the student’s grade level; and
- actively assist and support professional development for teachers, educational services staff, and school leaders in the area of gifted and talented instruction.

The bill requires the Commissioner of Education to appoint a coordinator for gifted and talented programs. The coordinator will be responsible for reviewing the gifted and talented program implemented in each school district. School districts will be required to file periodically with the coordinator a report that includes: the gifted and talented continuum of services, policies and curriculum implemented in the school district; the total number of students receiving gifted and talented services in each grade level; the total number of students who have applied for acceptance into the program; the professional development opportunities provided for gifted and talented educational development; and the number of staff employed by the school district whose job responsibilities include identification of and providing services to gifted and talented students.

The commissioner will develop a protocol for submitting a complaint alleging that a school district is not in compliance with the provisions of the bill and for the executive county superintendent of schools to investigate a complaint. The protocol will also include procedures for remediating gifted and talented programs in school districts found to be in noncompliance. The bill includes the information that must be included in the complaint submitted to the executive county superintendent. The executive county superintendent will have 60 days to complete the investigation, and then must issue a written decision to the complainant and the school district. The report will also include any proposed remediation.

The bill also requires school districts to post detailed information on their websites regarding the policies and procedures used to identify students as gifted and talented and the continuum of services offered within the school district. The information must include the criteria used for consideration for participation in the gifted and talented program, and any applicable timelines in the selection process.

Finally, the bill provides that a student record must document that the student has been identified by the school district as a gifted and talented student.

STATEMENT TO
ASSEMBLY, No. 4710

with Senate Floor Amendments
(Proposed by Senator BEACH)

ADOPTED: JUNE 27, 2019

These floor amendments do the following:

- Specify that school districts will identify gifted and talented students based on intellectual ability, creativity, or strength in specific academic areas;
- Eliminate the requirement that school districts maintain a list of students identified as gifted and talented in each grade for each school in the district;
- Provide that the coordinator for gifted and talented services to be appointed by the Commissioner of Education under the bill must have teaching experience and specialized knowledge in gifted and talented education, and will be responsible for providing support by identifying and sharing research and resources to school districts as the districts develop, implement, and review their gifted and talented services;
- Eliminate the requirement that the curricular and instructional modifications used for gifted and talented students must be identified in staff and student schedules, lesson and unit plans, and budgets for educational materials;
- Provide that the first report to be filed by a school district with the coordinator must be filed by October 1, 2020;
- Eliminate the bill's provision that required the Commissioner of Education to develop a protocol under which an individual could submit a complaint alleging that a school district was not in compliance with the bill's provisions, and provided for the investigation of the complaint by the executive county superintendent of schools. Under the floor amendments, such an individual would file a complaint with the board of education and could then appeal the board's decision to the commissioner;
- Provide that information on the right to file a complaint will be set forth in the board of education's policy on gifted and talented students and the policy will be linked to the homepage on the district's Internet website;
- Eliminate the requirement that a student record document that the student has been identified as a gifted and talented student; and
- Provide that the bill's provisions will take effect in the 2020-2021 school year.

SENATE, No. 3258

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED DECEMBER 6, 2018

Sponsored by:

Senator JAMES BEACH

District 6 (Burlington and Camden)

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

Senators A.R.Bucco, Gopal, Cunningham and Greenstein

SYNOPSIS

“Strengthening Gifted and Talented Education Act”; establishes school district responsibilities in educating gifted and talented students.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/21/2019)

1 AN ACT concerning gifted and talented students and supplementing
2 chapter 35 of Title 18A of the New Jersey Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. This act shall be known and may be cited as the
8 “Strengthening Gifted and Talented Education Act.”

9

10 2. As used in this act:

11 "Gifted and talented student" means a student who possesses or
12 demonstrates a high level of ability in one or more content areas
13 when compared to his chronological peers in the school district and
14 who requires modifications of his educational program if he is to
15 achieve in accordance with his capabilities.

16 "Instructional adaptation" means an adjustment or modification
17 to instruction enabling a student who is gifted and talented to
18 participate in, benefit from, and demonstrate knowledge and
19 application of the New Jersey Student Learning Standards in one or
20 more content areas at the instructional level of the student, not just
21 the student's grade level.

22

23 3. a. A board of education shall ensure that appropriate
24 instructional adaptations and educational services are provided to
25 gifted and talented students in kindergarten through grade 12 to
26 enable them to participate in, benefit from, and demonstrate
27 knowledge and application of the New Jersey Student Learning
28 Standards at the instructional level of the student.

29 b. A board of education shall:

30 (1) ensure that appropriate instructional adaptations are
31 designed for students who are gifted and talented;

32 (2) make provisions for an ongoing kindergarten through grade
33 12 identification process for gifted and talented students that
34 includes multiple measures in order to identify student strengths in
35 various academic areas. A student shall not be required to meet all
36 considered measures in order to be identified as gifted and talented.
37 To assure equal access to a continuum of gifted and talented
38 education services, the identification process shall include
39 consideration of all students, including those who are English
40 language learners and those with Individualized Education Plans or
41 504 plans;

42 (3) maintain a list of students identified as gifted and talented in
43 each grade for each school in the school district;

44 (4) develop and document appropriate curricular and
45 instructional modifications used for gifted and talented students
46 indicating content, process, products, and learning environment, and
47 including additional education activities such as academic
48 competitions, guest speakers, or lessons with a specialist. The

1 modifications shall be identified in staff and student schedules,
2 lesson and unit plans, and budgets for educational materials;

3 (5) take into consideration the Pre-K-Grade 12 Gifted
4 Programming Standards of the National Association for Gifted
5 Children in developing programs for gifted and talented students;

6 (6) provide the time and resources to develop, review, and
7 enhance instructional tools with modifications for helping gifted
8 and talented students acquire and demonstrate mastery of the
9 required knowledge and skills specified by the standards at the
10 instructional level of the student; and

11 (7) actively assist and support professional development for
12 teachers, educational services staff, and school leaders in the area of
13 gifted and talented instruction.

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15 4. a. The Commissioner of Education shall appoint a
16 coordinator for gifted and talented programs. The coordinator shall
17 be responsible for reviewing the gifted and talented programs
18 implemented in each school district to ensure compliance with the
19 provisions of this act.

20 b. Each school district shall file with the coordinator a report
21 within the first full school year following the date of enactment and
22 every three years thereafter on a schedule that coincides with the
23 school district's New Jersey Quality Single Accountability
24 Continuum review pursuant to section 11 of P.L.1975, c.212
25 (C.18A:7A-11). The report shall include, but not be limited to:

26 (1) the gifted and talented continuum of services, policies, and
27 curriculum implemented in the school district;

28 (2) the total number of students receiving gifted and talented
29 services in each grade level and the total number of students who
30 have applied for acceptance into the program. The data shall also
31 be disaggregated by race, gender, special education designation, and
32 English language learner designation, with an individual student
33 being counted only once;

34 (3) the professional development opportunities provided for
35 gifted and talented educational development; and

36 (4) the number of staff employed by the school district whose
37 job responsibilities include identification of and providing services
38 to gifted and talented students.

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41 pursuant to which an individual may submit a complaint alleging
42 that a school district is not in compliance with the provisions of this
43 act, and the executive county superintendent of schools shall
44 investigate the complaint. The protocol shall also include
45 procedures for remediating gifted and talented programs in school
46 districts found to be in noncompliance.

47 b. A complaint submitted to the executive county
48 superintendent pursuant to this section may only allege

1 noncompliance that has occurred within one year prior to the date
2 that the complaint is submitted. The complaint shall include:

3 (1) a statement that the identified school district is not in
4 compliance with the provisions of this act, and the specific facts on
5 which the allegation of noncompliance is based; and

6 (2) the name, address, and contact information of the
7 complainant.

8 c. The executive county superintendent shall complete the
9 investigation within 60 calendar days after receipt of the complaint
10 and issue a written decision with proposed remediation, if
11 necessary, to the complainant and the school district.

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13 6. A school district shall make detailed information available
14 on its website regarding the policies and procedures used to identify
15 students as gifted and talented and the continuum of services
16 offered to gifted and talented students. The information shall
17 include the criteria used for consideration for participation in the
18 gifted and talented program, including the multiple measures used
19 in the identification process, and any applicable timelines in the
20 selection process.

21

22 7. A student record shall document that the student has been
23 identified by the school district as a gifted and talented student.

24

25 8. This act shall take effect in the first full school year
26 following the date of enactment.

27

28

29

STATEMENT

30

31 This bill is entitled the “Strengthening Gifted and Talented
32 Education Act.” The bill codifies a requirement included in State
33 Board of Education regulations that boards of education ensure that
34 appropriate instructional adaptations and educational services are
35 provided to gifted and talented students in kindergarten through
36 grade 12 to enable them to participate in, benefit from, and
37 demonstrate knowledge and application of the New Jersey Student
38 Learning Standards. Under the bill, a school district would be
39 required to:

40

- ensure that appropriate instructional adaptations are
41 designed for gifted and talented students;

42

- make provisions for an ongoing identification process for
43 gifted and talented students that includes multiple
44 measures in order to identify student strengths in various
45 academic areas;

46

- maintain a list of students identified as gifted and talented
47 in each grade for each school within the school district;

- 1 • develop and document appropriate curricular and
2 instructional modifications used for gifted and talented
3 students indicating content, process, products, and
4 learning environment;
- 5 • take into consideration the Pre-K-Grade 12 Gifted
6 Programming Standards of the National Association for
7 Gifted Children in developing programs for gifted and
8 talented students;
- 9 • provide the time and resources to develop, review, and
10 enhance instructional tools with modifications for helping
11 gifted and talented students acquire and demonstrate
12 mastery of the required knowledge and skills specified by
13 the standards in one or more content areas at the
14 instructional level of the student, not just the student's
15 grade level; and
- 16 • actively assist and support professional development for
17 teachers, educational services staff, and school leaders in
18 the area of gifted and talented instruction.

19 The bill requires the Commissioner of Education to appoint a
20 coordinator for gifted and talented programs. The coordinator will
21 be responsible for reviewing the gifted and talented program
22 implemented in each school district. School districts will be
23 required to file periodically with the coordinator a report that
24 includes: the gifted and talented continuum of services, policies and
25 curriculum implemented in the school district; the total number of
26 students receiving gifted and talented services in each grade level;
27 the total number of students who have applied for acceptance into
28 the program; the professional development opportunities provided
29 for gifted and talented educational development; and the number of
30 staff employed by the school district whose job responsibilities
31 include identification of and providing services to gifted and
32 talented students.

33 The commissioner will develop a protocol for submitting a
34 complaint alleging that a school district is not in compliance with
35 the provisions of the bill and for the executive county
36 superintendent of schools to investigate a complaint. The protocol
37 will also include procedures for remediating gifted and talented
38 programs in school districts found to be in noncompliance. The bill
39 includes the information that must be included in the complaint
40 submitted to the executive county superintendent. The executive
41 county superintendent will have 60 days to complete the
42 investigation, and then must issue a written decision to the
43 complainant and the school district. The report will also include any
44 proposed remediation.

45 The bill also requires school districts to post detailed information
46 on their websites regarding the policies and procedures used to
47 identify students as gifted and talented and the continuum of
48 services offered within the school district. The information must

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1 include the criteria used for consideration for participation in the
2 gifted and talented program, and any applicable timelines in the
3 selection process.

4 Finally, the bill provides that a student record must document
5 that the student has been identified by the school district as a gifted
6 and talented student.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 3258

STATE OF NEW JERSEY

DATED: MARCH 4, 2019

The Senate Education Committee favorably reports Senate Bill No. 3258.

This bill is entitled the “Strengthening Gifted and Talented Education Act.” The bill codifies a requirement included in State Board of Education regulations that boards of education ensure that appropriate instructional adaptations and educational services are provided to gifted and talented students in kindergarten through grade 12 to enable them to participate in, benefit from, and demonstrate knowledge and application of the New Jersey Student Learning Standards. Under the bill, a school district would be required to:

- ensure that appropriate instructional adaptations are designed for gifted and talented students;
- make provisions for an ongoing identification process for gifted and talented students that includes multiple measures in order to identify student strengths in various academic areas;
- maintain a list of students identified as gifted and talented in each grade for each school within the school district;
- develop and document appropriate curricular and instructional modifications used for gifted and talented students indicating content, process, products, and learning environment;
- take into consideration the Pre-K-Grade 12 Gifted Programming Standards of the National Association for Gifted Children in developing programs for gifted and talented students;
- provide the time and resources to develop, review, and enhance instructional tools with modifications for helping gifted and talented students acquire and demonstrate mastery of the required knowledge and skills specified by the standards in one or more content areas at the instructional level of the student, not just the student’s grade level; and
- actively assist and support professional development for teachers, educational services staff, and school leaders in the area of gifted and talented instruction.

The bill requires the Commissioner of Education to appoint a coordinator for gifted and talented programs. The coordinator will be responsible for reviewing the gifted and talented program implemented in each school district. School districts will be required to file periodically with the coordinator a report that includes: the gifted and talented continuum of services, policies and curriculum implemented in the school district; the total number of students receiving gifted and talented services in each grade level; the total number of students who have applied for acceptance into the program; the professional development opportunities provided for gifted and talented educational development; and the number of staff employed by the school district whose job responsibilities include identification of and providing services to gifted and talented students.

The commissioner will develop a protocol for submitting a complaint alleging that a school district is not in compliance with the provisions of the bill and for the executive county superintendent of schools to investigate a complaint. The protocol will also include procedures for remediating gifted and talented programs in school districts found to be in noncompliance. The bill includes the information that must be included in the complaint submitted to the executive county superintendent. The executive county superintendent will have 60 days to complete the investigation, and then must issue a written decision to the complainant and the school district. The report will also include any proposed remediation.

The bill also requires school districts to post detailed information on their websites regarding the policies and procedures used to identify students as gifted and talented and the continuum of services offered within the school district. The information must include the criteria used for consideration for participation in the gifted and talented program, and any applicable timelines in the selection process.

Finally, the bill provides that a student record must document that the student has been identified by the school district as a gifted and talented student.

STATEMENT TO
SENATE, No. 3258

with Senate Floor Amendments
(Proposed by Senator BEACH)

ADOPTED: JUNE 27, 2019

These floor amendments do the following:

- Specify that school districts will identify gifted and talented students based on intellectual ability, creativity, or strength in specific academic areas;
- Eliminate the requirement that school districts maintain a list of students identified as gifted and talented in each grade for each school in the district;
- Provide that the coordinator for gifted and talented services to be appointed by the Commissioner of Education under the bill must have teaching experience and specialized knowledge in gifted and talented education, and will be responsible for providing support by identifying and sharing research and resources to school districts as the districts develop, implement, and review their gifted and talented services;
- Eliminate the requirement that the curricular and instructional modifications used for gifted and talented students must be identified in staff and student schedules, lesson and unit plans, and budgets for educational materials;
- Provide that the first report to be filed by a school district with the coordinator must be filed by October 1, 2020;
- Eliminate the bill's provision that required the Commissioner of Education to develop a protocol under which an individual could submit a complaint alleging that a school district was not in compliance with the bill's provisions, and provided for the investigation of the complaint by the executive county superintendent of schools. Under the floor amendments, such an individual would file a complaint with the board of education and could then appeal the board's decision to the commissioner;
- Provide that information on the right to file a complaint will be set forth in the board of education's policy on gifted and talented students and the policy will be linked to the homepage on the district's Internet website;
- Eliminate the requirement that a student record document that the student has been identified as a gifted and talented student; and
- Provide that the bill's provisions will take effect in the 2020-2021 school year.

Governor Murphy Takes Action on Legislation

01/13/2020

TRENTON – Today, Governor Phil Murphy signed the following bills into law:

A268 (Kean, Egan, Holley/Singer, Gopal) - "P.I.C.K. Awareness Act"; authorizes issuance of special support recovery license plates.

A790 (Andrzejczak, Land, Mosquera, Mukherji, Downey, Zwicker, Mazzeo/Connors, Singleton) - "Combat to College Act"; grants priority course registration to military service members and veterans attending public institutions of higher education.

A791 (Andrzejczak, Land, Mosquera, Danielsen, Mukherji, Downey, Zwicker/Van Drew, Brown) - Requires institution of higher education to award appropriate credit for student's military service.

A1212 (McKeon, Gusciora, Vainieri Huttel/Sweeney, Smith, Bateman, Greenstein) - Clarifies intent of P.L.2007, c.340 regarding NJ's required participation in Regional Greenhouse Gas Initiative.

A1305 (Greenwald/Rice) - Renames Mountainview Youth Correctional Facility as "William H. Fauver Youth Correctional Facility."

A1576 (Conaway, Giblin/Vitale) - Requires certain health care facilities to provide, and employees to receive, annual influenza vaccination.

A1582 (Conaway, Moriarty, Mosquera, Benson, Pinkin, Giblin, Quijano/Weinberg, Ruiz) - Establishes "Dietetics and Nutrition Licensing Act".

A1991 (Sumter, Munoz, Mukherji/Singer, Gordon) - Requires students at institutions of higher education to receive immunization for meningitis in accordance with recommendations of Advisory Committee on Immunization Practices.

A3101 (Egan Jones, Benson, Land/Singleton) - Increases minimum annual amounts for appropriation for certain arts, historical heritage, and tourism purposes from hotel and motel occupancy fee revenues.

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A3160 (Lampitt, Giblin, Murphy/Beach) - Permits cosmetology and hairstyling school clinics to charge certain fees for services rendered to general public.

A3832 (Mukherji, McKnight, Chiaravalloti/Cryan, Stack) - Authorizes municipal tax levy through public question for certain purposes; clarifies ability of local government entities to issue non-recourse bonds; appropriates \$100,000.

A4493 (Pinkin, Conaway, Vainieri Huttel/Vitale) - Authorizes expedited partner therapy, under which sexual partners or patients diagnosed with sexually transmitted disease are treated without prior clinical examination.

A4608 (Zwicker, Downey/Weinberg, Kean) - " Applied Behavior Analyst Licensing Act."

A4710 (Lampitt, Zwicker, Vainieri Huttel/Beach,Turner) - "Strengthening Gifted and Talented Education Act"; establishes school district responsibilities in educating gifted and talented students.

A5037 (Pintor Marin, Speight, Vainieri Huttel/Andrzejczak, Greenstein) - Enhances penalties related to counterfeit drugs.

A5091 (McKeon, Vainieri Huttel, Pinkin/Pou, Singleton) - Establishes "Safeguarding Against Financial Exploitation Act."

A5263 (Tully, Armato/Corrado) - Requires four-year public institution of higher education to award college credits to firefighters for certain courses completed at county fire academies.

A5277 (DeAngelo, Houghtaling/Greenstein) - Eliminates term limits for members of State Board of Examiners of Master Plumbers and State Board of Examiners of Heating, Ventilating, Air Conditioning and Refrigeration Contractors.

A5624 (Pintor Marin, Munoz, Lampitt/Weinberg, Corrado) - Requires that State employee serve as Equal Employment Opportunity and Affirmative Action officer for gubernatorial transitions.

A5625 (Pintor Marin, Munoz, Lampitt/Weinberg, Corrado) - Requires payment of expenses related to background investigations for certain gubernatorial transition positions.

A5628 (Pintor Marin, Munoz, McKnight/Weinberg, Corrado) - Requires Civil Service Commission establish standardize recordkeeping and retention requirements with regard to unclassified State employees.

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A5631 (Pintor Marin, Munoz, Pinkin/Weinberg, Corrado) - Specifies certain requirements for State agency review of complaint of workplace discrimination.

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A5632 (Pintor Marin, Munoz, Reynolds-Jackson/Weinberg) - Requires certain public employees receive additional training to manage harassment or discrimination complaints.

A5917 (Chiaravalloti, McKnight/Cunningham, Weinberg) - Expands DOH oversight of hospital finances.

A6007 (McKeon/Pou) - Requires insurers and insurance groups to submit corporate governance annual disclosure to DOBI Commissioner.

S463 (Singer, Greenstein/Dancer, Calabrese, DeAngelo) - Provides for voluntary contributions by taxpayers on gross income tax returns for Meals on Wheels.

S538 (Oroho, Stack/Wirths, Vaineri Huttie, Bucco) - Allows long term tax exemption extension for certain low-income housing.

S775 (Cunningham, Sacco/Sumter, Caride, Vainieri Huttie) - Establishes Tuition Aid Grant Study Commission to examine New Jersey's Tuition Aid Grant Program and make recommendations regarding improvements to program.

S778 (Cunningham, Kean/Quijano, Jasey, Pintor Marin) - Establishes Campus Sexual Assault Commission.

S1493 (Stack, Singleton/Quijano, Chaparro, Timberlake) - Prohibits landlords from requiring residential tenants to pay rent and other related charges through electronic funds transfer; requires landlords to provide receipts for cash payments.

S1508 (Turner, Singleton/Reynolds-Jackson, Sumter, Wimberly) - Eliminates motor vehicle surcharges following retirement of bonds and debts tied to surcharges.

S1834 (Ruiz, Cunningham/Quijano, Murphy) - Requires each public institution of higher education to post its budget on the institution's website.

S1953 (Oroho, Cruz-Perez/Space, Andrzejcack, Wirths) - Directs Dept. of Agriculture to authorize and advise food hubs.

S1966 (Sweeney, Singleton/Taliaferro) - Increases death benefit of active member of PFRS and SPRS to 50 percent of final compensation for surviving child or children.

S2527 (Ruiz, Turner/Lampitt, Quijano, Timberlake) - Requires Department of Agriculture to promote school meal programs.

S2533 (Greenstein, Cruz-Perez/Vainieri Huttie, Lopez, Timberlake) - Requires Office of Victim-Witness Advocacy to provide services to certain inmates.

S2898 (Madden, Sarlo/Murphy, Mosquera, Vainieri Huttie) - Establishes "New Jersey Fire and EMS Crisis Intervention Services" telephone hotline; provides funding for hotline through fire inspection fees and penalties.

S2980 (Ruiz/Lampitt, McKnight) - Provides that school district may not condition student enrollment in district on fact that MVC does not have name or address of parent or guardian on file.

S2982 (Ruiz/Lampitt, Mukherji, Lopez) - Clarifies that child may not be excluded from public school based on membership in protected category under "Law Against Discrimination" or immigration status.

S2998 (Ruiz/Freiman, Downey) - Requires creditors to make certain disclosures regarding collateral protection insurance to consumer debtors.

S3064 (Ruiz, Singleton/Armato, Conaway, Swain) - Establishes task force to develop State-wide plan to diversify apprenticeships.

S3066 (Ruiz, Singleton/Lampitt, Mukherji, Benson) - Creates five year High-Growth Industry Regional Apprenticeship Development Grant Pilot Program.

S3118 (Ruiz/Speight, Munoz, Tucker) - Establishes public awareness campaign to promote early conversations about advance care planning and end-of-life care.

S3124 (Stack/Mukherji) - Requires landlords to allow tenants to pay rent up to three business days after eviction order or lockout is executed and accept rent payments by any means.

S3206 (Pou, Cruz-Perez/Lopez, McKeon, Murphy) - Establishes "Unbanked and Underbanked Consumers Study Commission."

S3215 (Greenstein, Singleton/Zwicker, Mukherji, Swain) - Requires State to use 20-year time horizon and most recent Intergovernmental Panel on Climate Change Assessment Report when calculating global warming potential to measure global warming impact of greenhouse gases.

S3246 (Sarlo, Singleton, Oroho, Bucco/Benson, Bucco, Freiman) - Establishes elective pass-through entity business alternative income tax and allows corresponding refundable gross income tax and corporation business tax credit.

S3327 (Ruiz, Cruz-Perez/Lopez, Timberlake) - Establishes Commission on Latino and Hispanic Heritage in DOE.

S3348 (Weinberg/Vainieri Huttle, McKnight) - Requires home health agencies and specialty pharmacies providing services related to bleeding episodes associated with hemophilia to comply with certain minimum practice standards.

S3528 (Scutari, Codey/Vainieri Huttle, Quijano, Kennedy) - Establishes process to obtain judgement of adoption for civil union partner or spouse of natural or legal parent of child when that person is named as parent on child's birth certificate.

S3574 (Scutari, Kean, Cryan/Carter, Kennedy, Freiman) - Requires NJT to conduct feasibility study on restoring one-seat ride to Manhattan on Raritan Valley Line.

Governor Murphy conditionally vetoed the following bills:

A2431 (Benson, Jimenez, DeCroce, Eustace/Weinberg, Kean) – Requires health insurers to provide plans that limit patient cost-sharing concerning certain prescription drug coverage.

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A4978 (Timberlake, Zwicker, Vainieri Huttle/Greenstein, Cryan) – Prohibits online education services from using and disclosing certain information, engaging in targeted advertising, and requires deletion of certain information in certain circumstances.

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S3920 (Pou/Wimberly, Sumter) – Concerns provision of energy to certain manufacturing facilities by providing exemptions to certain energy related taxes.

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Governor Murphy absolute vetoed the following bill:

S4139 (Greenstein/Benson) - Makes Fiscal Year 2020 supplemental appropriation of \$250,000 to Rutgers University - New Brunswick for School of Dental Medicine - Special Care Treatment Center.

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