

Senate Bill 596

Sponsored by Senator TAYLOR (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires school districts to submit specified information to Department of Education related to talented and gifted children. Directs department to issue annual district and state report cards based on information.

A BILL FOR AN ACT

1
2 Relating to talented and gifted children; creating new provisions; and amending ORS 329.105 and
3 329.115.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. Section 2 of this 2023 Act is added to and made a part of ORS 343.407 to**
6 **343.413.**

7 **SECTION 2. (1) At the time and in the manner prescribed by the Department of Educa-**
8 **tion, each school district shall submit to the department information to enable the depart-**
9 **ment to issue the annual report cards described in subsections (2) and (3) of this section.**

10 **(2) For each school district, the department shall issue an annual report card that de-**
11 **scribes for the school district:**

12 **(a) The total number of talented and gifted children and the percentage of talented and**
13 **gifted children, as compared to the total population and to other talented and gifted children,**
14 **based on:**

15 **(A) General intellectual ability, unusual academic ability in mathematics, unusual aca-**
16 **demic ability in language arts, creative ability, leadership ability and ability in visual or**
17 **performing arts.**

18 **(B) Ethnicity.**

19 **(C) Eligibility for English language learner programs.**

20 **(D) Whether the student has an individualized education program or a plan developed in**
21 **accordance with section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794.**

22 **(E) Eligibility for free or reduced price lunches.**

23 **(b) The percentage of students, as compared to the total population, who are in the 95th**
24 **percentile or above for one or more academic areas and who have been identified as talented**
25 **and gifted children, based on:**

26 **(A) Ethnicity.**

27 **(B) Eligibility for English language learner programs.**

28 **(C) Whether the student has an individualized education program or a plan developed in**
29 **accordance with section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794.**

30 **(D) Eligibility for free or reduced price lunches.**

31 **(c) The percentage of talented and gifted children, as compared to the total population**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 and to other talented and gifted children, who perform in the 97th percentile or above in
2 mathematics, language arts and science.

3 (d) The grades in which students are identified as talented and gifted children, based on:

4 (A) Kindergarten through grade 2.

5 (B) Grades 3 through 5.

6 (C) Grades 6 through 8.

7 (D) Grades 9 through 12.

8 (e) The percentage of talented and gifted children, as compared to the total population
9 and to other talented and gifted children, who have regular attendance rates, as defined in
10 ORS 327.190, based on:

11 (A) Ethnicity.

12 (B) Eligibility for English language learner programs.

13 (C) Whether the student has an individualized education program or a plan developed in
14 accordance with section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794.

15 (D) Eligibility for free or reduced price lunches.

16 (f) The percentage of talented and gifted children, as compared to the total population
17 and to other talented and gifted children, who are in kindergarten through grade 8 and en-
18 rolled in accelerated college credit programs, as defined in ORS 340.300.

19 (g) The percentage of talented and gifted children, as compared to the total population
20 and to other talented and gifted children, who are in grades 9 through 12 and enrolled in:

21 (A) Career and technical education courses.

22 (B) Accelerated college credit programs, as defined in ORS 340.300.

23 (C) Alternative education programs, as defined in ORS 336.615.

24 (h) The number and difficulty level of high school mathematics and science courses taken
25 by talented and gifted children, reported based on identification as talented and gifted chil-
26 dren based on general intellectual ability, unusual academic ability in mathematics and un-
27 usual academic ability in language arts.

28 (i) The percentage of talented and gifted children, as compared to the total population
29 and to other talented and gifted children, who exceed standards in mathematics, language
30 arts and science.

31 (j) The percentage of students who exceed standards in mathematics, language arts and
32 science who have been identified as talented and gifted children.

33 (k) The number of full-time equivalent positions that are allocated to the instruction of
34 talented and gifted children.

35 (L) The training and credentials of staff who have responsibilities related to:

36 (A) The administration of the instruction of talented and gifted education.

37 (B) The identification of talented and gifted children.

38 (C) The instruction of talented and gifted children.

39 (m) The amount and percentage of total moneys received under Title I of the federal
40 Elementary and Secondary Education Act of 1965 that are used for services for talented and
41 gifted children.

42 (n) The amount and percentage of total moneys expended on instruction for talented and
43 gifted children.

44 (o) The per capita expenditure of moneys on talented and gifted children.

45 (p) The results of a parent survey on the adequacy of instruction provided to talented

1 **and gifted children.**

2 (3) **For the state, the department shall issue a report card that describes for the state:**

3 (a) **Each of the components described in subsection (2) of this section.**

4 (b) **The percentage of students identified as talented and gifted children for school dis-**
 5 **tricts, based on whether the school district is small, medium or large, as defined by the State**
 6 **Board of Education by rule.**

7 (4) **The State Board of Education may adopt any rules necessary for the administration**
 8 **of this section.**

9 **SECTION 3.** ORS 329.105 is amended to read:

10 329.105. (1) The Superintendent of Public Instruction shall collect data and produce annual
 11 school district and school performance reports to provide information to parents and to improve
 12 schools.

13 (2) The superintendent shall include in the school district and school performance reports data
 14 for the following areas, for each school or district, that are available to the Department of Educa-
 15 tion from the most recent school year:

16 (a) Data required by the federal Every Student Succeeds Act (P.L. 114-95, 129 Stat. 1802);

17 (b) Information about how to access the website that is maintained by the State Department of
 18 Geology and Mineral Industries as provided by ORS 516.030 (6)(b);

19 (c) Information related to the number of children served in the district and the number of chil-
 20 dren who are susceptible to restrictable disease, as reported under ORS 433.269 (2)(a); *[and]*

21 **(d) The information identified in section 2 of this 2023 Act; and**

22 *[(d)]* (e) Any other data identified by the Department of Education as required by federal law
 23 to be in the reports.

24 (3) In addition to the data required by subsection (2) of this section, the superintendent may
 25 include other data on the school district and school performance reports.

26 (4) The department shall work with stakeholders to:

27 (a) Design and implement an accountability system of progressive interventions for schools and
 28 school districts that do not demonstrate improvement; and

29 (b) Provide technical assistance to schools and school districts that do not demonstrate im-
 30 provement.

31 **SECTION 4.** ORS 329.115 is amended to read:

32 329.115. (1) Prior to December 1 of each year, the Superintendent of Public Instruction shall is-
 33 sue an Oregon Report Card on the state of the public schools of this state.

34 (2) The Oregon Report Card shall include information on the following:

35 (a) Data required by the federal Every Student Succeeds Act (P.L. 114-95, 129 Stat. 1802); *[and]*

36 **(b) The information identified in section 2 of this 2023 Act; and**

37 *[(b)]* (c) Any other data identified by the Department of Education as required by federal law.

38 (3) In addition to the information required under subsection (2) of this section, the superinten-
 39 dent may include other information in the Oregon Report Card.

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