

ASSEMBLY, No. 912

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblymen ROCCO, BLEE, Felice,  
Assemblywomen Allen, Crecco, Assemblymen Doria,  
Stanley and Wolfe

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

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

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7 1. The Legislature finds and declares that:

8 a. Academically advanced and gifted children are special needs  
9 children.

10 b. Public schools must provide for the needs as well as encourage  
11 and support academically advanced and gifted students.

12 c. Academically advanced and gifted children require early  
13 identification and intervention which must be provided by the public  
14 schools.

15 d. Academically advanced and gifted children must have  
16 appropriate curriculum adapted to the pace of their learning in order  
17 to reach their full potential and development.

18 e. Public schools must provide a viable curriculum for academically  
19 advanced and gifted students for their cognitive, creative and  
20 emotional needs.

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22 2. Each board of education shall establish and implement a  
23 program for the early evaluation and general identification of  
24 academically accelerated and gifted students in grades kindergarten  
25 through 12. A district's identification program shall include, but not  
26 be limited to, students having: a. exceptional creative thinking ability;  
27 b. general intellectual ability or talent; c. specific academic aptitude;  
28 d. exceptional psychosocial abilities, such as leadership, written and  
29 oral communication skills and management skills; e. outstanding  
30 abilities in the performing arts; and f. psychomotor ability. The board  
31 of education shall solicit the input and participation of parents and  
32 teachers and shall conduct public hearings in connection with the  
33 adoption of the identification program. The identification program  
34 shall be implemented no later than the beginning of the 1998-99 school  
35 year.

1       3. Each board of education shall establish and provide a curriculum  
2 to address the special needs of academically accelerated and gifted  
3 children as a part of its annual curriculum development. The  
4 curriculum shall be implemented at the beginning of the 1998-99  
5 school year for grades kindergarten through six, and at the beginning  
6 of the 1999-2000 school year for grades seven through 12. The  
7 curriculum shall include, but not be limited to: design variables, such  
8 as homogeneously grouped classes for students who have been  
9 identified as gifted; pull-out classes; cluster grouping of the pupil's  
10 ability across grade and age level; special schools, such as magnet  
11 schools; independent study; mentorships; acceleration; seminars; and  
12 co-curricular activities. An eligible student shall spend at least 200  
13 minutes a week in the curriculum program.

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15       4. The identification program and curriculum shall be included in  
16 the evaluation of each school as required pursuant to section 10 of  
17 P.L.1975, c.212 (C.18A:7A-10).

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19       5. Each school district shall issue an annual report of its progress  
20 in conforming with the objectives and goals established under this act.  
21 The district's annual report shall include, but not be limited to:

22       a. demographic data related to each school;

23       b. plans and programs for professional development in the  
24 education of academically accelerated and gifted students;

25       c. recommendations for improvements during the following year;

26       and

27       d. a description of the program for identification and the  
28 curriculum in place.

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30       6. If it is determined by the Commissioner of Education or by a  
31 court of the State that any school district has failed to comply with the  
32 provisions of this act, the commissioner shall have the power to order  
33 necessary budgetary changes within the district and other measures  
34 that the commissioner deems appropriate for the establishment of a  
35 program for the education of academically accelerated and gifted  
36 children and for the implementation of the curriculum attending to  
37 their special needs. The commissioner shall ensure that the local  
38 district budget provides the resources necessary to implement the  
39 program. Nothing herein shall limit the right of any party to appeal to  
40 the Superior Court of New Jersey. Nothing herein shall limit the right  
41 of any aggrieved student to seek redress independently and  
42 individually through the Commissioner of Education or the Superior  
43 Court of the State of New Jersey.

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45       7. This act shall take effect immediately.

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3 Requires school boards to implement identification and curriculum  
4 programs for gifted and advanced students.