



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-5630/1
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2021 SENATE BILL 860

January 13, 2022 - Introduced by Senators BERNIER and DARLING, cosponsored by Representatives PETRYK, ARMSTRONG, CALLAHAN, DITTRICH, EDMING, JAMES, KRUG and NOVAK. Referred to Committee on Education.

1 **AN ACT to amend** 106.27 (1) (b) 1. and 115.385 (1g) (e); and **to create** 115.28 (28),
2 115.385 (1) (e), 118.35 (3m) and 118.35 (5) of the statutes; **relating to:** programs
3 for gifted and talented pupils.

Analysis by the Legislative Reference Bureau

Under current law, each school board must ensure that pupils who have been identified as gifted and talented have access to a gifted and talented program. For purposes of this requirement, current law defines a “gifted and talented pupil” as a pupil enrolled in a public school who gives evidence of high performance capability in intellectual, creative, artistic, leadership, or specific academic areas and who needs services or activities not ordinarily provided in a regular school program in order to fully develop such capabilities.

Under the bill, each school board must submit an annual report to the Department of Public Instruction that indicates whether the school board employs a gifted and talented program coordinator and, if it does, the amount of time the coordinator spends on the school board’s gifted and talented program; the number of gifted and talented pupils enrolled in the school district who received services under a gifted and talented program; and certain demographic information for those pupils. The bill also requires DPI to annually post on DPI’s Internet site all of the following information:

1. For each school district: a) the number of pupils who were evaluated for and identified as a gifted and talented pupil; b) the number of pupils who received services under a gifted and talented program and certain demographic data

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regarding those pupils; c) whether the school district has complied with its duty to provide access to a gifted and talented program; d) the services and activities provided to pupils under the school district's program for gifted and talented pupils; and e) whether the school district employs a gifted and talented program coordinator and, if it does, the amount of time the coordinator spends on the gifted and talented program.

2. For each gifted and talented program grant recipient, the services and activities that the entity provided to gifted and talented pupils.

3. The statewide pupil participation rate in advanced placement courses.

DPI also must notify the appropriate standing committees of the legislature that the information is available on DPI's Internet site.

Additionally, under the bill, DPI annually must audit at least 10 percent of school districts, which must be selected at random, for compliance with the requirements under current law and the bill. Finally, DPI must include in the school and school district accountability report, commonly known as school and school district report cards, DPI's determination of whether or not a school district complied with the state law requirements related to programs for gifted and talented pupils.

Under current law, the Department of Workforce Development awards workforce training grants, under what is commonly known as the Fast Forward Program, for various workforce training purposes. One of the purposes under current law is to provide grants for programs that train teachers and that train individuals to become teachers. This bill expands that purpose to explicitly include grants for providing professional development to teachers who serve gifted and talented pupils.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 106.27 (1) (b) 1. of the statutes is amended to read:

2 106.27 (1) (b) 1. Grants for programs that train teachers and, for programs that
3 train individuals to become teachers, including teachers in dual enrollment
4 programs, and for providing professional development to teachers who provide
5 services to gifted and talented pupils, as defined in s. 118.35 (1).

6 **SECTION 2.** 115.28 (28) of the statutes is created to read:

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1 115.28 **(28)** GIFTED AND TALENTED PROGRAM RESOURCES. (a) Maintain a
2 searchable public online database of curricular resources related to serving gifted
3 and talented pupils, as defined in s. 118.35 (1).

4 (b) Provide information to school districts on best practices related to serving
5 gifted and talented pupils, as defined in s. 118.35 (1), that have been implemented
6 by school districts in this state.

7 **SECTION 3.** 115.385 (1) (e) of the statutes is created to read:

8 115.385 **(1)** (e) Beginning with the accountability report published for the
9 2023-24 school year, for each school district, the department's determination of
10 whether or not the school district complied with ss. 118.35 and 121.02 (1) (t), as
11 reported by the department under s. 118.35 (3m) (b) 4.

12 **SECTION 4.** 115.385 (1g) (e) of the statutes is amended to read:

13 115.385 **(1g)** (e) The department may not use information provided under sub.
14 (1) (d) 6. or (e).

15 **SECTION 5.** 118.35 (3m) of the statutes is created to read:

16 118.35 **(3m)** (a) Annually, each school board shall report all of the following to
17 the department:

18 1. Whether the school board employs a gifted and talented program
19 coordinator.

20 2. If the school employs a gifted and talented program coordinator, the amount
21 of time the gifted and talented program coordinator spends on the school board's
22 gifted and talented program.

23 3. The total number of gifted and talented pupils enrolled in the school district
24 who received services under a gifted and talented program and, for each pupil, the

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1 pupil's gender, race, and ethnicity and whether the pupil is economically
2 disadvantaged.

3 4. Upon request from the department, any other information that is necessary
4 for the department to post the information required under par. (b).

5 (b) Annually, for the previous school year, the department shall post on the
6 department's Internet site all of the following information and shall notify the
7 appropriate standing committees of each house of the legislature under s. 13.172 (3)
8 that the information is available on the department's Internet site:

9 1. For each school district, the number of pupils who were evaluated to
10 determine whether the pupil is a gifted and talented pupil.

11 2. For each school district, the number of pupils who have been identified as
12 a gifted and talented pupil.

13 3. For each school district, the number of pupils who received services under
14 a gifted and talented program and, unless the pupil data groups are too small to
15 protect pupil privacy, based on criteria determined by the department, the pupils'
16 gender, race, and ethnicity and whether the pupils are economically disadvantaged.

17 4. For each school district, the department's determination of whether or not
18 the school district complied with this section and s. 121.02 (1) (t).

19 5. For any entity that received a grant under sub. (4), the services and activities
20 that the entity provided to gifted and talented pupils.

21 6. The statewide pupil participation rate in advanced placement courses.

22 7. For each school district, the services and activities provided to gifted and
23 talented pupils under the program the school district makes available to pupils
24 under sub. (3).

