

# State of Wisconsin



2021 Assembly Bill 903

Date of enactment:  
Date of publication\*:

## 2021 WISCONSIN ACT

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

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

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

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

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

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

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

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

115.385 (1) (e) Beginning with the accountability report published for the 2023–24 school year, for each school district, the department's determination of whether or not the school district complied with ss.

118.35 and 121.02 (1) (t), as reported by the department under s. 118.35 (3m) (b) 4.

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

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

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

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

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

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

3. The total number of gifted and talented pupils enrolled in the school district who received services under a gifted and talented program and, for each pupil, the pupil's gender, race, and ethnicity and whether the pupil is economically disadvantaged.

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

(b) Annually, for the previous school year, the department shall post on the department's Internet site all of the following information and shall notify the appropriate standing committees of each house of the legislature

\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

under s. 13.172 (3) that the information is available on the department's Internet site:

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

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

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

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

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

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

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

8. For each school district, whether the school district employs a gifted and talented program coordinator and, if it does, the amount of time the gifted and talented program coordinator spends on the school district's gifted and talented program.

**SECTION 6.** 118.35 (5) of the statutes is created to read:

118.35 (5) For each school year, the department shall audit at least 10 percent of school districts, selected at random, for compliance with this section and s. 121.02 (1) (t). An audit under this subsection does not satisfy a requirement to complete an audit under s. 121.02 (2).

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