

A bill for an act

relating to education; clarifying gifted and talented student services; amending Minnesota Statutes 2007 Supplement, sections 120B.15; 126C.10, subdivision 2b.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2007 Supplement, section 120B.15, is amended to read:

120B.15 GIFTED AND TALENTED STUDENTS PROGRAMS.

(a) School districts ~~may identify students, locally develop programs, provide staff development, and evaluate programs to~~ must provide gifted and talented students with ~~challenging educational programs~~ services that are challenging and appropriate to the intellectual, academic, social, and emotional needs of the students. School districts may provide services to gifted and talented students such as pull-out and classroom-based programs that are in addition to the services required under this section. School districts may use gifted and talented revenue under section 126C.10, subdivision 2b, and local revenue for purposes of this section.

(b) The terms defined in this paragraph apply to this section and have the following meanings:

(1) "policies" means general statements of intent and guiding principles regarding gifted and talented services;

(2) "procedures" means the detailed explanations of the processes, measures, time tables, and personnel involved in making decisions about gifted and talented student services; and

(3) "criteria" means the quantitative and other objective standards that educators use to make decisions about providing gifted and talented services.

2.1 (c) School districts ~~may~~ must adopt ~~guidelines~~ policies, procedures, and criteria for
2.2 assessing and identifying students for participation in eligible for academic acceleration
2.3 and other gifted and talented programs and services. ~~The guidelines should include the~~
2.4 School districts must use of:

2.5 (1) multiple and objective criteria; ~~and~~

2.6 (2) assessments and procedures that are valid and reliable, fair, and based on ~~current~~
2.7 best gifted educational practices supported by research, theory, and ~~research~~ experience;
2.8 and

2.9 (3) written policies, procedures, and criteria that are publicly accessible.

2.10 ~~(c)~~ (d) School districts must adopt policies, procedures, and criteria for the academic
2.11 acceleration of gifted and talented students. These policies, procedures, and criteria must
2.12 include how the district will:

2.13 (1) assess a student's readiness ~~and motivation~~ for acceleration; and

2.14 (2) match the level, complexity, and pace of the curriculum to a student to achieve
2.15 the best ~~type~~ types of academic acceleration for that student.

2.16 (e) School districts must familiarize teachers and administrators with these policies,
2.17 procedures, and criteria and may provide additional staff development opportunities to
2.18 enable educators to implement the requirements of this section.

2.19 (f) School districts must provide gifted and talented student services under this
2.20 section without regard to a student's gender, race, culture, socioeconomic level, or
2.21 disability, consistent with best practices in gifted education.

2.22 (g) Beginning July 1, 2010, each school district or group of school districts must
2.23 develop and publish an evaluation plan to assess the district's effectiveness in meeting
2.24 the requirements of this section, with the goal of continuously improving the district's
2.25 gifted education services. The district or group of districts annually must review, revise,
2.26 and publish an evaluation plan.

2.27 (h) A school district or a group of school districts that are members of an educational
2.28 cooperative must establish a new advisory council or may use an existing advisory council
2.29 to increase the involvement of educators, parents, and the community in developing
2.30 and implementing services to gifted and talented students. At least one-half of council
2.31 members must be parents of enrolled students who are eligible for gifted and talented
2.32 services. Each local council must meet at least annually. The district or group of districts
2.33 must determine the number of council members, the frequency of council meetings, and
2.34 the council's operational procedures.

3.1 **EFFECTIVE DATE.** This section is effective the day following final enactment.
3.2 Paragraphs (c) and (d) apply beginning July 1, 2009. Paragraph (e) applies beginning
3.3 August 31, 2009. Paragraph (g) applies beginning July 1, 2010.

3.4 Sec. 2. Minnesota Statutes 2007 Supplement, section 126C.10, subdivision 2b, is
3.5 amended to read:

3.6 Subd. 2b. **Gifted and talented revenue.** (a) Gifted and talented revenue for each
3.7 district equals the district's adjusted marginal cost pupil units for that school year times
3.8 \$12 for fiscal year 2008 and later.

3.9 (b) A school district must reserve gifted and talented revenue and, consistent with
3.10 section 120B.15, must spend the revenue only to:

3.11 (1) identify gifted and talented students;

3.12 (2) provide ~~education programs~~ educational services, including personnel,
3.13 curriculum, and other resources for gifted and talented students; or

3.14 (3) provide staff development to prepare teachers and other licensed staff to best
3.15 meet the unique needs of gifted and talented students.

3.16 (c) Beginning with the 2008-2009 school year, each school district annually must
3.17 locally publish and also file a report with the department, recording the:

3.18 (1) number of gifted and talented students the district identified and served under
3.19 this subdivision;

3.20 (2) types of educational services, identification, and staff development the district
3.21 provided under this subdivision;

3.22 (3) amount of gifted and talented revenue the district received; and

3.23 (4) line item budget detailing how the district spent its gifted and talented revenue.

3.24 (d) The department must use the district reports under paragraph (c) to identify the
3.25 types of and levels of spending for gifted and talented services throughout Minnesota. The
3.26 department may request that a district provide additional information about gifted and
3.27 talented services and expenditures.

3.28 **EFFECTIVE DATE.** This section is effective the day following final enactment.