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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3299

05/04/2023 Authored by Urdahl, Bennett, McDonald, Hollins, Wiener and others
The bill was read for the first time and referred to the Committee on Education Policy

1.1 A bill for an act
1.2 relating to education; clarifying the definition of gifted and talented students;
1.3 amending Minnesota Statutes 2022, section 120B.15.

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

1.5 Section 1. Minnesota Statutes 2022, section 120B.15, is amended to read:

1.6 120B.15 GIFTED AND TALENTED STUDENTS PROGRAMS.

1.7 (a) School districts may identify students, locally develop programs addressing
1.8 instructional and affective needs, provide staff development, and evaluate programs to
1.9 provide gifted and talented students with challenging and appropriate educational programs.
1.10 This includes gifted and talented students who are twice-exceptional, including students
1.11 who are gifted and have a form of learning or developmental disability or autism spectrum
1.12 disorder under section 256B.0949, subdivision 2, paragraph (d).

1.13 (b) School districts must adopt guidelines for assessing and identifying students for
1.14 participation in gifted and talented programs consistent with section 120B.11, subdivision
1.15 2, clause (2). The guidelines should include the use of:

1.16 (1) multiple and objective criteria; and

1.17 (2) assessments and procedures that are valid and reliable, fair, and based on current
1.18 theory and research. Assessments and procedures should be sensitive to underrepresented
1.19 groups, including, but not limited to, students from low-income families, minority students,
1.20 twice-exceptional students, students with disabilities or a 504 plan under section 125A.55,
1.21 and English learners.

2.1 (c) School districts must adopt procedures for the academic acceleration of gifted and
2.2 talented students consistent with section 120B.11, subdivision 2, clause (2). These procedures
2.3 must include how the district will:

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

2.5 (2) match the level, complexity, and pace of the curriculum to a student to achieve the
2.6 best type of academic acceleration for that student.

2.7 (d) School districts must adopt procedures consistent with section 124D.02, subdivision
2.8 1, for early admission to kindergarten or first grade of gifted and talented learners consistent
2.9 with section 120B.11, subdivision 2, clause (2). The procedures must be sensitive to
2.10 underrepresented groups.