

**SENATE**  
**STATE OF MINNESOTA**  
**NINETY-SECOND SESSION**

**S.F. No. 2408**

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DATE	D-PG	OFFICIAL STATUS
04/13/2021	2767	Introduction and first reading Referred to Education Finance and Policy
04/14/2021	2781	Authors added Koran; Johnson Stewart
04/22/2021	3042	Author added Abeler
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- 1.1 A bill for an act
- 1.2 relating to education finance; increasing funding and modifying provisions for
- 1.3 gifted and talented programs; amending Minnesota Statutes 2020, sections 120B.11,
- 1.4 subdivision 2; 120B.15; 126C.10, subdivision 2b.
- 1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.6 Section 1. Minnesota Statutes 2020, section 120B.11, subdivision 2, is amended to read:
- 1.7 Subd. 2. **Adopting plans and budgets.** A school board, at a public meeting, shall adopt
- 1.8 a comprehensive, long-term strategic plan to support and improve teaching and learning
- 1.9 that is aligned with creating the world's best workforce and includes:
- 1.10 (1) clearly defined district and school site goals and benchmarks for instruction and
- 1.11 student achievement for all student subgroups identified in section 120B.35, subdivision 3,
- 1.12 paragraph (b), clause (2);
- 1.13 (2) a process to assess and evaluate each student's progress toward meeting state and
- 1.14 local academic standards, assess and identify students to participate in gifted and talented
- 1.15 programs and accelerate their instruction, and adopt early-admission procedures consistent
- 1.16 with section 120B.15, ~~and identifying~~ including:
- 1.17 (i) a process to assess and identify students for participation in gifted and talented
- 1.18 programs, along with the number of students assessed and identified;
- 1.19 (ii) procedures for the academic acceleration of gifted and talented students, along with
- 1.20 the number of students accelerated;
- 1.21 (iii) procedures for early admission to kindergarten and first grade, consistent with
- 1.22 section 124D.02, subdivision 1, along with the number of students admitted early; and

(iv) the strengths and weaknesses of instruction in pursuit of student and school success and curriculum affecting students' progress and growth toward career and college readiness and leading to the world's best workforce;

(3) a system to periodically review and evaluate the effectiveness of all instruction and curriculum, taking into account strategies and best practices, student outcomes, school principal evaluations under section 123B.147, subdivision 3, students' access to effective teachers who are members of populations underrepresented among the licensed teachers in the district or school and who reflect the diversity of enrolled students under section 120B.35, subdivision 3, paragraph (b), clause (2), and teacher evaluations under section 122A.40, subdivision 8, or 122A.41, subdivision 5;

(4) strategies for improving instruction, curriculum, and student achievement, including the English and, where practicable, the native language development and the academic achievement of English learners;

(5) a process to examine the equitable distribution of teachers and strategies to ensure low-income and minority children are not taught at higher rates than other children by inexperienced, ineffective, or out-of-field teachers;

(6) education effectiveness practices that integrate high-quality instruction, rigorous curriculum, technology, and a collaborative professional culture that develops and supports teacher quality, performance, and effectiveness; and

(7) an annual budget for continuing to implement the district plan.

Sec. 2. Minnesota Statutes 2020, section 120B.15, is amended to read:

**120B.15 GIFTED AND TALENTED ~~STUDENTS~~ STUDENT PROGRAMS.**

Subdivision 1. **Definition.** (a) Gifted and talented children and youth are those students with outstanding abilities, identified at preschool, elementary, and secondary levels. These students are capable of high performance when compared to others of similar age, experience, and environment, and represent the diverse population of our communities. The potential of gifted students requires differentiated and challenging educational programs and services beyond those provided in the general school program. Students capable of high performance include those with demonstrated achievement or potential ability in any one or more of the following areas: general intellectual ability, specific academic subjects, creativity, leadership, and visual and performing arts. Gifted and talented students are found within all income levels, cultural and language groups, and abilities or disabilities.

(b) School districts ~~may~~ must identify students, locally develop programs addressing instructional and affective needs, provide staff development, and evaluate programs to provide gifted and talented students with challenging and appropriate educational programs.

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

(1) ~~multiple and objective criteria~~ universal screening practices that include multiple research-supported assessments that are inclusive of different gifts and talents; and

(2) assessments and procedures that are valid and reliable, fair, and based on current theory and research. Assessments and procedures should be sensitive to underrepresented groups, including, but not limited to, low-income, ~~minority~~ culturally diverse, twice-exceptional, ~~and~~ English language learners, and should be coordinated to allow for optimal identification and services for underrepresented gifted students.

**Subd. 3. Programming.** (a) School districts must utilize research-supported gifted programming and offer varied programs that address both cognitive and affective needs for identified gifted students.

~~(e)~~ (b) School districts ~~must adopt procedures for the academic acceleration of academically accelerate~~ gifted and talented students consistent with section 120B.11, subdivision 2, clause (2). These procedures must include how the district will:

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

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

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

(c) Consistent with section 120B.11, subdivision 2, clause (2), and section 124D.02, subdivision 1, school districts must allow early admission for qualified kindergarten or first grade gifted and talented learners. Admission procedures must be sensitive to underrepresented groups.

**Subd. 4. Professional development.** School districts must provide for all professional staff, including administration, ongoing professional development opportunities that address critical thinking, creative thinking, problem solving, inquiry learning, and collaborative

4.1 learning grounded in research and best practices, and on the nature and needs of gifted  
4.2 students.

4.3 Subd. 5. **Accountability and quality assurance.** (a) School districts, in collaboration  
4.4 with the Department of Education, must evaluate their gifted programming effectiveness  
4.5 in terms of achievement in both the gifted and general population, and in terms of student,  
4.6 parent, and educator satisfaction.

4.7 (b) Districts must report on specific state-funded gifted and talented services offered to  
4.8 students. Reports must include data that examine kindergarten through grade 12 student  
4.9 performance including:

4.10 (1) parent, student, and educator satisfaction; and

4.11 (2) how state-issued funding was allocated to each area of service including identification,  
4.12 programming, professional development, and accountability.

4.13 Sec. 3. Minnesota Statutes 2020, section 126C.10, subdivision 2b, is amended to read:

4.14 Subd. 2b. **Gifted and talented revenue.** Gifted and talented revenue for each district  
4.15 equals the district's adjusted pupil units for that school year times ~~\$13~~ \$39. A school district  
4.16 must reserve gifted and talented revenue and, consistent with section 120B.15, must spend  
4.17 the revenue only to:

4.18 (1) identify gifted and talented students who are diverse by age, culture, ability or  
4.19 disability, language, and readiness;

4.20 (2) provide education programs for gifted and talented students; ~~or~~

4.21 (3) provide staff development to prepare teachers to best meet the unique needs of gifted  
4.22 and talented students-; or

4.23 (4) provide all kindergarten through grade 12 teachers professional development and  
4.24 training in inquiry-based learning, critical thinking, creative thinking, collaborative work,  
4.25 and problem-based learning, and other 21st century skills as determined by the school  
4.26 district.