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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 2184

03/06/2017 Authored by Bernardy; Flanagan; Slocum; Carlson, L.; Ward and others
The bill was read for the first time and referred to the Committee on Education Innovation Policy

1.1 A bill for an act
1.2 relating to education; modifying gifted and talented programs; amending Minnesota
1.3 Statutes 2016, sections 120B.11, subdivision 2; 120B.15; 120B.20; 126C.10,
1.4 subdivision 2b.

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

1.6 Section 1. Minnesota Statutes 2016, 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. The plan shall include:

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 processes to: assess and evaluate each student's progress toward meeting
1.14 state and local academic standards; assess and identify students to participate in gifted and
1.15 talented programs and accelerate their gifted students' instruction, and; report on the number
1.16 of students assessed, identified, and accelerated through gifted-education procedures; adopt
1.17 early-admission procedures consistent with section 120B.15, including reporting on the
1.18 number of students admitted early to school; and identifying the identify districts'
1.19 instructional and curricular strengths and weaknesses of instruction in pursuit of student
1.20 and school success and curriculum affecting students' progress and growth as
1.21 gifted-and-talented and other students strive toward career and college readiness and leading
1.22 to career success as that success is envisioned by the world's best workforce goals;

2.1 (3) a system to periodically review and evaluate the effectiveness of all instruction and  
 2.2 curriculum as it relates to upper-level thinking skills, taking into account ~~strategies and the~~  
 2.3 following elements: instructional best practices; student outcomes; school principal  
 2.4 evaluations under section 123B.147, subdivision 3; students' access to effective licensed  
 2.5 teachers who are members of ~~populations~~ populations underrepresented among the licensed teachers in  
 2.6 ~~the district or school~~ populations in their districts or schools and who reflect the diversity  
 2.7 of their currently enrolled students under section 120B.35, subdivision 3, paragraph (b),  
 2.8 clause (2); and teacher evaluations under section 122A.40, subdivision 8, or 122A.41,  
 2.9 subdivision 5;

2.10 (4) strategies for improving instruction, curriculum, and student achievement, ~~including~~  
 2.11 ~~the~~ in higher-level thinking skills in both English speakers and, where practicable, the native  
 2.12 ~~language development and the academic achievement~~ of English learners;

2.13 (5) ~~a process to examine~~ processes for examining the equitable distribution of teachers  
 2.14 and strategies to ensure that gifted-and-talented, low-income, and minority children are not  
 2.15 taught at higher rates than other children by inexperienced, ineffective, or out-of-field  
 2.16 teachers;

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

2.20 (7) ~~an annual budget for continuing~~ budgets that continue to implement the district plan  
 2.21 and that plan's gifted-and-talented elements.

2.22 Sec. 2. Minnesota Statutes 2016, section 120B.15, is amended to read:

2.23 **120B.15 GIFTED AND TALENTED STUDENTS PROGRAMS.**

2.24 (a) For purposes of this section, "gifted and talented students" means students of all  
 2.25 income levels, cultural and language groups, varying degrees of abilities or disabilities, and  
 2.26 twice-exceptional students who are gifted and talented youth with disabilities, identified at  
 2.27 the preschool, elementary, and secondary school levels as having outstanding abilities and  
 2.28 as demonstrating achievement or potential ability for high performance in general intellectual  
 2.29 functioning, specific academic subjects, creativity, leadership, or visual and performing  
 2.30 arts, and who require differentiated and challenging educational programs or services beyond  
 2.31 those provided in the general school program.

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

3.4 ~~(b) (c)~~ School districts ~~must adopt guidelines for assessing and identifying~~ assess and  
 3.5 identify students for participation in gifted and talented programs consistent with section  
 3.6 120B.11, subdivision 2, clause (2). The guidelines should include the use of:

3.7 (1) ~~multiple and objective criteria~~ research-supported instruments that are inclusive and  
 3.8 address different gifts and talents; and

3.9 (2) assessments and programming procedures that are valid and reliable, fair, and based  
 3.10 on current theory and research. Assessments and programming procedures should be sensitive  
 3.11 to underrepresented groups, including; but not limited to; low-income, minority,  
 3.12 twice-exceptional, and English learners, and should be coordinated to allow for  
 3.13 comprehensive, optimal services for students.

3.14 (d) School districts must develop and offer a variety of research-supported programs  
 3.15 that address the social-emotional and cognitive needs of those students identified in paragraph  
 3.16 (c), clause (2).

3.17 (e) School districts must provide professional development opportunities grounded in  
 3.18 best practice and research for all professional staff, including administration, on the nature  
 3.19 and needs of gifted students.

3.20 (f) School districts, in collaboration with the Department of Education, must evaluate  
 3.21 gifted-and-talented program effectiveness in terms of achievement of both the gifted  
 3.22 population and the general population, and student, parent, and teacher satisfaction.

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

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

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

3.29 ~~(d) School districts must adopt procedures~~ (h) Consistent with section sections 124D.02,  
 3.30 subdivision 1, for early admission to kindergarten or first grade of gifted and talented learners  
 3.31 consistent with section and 120B.11, subdivision 2, clause (2), school districts must allow  
 3.32 early admission to kindergarten or first grade for qualified gifted and talented students. The  
 3.33 Admission procedures must be sensitive to underrepresented groups.

4.1 Sec. 3. Minnesota Statutes 2016, section 120B.20, is amended to read:

4.2 **120B.20 PARENTAL CURRICULUM REVIEW.**

4.3 Each school district shall have a procedure for a parent, guardian, or an adult student,  
 4.4 18 years of age or older, to review the content of the instructional materials to be provided  
 4.5 to a minor child or to an adult student ~~and~~. If the parent, guardian, or adult student objects  
 4.6 to the content, ~~to~~ that adult may make reasonable arrangements with school personnel for  
 4.7 alternative instruction. Alternative instruction, including remedial and advanced instruction  
 4.8 on topics related to the school's syllabi for the subjects in question, may be provided by the  
 4.9 parent, guardian, or adult student if the alternative instruction, if any, offered by the school  
 4.10 board does not meet the concerns of the parent, guardian, or adult student. The school board  
 4.11 is not required to pay for the costs of alternative instruction provided by a parent, guardian,  
 4.12 or adult student. School personnel may not impose an academic or other penalty upon a  
 4.13 student merely for arranging alternative instruction under this section. School personnel  
 4.14 may evaluate and assess the quality of the student's work.

4.15 Sec. 4. Minnesota Statutes 2016, section 126C.10, subdivision 2b, is amended to read:

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

4.20 (1) assess and identify gifted and talented students who are diverse by readiness, age,  
 4.21 culture, ability, disability, and language;

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

4.23 (3) provide staff development to prepare teachers to best meet the unique needs of gifted  
 4.24 and talented students.

4.25 (b) Districts must report to the commissioner on specific state-funded gifted and talented  
 4.26 services, including achievement data and other student performance disaggregated into all  
 4.27 four quartiles of student body outcomes; student, parent, and teacher satisfaction; and how  
 4.28 the money was spent on each service provided, including gifted-and-talented-focused  
 4.29 identification, educational programming, professional development, and program evaluation.