
By: **Delegates Hubbard, Cadden, Conroy, Frush, Griffith, Moe, Niemann,
Ross, and Rzepkowski**

Introduced and read first time: January 31, 2003

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 18, 2003

CHAPTER 418

1 AN ACT concerning

2 **Education - Gifted and Talented Students**

3 FOR the purpose of altering the definition of "gifted and talented student" for the
4 purpose of certain public school programs; specifying certain findings made by
5 the General Assembly; ~~requiring the State Board of Education to require county~~
6 ~~boards of education to develop and implement certain procedures and services~~
7 ~~for gifted and talented students that meet certain standards; requiring that~~
8 ~~certain funds be included in the State budget as part of the State aid to~~
9 ~~education; making a stylistic change; and generally relating to educational~~
10 ~~services and programs for gifted and talented students.~~

11 BY repealing and reenacting, with amendments,
12 Article - Education
13 Section 8-201 ~~through 8-204, inclusive~~ and 8-202
14 Annotated Code of Maryland
15 (2001 Replacement Volume and 2002 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article - Education**

19 8-201.

20 In this [subtitle] SUBTITLE, "gifted and talented student" means an elementary
21 or secondary student who is identified by professionally qualified individuals as
22 [having outstanding abilities in the area of:

- 1 (1) General intellectual capabilities;
- 2 (2) Specific academic aptitudes; or
- 3 (3) The creative, visual, or performing arts]:

4 (1) HAVING OUTSTANDING TALENT AND PERFORMING, OR SHOWING
 5 THE POTENTIAL FOR PERFORMING, AT REMARKABLY HIGH LEVELS OF
 6 ACCOMPLISHMENT WHEN COMPARED WITH OTHER STUDENTS OF A SIMILAR AGE,
 7 EXPERIENCE, OR ENVIRONMENT;

8 (2) EXHIBITING HIGH PERFORMANCE CAPABILITY IN INTELLECTUAL,
 9 CREATIVE, OR ARTISTIC AREAS;

10 (3) POSSESSING AN UNUSUAL LEADERSHIP CAPACITY; OR

11 (4) EXCELLING IN SPECIFIC ACADEMIC FIELDS.

12 8-202.

13 THE GENERAL ASSEMBLY FINDS THAT:

14 (1) A gifted and talented student needs different services beyond those
 15 normally provided by the regular school program in order to develop the student's
 16 potential; AND

17 (2) GIFTED AND TALENTED STUDENTS ARE TO BE FOUND IN YOUTH
 18 FROM ALL CULTURAL GROUPS, ACROSS ALL ECONOMIC STRATA, AND IN ALL AREAS
 19 OF HUMAN ENDEAVOR.

20 ~~8-203.~~

21 ~~The State Board shall [encourage] REQUIRE THAT each county board [to]~~
 22 ~~develop and implement [programs for gifted and talented students] IDENTIFICATION~~
 23 ~~PROCEDURES, SERVICES, AND PROFESSIONAL DEVELOPMENT ACTIVITIES FOR~~
 24 ~~GIFTED AND TALENTED STUDENT EDUCATION THAT MEET NATIONALLY ACCEPTED~~
 25 ~~RESEARCH BASED STANDARDS ENDORSED BY THE STATE BOARD.~~

26 ~~8-204.~~

27 (A) ~~[To the extent funds are provided in the State budget or are available from~~
 28 ~~other sources, the State Board shall] FUNDS FOR GIFTED AND TALENTED~~
 29 ~~EDUCATION SHALL BE PROVIDED IN THE STATE BUDGET AS PART OF THE STATE~~
 30 ~~FINANCIAL ASSISTANCE FOR PUBLIC EDUCATION UNDER § 5-202 OF THIS ARTICLE~~
 31 ~~SO THAT THE STATE BOARD MAY provide guidance, consultative and technical~~
 32 ~~assistance, and fiscal support for programs that include:~~

33 (1) ~~Teacher training to incorporate instruction in methods and~~
 34 ~~techniques that are designed to enable teachers to identify and teach gifted and~~
 35 ~~talented students;~~

1 (2) Research undertaken to help develop new or modified curricula for
2 ~~gifted and talented students; and~~

3 (3) Evaluation, demonstration, and distribution of findings that are
4 ~~related to programs for gifted and talented students.~~

5 (B) ~~EACH COUNTY BOARD SHALL ADOPT AND IMPLEMENT PROGRAMS FOR
6 GIFTED AND TALENTED STUDENTS THAT MEET THE STANDARDS SPECIFIED BY THE
7 STATE BOARD.~~

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2003.