

## CHAPTER 311

### GIFTED AND TALENTED STUDENTS

#### §8101. Purpose

The Legislature recognizes that gifted and talented students, who comprise approximately 3% to 5% of Maine's students, require differentiated education programs that are aligned with the system of learning results as established in section 6209, beyond those normally provided by the regular school program in order to realize their educational potential and contribution to themselves and to society. [PL 2001, c. 454, §34 (AMD).]

#### SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 2001, c. 454, §34 (AMD).

#### §8101-A. Gifted and talented education programs

**1. Implementation.** Each school administrative unit shall implement a gifted and talented education program. The commissioner may provide technical assistance to a school administrative unit in planning and implementing its gifted and talented education program. [PL 2011, c. 678, Pt. H, §1 (NEW).]

**2. Costs; approval.** Costs of gifted and talented education programs approved by the department are subsidizable costs under the Essential Programs and Services Funding Act. [PL 2011, c. 678, Pt. H, §1 (NEW).]

**3. Waivers.** Beginning with the 2012-2013 school year, a school administrative unit that did not operate a gifted and talented program in the 2011-2012 school year may apply to the commissioner for a one-year waiver of this requirement if full implementation of this requirement presents an undue burden. The commissioner may grant a school administrative unit a waiver upon receipt of an application from the school administrative unit that includes the basis for the waiver request. Financial hardship is one criterion the commissioner must consider in determining whether to grant a waiver. The rules amended or adopted by the department under subsection 4 must establish requirements applicable to the commissioner's authority to grant a one-year waiver to a school administrative unit and must provide requirements for an extension of a one-year waiver granted to a school administrative unit, including provisions that require that any additional request for extensions must be submitted and reviewed on an annual basis. [PL 2011, c. 678, Pt. H, §1 (NEW).]

**4. Rules.** The department shall amend or adopt routine technical rules as defined in Title 5, chapter 375, subchapter 2-A establishing procedures and criteria for approval of gifted and talented education programs under this chapter. [PL 2011, c. 678, Pt. H, §1 (NEW).]

[PL 2011, c. 678, Pt. H, §1 (NEW).]

#### SECTION HISTORY

PL 2011, c. 678, Pt. H, §1 (NEW).

#### §8102. Grants to school administrative units

**(REPEALED)**

#### SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 2003, c. 477, §§7,8 (AMD). PL 2009, c. 147, §8 (AMD). PL 2011, c. 678, Pt. H, §2 (RP).

**§8103. Available funds****(REPEALED)**

## SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 2003, c. 477, §9 (AMD). PL 2011, c. 678, Pt. H, §3 (RP).

**§8104. School administrative units to establish programs****(REPEALED)**

## SECTION HISTORY

PL 1985, c. 463, §1 (NEW). PL 1991, c. 9, §II4 (AMD). PL 1991, c. 622, §X6 (AMD). PL 1995, c. 527, §6 (AMD). PL 1997, c. 696, §5 (AMD). PL 1999, c. 790, §N3 (AMD). PL 2003, c. 477, §§10,11 (AMD). PL 2009, c. 147, §9 (RP).

**§8105. Rules**

The commissioner may adopt or amend rules to implement this chapter, including the identification of students, needs and resource assessment and program planning, development and implementation. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A. [PL 2009, c. 147, §10 (NEW).]

## SECTION HISTORY

PL 2009, c. 147, §10 (NEW).

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