Gifted Education Guidelines

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Table of Contents

Acknowledgements 1
Purpose 3
Guiding Principles 4
Chapter 1: History 6
Chapter 2: Identification and Educational Placement of Mentally Gifted Students 7
- Definition of Mentally Gifted 7
- Multiple Criteria 7
- Public Awareness 9
- Screening 10
- Gifted Multidisciplinary Evaluation 11
- Gifted Written Report 15
- Gifted Multidisciplinary Reevaluation 16
- Gifted Individualized Education Plan 17
- Educational Placement 23
- Notices 24
- Timelines 25
- Private School Placement 26

Chapter 3: Gifted Programming Options 27
- Service Delivery Options - Recommendations 27

Chapter 4: Curriculum and Instruction 29
- Introduction 29
- Curriculum and Instruction - Content 29
- Curriculum and Instruction - Process 31
- Curriculum and Instruction - Product 31
- Curriculum and Instruction - Learning Environment 31
- Gifted Education Delivery Options 32

Chapter 5: Personnel 33
- Staff Development 33
- Staff Responsibilities 34
- Recommendations for Parents 38

Additional Resources 39
Glossary 40
Sources of Gifted Materials and Information 45
Chuska Scale for Rate of Acquisition 50
Chuska Scale for Determining Rate of Retention 52
State Court Case Law 54
- Appeal Panel Decisions 56
- Hearing Officer Decisions 56

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These guidelines provide a practical framework to assist school districts in identifying mentally gifted students and implementing comprehensive programs to meet their needs. Despite the comprehensive nature of these guidelines, it is difficult to foresee and discuss every situation that might arise. School administrators and parents are therefore encouraged to make use of the additional resources included in the Pennsylvania Code (22 Pa. Code Chapter 16).

Purpose

The Pennsylvania State Board of Education has defined the purpose of its regulations governing special education for gifted students (22 Pa. Code Chapter 16) as follows:

§16.2. Purpose

(a) This chapter specifies how the Commonwealth will meet its obligations to suspected and identified gifted students who require gifted education to reach their potential. It is the intent of the Board that gifted students are provided with quality gifted education services and programs.

(b) The Commonwealth, through the Department, will provide general supervision of services and programs provided under this chapter.

(c) The Department will disseminate information about and promote the use of promising practices and innovative programs to meet the needs of gifted students.

(d) To provide services and programs efficiently, the Commonwealth will delegate operational responsibility to its school districts. Each school district shall, by direct service or through arrangement with other agencies, provide the following:

(1) Services and programs planned, developed and operated for the identification and evaluation of each gifted student.

(2) Gifted education for each gifted student which is based on the unique needs of the student, not solely on the student's classification.

(3) Gifted education for gifted students which enables them to participate in acceleration or enrichment, or both, as appropriate, and to receive services according to their intellectual and academic abilities and needs.

The purpose of these guidelines is to assist local education agencies in meeting the requirements of the State Board's regulations set forth at 22 Pa. Code Chapter 16 - Special Education for Gifted Students. The regulations recognize that gifted students are considered to be "children with exceptionalities" under the Public School Code of 1949 and in need of specially designed instruction. The guidelines are an overview of both acceptable and best practices, procedures and policies designed to meet the learning needs of gifted students. These guidelines reflect Pennsylvania's continuing commitment to providing educational services appropriate for mentally gifted students that are consistent with their individual needs, outstanding abilities and potential for performing at high levels of accomplishment.

Guiding Principles

Programs for gifted children fit into the array of special programs available for all exceptional children. These programs reflect individual differences, equal educational opportunity and desire for the optimal development of each child. Programs that are based on sound philosophical, theoretical and empirical foundations are those most likely to benefit gifted students.

The guiding principles for planning and implementing programs for the gifted include the following:

The local school district is primarily responsible for identifying all "children with exceptionalities" which means "children of school age who have a disability or who are gifted and who, by reason thereof, need specially designed instruction exceptional children and developing educational programs to meet their needs." (24 P.S. §13-1371(1))

Like all exceptional children, the gifted student possesses special characteristics that significantly affect that student's ability to learn. In order to provide a meaningful benefit, the gifted student's curriculum must be appropriately modified on an individual basis.

Enable the provision of appropriate specially designed instruction based on the student's need and ability. (22 Pa. Code §16.41(b) (2))

The key to challenging the gifted student is the connection between instruction and individual cognitive and affective behaviors. The emphasis in special programs for these students should be on the stimulation of the cognitive processes of creativity, originality, problem solving and complexity (increasing content depth and sophistication).

The student is thought to be gifted because the school district's screening of the student indicates high potential consistent with the definition of mentally gifted or a performance level which exceeds that of other students in the regular classroom. (22 Pa. Code §16.22)

A Gifted Individualized Education Plan is a written plan describing the education to be provided to a gifted student. The initial Gifted Individualized Education Plan must be based on and be responsive to the results of the evaluation and be developed and implemented in accordance with this chapter. (22 Pa. Code §16.22 and §16.32)

The Gifted Multidisciplinary Evaluation and Present Levels of Educational Performance must be sufficient in depth and breadth (scope) to provide the framework for a comprehensive gifted individualized education plan. Student assessment and performance data should be reflected in the development of the Gifted Individualized Education Plan. The gifted student may be involved in the development of the Gifted Individualized Education Plan at the parent's discretion.

The Gifted Individualized Education Plan team shall base educational placement decisions on the gifted student's needs to enable the provision of appropriate specially designed instruction based

on the student's need and ability and to ensure that the student is able to benefit meaningfully from the rate, level and manner of instruction. (22 Pa. Code §16.41)

Provide opportunities to participate in acceleration or enrichment, or both, as appropriate for the student's needs. These opportunities must go beyond the program that the student would receive as part of a general education. (22 Pa. Code §16.41)

An effective approach would include all of the following:

- Acceleration, in which instruction is matched to the competence level of student.
- Enrichment, in which opportunities for the investigation of appropriate materials are given.
- Individualization, in which instruction is matched specifically to the student's achievement, abilities, and interests.

School districts must ensure that the gifted student's individualized plan includes a range of acceleration and enrichment options appropriate for the student's needs. The regular education curricula and instruction must be adapted, modified or replaced to meet the individual needs of the gifted student.

Gifted education programming must be an integral part of the instructional school day.

Gifted students are not just gifted for a specific time each day or week. Responsibility for development and implementation of each Gifted Individualized Education Plan is shared between regular education teachers, gifted education teachers and administrators.

Districts may use administrative and instructional strategies and techniques in the provision of gifted education for gifted students which do not require, but which may include, categorical grouping of students. (22 Pa. Code §16.41)

The continuum of services that exists for the gifted student must be based on sound research and best practice. Research studies from the National Research Center on the Gifted and Talented support flexible grouping for gifted students across grade levels and content areas. The research studies also indicate that ability grouping, coupled with acceleration and differentiated curricula, provide maximum instructional benefit to gifted students. Incorporating homogeneous grouping of the gifted with systematic and continuous provisions in their K-12 educational planning offers gifted students opportunities to broaden and deepen their knowledge through interaction with their intellectual peers.

Chapter 1: History

Pennsylvania has a unique history in mandating special education for gifted students. The promulgation of Chapter 16: Special Education for Gifted Students reaffirms this legacy and commitment to the importance of specially designed instruction for gifted students. The Pennsylvania State Board of Education acknowledges in Chapter 16 that students who are gifted are "children with exceptionalities" under the Public School Code of 1949, Section 1371. The history leading up to these regulations includes the following:

- 1961 – "Handicapped Education" changed to "Exceptional Education" in the Public School Code of 1949, began permissive identification of and programs for gifted students with state approval for funding as an excess cost. (Act 546 of1961)

- 1975 – The State Board provided that "exceptional persons" are to receive an appropriate program of education that is designed "to meet their individual needs." "Exceptional persons" are "persons of school age who deviate from the average… to such an extent that they require special educational programs facilities or services…" Gifted students were clearly included among those "exceptional children" who deviate from the average and who therefore "require special activities or services not ordinarily provided to regular children by local agencies." (State Board Regulations, 1975)

- 1975 – Pennsylvania courts reaffirmed that gifted students are entitled to many of the same rights as students with disabilities. See:

  - Central York School District v. Department of Education, 41 (Pa. Cmwlth. (1979);

    Lisa H. v. State Board of Education, 447 A.2d 669, 673 n. 6(PA. Cmwlth. 1982), *aff'd*, 467 A.2d 1127 (Pa. 1983); and

  - Centennial School District v. Department of Education, 539 A.2d 785 (Pa. Cmwlth .1988)

- 1989-90 – The General Assembly directed the State Board of Education and the Department of Education to overhaul the special education regulations and standards, including those pertaining to gifted education. (Act 43 of 1989) The State Board and the Department responded by promulgating new regulations and standards, effective July 1, 1990. See 22 Pa. Code Chapter 14 (regulations) and Chapter 342 (standards) that included provisions for the gifted.

- 2000 – State Board Regulations, Chapter 16: Special Education for Gifted Students, effective Dec. 9, 2000.

- 2008 – Current State Board of Regulations, Chapter 16: Special Education for Gifted Students, effective Nov. 8, 2008.

Chapter 2: Identification and Educational Placement of Mentally Gifted Students

Definition of Mentally Gifted

Mentally gifted is defined as outstanding intellectual and creative ability the development of which requires specially designed programs or support services, or both, not ordinarily provided in the regular education program. (22 Pa. Code §16.1)

Intellectual ability is not equated with an IQ score alone. Intellectual ability is and should be a reflection of a range of assessments including a student's performance and potential.

IQ 130 or more

The term "mentally gifted" includes a person who has an IQ of 130 or higher, when multiple criteria as set forth in Department Guidelines indicate gifted ability. Determination of gifted ability will not be based on IQ score alone. The determination shall include an assessment by a certified school psychologist. (22 Pa. Code §16.21(d))

No one test or measure is sufficient to determine giftedness, and the evaluation and testing literature recognizes that there is a margin for error in any standardized testing. The standard error of measurement also applies when reporting IQ.

IQ Lower than 130

Each school district shall establish procedures to determine whether a student is mentally gifted. This term includes a person who has an IQ of 130 or higher or when multiple criteria as set forth in this chapter and in Department Guidelines indicate gifted ability. Determination of gifted ability will not be based on IQ score alone. Deficits in memory or processing speed, as indicated by testing, cannot be the sole basis upon which a student is determined to be ineligible for gifted special education. A person with an IQ score lower than 130 may be admitted to gifted programs when other educational criteria in the profile of the person strongly indicate gifted ability. Determination of mentally gifted must include an assessment by a certified school psychologist. (22 Pa. Code §16.21(d))

If a student's IQ is less than 130, other factors, such as academic performance, demonstrated achievement or other observed skills must strongly indicate gifted ability in order for that student to be identified as gifted and admitted to a gifted program. Because disabilities and bias factors may mask gifted abilities, districts are required to examine discrepancies between ability assessment results and academic achievement or demonstrated skills, and discrepancies among ability subtests.

Multiple Criteria

Criteria, other than IQ score, which indicate gifted ability include but are not limited to: Achievement, Rate of Acquisition/Retention, Demonstrated Achievement, Early Skill Development and Intervening Factors Masking Giftedness.

Achievement

A year or more above grade achievement level for the normal age group in one or more subjects as measured by nationally normed and validated achievement tests able to accurately reflect gifted performance. Subject results shall yield academic instruction levels in all academic subject areas. (22 Pa. Code §16.21(e) (1))

The assessment instruments should have high enough ceilings to reflect accurately academic performance in the gifted range. Assessment should yield performance and achievement data beyond basic skills and should be used for appropriate instructional placement. The assessments should show not only what the student knows, but also where there is a need for instruction. These data form the basis for decisions as to where, in specific content areas, specific courses or curriculum, a student should begin the learning experiences for the year. The results of the testing must provide instructional levels in all academic subject areas for use in determining educational placement.

Rate of Acquisition, Rate of Retention

An observed or measured rate of acquisition/retention of new academic content or skills that reflect gifted ability. (22 Pa. Code§16.21(e) (2))

Rate of acquisition is the rapidity or speed at which the student is able to acquire, understand and demonstrate competency or mastery of new learning. Rate of acquisition and rate of retention of new materials/skills can be defined as how many repetitions the student needs before the student masters new information/skills and can use the information/skills appropriately any time thereafter. This data can be obtained by simple procedures such as Curriculum Based Assessment, direct observation and reporting from parents, teachers or supervisors. An example of acquisition/retention: the gifted student with approximately one to three repetitions of new knowledge/skills is able to achieve mastery at a faster rate than a student who requires four to eight repetitions. Rate of acquisition/retention is used to adjust the pace of learning for the gifted student. See Chuska Acquisition/Retention Rating Scales. (Chapter 7 - Additional Resources)

Demonstrated Achievement

Demonstrated achievement, performance or expertise in one or more academic areas as evidenced by excellence of products, portfolio or research, as well as criterion-referenced team judgment. (22 Pa. Code §16.21(e) (3))

Another criterion is the student's demonstrated achievement, performance-based skills or expertise that shows a high-level of accomplishment, and indicates exceptional interest and motivation in specific areas. These may be documented in permanent products, portfolios, demonstration of skills, awards, community involvements of others. Example: a student is a member of the high school debate team and has qualified for the state finals in grades 9, 10 and 11; a student loves to write poetry and has a folder of many unpublished works.

Early Skill Development

Early and measured use of high level thinking skills, academic creativity, leadership skills, intense academic interest areas, communications skills, foreign language aptitude or technology expertise. (22 Pa. Code §16.21(e) (4))

Assessment of early and measured use of high level thinking skills could include checklists or inventories such as Guilford's or Bloom's Taxonomy. It could also include anecdotal notes that document developmental milestones that are reached earlier than average students reach the milestone, or that a student has mastered skills beyond that child's age level. Skills charts often accompany grade level texts. Examples of a skills list:

- The average kindergarten student uses symbols and letters to represent words.
- The average third grade student uses a variety of sentence structures.
- The average sixth grade student writes effectively using standard grammar, punctuation, capitalization and spelling in a final draft.

Using the above skills chart a kindergarten student who spells common words correctly, makes appropriate and varied word choices and/or understands common capitalization and end punctuation would demonstrate achievements that are a result of early and measured use of high level thinking skills.

Intervening Factors Masking Giftedness

Documented, observed, validated or assessed evidence that intervening factors such as English as a second language, disabilities defined in 34 CFR 300.8 (relating to child with a disability), gender or race bias, or socio/cultural deprivation are masking gifted abilities. (22 Pa. Code §16.21(e) (5))

Some students may have their gifted abilities masked by such factors as ethnicity, socio-economic status or disability. Data specifically tied to the student's learning environment is used to make decisions on remedial/coping strategies and specially designed instruction. For example: An economically disadvantaged household where educational resources and opportunities are lacking, a household in which English is not the first language or a household including parental problems such as alcoholism, divorce, spouse/child abuse or incarceration may have a masking effect on the student's identification as gifted.

Public Awareness

Each district shall conduct public awareness activities to inform the public of gifted education services and programs and the manner by which to request these services and programs. These awareness activities shall be designed to reach parents of students enrolled in the public schools and the parents of school age children not enrolled in the public schools. Awareness activities shall be conducted annually and include providing information in local newspapers, other media, student handbooks and on the school district web site. (22 Pa. Code §16.21(b))

Districts are required to provide annual notification of child-find activities and evaluate the success of these activities. The school district may notify the public through vehicles including, but not limited to, the following:

- Student handbooks
- School district websites
- Other media such as radio and television announcements
- Local newspaper notices
- Calendars and newsletters
- Displays in public places such as the public library or school lobby

The annual public notification of child identification activities could include the following:

- A description of gifted services and programs available and the needs of children served by these services and programs.
- The purpose, time and location of screening activities.
- A description of how to request that the district initiate screening and evaluation activities for a child.
- An explanation of the confidentiality protections for information regarding a specific child.

Screening

School Age

Chapter 16 applies "gifted student" status to those students who are of "school age" which is defined under 22 Pa. Code §11.12 as "the period of a child's life from the earliest admission age to a school district's kindergarten program until graduation from high school or the end of the school term in which a student reaches the age of 21 years, whichever occurs first."

Screening, identification and education for gifted students commence where the school program begins, at entry to kindergarten. When no kindergarten program is provided, screening, identification and gifted education begin at the district's earliest admission-age for beginners.

Chapter 16 requires that "Each school district shall adopt and use a system to locate and identify all students within that district who are thought to be gifted and in need of specially designed instruction." (22 Pa. Code §16.21(a))

"Each school district shall determine the student's needs through a screening and evaluation process which meets the requirements of this chapter."
(22 Pa. Code §16.21(c))

The district is obligated to provide appropriate screening and programming to school age students (K-12) thought to be gifted**.** Procedures and criteria must be developed to screen all students and evaluate students who are thought to be gifted. School districts may not delay or prolong the screening and evaluation process to avoid having to establish a gifted program for kindergarten students or early elementary students.

The screening procedures should generate data from a variety of sources. These data should then be compared to predetermine multiple criteria for gifted potential/performance. The screening process may include the following information, to the extent available:

- Medical History
- Readiness/Developmental Tests
- Achievement Tests
- Ability Tests
- Group Intelligence Tests
- Anecdotal Information - parent, educator, other
- Subject Area Assessment (e.g., student portfolio)
- Syllabus-Based Examination
- Curriculum-Based Assessment
- College Aptitude Test
- PSAT/SAT; CLEP
- Extracurricular Academic Performance/Achievements
- Rating Scales
- Interest Inventories
- Cumulative Records
- Enrollment Records
- Parent Inventories
- Health Records
- Report Cards
- Subject Assessments of Cognitive Functioning

Although group achievement tests may be used as a screening factor, the "ceiling" effect must be taken into consideration. These tests often do not measure the comprehensive attainment and achievement levels of the gifted student, since the tests' ability to measure giftedness may be limited by their norming parameters. Students who are thought to be gifted should be referred for a Gifted Multidisciplinary Evaluation that would include an IQ test.

Gifted Multidisciplinary Evaluation

Pursuant to 22 Pa. Code §16.2(b), a referral should be made when:

1. Teacher or parent believes the student to be gifted;

2. Student is not receiving appropriate education under Chapter 4 (relating to academic standards and assessment); and

3. One of the following apply:

    - The student's parents request an evaluation. (22 Pa.Code §16.22(c))
    - "The school district's screening of the student indicates high potential consistent with the definition of mentally gifted or a performance level which exceeds that of other students in the regular classroom." (22 Pa. Code §16.22 (b) (2)).
    - A hearing officer or judicial decision orders an evaluation.

For students who are thought to be gifted, the district should perform the following steps:

1. The Gifted Multidisciplinary Team conducts the Gifted Multidisciplinary Evaluation;

2. The Gifted Multidisciplinary Team compiles a written report based on the outcome of the Gifted Multidisciplinary Evaluation, using the form entitled Gifted Written Report; and

3. If the Gifted Multidisciplinary Team identifies the student as a gifted student, the Team uses the Gifted Written Report to develop a Gifted Individualized Education Plan.

Parent Referrals

Parents may request a Gifted Multidisciplinary Evaluation once per school term. When a parent's request for a Gifted Multidisciplinary Evaluation is received by the school district, regardless of the school's screening policy, the evaluation must be completed within regulatory timelines. The timeline begins from the date the school district receives the signed Permission to Evaluate from the parent. Under §16.22(c), if a parent makes a verbal request to any professional employee or administrator of the school district, that individual shall provide a copy of the Permission to Evaluate Form to the parents within 10 calendars days of the oral request.

Gifted Multidisciplinary Team Members

The Gifted Multidisciplinary Team must include the following individuals:

- The student's parents.
- A certified school psychologist.
- Persons familiar with the student's educational experience and performance.
- One or more of the student's current teachers.
- Persons trained in the appropriate evaluation techniques.
- Person familiar with the student's cultural background when possible.
- A single member of the Gifted Multidisciplinary Team may meet two or more of the qualifications specified above. (22 Pa. Code §16.22(d))

The Gifted Multidisciplinary Team is not required by Chapter 16 to convene a team meeting, but since the team is required to prepare a "written report that brings together written information and findings from the evaluation or re-evaluation concerning the student's educational needs and strengths," a meeting is recommended. (See 22 Pa. Code §16.22(h))

Districts might also want to include:

- Teacher(s) to whom the student will be assigned next year.
- Guidance counselor.
- Higher education personnel.
- Mentors.
- Vocational-technical coordinator.

- Teacher of the gifted or someone who has knowledge or training in recognition of gifted characteristics.

Scope and Depth of Gifted Multidisciplinary Evaluation

The Gifted Multidisciplinary Evaluation shall be sufficient in scope and depth to investigate information relevant to the student's suspected giftedness, including academic functioning, learning strengths and educational needs. (22 Pa. Code §16.22(e))

Tests and similar evaluation materials that are used to determine giftedness must be:

- Selected and administered in a manner that is free from racial and cultural bias and bias based on disability.
- Selected and administered so that the test results accurately reflect the student's aptitude, achievement level or whatever other factors the test purports to measure.
- Professionally validated for the specific purpose for which they are used.
- Administered by certified school psychologist under instructions provided by the producer of the tests and sound professional practice.
- Selected and administered to assess specific areas of educational need and ability and not merely a single general IQ (22 Pa. Code §16.22(g) (3) (i), (ii), (iii), (iv), and (v)).

Indicators of giftedness should be drawn from a wide variety of sources. The Gifted Multidisciplinary Evaluation is a process to gather the information that assists in determining if a child is mentally gifted according to the state's definition. The evaluation should look at information relevant to the student's suspected giftedness including academic functioning, learning strengths and educational needs. The Gifted Multidisciplinary Evaluation may include, but is not limited to, information from:

- Ability tests
- Nationally normed individualized standardized achievement assessments
- Class-work samples
- Curriculum based assessments
- Cumulative review tests
- Performance based skills as demonstrated in portfolios, products, competitions or other demonstration of skills
- Teacher observation
- Noteworthy achievements
- Parental input (should include student's abilities, interests and needs as they relate to the instructional setting)

The Gifted Multidisciplinary Team has the responsibility of contributing information to the Gifted Multidisciplinary Evaluation that:

- Assures that comprehensive data has been collected on the student to indicate academic instructional levels, thinking skills and other learning skill levels, rate of acquisition/retention for mastery of new content/skills, academic interests/strengths and, as appropriate, developmental levels (young students) and career goals.

- Provides clarifying information about the ability of children who score below IQ 130 (within the standard of measurement for the test) and have strong indications of gifted performance.

- Determines if additional assessment, such as out-of-level academic testing, is needed. When normed and validated individualized standardized testing is used, a clear explanation of subtest results should be part of the Gifted Written Report. Such explanation may include:

    - Mastery level
    - Functional/instructional level and frustration level
    - Grade level equivalencies
    - District performance criteria for competency
    - Mastery and excellence of output
    - Comprehensive developmental levels in subtests
    - Implications in the learning process of the student

- Recommends whether a student is gifted and in need of specially designed instruction.

- Recommends appropriate integrated programming for a student if there is more than one area of exceptionality. (Example: for a gifted student who has strengths in mathematics, music and languages, it may be that the areas of strength would be incorporated into a goal or outcome.)

- Provides information about the student's adaptive and social behavior if this is appropriate.

The Gifted Multidisciplinary Team may find it useful to convene a team meeting at one or more points in the evaluation process to clarify the purpose of the evaluation or discuss details. Individuals participating in the assessment process may conclude that the student is not a gifted student (even before the end of formal testing). The termination of the consideration should not occur based on any one individual's participation in the evaluation process. The Gifted Written Report should be compiled based on a complete evaluation and carry the recommendations of all individuals participating, whether or not the individuals are in concurrence. The determination of giftedness, i.e., eligibility under Chapter 16, resides with the Gifted Multidisciplinary Team, which includes the parents.

Independent Evaluations

Parents, at their own expense, may obtain an independent evaluation. The school district is required to consider this information when making decisions regarding student identification. (22 Pa. Code §16.61(e) (3))

Dual Exceptionalities

If a student is both gifted and eligible for special education, the procedures in Chapter 14 shall take precedence. For these students identified with dual exceptionalities, the needs established under gifted status must be fully addressed in the procedures required in Chapter 14. (22 Pa. Code §14.101 et seq., 22 Pa. Code §16.7(b))

A single Individualized Education Plan shall be developed and implemented, revised and modified in accordance with this chapter and Chapter 14. (22 Pa. Code §16.7(d))

For students who are gifted and eligible for special education, it is not necessary for school districts to conduct separate screening and evaluations or use separate procedural safeguards processes to provide for a student's needs as both a gifted and eligible student. (22 Pa. Code §16.7(c))

For students who are thought to be both gifted and disabled, care must be taken by the school district to assure that both the giftedness and the disability are fully addressed as part of the student's public education.

Gifted Written Report

The Gifted Multidisciplinary Team must prepare a written report that brings together the information and findings from the evaluation or reevaluation concerning the student's educational needs and strengths. The report must make a determination as to whether the student is gifted and in need of specially designed instruction, must indicate the basis for such determination, include recommendations for the student's programming and indicate the names and positions of the members of the Gifted Multidisciplinary Team. (22 Pa. Code §16.22(h))

The information gathered by the gifted multidisciplinary team is compiled into the Gifted Written Report. The Gifted Written Report provides the initial data for the Present Levels of Educational Performance that is used to determine specially designed instruction and the educational placement, including the need for acceleration, methods, materials or specialized curriculum.

The Gifted Written Report should include practical data based on more than one measurement to enable the Gifted Individualized Education Plan team to make decisions specific to the student.

The student's learning levels in the academic subject areas, including the tests or assessments from which they were derived, should be included in the Gifted Written Report. Learning levels would be used to determine where the student should begin on the first day of school in each of the academic areas. Grades in and of themselves are not instructional levels. Functioning levels should be determined from assessment data. A student's learning levels might be displayed as follows:

- Reading level = grade 6, 3rd month based on out-of-level testing, California Achievement Test series (CAT), Sequential Tests of Educational Progress (STEP) and Curriculum Based Assessment.

Rate of acquisition and rate of retention of new materials/skills can be defined by how many repetitions the student needs before he/she masters new information/skills and can use the information/skills appropriately any time thereafter. This data will determine how much review, if any, is necessary year-to-year in academic subject areas and the rate and pace of introducing new concepts and skills. The rate of acquisition/retention also provides a basis to determine the number and extent of curricular adaptation necessary in each of the academic areas. The level at which the student is instructed should provide a comfortable but challenging rate of learning.

The acquisition and retention rates can be obtained by simple procedures such as Curriculum Based Assessment, direct observation, use of the Chuska Acquisition-Retention Rating Scale (copy included in Chapter 7) and input from supervisors, teachers or parents. A student's acquisition and retention rate might be summarized as follows:

- The student learns and remembers new information/skills on average after one to two repetitions, as reported by parents and teacher observation, Curriculum Based Assessment done by the supervisor and/or the Chuska Acquisition-Retention Rating Scale.

To take advantage of a student's interest areas, effort should be included in the evaluation to make such a determination. A student's interest areas can be determined as the result of parent/child responses, Interest Inventories, Peer-Inventories, Weighted Checklists, Thinking Skills Testing, Creativity Assessments and parent/child reporting.

Gifted Multidisciplinary Reevaluation

Conducting a Reevaluation

A gifted student must be reevaluated before a change in educational placement is recommended for the student and when the conditions under 22 Pa. Code §16.22(b) (1) or (3) are met.

- A request has been made by the student's parents
- A hearing officer or judicial decision orders an evaluation

Gifted students shall be reevaluated before a change in educational placement is recommended for the student. (22 Pa. Code §16.23(a)) A change in placement occurs when the Gifted Individualized Education Plan team significantly alters the amount of time the student will be separated from his/her regular education peers for the purpose of gifted programming.

In addition, a gifted student may be reevaluated at any time by recommendation of the Gifted Individualized Education Plan team. (22 Pa. Code §16.23(a))

Reevaluations may be done when:

- Significant new information is needed to properly serve the student.
- Consideration is being given to terminating gifted services.
- There is a sudden general deterioration of the student's work.
- A hearing officer or judicial decision orders a reevaluation.
- A parent requests an evaluation.

Reevaluations must include a review of the student's Gifted Individualized Education Plan, a determination of which instructional activities have been successful, and the recommendations for the revision of the Gifted Individualized Education Plan. (22 Pa. Code §16.23(c))

Reevaluations must be documented in a Gifted Written Report. (22 Pa. Code §16.23(b))

The reevaluation timeline for gifted students will be 60 calendar days except that the calendar days from the day after the last day of the spring school term up to and including the day before the first day of the subsequent fall school term may not be counted. (22 Pa. Code §16.23(d))

Reevaluation is not required when a student is moving from one building in the school district to another or is moving from elementary to middle school/junior high or to high school; however, a change in the "educational placement" does trigger the duty to perform a reevaluation. Terminating a gifted student's "educational placement" during these building changes noted above without the benefit of reevaluating the student would be a violation of Chapter 16. Districts must ensure that reevaluations occur before a change in the student's "educational placements," such as termination of the gifted program.

Forms for use by school districts have been created by PDE and are found at: www.education.state.pa.us/gifted. These forms include:

- Permission to Evaluate
- Permission to Re-evaluate
- Invitation to Participate in a Gifted Team Meeting
- Notice of Recommended Assignment (NORA)
- Notice of Parental Rights for Gifted Students
- Gifted Individualized Education Plan
- Gifted Written Report

Gifted Individualized Education Plan

A Gifted Individualized Education Plan is a written plan describing the education to be provided to a gifted student. The initial Gifted Individualized Education Plan shall be based on and responsive to the results of the evaluation and shall be developed and implemented in accordance with Chapter 16 (22 Pa. Code §16.31(a))

Gifted Individualized Education Plan Team Members

The Gifted Individualized Education Plan team must include persons who meet the following qualifications:

- One or both of the student's parents.
- The student, if the parent chooses to have the student participates.
- A representative of the district who:
  - Serves as the chairperson of the Gifted Individualized Education Plan team;
  - Is knowledgeable about the availability of resources of the district; and
  - Is authorized by the district to commit those resources.
- One or more of the student's current teachers.
- Other individuals at the discretion of either the parents or the district.
- A teacher of the gifted. (22 Pa. Code §16.32(c)(1-6))

The school district must establish and implement procedures to ensure that parents of the gifted student are offered the opportunity to be present at each Gifted Individualized Education Plan team meeting. The procedures must include one or a combination of the following: documented

phone calls, letters and certified letters with return receipts. Documentation of efforts to encourage parents to attend must be maintained. (22 Pa. Code §16.32(c))

The following shall be included when inviting parents to attend a Gifted Individualized Education Plan meeting:

- Purpose, time and location of the meeting.
- The names of the people expected to attend.
- The procedural rights available to protect the student and parent, in language which is clear and fully explains all rights.
- Explanation of how eligibility determination was made by the Gifted Multidisciplinary Team.
- Explanation that a Gifted Individualized Education Plan will be developed at the Gifted Individualized Education Plan meeting.

Notice of the meeting must be provided at least 10 calendar days in advance of the Gifted Individualized Education Plan meeting. (22 Pa. Code §16.32 (c) (1)-(6))

Gifted Individualized Education Plan Team Responsibilities

The Gifted Individualized Education Plan must be developed at a Gifted Individualized Education Plan meeting and based on data and information presented at that meeting. (22 Pa. Code §16.32(a))

Revisions to Gifted Individualized Education Plans, changes in placement, or continuation of educational placement for a student determined to be gifted must be made by the Gifted Individualized Education Plan team based on a review of the student's Gifted Individualized Education Plan, instructional activities, present levels of educational performance, and information in the most recent evaluation. (22 Pa. Code §16.32(a))

Chapter 16, by placing the responsibility for the education of mentally gifted students on school districts, includes the purpose that gifted education for each gifted student is based on the unique needs of the student, not solely on the student's classification. (22 Pa. Code §16.2(d) (2))

School districts are encouraged to remind the Gifted Individualized Education Plan team that the team is not bound to the recommendations put before them via the evaluation report; however, the Gifted Individualized Education Plan team must take those recommendations into consideration as they develop the Gifted Individualized Education Plan.

It is recommended at a gifted team meeting the Gifted Multidisciplinary Team determines whether the student is a gifted student. (22 Pa. Code 16.22(i))

- If the student is determined to be gifted, a Gifted Individualized Education Plan should be developed at the Gifted Individualized Education Plan meeting.

- If the Gifted Multidisciplinary Team determines the student is not mentally gifted, a Notice of Recommended Assignment (NORA) is issued documenting such decision.

A Notice of Recommended Assignment (NORA) documents the decisions and is presented to the parent at the Gifted Team meeting or sent by certified mail within five calendar days after completion of the Gifted Team meeting. (22 Pa. Code §16.62 (4)) See section on Notices and Timelines for more detail about a Notice of Recommended Assignment (NORA).

The Gifted Individualized Education Plan

The Gifted Individualized Education Plan of each gifted student must be based on the Gifted Multidisciplinary Team's evaluation report and recommendations and are expected to contain the following:

- The Gifted Individualized Education Plan should reflect the needs of the student. The needs of culturally diverse, disadvantaged, underachieving, female, English Language Learners (ELL) and students with disabilities who are gifted may require different assessment and attention to their multiple special needs in the development of the Gifted Individualized Education Plan.

- There should be a description of the student's present instructional levels and other information necessary to develop appropriate goals and outcomes by subject area to provide acceleration, enrichment or both, as needed.

- The student's placement must provide an instructional environment that can meet the accelerated learning needs and enrichment needs of the gifted student and must be documented in the Gifted Individualized Education Plan.

The writing of the Gifted Individualized Education Plan is a duty of the Gifted Individualized Education Plan team. To foster discussion and understanding, school districts are encouraged to compose Gifted Individualized Education Plans that are understandable to educators who will be delivering the Gifted Individualized Education Plan, to parents to ensure the student's active participation and understanding of the gifted education plan that will be delivered and, where appropriate, to the student.

Present Levels of Educational Performance

A written statement of the student's Present Levels of Educational Performance must be included in a Gifted Individualized Education Plan. (22 Pa. Code §16.32(d) (1))

Present levels must include multiple measures, among which may be ability and assessment test scores, group and individual achievement measures, grades, progress on goals, instructional levels, aptitudes, interests, specialized skills, products and evidence of excellence in other than academic areas. All members of the Gifted Individualized Education Plan team may contribute evidence of present levels of achievement. Present levels must be updated annually and progress towards the annual goals and short-term learning outcomes determined. For a detailed explanation of Present Levels of Educational Performance, locate the Annotated Gifted Individualized Education Plan and Sample Gifted Individualized Education Plan on the Pennsylvania Department of Education's website: www.education.state.pa.us/gifted.

Goals and Outcomes

A statement of annual goals and short-term learning outcomes, which are responsive to the learning needs identified in the evaluation report, must be included in a Gifted Individualized Education Plan. (22 Pa. Code §16.32(d) (2))

The goals and outcomes should reflect the student's present levels of educational performance, where the learning experience should begin and specify the performance levels to be achieved through the individualized education plan based on rate of acquisition/retention, academic acceleration needs and academic enrichment needs.

Annual goals and short-term learning outcomes should be child-specific and measurable. The annual goals and short-term learning outcomes are not based on, nor limited to, what the district has in place or is willing to provide, but on the child's learning needs. In cases where the student's learning needs far exceed the district's curriculum, the district and parents are encouraged to work cooperatively to explore other options to meet the needs of the students. These options may include early graduation, early-to-college, distance learning or other options. While these higher education options maybe appropriate, districts are not required to fund dual enrollment or any option beyond the scope of the district's curricula.

Specially Designed Instruction

A statement of the specially designed instruction and support services is to be provided to the student. (22 Pa. Code §16.32(d) (3))

Chapter 16 requires that specially designed instruction for gifted students be:

- Conducted in an instructional setting.
- Provided in an instructional or skill area.
- Provided at no cost to the parents.
- Provided under the authority of a school district, directly, by referral or by contract.
- Provided by a school district, intermediate unit or other educational service agency.
- Individualized to meet the educational needs of the student.
- Reasonably calculated to yield meaningful educational benefit and student progress.
- Provided in conformity with a Gifted Individualized Education Plan. (22 Pa. Code §16.1)

Specially designed instruction includes adaptations or modifications to the general curriculum, instruction, instructional environments, methods, materials or a specialized curriculum for students who are gifted. (22 Pa. Code §16.1) This may consist of planning and implementing varied approaches to content, process and product modification in response to the student's interests, ability levels, readiness and learning needs. Specially designed instruction for gifted students may include compacting, accelerating the student or placing the student in more than one grade level.

Specially designed instruction may be delivered in a variety of settings as determined by the Gifted Individualized Education Plan team.

Districts should be aware that the use of extra work, peer tutoring or helping the teacher does not constitute specially designed instruction or gifted education, and Advanced Placement or Honors courses are not in and of themselves gifted education if they do not respond to the gifted student's individual needs.

Dates

Projected dates for program/service beginning and anticipated duration, not to exceed one year. (22 Pa. Code §16.32(d) (4))

Gifted Individualized Education Plan Objective Criteria

Objective criteria, assessment procedures and timelines should be appropriate and used to determine, on at least an annual basis, whether the short-term learning outcomes are being achieved. (22 Pa. Code §16.32(d) (5))

Objective criteria would set the level, standard, grade, performance and the percent of mastery or completion that is expected.

Assessment procedures are the tests or procedures that will be used to measure the achievement. Evaluation data should clearly monitor the progress of the student during the delivery of the Gifted Individualized Education Plan.

Timelines are when or how often the assessment will be made.

Gifted Individualized Education Plan Team Participants

Names and positions of the Gifted Individualized Education Plan team participants and the date of the meeting are required on the Gifted Individualized Education Plan. (22 Pa. Code §16.32(d) (6)). Signatures are not required.

A copy of the Gifted Individualized Education Plan shall be provided to the parents, along with a Notice of Parental Rights under §§16.61—16.65 (relating to procedural safeguards). (22 Pa. Code §16.32(e))

When to Convene a Gifted Individualized Education Plan Team

The school district must convene a Gifted Individual Education Plan team:

- Following an evaluation if the Gifted Multidisciplinary Evaluation Team recommends eligibility for specially designed instruction.
- At least annually (more frequently if necessary) to review the Gifted Individualized Education Plan of each gifted student. (22 Pa. Code §16.32 (g)(3))
- Following a reevaluation if the Gifted Multidisciplinary Evaluation Team recommends eligibility for specially designed instruction.
- At the request of Gifted Individualized Education Plan team member, parent, student or the school district. (22 Pa. Code §16.32(g)(4))

The school district shall notify teachers who work with a student who has been identified as gifted and in need of specially designed instruction of the responsibilities under the student's Gifted Individualized Education Plan. (22 Pa. Code §16.32 (f))

Support Services

The Gifted Individualized Education Plan team has the duty to determine whether the gifted student needs one or more support services. (22 Pa. Code § 16.33; See definition of support services at §16.1 Definitions)

The Gifted Individualized Education Plan team shall conclude that transportation to and from school psychological services, parent counseling and education or another service is a support service if the Gifted Individualized Education Plan team determines that one of the following criteria has been met:

- The service is an integral part of an educational objective of the student's Gifted Individualized Education Plan, without which the Gifted Individualized Education Plan cannot be implemented; or
- The service is needed to ensure the student benefits from or gains access to a gifted education program. (22 Pa. Code §16.33((b)(1) and (2))

Any service that is needed to help a gifted student benefit from or gain access to gifted education may be considered a support service. Support services could include, but are not limited to:

- Career guidance
- Counseling
- Technology education

Notice of Recommended Assignment (NORA)

A Notice of Recommended Assignment (NORA) must be completed at the conclusion of each Gifted Individualized Education Plan review and any time that a significant change has been made to the Gifted Individualized Education Plan. (22 Pa. Code §16.61(2)) PDE has created an NORA form for school district use. It may be downloaded from PDE's website at: www.education.state.pa.us/gifted.

Student Transfers to New School

If a student moves from one school district in this commonwealth to another, the new district must implement the existing Gifted Individualized Education Plan to the extent possible or must provide the services and programs specified in an interim Gifted Individualized Education Plan agreed to by the parents until a new Gifted Individualized Education Plan is developed and implemented. (22 Pa. Code §16.31(b))

Every school district must honor a Gifted Individualized Education Plan from within the Commonwealth until the new Gifted Individualized Education Plan is completed. However, if a student who has been identified as gifted in another state moves to Pennsylvania, the school district may conduct a Gifted Multidisciplinary Evaluation.

If the information from another state matches the Pennsylvania criteria of Chapter 16, the information should be reviewed by appropriate persons and documented on a Gifted Written Report. A Gifted Individualized Education Plan team should be convened and the Pennsylvania procedures followed.

Educational Placement

The Gifted Individualized Education Plan team must base educational placement decisions on the gifted student's unique needs (22 Pa. Code §16.41(a)) and not solely on the student's classification. (22 Pa. Code §16.2(d) (2))

Chapter 16 requires that the educational placement of gifted school-age exceptional students in Pennsylvania includes specially designed instruction that is individualized to include acceleration, enrichment or both as appropriate. (22 Pa. Code §16.2(d) (3), §16.41(b) (3))

Districts may use administrative and instructional strategies and techniques in the provision of gifted education for gifted students which do not require, but which may include, the categorical grouping of students. The placement must:

- Enable the provision of appropriate specially designed instruction based on the student's need and ability. (22 Pa. Code §16.41(b)(1))
- Ensure that the student is able to benefit meaningfully from the rate, level and manner of instruction. (22 Pa. Code §16.41(b)(2))
- Provide opportunities to participate in acceleration or enrichment, or both, as appropriate for the student's needs. These opportunities must go beyond the program that the student would receive as part of a general education. (22 Pa. Code §16.41(b)(1),(2), and (3))

To address the educational placements for gifted students, the district must limit the total number of gifted students on an individual gifted teacher's caseload to a maximum of 75. Beginning July 1, 2010, the total number of gifted students that can be on an individual gifted teacher's caseload is limited to a maximum of 65 students. The total number of gifted students on an individual gifted teacher's class roster is a maximum of 20. Caseload and class size maximums may be waived by the Secretary upon written request by the district for extenuating circumstances. (22 Pa. Code §16.41(c) (3) (4) and §16.41(d))

Chapter 16 regulations say that programming and service options for the gifted students may not be based on:

- Lack of availability of placement alternatives.
- Lack of availability or efforts to make educational or support service available.
- Lack of staff qualified to provide the services set forth in the Gifted Individualized Education Plan.
- Lack of availability of space or of a specific facility.
- Administrative convenience. (22 Pa. Code §16.41(e)(1-5))

To ensure an appropriate education that includes acceleration or enrichment or both, a continuum of services will be available to address the specific needs of many different types and levels of giftedness from kindergarten through grade 12. There should be opportunity to match needs of

students to levels of services that are specifically designed for the identified needs of gifted students.

Students who are gifted may need educational placement that is beyond age or grade level in order to align them with their ability and achievement. Districts are free to group across grades, according to academic talent, or based upon other performance characteristics. Depending on a student's talents or achievements, options for gaining credit for learning obtained outside the school district or advanced placement within the school district may need to be considered. Credit by examination may be an option to determine appropriate educational assignment. Graduation planning may need to be part of the Gifted Individualized Education Plan process even for young gifted students because acceleration sets the stage for earning credits early or out of sequence, for early graduation and/or for early admission to college. Additionally, educational placements may need to support the emotional/social challenges the student may face. An example of this would be support for the student who, through acceleration, attends classes with students 3-4 years older.

Notices

PDE has created forms to be used as notices which can be found on PDE's website at: www.education.state.pa.us/gifted.

The school must comply with the written notice and consent requirements under 22 Pa. Code §16.61 and §16.62. Written notices are required 10 school days prior to:

- Conducting a gifted multidisciplinary evaluation or reevaluation. (22 Pa. Code §16.61(a)(1))
- Initiating or changing or refusing to initiate or change identification, evaluation, or placement. (22 Pa. Code §16.61(a)(2))
- Making or refusing to make any significant changes in the Gifted Individualized Education Plan. (22 Pa. Code §16.61(a)(2))

No changes may be made in the identification, evaluation, educational placement or Gifted Individualized Education Plan of a gifted student while an administrative or judicial proceeding is pending unless agreed to by the parties of the proceeding. (22 Pa. Code §16.61(b))

Content of notices must be:

- Written in language understandable to the general public. (22 Pa. Code §16.61(c))
- Communicated orally in native language or directly so parents understand the content of the notices. (22 Pa. Code §16.61(c))

Written parental consent must be obtained prior to:

- Conducting an initial multidisciplinary evaluation. (22 Pa. Code §16.62(1))
- Placing a gifted student in a gifted program. (22 Pa. Code §16.62(2))
- Disclosing to unauthorized persons information identifiable to a gifted student. (22 Pa. Code §16.62(3))
- Placing a student in the recommended assignment. (22 Pa. Code §16.62(4))

The notice must include:

- A description of the action proposed or refused by the district, an explanation of why the district proposes or refuses to take the action and a description of the options considered and why those options were rejected. (22 Pa. Code §16.61(d)(1))
- A description of each evaluation procedure, type of test, record or report used as a basis for the action. (22 Pa. Code §16.61(d)(2))
- A description of other factors pertinent to the district's action. (22 Pa. Code §16.61(d)(3))
- A full explanation of the procedural safeguards, including the right to an impartial due process hearing. (22 Pa. Code §16.61(d)(4))

Notice must inform parents of the following:

- The addresses and telephone numbers of various organizations available to assist in connection with the hearing. (22 Pa. Code §16.61(e)(1))
- The timelines involved in conducting an evaluation, developing a Gifted Individualized Education Plan, and initiating a hearing. (22 Pa. Code §16.61(e)(2))
- An explanation that an outside evaluation submitted by the parent must be considered. (22 Pa. Code §16.61(e)(3))
- The information in (22 Pa. Code §16.63) relating to impartial due process hearing. (22 Pa. Code §16.61(e)(4))

Timelines

The Gifted Multidisciplinary Evaluation must be completed within 60 calendar days after receiving written parental permission for an initial evaluation or after notifying the parents of a reevaluation or after receiving an order of a court or hearing officer to conduct a multidisciplinary evaluation. (22 Pa. Code §16.22(j))

The initial evaluation shall be completed and a copy of the evaluation report presented to the parents no later than 60 calendar days after the agency receives written parental consent for evaluation or receives an order of a court or hearing officer to conduct a multidisciplinary evaluation, except that the calendar days from the day after the last day of the spring school term up to and including the day before the first day of the subsequent fall school term may not be counted. (22 Pa. Code §16. 22 (h) and (j))

The Invitation to Gifted Individualized Education Plan meeting must be sent 10 calendar days before the Gifted Individualized Education Plan meeting. (22 Pa. Code §16.32 (c) (6))

A NORA is presented to parents at the Gifted Individualized Education Plan meeting or by certified mail within five calendar days after the completion of the Gifted Individualized Education Plan meeting. (22 Pa. Code §16.62(4))

The Gifted Individualized Education Plan must be developed within 30 calendar days after the issuance of a Gifted Multidisciplinary Team's written report. (22 Pa. Code §16.32(g) (1)).

The Gifted Individualized Education Plan must be implemented no more than 10 school days after it is signed or the start of the following school year if the Gifted Individualized Education

Plan was completed fewer than 30 days before the last school day of the year. (22 Pa. Code §16.32(g) (2))

The parents have 10 calendar days to respond to a NORA sent by mail or five calendar days to respond to a NORA presented in person at the conclusion of the Gifted Individualized Education Plan meeting. (22 Pa. Code §16.62(5))

If the parents receive the NORA in person and approve the recommended assignment within five-calendar days, the school district may not implement the Gifted Individualized Education Plan for at least five-calendar days, to give the parents an opportunity to notify the district within the five-day period of a decision to revoke the previous approval of the recommended assignment. (22 Pa. Code §16.62(5))

Private School Placement

Parents may choose to have their gifted student educated at a private school completely at private expense. (22 Pa. Code §16.42(a))

The parent may choose a home education program for the gifted student. If a home education program is chosen, Sections 1327 and 1327.1 of the School Code (24 P. S. §§13-1327 and 13-1327.1) govern the provisions of the gifted student's education. (22 Pa. Code §16.42(b))

Chapter 3: Gifted Service Delivery Options

Service Delivery Options – Recommendations

Taking into consideration the duties of a school district described in Chapter 2, this Chapter provides various recommendations for service delivery options.

A combination of acceleration and enrichment provides the greatest opportunity for flexible programming to meet the needs of the gifted. Even if a pullout option is present in the school district, an individualized plan must be provided. The individualized plan must establish learning opportunities to insure meaningful progress (22 Pa. Code §§16.1(viii), 16.41(2)). Minimal or trivial progress is not meaningful progress. The gifted student must be provided instruction at an appropriate level of challenge and with adjustments that accommodate individual needs. The instruction must be reasonably calculated to yield meaningful educational benefit and student progress.

School districts are free to group gifted students in ways that best serve the needs of each gifted student. However, the service delivery options chosen for each gifted student are developed based on the strengths and needs identified within the Gifted Individualized Education Plan and must be agreed to by the Gifted Individualized Education Plan team. Options for gifted students may be offered through a variety of settings and selections such as:

- Early entrance to kindergarten based on mental age and individual readiness.
- Cluster grouping based on instructional level.
- Open-ended compacted curriculum with flexible pacing.
- Level, grade and/or subject acceleration with flexible pacing.
- Grade or subject "skipping."
- Advanced placement and honors courses with earlier-than-normal access.
- Permission to receive credit for demonstrated mastery in required courses by recommendation of the Gifted Individualized Education Plan team (credit by examination).
- Permission to submit proposals to replace requirements for which the student has demonstrated mastery as recommended by the Gifted Individualized Education Plan team (college courses).
- Independent study designed to meet a gifted student's long-term interests and expertise in a given area.
- Specialized curriculum for gifted learners based on validated research in gifted education.
- Distance learning.
- Consortium, collaborative or cooperative arrangements with other school districts.
- Online courses.
- Opportunities for gifted students to work with their peers in a resource room.
- Alternative scheduling (block, alternating days, etc.).
- School within a school.

- Arrangement of school schedules in order that gifted students can access the fine arts.
- Incorporation of appropriate outside-of-school educational experiences.
- Enrichment in content areas.
- Independent learning contracts.
- Mentorships, apprenticeships, internships and field experiences designed to meet gifted students' performance level and career interests.

Options, differentiated according to the needs of each gifted student, may be used in combination to form a comprehensive service delivery model from kindergarten through grade 12. These choices are not based on existing "canned" curricula, student scheduling, age-peer levels, age-grade levels or grouping. If a school district is unable to provide an appropriate continuum of service delivery options independently, a consortium approach with neighboring school districts, intermediate units or higher education institutions is recommended. The resources of the community should also be considered in planning for the gifted.

AP and Honors Courses

Honors courses or Advanced Placement (AP) courses provide options to meet the needs of some gifted learners. For other gifted students, modifications such as availability at earlier age, adjustment in pace or depth or another adaptation may be needed for AP or honors courses to be considered "specially designed" instruction for gifted students.

Learning Contracts

A learning contract can be an effective option when a teacher or qualified adult is scheduled to meet with the student, provide access to instruction/advice and supervise the accomplishment of milestones and goal completion.

Comprehensive Program

A comprehensive service delivery model for gifted students cannot be limited to enrichment alone, one academic area, one program option or solely extracurricular activities such as Odyssey of the Mind, Future Problem Solving, Mock Trial, MATHCOUNTS or National History Day. Each school district must decide what service delivery options are needed to provide specially designed instruction for each gifted student. A needs assessment survey of gifted students is a highly effective tool to guide decisions on service delivery changes and options. Once the needs of the students are known, the school district may utilize many types of resources, on and off campus, to provide a full continuum of services. (See Chapter VI-Gifted Program Evaluation)

The scheduling of options should benefit, not penalize, the gifted student's participation. When scheduling gifted plan options requires students to miss regular education classes, the Gifted Individualized Education Plan should clarify the student’s responsibility for completing make-up work from missed regular education classes. Makeup work may be necessary under certain circumstances, but requiring make-up work to be completed that inappropriately penalizes the student and detracts from a successful gifted education is an unintended consequence and should be avoided. The Gifted Individualized Education Plan is the best instrument to avoid any confusion and misunderstanding and ensure student success.

Chapter 4: Curriculum and Instruction

Introduction

Chapter 16 requires districts to provide gifted students with specially designed instruction (§16.41(b) (1)), and defines this instruction as adaptations or modifications to the general curriculum, instruction, instructional environments, methods, materials, or a specialized curriculum for students who are gifted. (22 Pa. Code §16.1)

Implementation of specially designed instruction requirements is the responsibility of both the gifted support staff and regular education teachers (22 Pa. Code §16.32(f)). All teachers must play a role when providing instructional adaptations and modifications for the gifted. Assessed student needs must be the basis for the specially designed instruction, not delivery of a single option or one-size-fits-all programs.

Three fundamental differences that distinguish gifted learners from other learners are:

- The capacity to learn at faster rates, more in-depth and with greater complexity;
- The capacity to find, solve, and act on problems more readily; and
- The capacity to manipulate abstract ideas and make connections.

Taking these fundamental differences into account, difficulties arise when gifted service delivery options are limited to:

- A pull-out program.
- Offering more of the same level of material or the same kind of problem.
- Providing either enrichment or acceleration alone.
- Teaching higher thinking skills in isolation from academic content.
- Presenting additional work that is simply different from the core curriculum, but not differentiated specifically for the gifted learner.
- Grouping with intellectual peers without differentiating content and instruction.
- Providing only grade-level content.
- Overlooking curricular gaps between elementary and secondary placements.

To overcome these limitations, curricular and instructional adaptations or modifications are essential throughout the learning environment. These adaptations should be based upon the specific nature of the individual's needs, abilities and interests. Instruction for the gifted student should feature acceleration, complexity, depth, challenge and creativity. Best practice strategies that address content, process, learning environment and product establish both the framework and practical action steps for assuring high quality instruction for gifted students.

Curriculum and Instruction - Content

A broad base of research exists that supports and describes effective curriculum and instructional design for the gifted.

Curriculum

The following key principles provide a guide for program development for the gifted:

- Curricula for the gifted should focus on and be organized to include more elaborate complex and in-depth study of major ideas, key concepts and themes that integrate knowledge within and across disciplines. Present comprehensive, reinforcing, related experiences within an area of study.

- Curricula for the gifted should have a strong foundation based on demonstrated abilities, strengths and interests of the group and individual.

- Curricula for the gifted should be an extension of core learning, using both acceleration and enrichment strategies. Streamline curriculum that the student is able to master quickly.

- Curricula for the gifted should encourage exposure to, selection and use of varied, challenging and specialized resources.

- Curricula and instruction should provide opportunities for students to recognize complex relationships and arrive at sound generalizations.

- Curricula for the gifted should stress higher-level thinking, creativity and problem solving skills.

- Curricula for the gifted should set high standards that demand rigorous expectations for student work and performance demonstration.

Instruction

- Instruction for the gifted should promote in-depth learning and investigation that deal with real life problems and issues. Select concepts and content that promote the students' involvement as practitioners of the discipline.

- Instruction for the gifted should allow for the development and application of productive thinking skills to enable students to re-conceptualize existing knowledge and/or generate new understanding.

- Instruction for the gifted should be flexibly paced and matched to the student's ability, pre-assessment data, learning style, interest and motivation.

Gifted education materials should be provided to address the advanced conceptual and processing abilities of the gifted learner. Often these materials and resources are not typically used in the regular education curriculum or in a particular level of regular education. Instructional resources and materials that meet the needs of the students as determined by the Present Levels of Educational Performance may include:

- Advanced level supplementary books, original source documents and skill development (e.g., independent computer searching) resources that enhance and enrich the teaching of the curriculum.
- Technology to facilitate learning.
- Appropriate hands-on materials.
- Instructional resources needed for academic competitions.
- Methodological resources that aid students in carrying out a study in a particular field of knowledge.
- Curriculum reference materials designed specifically for gifted education.

The Appendix contains a list of websites providing assistance and information pertaining to a wide range of gifted education subject matter.

Curriculum and Instruction - Process

- Provide students with the freedom to choose topics to study and the methods to use in manipulating and transforming information.
- Promote independent, self-directed and in-depth study.
- Encourage the application of advanced research and methodological skills.
- Focus on open-ended tasks.
- Provide opportunities for students to develop leadership and group interaction skills.
- Allow student-centered discussion, Socratic questioning and seminar-type learning.

Curriculum and Instruction - Product

- Encourage the development of products that challenge existing ideas and produce new ones.
- Incorporate the application of discipline methodologies in product development.
- Promote products that are comparable to those made by professionals in the designated field.
- Require that products of gifted students represent application, analysis and synthesis of knowledge.
- Provide the opportunity to create products/solutions that focus on real-world issues.
- Establish high-level and exemplary criteria to assess student performance and products.

Curriculum and Instruction - Learning Environment

- Encourage the development of social and self-awareness (e.g., recognizing and using one's abilities, being self-directed, appreciating likenesses and differences between oneself and others).
- Encourage self-directed learning to promote the development of independent research studies.
- Encourage a tolerant and supportive environment that fosters a positive attitude toward creative challenges, investigative activity and knowledge creation.
- Enable the pursuit of higher-level learning through the extension of classroom activities into the real-world.
- Provide access to resources and materials that meet the student's level of learning.

The instructional environment will be appropriate to the needs of gifted students with a supportive atmosphere and adequate space to provide a wide range of learning options. A gifted instructional environment could include the following:

- Space for students to simultaneously participate in a wide array of activities.
- Accessibility to other learning environments and instructional groupings including the library, computer lab or the media center.
- Classroom space to facilitate student/teacher/peer conferencing, open-ended discussion, small group activity, large group activity, independent research and exploration.
- Availability of stimulating complex materials covering a wide range of levels and topics.
- A risk-free learning environment that supports exploration, application and personal construction of knowledge.
- An empowering atmosphere that promotes a shared choice in planning and joint responsibility for learning between student and teacher.

Gifted Education Delivery Options

Research has shown that gifted students benefit from being grouped together for meaningful instruction during the school day. School districts are free to group across grades, according to academic talent, on some other performance characteristic or develop a gifted education consortium or cooperative arrangement with other schools. (22 Pa. Code §16.41 (b))

Chapter 5: Personnel

Staff Development

Chapter 16 requires that professional personnel be certified individuals responsible for identifying gifted students, and providing gifted education. In-service training must be provided by school districts and intermediate units for gifted and regular teachers, principals, administrators and support staff persons responsible for gifted education. (22 Pa. Code §16.5)

Staff Development

Chapter 16 regulations require that each school district's Gifted Education Plan developed under Chapter 4: Academic Standards and Assessment include procedures for the education of all gifted students enrolled in the district. The plan must be developed to ensure the implementation of Gifted Individualized Education Plans (GIEP).

Chapter 16 requires that professional personnel be certified individuals responsible for identifying gifted students, and providing gifted education. In-service training must be provided by school districts and intermediate units for gifted and regular teachers, principals, administrators and support staff persons responsible for gifted education. (22 Pa. Code §16.5)

Chapter 16 requires specific reporting components. These components are to be included in the Gifted Education Plan required under Chapter 4 and that has been defined as part of the Comprehensive Planning:

- School districts must include procedures for the identification and education of all gifted students enrolled in the district. (22 Pa. Code §16.4)

- School districts must provide reports of students, personnel and program elements including cost of the elements, which are relevant to the delivery of gifted education. (22 Pa. Code §16.4)

- School districts, in their professional development plans, must include a description of their efforts for professional development and continuing education of all school district staff, which would include teachers of mentally gifted students. (22 Pa. Code §4.13(a), §49.17)

In order for specially designed instruction to be effective, it is necessary for both gifted education teachers and regular education teachers to be knowledgeable about gifted education, supported with continuing professional development and involved in formulating staff development.

Staff development will be an ongoing, systemic process. Educators enter and exit this cycle of professional development based on previous knowledge, experience and their need for information as it relates to their role in the education of gifted learners. School districts should encourage attendance at appropriate state, regional and national gifted conferences and teleconferences. Staff development may include visitations to other districts' gifted programs. To have an effective service delivery options for the gifted students, administrators, counselors,

librarians, psychologists and other support personnel must also receive training in gifted education.

Professional development should:

- Promote an understanding of Chapter 16: Special Education for Gifted Students.
- Promote awareness of gifted student characteristics and learning needs.
- Include procedures for identification of the gifted.
- Increase positive attitudes toward gifted students and their unique qualities.
- Expand teachers' knowledge of content appropriate for gifted students' learning.
- Generate enthusiasm for curriculum differentiation.
- Build repertoire of teaching strategies that maximize potential for gifted behavior.
- Enhance skills for teaching and advising the very able and talented.
- Assist with the development of specially designed instruction according to Gifted Individualized Education Plans.
- Promote an understanding of current research and trends affecting programming for the gifted.
- Integrate gifted education within the total school curriculum.
- Nurture a collaborative spirit and skills among professional educators, families and community members.
- Provide to teachers information about resources for facilitating learning.
- Contribute to the overall mission of renewal and revitalization of education throughout the total school program.
- Develop evaluation techniques for student progress and plan effectiveness.

Teachers of gifted students should have ample time for preparation, teacher-to-teacher contact, Gifted Multidisciplinary Evaluation involvement, Gifted Individualized Education Plan development and parent conferences. When teachers are assigned to teach or direct the learning experiences for gifted students, there should be evidence that they are trained and able to fulfill this assignment. When regular education and gifted education teachers are working together, their roles need to be clearly defined. All teachers need appropriate support, reasonable schedules, adequate materials, technology assistance and appropriate training.

The Appendix contains sources of current materials for professional development.

Staff Responsibilities

<u>Intermediate Unit/District Administrators are expected to:</u>

- Understand and be committed to meeting the unique cognitive and affective needs of the students who are identified as gifted.
- Implement the Chapter 16 regulations and the school district's policy and procedures for conducting the Gifted Multidisciplinary Team assessment, Gifted Individualized Education Plan team meetings and program implementation.
- Implement and maintain a range of service delivery options needed to meet each individual gifted student's goals and objectives.
- Implement the ongoing K-12 identification procedure and provide information to teachers, parents and counselors for use in nominating students.

- Assist in the development of a grading and credit system for accelerated work and enrichment projects.
- Provide appropriate space, materials, resources and flexible student scheduling for gifted learners.
- Provide the necessary structure that supports regular and gifted education teachers in the implementation of each student's Gifted Individualized Education Plan goals and objectives.
- Nurture a collaborative spirit among professional educators, families and community members that support gifted education.
- Integrate gifted education within the total school curriculum.
- Oversee the implementation of the course of studies that provide for instructional differentiation for the gifted students.
- Oversee the implementation of the Gifted Individualized Education Plan goals, objectives and specially designed instruction.
- Interview and recommend applicants for teaching positions for the gifted based on pre-determined and appropriate criteria.
- Identify the staff's current levels of understanding of gifted education, conduct a needs assessment and plan staff development accordingly.
- Maintain communication with and provide written public information to parents, administrators, teachers, and community.
- Define and coordinate roles, responsibilities and schedules of all school personnel involved in the education of gifted students.
- Assist in the design and implementation of a system for evaluating program and curriculum effectiveness for the gifted.

Classroom Teachers implementing a gifted student's specially designed instruction are expected to:

- Understand the characteristics, learning styles, cognitive and affective needs of gifted students.
- Participate in gifted education professional development activities.
- Have knowledge of and implement Chapter 16 regulations.
- Be knowledgeable of the contents of each gifted student's Gifted Individualized Education Plan.
- Deliver flexible, individualized and academically challenging curriculum based on specific student needs.
- Vary the rate of instruction and vary the degree of complexity of the content.
- Use a diagnostic-prescriptive approach for educational planning that allows for determination of the degree to which teaching and learning activities should be differentiated appropriately for each gifted student.
- Make curricular modifications based on students' strengths, interests, abilities and achievement levels, as well as their learning styles.
- Provide a variety of instructional options when mastery is demonstrated in core curriculum areas.
- Permit gifted students to make continuous progress by testing out of previously mastered material.
- Contribute to the Gifted Multidisciplinary Evaluation and to the development/implementation of the Gifted Individualized Education Plan for each student.

- Understand how to guide students and actively involve them in independent learning.
- Emphasize the process of learning and the production of creative work, as well as, emphasis on advanced content.
- Allow for interdisciplinary opportunities.
- Understand and demonstrate the ability to compact curriculum to accommodate individual gifted instructional levels, i.e., student credit by examination.
- Be flexible, open to new ideas and nurture creativity.
- Seek out diverse resources, advanced materials or unusual opportunities for student use.
- Provide regularly scheduled opportunities to work with other gifted students of similar abilities and interest.
- Encourage independent thinking, including the capacity to deal with varied and different points of view.
- Use flexible cluster-grouping of gifted students as needed.
- Provide gifted students with a sense of social awareness, a direction for using their leadership capabilities and a realization of the responsibilities attached to their unique intellectual abilities.
- Foster an open, non-punitive atmosphere where differences of opinions can be expressed, intellectual activity valued, precise thinking encouraged and creativity promoted.

Counselors, School Psychologists, Gifted Multidisciplinary Team/Gifted Individualized Education Plan members are expected to:

- Be familiar with regulations relating to educating the gifted students.
- Understand the characteristics, the learning levels and the social and emotional needs of the gifted students.
- Play an active role in screening, identification, placement and continual assessment of the gifted students.
- Participate regularly in gifted education professional development.
- Assist with and support the implementation of comprehensive individual planning.
- Provide guidance for gifted students, which will help them to make thoughtful long-range decisions about school and career choices, beginning in the elementary years.

Full-time Teachers of the Mentally Gifted are expected to:

- Have specialized preparation in gifted education.
- Understand the appropriate use of differentiated content and instructional methods.
- Be involved in ongoing gifted education professional development.
- Possess exemplary personal and professional traits.

Gifted Enrichment Programs Staffing Policy

- The policy of the Burea22 Pa. Code §16.5
- Professional personnel shall consist of certified individuals responsible for identifying gifted students and providing gifted education in accordance with Article XI of the School Code and Title 22 of the Pennsylvania Code.
- Therefore, public school certification is required, but a specific certificate is not designated for a gifted enrichment program. An instructional certificate may be used at any grade level for the enrichment program. Any gifted program for which a grade is

given for an advanced ("gifted") course would fall under different parameters and require a certificate specific to the content and grade level.

Consideration should be given to the following when hiring a teacher of the gifted:

- All personnel working with the gifted should be certified to teach in the area to which they are assigned and should be aware of the unique learning differences and needs of gifted learners at that grade level.
- An Instructional II certificate or other evidence of experience is preferred. It is possible for a beginning teacher to be an excellent teacher of the gifted when he/she possesses most of the characteristics described and has proper gifted education in-service, continuing education or training programs to help understand the needs and characteristics of gifted students and appropriate curricula.

Teachers of the gifted are encouraged to stay actively involved in professional development in the field of gifted education through a graduate degree program, graduate coursework or informal training such as institutes, intermediate unit continuing education, distance learning or district in-service programs.

While the certification policy represents minimum requirements, in order to provide the best service to gifted students, districts can look beyond the instructional certificate to match the teaching qualities described in these guidelines to make the best instructional match possible.

Important competencies for the teacher of the gifted to possess:

- Be a lifelong learner, open to new experiences and be able to appreciate the value of new learning and how it applies to the classroom;
- Have an in-depth concentration in the academic or fine arts area to which they are assigned;
- Understand the fundamental conditions of human learning, cognition, achievement, motivation and intelligent performance as they relate to gifted learners;
- The ability to use diagnostic data to provide appropriate instructional programs and strategies;
- The ability to design and implement differentiated and/or compacted curriculum to meet the needs of gifted students;
- The ability to model some aspects of expert or artist behavior;
- An ability to manipulate ideas at analysis, synthesis and evaluation levels with their students and across areas of knowledge;
- An ability to assess student learning styles and adapt instruction to those styles;
- An understanding of procedures used to identify gifted students;
- The ability to effectively use appropriate strategies, materials and technological resources;
- High standards for work and the ability to live up to them as well as to convey them effectively to the students;
- The ability to create a learning atmosphere that is needed for stimulating creativity, leadership and risk taking;
- Knowledge about the Gifted Multidisciplinary Evaluation/Gifted Written Report and the Gifted Individualized Education Plan process and the teacher's role in the process and

- Skills in coordinating services for the gifted with other aspects of the school program, including collaborative consultation with regular education teachers.

Recommendations for Parents

Parents should:

- Understand gifted regulations, parental rights and procedural safeguards.
- Be knowledgeable of timeline changes brought about by accelerative options and plan for the challenges that grade or subject acceleration may bring.
- Be knowledgeable of the school district's board policy on gifted education.
- Participate in planning and evaluating the learning experiences of your child through Gifted Multidisciplinary Evaluation and Gifted Individualized Education Plan processes.
- Monitor the implementation of your child's gifted services.
- Advocate for the continuation and improvement of the district's gifted services.
- Provide objective criteria when referring your child for possible placement in the district's mentally gifted services.
- Volunteer as a resource and provide information about special materials, equipment and facilities to help meet gifted students' needs.
- Encourage and support students in the process of selecting and participating in learning alternatives that promote excellence.
- Investigate and provide a variety of learning opportunities over the year, which will broaden the educational experiences of your child.
- Be knowledgeable of current plan modification and learning alternatives appropriate to the gifted students.
- Attend district, regional and state in-service programs or conferences.
- Collaborate with school district personnel regarding transitional stages from elementary through postsecondary education.

Additional Resources

Acronyms:

CAT	California Achievement Test
CBA	Curriculum Based Assessments
GIEP	Gifted Individualized Education Plan
GMDE	Gifted Multidisciplinary Evaluation
GMDT	Gifted Multidisciplinary Team
GWR	Gifted Written Report
NORA	Notice of Recommended Assignment
PDE	Pennsylvania Department of Education
PLEP	Present Levels of Educational Performance
SCAT	School and College Ability Test
STEP	Sequential Test of Educational Progress

Glossary

Ability Grouping - Arranging students by ability to meet various instructional purposes. These groups are specific to the educational goal to be achieved and can be flexibly formed and reformed as needed. Ability grouping is NOT synonymous with "tracking."

Above Level Testing - Also called out-of-level testing – Administering a test level that is designed for an older student. For example, a 5th grader might take chapter tests from the 6th or even 7th grade placement tests to demonstrate knowledge.

Acceleration - Access to higher level learning activities and skill development than typically provided in regular education to students of the same age. The pacing, complexity and depth of planned coursework are modified as indicated by individual needs. Acceleration may include: planned course compacting/telescoping, subject acceleration, specially designed instruction, credit by examination or performance, interdisciplinary planned courses, distance learning courses, higher education level courses, independent or self-directed study.

Achievement Test - An objective assessment that measures educationally relevant skills or knowledge about academic subjects.

Adaptations - Using the curriculum and adjusting it to meet the needs of the student.

Advanced Placement Courses - Planned courses of study in which secondary regular education students may gain college credit and/or advanced college placement. These courses are normally available only at the 11th and 12th grade level. Credit is earned by successfully meeting criteria established by higher education institutions on a nationally given and scored advanced placement examination.

Assessment - In psychology, it means comparing the tested measures of a student's mental characteristics (e.g., intelligence, personality, self-esteem) to a norm, or average.

Authentic Assessment - A student evaluation technique using student products or performance instead of traditional standardized tests. It allows for greater focus on student individuality and creativity in the learning process.

Ceiling Effect - If a student correctly answers all or almost all of the items on the test, and the test is too easy for the student, the student has reached the "ceiling" of the test. The test does not measure the extent of the student's abilities. It is important to give a student a test that is difficult enough so that you can see a spread and where strengths are.

Chapter 4 - State Board of Education regulations for academic standards and assessments.

Chapter 14 - State Board of Education regulations for special education of students with disabilities (22 Pa. Code Chapter 14).

Chapter 16 - State Board of Education regulations for special education of gifted students (22 Pa. Code Chapter 16).

Cluster Grouping - Ability grouping within a heterogeneous classroom.

Compacting - Elimination of content that the student has already mastered allowing a faster paced learning progression based on the student's rate of acquisition/retention of new materials and skills.

Content - The specific information that is to be taught in the unit or course of instruction.

Continuous Progress - Students receive appropriate instruction regularly and move ahead as they master content and skills.

Cooperative Learning Groups - Grouping students with varying ability levels often reflecting the full range of student achievement and aptitude to complete a common task and/or project. Misuse of the process occurs when some children are constantly assigned to help others learn rather than being allowed to advance at their own pace and/or the common task/project provides neither little or no challenge nor learning opportunity appropriate to each child's abilities.

Credit by Examination - Students receives credit for a course upon satisfactory completion of a comprehensive examination.

Curriculum Based Assessment (CBA) - Assessment that is tied directly to the curriculum. Procedures for determining the instructional needs of the student based upon the student's on-going performance within existing course content.

Diagnostic Test - An in-depth evaluation process to determine the specific abilities or learning needs of individual students.

Differentiation - An organized, yet flexible way of proactively adjusting teaching content, process, product or environment to meet students where they are and help them to achieve maximum growth as learners.

Distance Learning - Distance learning format provides for communication via video technology, synchronously (at the same time), from one to many delivery points. The best practice use of distance learning is interactive live broadcasting.

Educational Placement - The overall educational environment in which gifted education is provided to a gifted student.

Enrichment - In-depth learning experiences that provide interaction with new ideas, skills and topics that enhance the curriculum. These experiences are based upon individual student strengths, interests and needs.

Flexible Grouping – Arranging students by interest and/or need.

Flexible Pacing - Provisions that place students at an appropriate instructional level and allows them to move forward in the curriculum as they achieve mastery of content and skills.

Gifted Individualized Education Plan (GIEP) - A yearly written plan describing the education to be provided to a gifted student.

Gifted Multidisciplinary Evaluation (GMDE) – A systematic process of testing, assessment, other evaluative processes and information that describes a student's academic functioning, learning strengths, learning problems and educational needs and used by the Gifted Individualized Education Plan team to make a determination about whether or not a student is gifted and needs specially designed instruction.

Gifted Written Report (GWR) – A written report that brings together the information and findings from the evaluation concerning the student's educational needs and strengths.

Gifted Education - Specially designed instruction to meet the needs of a gifted student that is conducted in an instructional setting, provided in an instructional or skill area, provided at no cost to the parents, provided under the authority of a school district, directly, by referral or by contract, provided by an agency, individualized to meet the educational needs of the student, reasonably calculated to yield meaningful educational benefit and student progress and provided in conformity with a Gifted Individualized Education Plan.

Gifted Student - A student who is exceptional under section 1371 of the School Code (24 P.S. § 13-1371) because the student meets the definition of "mentally gifted" and needs specially designed instruction beyond that required in Chapter 4 (relating to academic standards and assessment). This term applies only to students who are of "school age" as defined under §11.12 (relating to school age).

Group Investigation - Students working in small groups on multi-step projects such as: Future Problem Solving, History Day and Odyssey of the Mind.

Heterogeneous Grouping - Grouping by chronological age level and without regard for the diverse needs of students, their learning styles or their interests.

Higher Level Questioning Strategies - Questions and activities using analysis, synthesis, evaluation or other critical thinking skills.

Homogeneous Grouping - Grouping by common criteria such as the student's interests, special needs or academic abilities.

Honors Course - A secondary level planned course designed to be advanced in content, process and product and usually requiring regular education students to meet prerequisite criteria before course entry.

Inclusion - Refers to the education of each student in the least restrictive environment to the maximum extent appropriate.

Independent Study - Allowing students to follow individual or self-selected areas of interest by designing and implementing their own study plans. Also called Guided Independent Study or Self Directed Study.

Individualized Instruction - Content and pacing of instruction geared toward the student's strengths, abilities, needs and goals.

Informal Test - A non-standardized assessment that is designed to give an approximate index of a student's present level.

Instructional Setting - A classroom or other place in which students are receiving education.

Intelligence Quotient (I.Q.) - A measure of intellectual aptitude at a given point in time based on comparison of children of the same chronological age. It is one of the many ways to measure a student's academic potential.

Interdisciplinary Units - Instruction tied together by a key concept or idea. Information and activities are integrated from a variety of disciplines or courses that study a broad topic or concept by gathering and relating information and ideas from multiple subject areas and disciplines.

Interest Centers or Interest Groups - A means of providing students with meaningful study when basic assignments are completed.

Internships – See mentorships.

Learning Contract - Student and teacher jointly develop a plan for the accomplishment of learning goal(s), which both sign and follow.

Learning Environment - The environment where learning is taking place including physical location and/or student grouping.

Mentally Gifted - Outstanding intellectual and creative ability the development of which requires specially designed instruction, programs or support services, or both, not ordinarily provided in the regular education program.

Mentorships - Matching a student on a one-to-one basis with an adult member of the community who can provide expertise and or advice in a field of study or other community endeavor. Both mentor and student have predetermined goals and outcomes. This process is especially effective where portfolio/performance assessment is in place.

Modifications - Changing the objectives within the curriculum to meet the needs of the student.

Norm-Referenced or Standardized Test - A test used to determine a student's status with respect to the performance of other students on that test. A "norm" group is the large number of examinees who have taken a particular test and whose scores form the basis of the norms. Such a test may be based on national, state or local norms. At every level of educational test usage, it is necessary to match the scope of the test with the purpose that test is supposed to perform.

On-line Learning - A form of distance learning that uses computer-networking technology to provide interaction of teacher to learner.

Pace - The speed at which content is presented and instruction delivered. Pacing which matches the student's rate of learning is optimal.

Planned Course - The common knowledge and skills in a subject area to be learned by all regular education students of a particular age/grade/level as determined and approved by a local school district within the state mandate.

Portfolio Assessment - A collection of student products used to measure student progress and achievement. Such assessment allows for the demonstration of a wide variety of abilities and talents that do not lend themselves to traditional measures.

Pre-test - A test given before instruction to determine current level of performance in a specific skill area.

Process - How the student will acquire the content information.

Product - How the student will demonstrate their understanding of the content.

Skills Inventory – An instrument used to describe the student's aptitudes in areas such as leadership, creativity, communication, etc.

Specially Designed Instruction - Adaptations or modifications to the general curriculum, instruction, instructional environments, methods, materials or a specialized curriculum.

Standardized Test - A form of measurement that has been normed against a specific population.

Support Services - Services as required under §16.33 (relating to support services) that assist a gifted student to benefit from gifted education. Examples of the term include: psychological services, parent counseling and education, counseling services, and/or transportation to and from gifted programs to classrooms in buildings operated by the district.

Tiered Instruction (also called scaffolding) - Use of varied level of activities to ensure that students explore ideas at a level that builds on their prior knowledge and prompts continued growth within the same unit, lesson or theme of instruction.

Tracking - Fixed groups that are rigidly maintained over time, often kindergarten through 12th grade. This term is not a synonym for grouping that is flexible and changeable, task-to-task.

Sources of Gifted Materials and Information

Association for Supervision and Curriculum Development
Telephone: 800-933-ASCD (2723)
www.ascd.org

A.W. Peller & Associates, Inc.
Telephone: 800-451-7450
www.awpeller.com

Basic Education Circular (BEC): *Special Education for Gifted Students*
http://www.education.state.pa.us/portal/server.pt/community/basic_education_circulars/7497/how_to_search_for_a_specific_bec/507300

Carnegie Mellon Institute for Talented Elementary Students (C-MITES)
www.cmu.edu/cmites/

Center for Creative Learning
Telephone: 941-351-8862
http: http://www.creativelearning.com/

Center for Gifted Education at the College of William and Mary
Telephone: 757-221-2362
http://cfge.wm.edu/

Chapter 4: Academic Standards and Assessment
http://www.education.state.pa.us/portal/server.pt/community/regulations/8860/chapter_4_proposed_gca_regulations___4-08/529167

Chapter 16: Special Education for Gifted Students
www.pde.state.pa.us/gifted_ed/cwp/view.asp?a=3&Q=71529&gifted_edNav=|5320|&gifted_edNav=|

The Connie Belin and Jacqueline N. Blank Center for Gifted Education and Talent Development
http://www.education.uiowa.edu/html/belinblank/

Council for Exceptional Children
TAG Division (The Association of the Gifted)
Telephone: 1-888-CEC-SPED (232-7733)
www.cec.sped.org

Center for Talent Development (Northwestern University)
www.ctd.northwestern.edu

Corwin Press, Inc.
Telephone: 805-499-9774
www.corwinpress.com

Creative Learning Press, Inc.
Telephone: 888-518-8004
www.creativelearningpress.com

Davidson Institute for Talent Development
www.ditd.org/public/

Elsevier Science
Telephone: 1-888-437-4636
www.elsevier.com/locate/giftedness

EPGY (Education Program for Gifted Youth, Stanford University
www-epgy.Stanford.edu

ERIC Clearinghouse on Disabilities and Gifted Education
Telephone: 1-800-328-0272
http://ericec.org

Forms: Permission to Evaluate, Notice of Intent to Reevaluate, Invitation to Participate in a Gifted Individualized Education Plan Team Meeting, Notice of Recommended Assignment (NORA), Notice of Parental Rights, Gifted Individualized Education Plan and Gifted Written Report
http://www.education.state.pa.us/portal/server.pt/community/gifted_education_forms/7395

Free Spirit Publishing, Inc.
Telephone: 800-735-7323
www.freespirit.com

Future Problem Solving Program
Phone: (800) 256-1499
www.fpsp.org/

Gifted Children Monthly
www.gifted-children.com

Gifted Development Center
www.gifteddevelopment.com

Gifted Education Press
Telephone: 703-369-5017
www.giftedpress.com

Gifted Education Resource Institute (Purdue University)
www.geri.soe.purdue.edu

Great Books Foundation – Junior Great Books
Telephone: 1 800 222 5870 x 210
www.greatbooks.org/

Great Potential Press, Inc.
Telephone: 602-954-4200
www.giftedbooks.com

International Baccalaureate Organization
www.ibo.org/ibo/english/pyp.htm

Johns Hopkins University
www.jhu.edu/gifted

Kendal/Hunt Publishing Company
Telephone: 800-228-0810
www.kendallhunt.com

Leadership Publishers, Inc.
Telephone: 800-814-3757

Peabody College, Vanderbilt University
http://peabody.vanderbilt.edu/pty/index.html

MATHCOUNTS
www.mathcounts.org/

National Association for Gifted Children – NAGC
Telephone: 202-785-4268
www.nagc.org

National Excellence: A Case for Developing America's Talent
www.ed.gov/pubs/DevTalent/

National Geographic Kids Network
www.nationalgeographic.com

National Research Center on the Gifted and Talented – NRC-G/T
University of Connecticut
Telephone: 860-486-0283
www.gifted.uconn.edu

Odyssey of the Mind
www.odysseyofthemind.org

Online Course for Gifted Education
www.pa.professionaleducation.org

Open Space Communications
Telephone: 1-800-494-6178
www.openspacecomm.com

Parent's Guide to Special Education for Gifted
http://www.education.state.pa.us/portal/server.pt/community/gifted_education/7393/parents%27_guide/509493ted_educationht

Pennsylvania Association for Gifted Education (PAGE)
www.giftedpage.org/

Pennsylvania Department of Education
http://www.education.state.pa.us/portal/server.pt/community/pennsylvania_department_of_education/7237

Pennsylvanians for the Education of Gifted Students (PEGS)
www.pegsgifted.org

Questions and Answers (PDE)
http://www.education.state.pa.us/portal/server.pt/community/gifted_education/7393/education_for_gifted_students_in_pa_-_frequently_asked_questions/509501

Pieces of Learning
Telephone: 800-729-5137
www.piecesoflearning.com

Prufrock Press
Telephone: 800-998-2208
www.prufrock.comRiverside Publishing
www.riverpub.com/index.htm

Roeper Review – A Journal on Gifted Education
www.roeperreview.org

Royal Fireworks Press
Telephone: 845-726-4444
Email: rfpress@frontiernet.net

SAT
www.collegeboard.org

SENG (Supporting Emotional Needs of the Gifted)
http://www.sengifted.org/

Synergetic
http://www.synergeticpress.com/

Teachers College Press
Teachers College, Columbia University
Telephone: 800-488-2665
www.teacherscollegepress.com

Touchstones Discussion Project
www.touchstones.org

Zephyr Press
Telephone: 1-800-232-2187
www.zephyrpress.com

Chuska Scale for Rate of Acquisition

There are many observable ways to determine a student's Rate of Acquisition in regard to learning new knowledge and skills. The checklists provide a basic list for teachers to aid in determining those students who have a high or low Rate of Acquisition. This knowledge about a student is an aid to planning in regard to areas such as the depth or breadth of the introduction of the supposed new learning, the number of practice exercises different students may require and the additional or remedial resources and strategies that have to be employed. It should be noted that no student may be considered to have a high or low Rate of Acquisition in all, or any given area.

High Rate of Acquisition Checklist	
	The student gives evidence of knowing some or much of what is to be taught when pretested or pre-surveyed on the upcoming work.
	The student is able to demonstrate the desired knowledge after the initial presentation.
	The student is able to demonstrate the desired skill in a pretest situation.
	The student has made him/herself knowledgeable beyond that which is expected.
	The student is able to grasp large amounts of content upon presentation or through individual reading assignments.
	The student demonstrated knowledge not normally expected of a student of this grade level.
	The student demonstrates skills not normally expected at this grade level.
	The student requires few repetitions or practices in order to show competency.
	The student usually demonstrates self-initiative and self-motivation.
	The student demonstrates pursuits of interests in a variety of areas.
	The student demonstrates competency in use of past-learned processes and/or study skills.
	The student relates new learning to previous learning by direct, analogous or metaphorical means.
	The student consistently makes "A's" on memory-type tests.
	The student demonstrates ability to learn in an independent manner.
	The student sets goals and makes plans to reach them.
	The student demonstrates high ability in problem solving and decision making situations.
	The student sets goals and makes plans to reach them.
	The student is an avid reader, and/or engages in many projects on his/her own.
	The student is willing to try new learning.
	The student raises many questions, and is willing to pursue avenues to find the answers.

Low Rate of Acquisition Checklist	
	The student demonstrates that s/he has very little knowledge of the new learning to be taught according to a pretest or pre-survey.
	The student requires a couple of re-presentations before being able to demonstrate the desired learning.
	The student requires multiple practices before being able to demonstrate competency in the desired skill.
	The student does not demonstrate any indication that s/he has extended the basic assignment given.
	The student demonstrates that learning instruction must be developmental in nature and in small chunks.
	The student requires several repetitions, and/or practices before being able to demonstrate competency.
	The student demonstrates little self-initiative and self-motivation.
	The student is usually satisfied with only that which the teacher expects. In other words, the student is satisfied to complete the minimum.
	The student indicates that an in-depth review is necessary before a test.
	The student does not easily see relationships between new learning and previous learning.
	The student requires much direction in carrying out larger or longer assignments.
	The student is not in the habit of setting goals, and therefore, in not making plans to meet them.
	The student does not engage in much reading beyond school assignments.
	The student is hesitant about engaging in new learning.
	The student does not demonstrate much curiosity.

Chuska Scale for Determining Rate of Retention

The lesser importance of the two types of determining Rate of Retention involves assessment that heavily relies on memory. The other type has two elements. The first is that type of assessment that calls for understanding the larger knowledge involving concepts, generalizations, laws and principles. The second element is that of assessment that calls for the application of learning to similar, analogous or different, but related situations. This checklist is constructed toward the second type of assessment.

What is to be assessed?		**High Rate or Degree of Retention**
Facts		Makes "A's" or "B's" consistently.
		Demonstrates good study habits.
		Demonstrates good test-taking strategies.
Processes		Is consistently able to apply previously learned processes competently and accurately.
Concepts, Generalizations, Laws and Principles		Is able to identify concepts taught in the present or past units or for which there has been much exposure and practice in previous years.
		Is able to draw generalizations consistently from given data or information.
		Is able to identify principles taught in the present or past units.
		Is able to relate present learning to past learning.
		Is able to see the relationship between past and present learning.
Thinking Skills		Is able to lay out a plan of attack when given a problem situation.
		Is able to apply a valid plan for making a decision based on the given data or situation.
		Is able to justify and support his/her resolution of a given issue by applying a comprehensive process.

What is to be assessed?		Low Rate or Degree of Retention
Facts		Grades on this type of test consistently low.
		Needs much review before a test.
		Does not have adequate test-taking skills and habits.
		Demonstrates poor study skills and habits.
Processes		Does not apply a complete process previously practiced.
		Consistently asks for major help after repeated remedial help.
		Demonstrates a continuing need to use learning aids.
		Demonstrates a lack of independence on given tasks.
		Is erratic in carrying out previously learned processes.
Concepts, Generalizations, Laws and Principles		Has difficulty abstracting general learning from specific learning.
		Has difficulty retaining the ideas from the facts and data given or developed during instruction.
		Given new application situations, the student is not able to extrapolate from given facts and data.
		Is not able to identify major lessons, themes or author intended outcomes.
Thinking Skills		Demonstrates lack of ability to apply previously taught and practiced problem solving, decision-making and issue resolution skills.

State Court Case Law

Courts interpret rules and regulations when disputes arise. The interpretations may be useful in answering questions raised by educators, parents, administrators and others. The following summaries include court decisions pertinent to gifted education. These were selected based on their continued impact on gifted education in Pennsylvania. However, because this document was completed at a point in time, the relevance of the decisions may need updating by the practitioner, and thus will serve as a starting point to review what courts have said about gifted education.

Central York School District v. Department of Education, 399 A. 2d 167 (Pa. Cmwlth. 1979). The District appealed an Order from the Secretary of Education requiring it to provide special education programming to a gifted student. The District contended that its duty to provide programming for gifted students is contingent upon the Commonwealth's obligation to reimburse the District for the cost of the program. The Commonwealth Court disagreed and determined that gifted and talented students are included within the definition of "exceptional children" in section 13 -1371 of the School Code as children of school age who deviate from average to such an extent that they require special education facilities or services. Furthermore, a District's duty to provide appropriate educational services for gifted is not contingent upon receipt of subsidies from the PA Department of Education. Instead, a District's legal duty to establish educational programming for gifted students is mandatory and a condition to its right to receive reimbursement from the Commonwealth.

Lisa H. v. State Board of Education, , 447 A.2d 669 (Pa. Cmwlth. 1988) (1982), *aff'd*, 467 A.2d 1127 (Pa. Cmwlth. 1983). Two elementary students were evaluated but not selected to participate in the District's gifted program. The mother of the students brought an action claiming that the gifted program in Pennsylvania was unconstitutional because it infringed upon a fundamental property right to a free public educational program appropriate to her children's needs. The Commonwealth Court disagreed and determined that the Pennsylvania Constitution does not confer an individual right upon each student to a particular level or quality of education; instead, it imposed a duty upon the legislature to provide for maintenance of a thorough and efficient system of public schools throughout the Commonwealth. Additionally, education is not a fundamental right in Pennsylvania but rather a statutory right and therefore no violation of equal protection is involved in operation of the state's gifted program or in denial of similar programs to plaintiffs who were not alleged to be gifted.

Scott S. v. Department of Education, 512 A.2d 790 (Pa. Cmwlth. 1986). The student was a gifted child who by his sophomore year completed the school district's final and most advanced math course. The district developed an Individualized Education Plan that provided for enrollment in various honor courses, but did not include a mathematics course. Parents enrolled their son in a University calculus program and requested that either the District reimburse the cost of that class or provide the same class. The Secretary reversed a hearing officer determination that recommended modification of the Individualized Education Plan proposal to include a classroom-taught calculus course. On appeal, the Commonwealth Court affirmed the Secretary and concluded that the District's proposal that did not include a mathematics class was appropriate thereby concluding that a school district's responsibility to provide gifted education is not without limits.

Centennial School District v. Department of Education, 539 A.2d 785 (Pa. Cmwlth. 1989). Centennial School District implemented an "enrichment" program for gifted students that added certain materials to the regular curriculum but did not provide accelerated instruction in particular academic areas. After a due process hearing, the Hearing Officer concluded that the Student should receive specialized instruction in math and reading in addition to inclusion in the district provided enrichment program. The Secretary of Education affirmed the Hearing Officer and determined that although PDE approved the district's enrichment program for gifted students that did not relieve the district of a duty to provide this student with an appropriate academic education. The Commonwealth Court affirmed the Secretary's ruling. On appeal, the PA Supreme Court sought to determine whether the Secretary and Commonwealth Court exceeded the mandate of the Public School Code in requiring the district to provide a gifted student with an individualized program of instruction that goes beyond an "enrichment" program. In affirming, the Supreme Court determined that although a district is required to produce an individualized education program for gifted and talented children this responsibility is not without limits. A school district need not offer instruction that maximizes a student's ability to benefit from an individualized program. Finally, a district may not be required to become a Harvard or a Princeton to all who have IQ's over 130.

Woodland Hills School District v. Department of Education, 516 A.2d 875 (Pa. Cmwlth. 1986). The District operated a program for the gifted in which it bused students from their home schools to a single location for one-half day of instruction per week. Dually enrolled, non-public students also participated in this program and were bused to the program site by the district. Beginning with the 1983-84 school years, the district began offering programs for the gifted in each of the various home schools. Because the new arrangement eliminated the district's need to bus its own students, the district discontinued bus service for the dually enrolled, non-public, gifted students, relying on Section 1361 of the Public School Code. After it was directed to reinstate midday transportation to the nonpublic school students, the district and PDE both sought summary declaratory judgment to determine their obligations to provide midday transportation. The Commonwealth Court held that nonpublic elementary school students are included in Section 1374 of the Code because they are mentally exceptional children and are regularly enrolled in an approved special class operated by the District. As such, a parent's election to have their children attend a nonpublic school and dually enrolled in the District's gifted program should not impose the choice between a duty to provide midday transportation or in the alternative forgo their children's right to gifted special education.

Huldah v. Easton Area School District, 601 A.2d 860(Pa. Cmwlth. 1992). The Commonwealth Court determined that the Federal Individuals with Disabilities Education Act (IDEA) does not apply to gifted cases. As a result, litigants in gifted matters are not entitled to the recovery of attorney fees or the costs associated with obtaining an independent evaluation of a gifted child at public expense,

Conrad Weiser Area School District v. Department of Education, 603 A.2d 701 (Pa. Cmwlth. 1992). The Commonwealth Court concluded that status as a "mentally gifted" student in regular education did not preclude classification as an exceptional student with a specific learning disability entitled to special education.

Ellis v. Chester Upland School District, 651 A.2d 616 (Pa. Cmwlth. 1994)**.** The Commonwealth Court concluded that gifted students are not entitled to tuition reimbursement or transportation expenses for private or out of state schools**.**

New Brighton School District v. Matthew Z., 697 A. 2d 1056 (Pa. Cmwlth. 1997). The Commonwealth Court concluded that *that* gifted students are not eligible for tuition reimbursement or transportation expenses for college courses unless specifically agreed to by the school district where the student resides.

Brownsville Area School District v. Student X, 729 A.2d 198 (Pa. Cmwlth. 1999). The Commonwealth Court held that although compensatory education is an appropriate remedy for gifted students the Appeal Panel exceeded its authority in ordering such an award requiring college-level instruction or other education beyond the regular curricular offerings of the district (Centennial standard), and reversed an award of 1,954 hours of compensatory education after graduation.

Saucon Valley Sch. Dist. v. Jason O., 785 A 2d 1069 (Pa. Cmwlth. 2001). The court addressed the scope of a hearing officer's authority. The court affirmed the Appeal Panel's authority to remedy non-compliance. The court rejected the Appeal Panel's remedial authority:

- to order all of the student's teachers, administrators and supervisors involved in the Gifted Individualized Education Plan to complete 10 hours of in-service training by a special education experts. The court said the remedy would usurp the district's power to plan and provide professional development of its employees.
- to require the hiring of a Gifted Individualized Education Plan team consultant to attend the Gifted Individualized Education Plan meetings to facilitate the development of a new Gifted Individualized Education Plan for the student. Such action would obligate the district to include Gifted Individualized Education Plan team members in excess of what is required by regulation,
- to order a student's graduation with fewer credits than established under the district's policy. The court was not asked to consider whether the Appeal Panel has the authority to grant credit for pre-high school courses, which could then satisfy the requirements of graduation. The court's analysis was limited to whether the Appeal Panel has the authority to classify a student as a member of another class.

Appeal Panel Decisions

A complete listing of Appeal Panel decisions can be found by accessing:
http://204.186.159.23/odr/index.cfm?func=displayall

Hearing Officer Decisions

Special Education Hearing Officer decisions can be found by accessing:
http://odr-pa.org/due-process/hearing-officer-decisions-2/hearing-officer-decisions/