2023

REGULATIONS

for

Gifted Education Programs

MISSISSIPPI
DEPARTMENT OF
EDUCATION

Ensuring a bright future for every child

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PURPOSE

The Mississippi Gifted Education Act of 1989, as amended in 1993, mandates that each public school district within the state provide gifted education programs for intellectually gifted students in grades 2-6. All local public-school districts may have gifted education programs for intellectually gifted students in grades 7-12, artistically gifted students in grades 2-12, creatively gifted students in grades 2-12, and/or academically gifted students in grades 9-12.

The purpose of the Regulations for the Gifted Education Programs (2022) in Mississippi is to ensure that gifted children who demonstrate unusually high potential as described in the following definitions are identified and offered an appropriate education based on their exceptional abilities. Because of their unusual capabilities, they require uniquely qualitatively different educational experiences not available in the regular classroom. These uniquely different programs are required to enable gifted students to realize their abilities and potential contributions to self and society.

STATE DEFINITIONS

INTELLECTUALLY GIFTED CHILDREN shall mean those children and youth who are found to have an exceptionally high degree of intelligence as documented through the identification process. The needs of these students shall be addressed based on the program options provided by this document.

***ACADEMICALLY GIFTED CHILDREN** shall mean those children and youth who are found to have an exceptionally high degree of demonstrated academic ability as documented through the identification process.

***ARTISTICALLY GIFTED CHILDREN** shall mean those children and youth who are found to have an exceptionally high degree of creativity and an exceptionally high degree of ability in the visual arts as documented through the identification process.

***CREATIVELY GIFTED CHILDREN** shall mean those children and youth who are found to have an exceptionally high degree of creativity and an exceptionally high degree of ability in the performing arts as documented through the identification process.

GIFTED EDUCATION PROGRAMS (GEP) shall mean special programs of instruction for intellectually gifted children in grades 2-12, academically gifted children in grades 9-12, artistically gifted children in grades 2-12, and/or creatively gifted children in grades 2-12 in the public elementary and secondary schools of this state. Such programs shall be designed to meet the individual needs of gifted children and shall be in addition to and different from the regular program of instruction provided by the district.

GIFTED Eligibility Form (GEF) shall mean the document used to collect all relevant data used in the identification of gifted students, inclusive of the students' demographic information for the purpose of enrollment and registration.

***Only offered in certain school districts across the state, using local district funds.**

SECTION 1

Gifted Education
STUDENT IDENTIFICATION

STUDENT IDENTIFICATION PROCESSES

The student identification processes are separated into six stages for each of the four different eligibility categories: intellectually, artistically, and creatively gifted for students in grades 2-12, and academically gifted for students in grades 9-12.

The six stages are:

1. Referral
2. Local Survey Committee (LSC) review of referral data,
3. parental permission for testing,
4. assessment,
5. assessment report
6. LSC eligibility determination stage

When the district is developing identification procedures, the following shall be considered:

- The identification process shall consist of a combination of subjective and objective measures to determine eligibility for the gifted programs. No single evaluation method or instrument adequately identifies students who are gifted. Thus, a multi-factored identification process must be followed to ensure a fair evaluation of each student. Each school district should use their discretion when using subjective and objective measures to move a student to the final phase of the evaluation process.

- The identification process shall provide an equitable opportunity for the inclusion of students who may be at a disadvantage for identification – students who are culturally diverse, underachieving, have been identified through the Individuals with Disabilities Education Act (IDEA) guidelines, as well as students who exhibit classroom behavior such as extreme shyness, short attention spans, disruptiveness, continual questioning, and anxiety. Throughout the identification process, close attention and careful consideration shall be paid to all information available and collected on each individual student and how that information dictates the kinds of instruments and measures that shall be used to correctly assess that student.

- All instruments and measures administered must have been validated for the specific purpose for which they are being used.

- Hearing, vision, and general physical examinations are suggested but not required.

- Identification, as gifted in one area, does not automatically make a student eligible for services in one or more of the other areas of giftedness in Mississippi. However, a student with an intellectually gifted eligibility ruling may be served in an academically gifted program in grades 9-12 without obtaining an academically gifted eligibility ruling. Since not all intellectually gifted students are also academically gifted, and since many

intellectually gifted students are not high academic achievers in all academic areas, careful consideration shall be given to appropriate placement in the academically gifted program. The academically gifted program shall consist of courses only in grades 9-12 designated as "gifted" by the MDE. Any district offering academically gifted courses shall also offer comparable courses for students who are not gifted eligible.

OUT-OF-STATE GIFTED ELIGIBILITIES

Intellectually gifted students from out of state will be accepted into the MS GEP if they have met the 91st percentile on an IQ test. These students will no longer be required to be reassessed for the GEP in the state of Mississippi. This includes students from military families based on the Military Interstate Children's Compact.

IN-STATE GIFTED STUDENT TRANSFERS

Students who have a valid Mississippi gifted eligibility ruling do not have to be re-evaluated. See the annual reassessment statement for information on continued placement in a gifted program. A Mississippi eligibility determination in any of the four areas shall be accepted by all school districts within the state provided the district has a program in the area for which the student has eligibility. Before serving a transfer student in the local gifted education program, districts shall collect a copy of the student's Gifted Eligibility Form, assessment reports, and parental permission to serve.

STATES OF EMERGENCY AND NATIONAL DISASTERS

During states of emergency or national disasters that cause an influx of students without access to education records to Mississippi, the MDE will inform districts of the appropriate course of action to determine gifted eligibility.

LOCAL SURVEY COMMITTEE (LSC)

Each district shall establish a Local Survey Committee (LSC) for the GEP. The LSC shall be involved in determining a student's eligibility for an intellectually gifted, artistically gifted, creatively gifted, and/or academically gifted program. The LSC shall include, but is not limited to, gifted education teachers and administrators. It may include regular education teachers, school psychologists or psychometrists, and parents. It shall include a special education teacher when a student is being considered for eligibility under the twice-exceptional criteria.
The LSC may be a building-level committee which is responsible for students enrolled at that school, a district level committee which is responsible for students enrolled in the entire district, or a combination of the two.

PROCEDURAL SAFEGUARDS

All data collected as part of the identification process are protected by the Family Educational Rights and Privacy Act (FERPA). Parents must be notified of their rights under FERPA. It is the obligation of the local district to ensure that parents understand these rights.

All information/data collected as part of the identification process shall be placed in an individual eligibility file for each student. These files and the information contained therein shall not be placed in the student's cumulative record folder. The files shall be maintained in a separate locked storage facility/file cabinet in a central location within the district, and access to the information shall be restricted to those personnel working directly with the identification process, working directly in the gifted education program, or who have a documented need to know.

Once the referral process begins, parents must be informed of the information/data that is collected. Parents shall have access to these records. Each district shall have a policy that establishes the process that parents shall adhere to when requesting access to these files. Parents shall be made aware of their rights to an explanation of the results of the Assessment Team Report.

GIFTED STUDENT FILE REQUIREMENTS

1. Gifted Eligibility Form (GEF)

   INCLUDE:
   - Parent signature
   - Eligibility/ineligibility marked
   - Signed by LSC (minimum of 2 signatures)
   - Eligibility date

2. Permission for gifted service form

   INCLUDE:
   - Parent signature

3. Assessment report (See pages 17 and 22)

4. Referral documentation (See Appendix A)

5. Original protocols

   INCLUDE:
   - Objective measure(s)
   - Subjective measure(s)
   - Individual assessment(s)

IDENTIFICATION OF INTELLECTUALLY GIFTED STUDENTS

The Jacob Javits Act 6 (PL 107-110 sec. 9101) declares that intellectual ability and academic ability are two distinct and separate areas of performance. Accordingly, while grades and/or achievement test scores might be an indicator of giftedness, neither grades nor achievement test scores shall eliminate a student from the identification process for the intellectually gifted program.

Throughout the identification process, district personnel shall be careful to select measures that target the student's strengths.

SPECIAL CONSIDERATIONS FOR GIFTED IDENTIFICATION CHECKLIST

The Special Considerations for Gifted Identification Checklist (Appendix B) makes provisions for certain factors that exist that may require special considerations when inappropriate instruments are used during the assessment process. All students should be considered when using the Special Considerations for Gifted Identification Checklist. These students shall be given special consideration(s) during the gifted identification process.

IDENTIFICATION PROCESS 1: MASS SCREENING

Stage 1: Mass Screening

This process requires all Mississippi districts to screen all students in at least one grade level each year. Districts shall use a normed group measure of intelligence in the Mass Screening Referral Process. This process assists in identifying students in underrepresented populations. Students who obtain a full-scale score at or above the 90th percentile on the normed group measure of intelligence shall move forward in the referral process.

Any student who does not meet the minimum acceptable criteria (score in the 90th percentile) on the normed group measure of intelligence during the Mass Screening Referral Process and does not qualify for the Special Considerations for Gifted Identification criteria, can be referred by anyone for the Individual Referral for Screening Process. The individually referred student shall not be excluded from the referral process by performance on the normed group measure of intelligence administered during the Mass Screening Referral Process.

Students with special considerations for gifted assessment, who scored at or above the 84th percentile but lower than the 90th percentile on the normed group measure shall move forward in the gifted identification process.

Stage 2: Data Collection

The next step in the process will consist of the collection of substantiated student data obtained through the use of other objective and subjective measures. District personnel shall make decisions as to which measures will be used during this step of the Mass Screening Referral Process. A student shall satisfy **TWO** of the following referral criteria (with a total of **THREE**) before moving forward to the LSC Review of Referral Data Stage:

- ☐ A score at or above the superior range on a normed, published characteristics of giftedness checklist
- ☐ A score at or above the superior range on a normed, published measure of creativity
- ☐ A score at or above the superior range on a normed, published measure of leadership
- ☐ A score at or above the 90th percentile on total language, total math, total reading, total science, total social studies, or the composite on a normed achievement test
- ☐ A score at or above the 90th percentile on a normed measure of cognitive ability
- ☐ A score at or above the 90th percentile on an existing measure of individual intelligence that has been administered within the past twelve months
- ☐ Other measures that are documented in the research on the identification of intellectually gifted students

☑ Students with special considerations for gifted assessment who scored at or above the 84th percentile but lower than the 90th percentile on the preceding criteria shall move forward in the gifted identification process.

Stage 3: LSC Review of Data

Once the referral data have been collected, the LSC shall review all data and make one of the following recommendations:

OPTION ONE	OPTION TWO	OPTION THREE
The student has satisfied the minimal criteria on at least three measures and shall move forward to the assessment stage.	The student has not satisfied the minimal criteria on at least three measures; however, the LSC feels strongly that additional data, including individual assessment, may be collected and the student reconsidered at that time.	The student has not satisfied the minimal criteria on at least three measures, and the identification process shall stop.

Stage 4: Parental Permission for Testing

At this time, district personnel shall obtain written parental permission for testing. District personnel shall also notify parents in writing about their rights under FERPA.

Stage 5: Assessment

Once the LSC has determined that a student has satisfied minimal referral criteria to move forward to the assessment stage, district personnel shall review and compile all data available on the student. This data shall also be made available to a licensed examiner.

The assessment stage is the individual test of intelligence, which shall be administered by a licensed examiner. In no case will the examiner be related to the student being tested. The examiner shall review all available data on the student, whether or not it satisfies minimal identification criteria, and use that information to select the most appropriate test of intelligence. Standard operating procedures shall be followed during the selection and administration of all assessments as reflected in the examiner's manuals. The examiner shall provide a signed and dated report of the test administration to include testing conditions, scores on all subtests or subscales, and the strengths and weaknesses of the student. A student must score

at or above the 91st percentile composite/full scale or the 91st percentile on approved subtests (as per publisher) in order to satisfy eligibility criteria.

Students with special considerations for gifted assessment, who scored at least at the 84th percentile or have a scale score that falls within the range of the 90th percentile confidence interval of the state minimum scale/percentile score, may be administered **ONE** of the following additional measures to determine eligibility:

1. A test of cognitive abilities with a minimal score at the 90th percentile
2. A group intelligence measure with a minimal score at the 90th percentile
3. A district-developed matrix approved by the MDE

Identification criteria, as approved by the MDE on the local district's Gifted Education Program Proposal, must be satisfied for a student to be ruled eligible by the LSC for the intellectually gifted education program.

Stage 6: Assessment Report

District or assessment personnel shall write an Assessment Report, which must contain the following components:

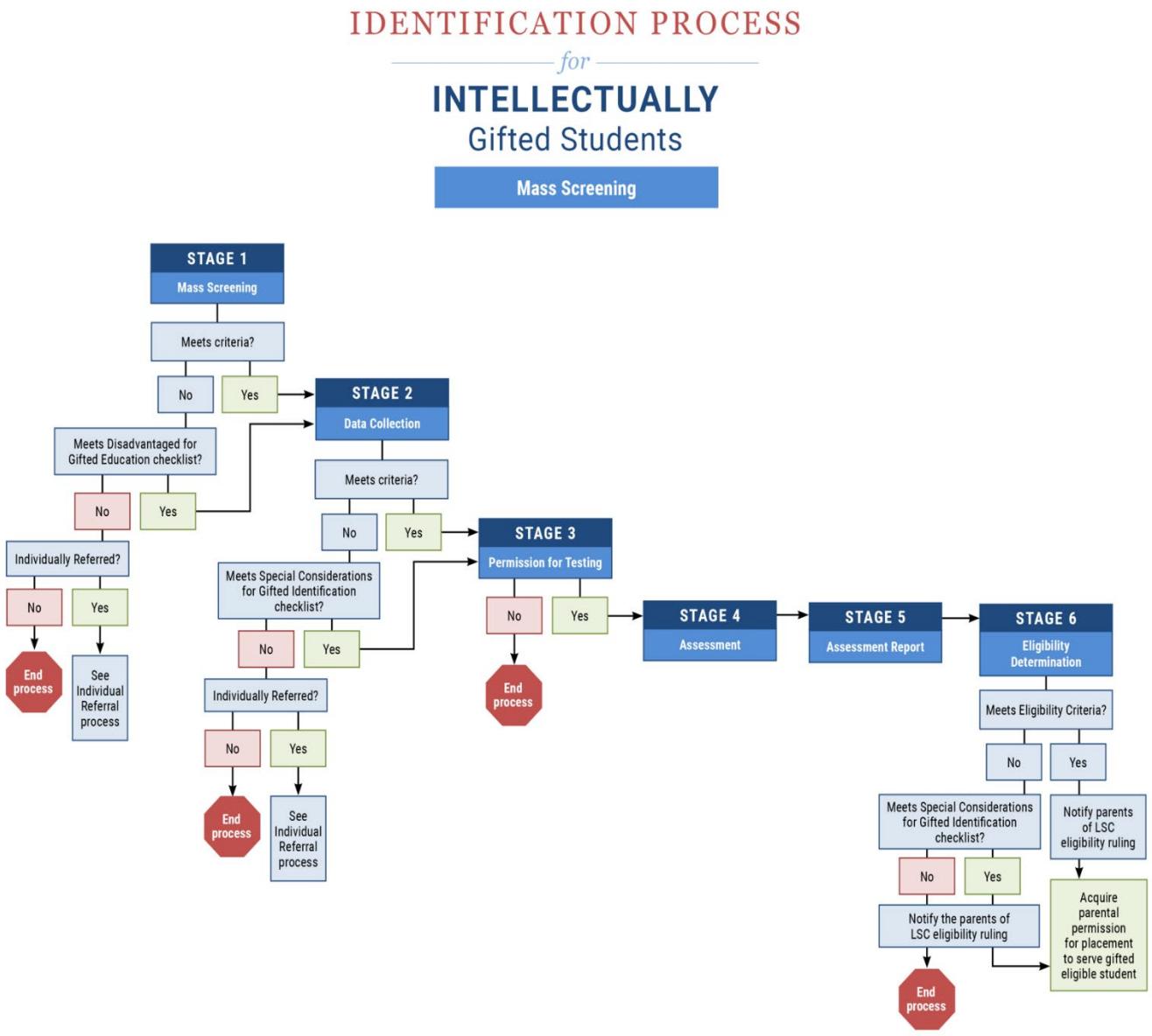
1. Student's name
2. Name of at least three measures from Stage 1: Referral that were used to determine the need to administer an individual test of intelligence
3. Results of each measure
4. Name of individual who administered or completed each measure and the date administered or completed
5. Test behaviors for any individually administered test(s)
6. Interpretation of the results for each individually administered test(s)
7. Name of the person who administered the individual test of intelligence and date test was administered
8. Qualifications of the individual who administered the individual test of intelligence
9. Results of the individual test of intelligence to include scores on all subtests and identified strengths and weaknesses
10. Name of the person responsible for writing the Assessment Report, his/her signature, and position
11. Date of the Assessment Report

Stage 7: Eligibility Determination

Once the Assessment Report is finalized, the LSC shall meet to review all data and determine if eligibility criteria have or have not been satisfied. The LSC shall rule that the student is or is not eligible for the intellectually gifted program. See Appendix C.

Parental Notification

District personnel shall notify in writing the parents of each student tested for the intellectually gifted program about the assessment results. District personnel shall offer to explain any of the results about which the parents have questions. District personnel shall also notify parents in writing about their rights under FERPA.



IDENTIFICATION PROCESS TYPE 2: INDIVIDUAL

Stage 1: Referral

This process involves students who are individually referred for gifted eligibility. A student may be referred by a parent, teacher, counselor, administrator, peer, self, or anyone else having reason to believe that the student might be intellectually gifted. The person initiating the referral shall sign the referral form and date it. Once the student is referred, the district personnel shall collect the data required to satisfy the referral criteria. Once a referral form has been initiated, signed, and dated, only the LSC or parents can stop the identification process.

Stage 2: Parental Permission for Testing

At this time, district personnel shall obtain written parental permission for testing. District personnel shall also notify parents in writing about their rights under FERPA.

Stage 3: Data Collection

Students participating in the Individual Identification Process shall satisfy **THREE** of the following referral criteria, including both objective and subjective measures before moving forward to the LSC Review of Referral Data Stage. District personnel shall make decisions as to which measures will be used during this step of the Individual Referral Process.

- ☐ A score at or above the 90th percentile on a group measure of intelligence that has been administered within the past twelve months
- ☐ A score at or above the superior range on a normed, published characteristics of giftedness checklist
- ☐ A score at or above the superior range on a normed, published measure of creativity
- ☐ A score at or above the superior range on a normed, published measure of leadership
- ☐ A score at or above the 90th percentile on total language, total math, total reading, total science, total social studies, or the composite on a normed achievement test
- ☐ A score at or above the 90th percentile on a normed measure of cognitive ability
- ☐ A score at or above the 90th percentile on an existing measure of individual intelligence that has been administered within the past twelve months
- ☐ Other measures that are documented in the research of the identification of intellectually gifted students

Stage 4: LSC Review of Referral Data

Once the referral data have been collected, the LSC shall review all data and make one of the following recommendations:

OPTION ONE	OPTION TWO	OPTION THREE
The student has satisfied the minimal criteria on at least three measures and shall move forward to the assessment stage.	The student has not satisfied the minimal criteria on at least three measures; however, the LSC feels strongly that additional data, including individual assessment, may be collected and the student reconsidered at that time.	The student has not satisfied the minimal criteria on at least three measures, and the identification process shall stop.

Students with special considerations for gifted assessment and who scored at or above the 84th percentile but lower than the 90th percentile on the preceding criteria shall move forward in the gifted identification process.

Stage 5: Assessment

Once the LSC has determined that a student has satisfied minimal referral criteria in order to move forward to the assessment stage, district personnel shall review and compile all data available on the student. This data shall also be made available to a licensed examiner.

The assessment stage is the individual test of intelligence, which shall be administered by a licensed examiner. In no case will the examiner be related to the student being tested. The examiner shall review all available data on the student, whether it satisfies minimal identification criteria, and use that information to select the most appropriate test of intelligence. Standard operating procedures shall be followed during the selection and administration of all assessments as reflected in the examiner's manuals. The examiner shall provide a signed and dated report of the test administration to include testing conditions, scores on all subtests or subscales, and the strengths and weaknesses of the student.

A student must score at or above the 91st percentile composite/full scale or the 91st percentile on approved subtests (as per publisher) in order to satisfy eligibility criteria.

Students with special considerations for gifted assessment, who scored at least at the 84th percentile or have a scale score that falls within the range of the 90th percentile confidence interval of the state minimum scale/percentile score, may be administered **ONE** of the following additional measures to determine eligibility:

1. A test of cognitive abilities with a minimal score at the 90th percentile
2. A group intelligence measure with a minimal score at the 90th percentile
3. A district-developed matrix approved by the MDE

Identification criteria, as approved by the MDE on the local district's Gifted Education Program Proposal, must be satisfied for a student to be ruled eligible by the LSC for the intellectually gifted education program.

Stage 6: Assessment Report

District or assessment personnel shall write an Assessment Report, which must contain the following components:

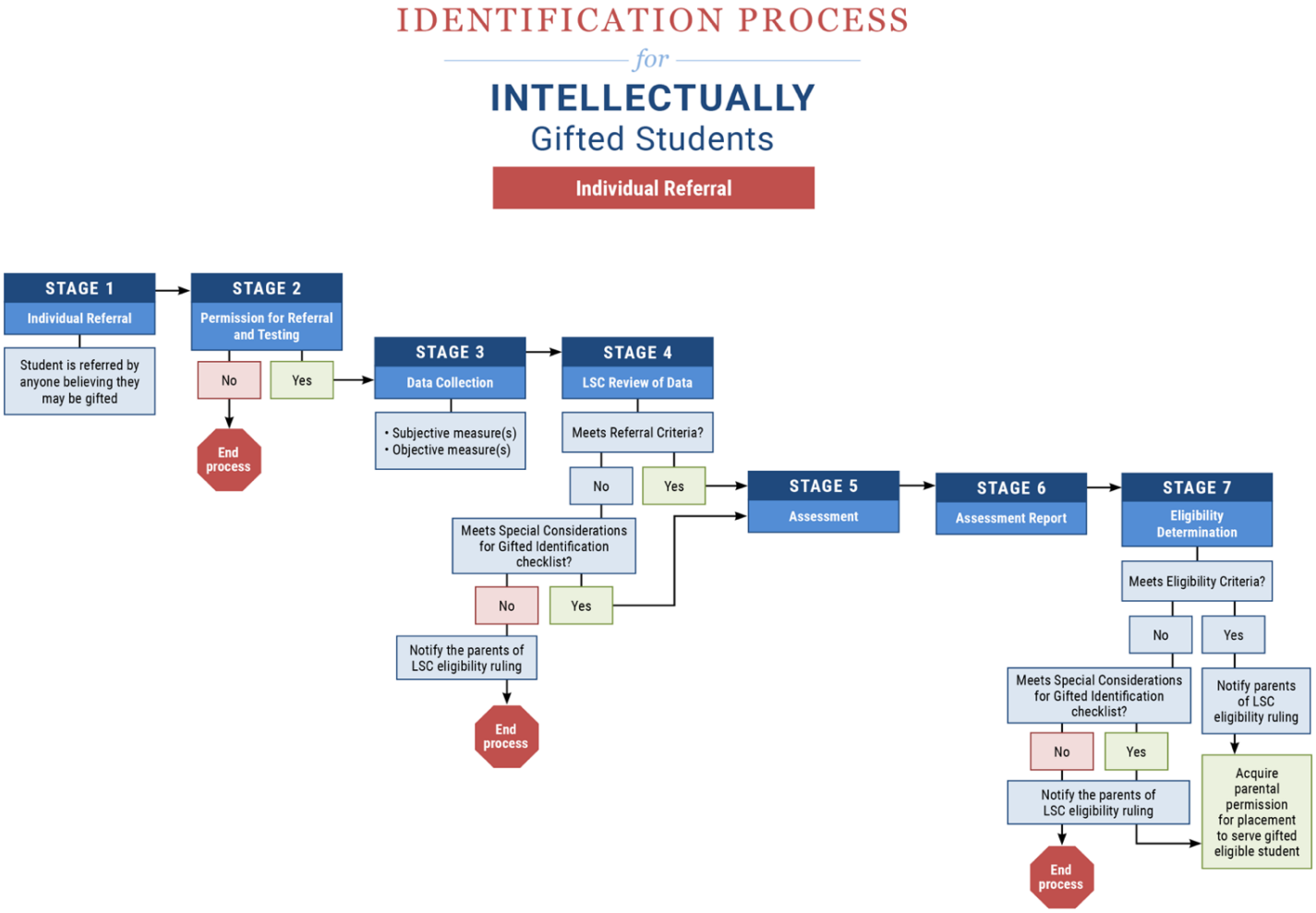
1. Student's name
2. Name of at least three measures from Stage 1: Referral that were used to determine the need to administer an individual test of intelligence
3. Results of each measure
4. Name of individual who administered or completed each measure and the date administered or completed
5. Test behaviors for any individually administered test(s)
6. Interpretation of the results for each individually administered test(s)
7. Name of the person who administered the individual test of intelligence and date test was administered
8. Qualifications of the individual who administered the individual test of intelligence
9. Results of the individual test of intelligence to include scores on all subtests and identified strengths and weaknesses
10. Name of the person responsible for writing the Assessment Report, his/her signature, and position
11. Date of the Assessment Report

Stage 7: LSC Eligibility Determination

Once the Assessment Report is finalized, the LSC shall meet to review all data and determine if eligibility criteria have or have not been satisfied. The LSC shall rule that the student is or is not eligible for the intellectually gifted program. See Appendix C.

Parental Notification

District personnel shall notify in writing the parents of each student tested for the intellectually gifted program about the assessment results. District personnel shall offer to explain any of the results about which the parents have questions. District personnel shall also notify parents in writing about their rights under FERPA.



PRIVATE ASSESSMENT

Students who have been assessed by licensed examiners outside of the school district may have their results considered for referral criteria or reviewed for gifted eligibility. Districts shall have a policy regarding private assessment data.

Referral

Districts shall collect private testing data to meet the requirements of the objective measure of the referral criteria. Additional data shall be collected, and students moved to Stage 4: Assessment.

Eligibility

Districts shall collect private testing data to meet all requirements from Stage 1 – Stage 5 of the identification process. Once collected, the LSC shall meet and determine an eligibility ruling, completing a Gifted Eligibility Form (GEF).

POTENTIALLY TWICE-EXCEPTIONAL STUDENTS

Students who already have an eligibility ruling under IDEA and are being assessed for intellectually gifted eligibility, and who did not satisfy all of the required minimal acceptable referral criteria but did meet at least one referral criterion shall have their results reviewed by the LSC and a licensed examiner. If the student scores at or above the 91st percentile on the individual test of intelligence (composite score or approved subtest score) or in the opinion of the reviewing committee, would benefit from participation in the intellectually gifted program, the student may be granted a provisional eligibility for the intellectually gifted program for a period up to one year. Within that year, the student's teacher of the gifted shall meet with the review committee to discuss the student's performance in the program. If the student has demonstrated success in the program, the LSC shall change the eligibility status from provisional to regular eligibility. If the student has not been successful in the program, the provisional eligibility shall be revoked. See Appendix C.

PARENTAL PERMISSION FOR PLACEMENT

After a student has been ruled eligible for one of the gifted programs, written parental permission for placement shall be obtained before the student is placed in the program.

ASSESSMENT TIMELINE

For the purposes of the assessment timeline, referrals shall begin on the day that a signed and dated student referral is submitted by anyone believing that the student may be intellectually gifted. The student should be assessed within 90 days of the receipt of the signed referral form. For gifted funding purposes, students shall be marked eligible and assigned to a gifted education program in MSIS by December 1.

IDENTIFICATION OF ARTISTICALLY GIFTED STUDENTS

STAGE 1: REFERRAL

A student may be referred by a teacher, administrator, counselor, parent, peer, self, or any other person having reason to believe that the student may be artistically gifted. The person initiating the referral shall sign and date the referral form. District personnel shall collect the data required to satisfy the district's referral criteria. Only the LSC can stop the identification process once a referral form has been signed and dated.

Referral Criteria

A statement is required from an individual with documented expertise in the visual arts indicating that the student is in the top 10% of age peers in ability in the visual arts and has an exceptionally high degree of creativity, plus **THREE** of the following:

- ☐ Published checklist of creativity or norm-referenced test of creativity
- ☐ Published checklist of characteristics for the visual arts or a published test of ability in the visual arts
- ☐ Portfolio of the student's work (all components of the portfolio shall be the individual efforts of the student and completed during the past twelve months) evaluated using a rubric (with prior approval by the MDE) by an individual who derives his/her main source of income from working in the visual arts area and who certifies in writing that the student has an exceptionally high degree of creativity and ability in the visual arts which places them in the top 5% of their age peers in that visual arts area.
- ☐ Individual accomplishment in the visual arts such as recognition at the state level or above
- ☐ Portfolio of the student's work evaluated using a rubric
- ☐ Other indicators of an exceptionally high degree of ability in the visual arts (with prior approval of the MDE).

Each district shall establish the local minimally acceptable criteria foreach measure used at this stage. Documentation of the measures and minimally acceptable criteria for each shall be maintained in a written document and approved by the local school board. This document shall be distributed to district administrators, school counselors, and teachers, and shall be available to parents at each school site.

STAGE 2: LSC REVIEW OF REFERRAL DATA

Once the referral data has been collected, the LSC shall review all data and make one of the following recommendations:

OPTION ONE	OPTION TWO	OPTION THREE
The student has satisfied minimal criteria and shall move forward to the assessment stage.	The student has not satisfied the minimal criteria. However, the LSC feels strongly that additional data shall be collected and the student reconsidered at that time.	The student has not satisfied minimal criteria and the identification process shall stop.

STAGE 3: PARENTAL PERMISSION FOR TESTING

At this time, district personnel shall obtain written parental permission for testing. District personnel shall also notify parents in writing about their rights under FERPA.

STAGE 4: ASSESSMENT

Once the LSC has determined that the student shall move forward to the assessment stage, district personnel shall review all available data before deciding which measures are most appropriate to be used during the assessment. District personnel shall collect measures from at least **THREE** of the assessment criteria noted below. At least **TWO** of the criteria shall be a measure of creativity. A student shall satisfy minimally acceptable criteria on the measures used.

Assessment Criteria

- ☐ Published checklist of creativity with a score in at least the superior range, or a published test of creativity with a score in at least the superior range
- ☐ Published checklist of characteristics for the visual arts or a published test of ability in the visual arts
- ☐ Portfolio of the student's work (all components of the portfolio shall be the individual efforts of the student and completed during the past twelve months) evaluated using a rubric (with prior approval by the MDE) by an individual who derives his/her main source of income from working in the visual arts area and who certifies in writing that the student has an exceptionally high degree of creativity and ability in the visual arts which places them in the top 5% of their age peers in that visual arts area.

Individual Audition

If the student has satisfied minimal criteria as outlined above, the student shall successfully complete an individual live audition before a Panel of Experts. There must be at least three experts on the panel with no more than one being an employee of the district. The teacher in the program may not be a member of the panel. All members of the panel shall meet the following criteria:

1. Possess an advanced degree in the appropriate visual arts area, or
2. Derive their main source of income from working in the appropriate visual arts area.

The district shall maintain written documentation confirming the qualifications of each member of the panel. The members of the panel shall observe the student performing in the appropriate visual arts area. The evaluation of the panel shall be performed simultaneously, independently, and without discussion of the results. Each member of the panel will complete a rubric (with prior approval by the MDE) and sign a statement certifying that they find that the student has an exceptionally high degree of creativity and exceptionally high ability in the visual arts that places them in the top 5% of age peers.

STAGE 5: ASSESSMENT REPORT

District personnel shall write an Assessment Report which must contain the following components:

1. Student's name
2. Names of at least THREE measures, including the scores on each measure, that were used to determine that the student satisfied minimal acceptable assessment criteria
3. Individual audition summary
4. The name of individual who administered or completed each measure and the date administered or completed
5. The date that each measure was administered or completed
6. A completed rubric signed and dated by each member of the panel
7. A signed statement by each member of the panel certifying the student's creativity and ability in the visual arts
8. The name of the person responsible for writing the Assessment Report, signature and position, and date of the Assessment Report

STAGE 6: LSC ELIGIBILITY DETERMINATION

Once the Assessment Report is finalized, the LSC shall meet and review all data and determine if eligibility criteria have or have not been satisfied. The LSC shall rule that the student is or is not eligible for the artistically gifted program. See Appendix C.

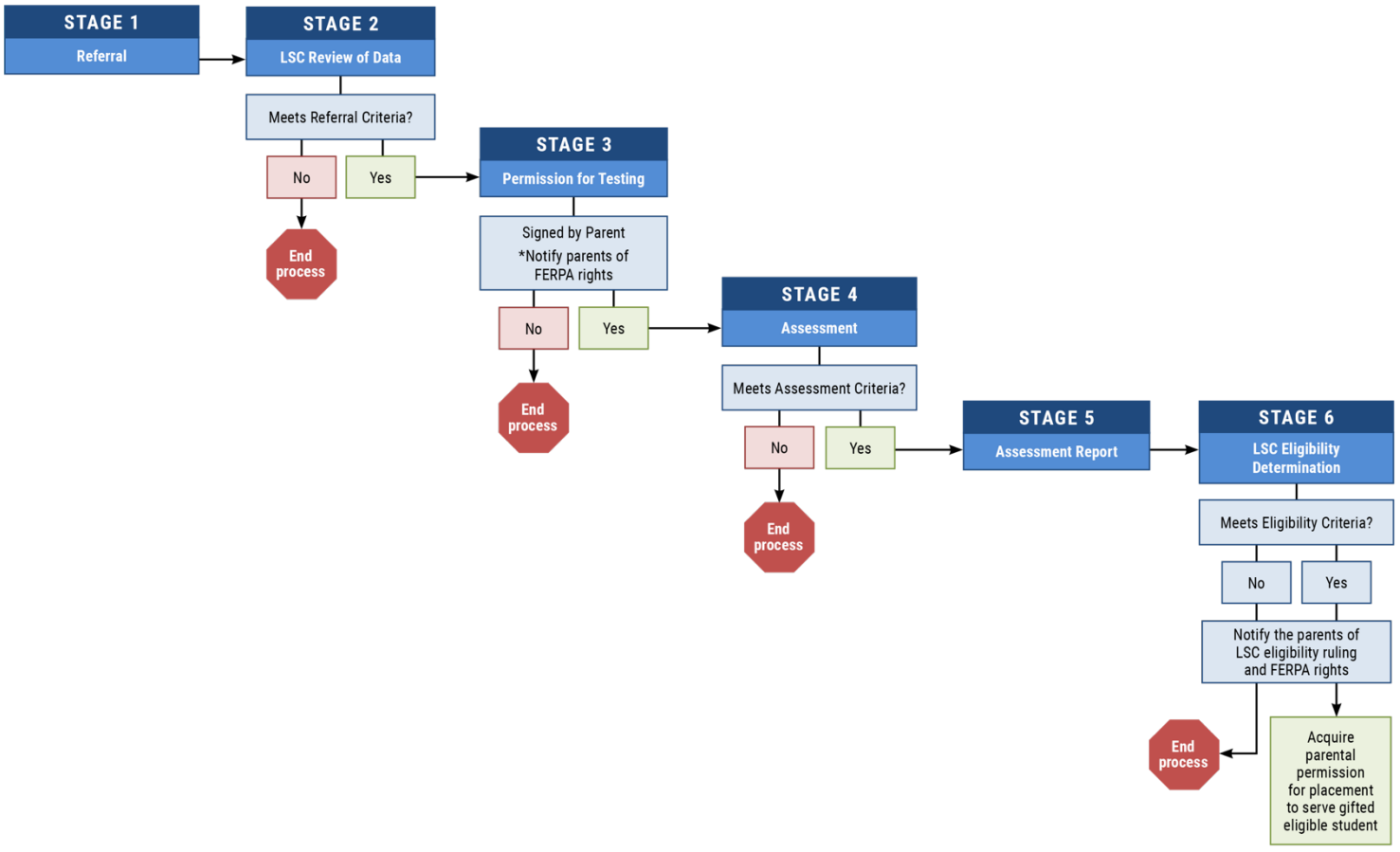
Parental Notification

District personnel shall notify in writing the parents of each student tested for the artistically gifted program about the assessment results. District personnel shall offer to explain any of the results about which the parents have questions. District personnel shall also notify parents in writing about their rights under FERPA.

IDENTIFICATION PROCESS

for

ARTISTICALLY
Gifted Students



IDENTIFICATION OF ACADEMICALLY GIFTED STUDENTS

NOTE: Throughout the identification process, district personnel shall be careful to select measures that target the student's strengths.

STAGE 1: REFERRAL

Students who are rising ninth graders through rising twelfth graders may be referred by a teacher, parent, peer, self, or any other person having reason to believe that the student might be academically gifted. The person initiating the referral shall sign and date the referral form. District personnel shall collect the data required to satisfy the district's referral criteria. Only the LSC can stop the identification process once a referral form has been signed and dated.

Referral Criteria

A student shall satisfy at least **THREE** of the following criteria before moving to the assessment process:

- ☐ Grade history of As and Bs in the pertinent academic area
- ☐ Portfolio of the student's work indicating outstanding capabilities in the pertinent academic area (evaluated using a rubric)
- ☐ Group or individual intelligence test administered within the last twelve months
- ☐ Group or individual achievement test score(s) in the pertinent academic area (individual achievement test must have been administered within the last twelve months)
- ☐ Other demonstrated achievement and/or potential abilities (with prior approval of the MDE)

Each district shall establish the local minimal acceptable criteria for each measure used at this stage. Documentation of the measures and minimally acceptable criteria for each shall be maintained in a written document and approved by the local school board. This document shall be distributed to district administrators, school counselors, and teachers, and shall be available to parents at each school site.

STAGE 2: LSC REVIEW OF REFERRAL DATA

Once the referral data has been collected, the LSC shall review all data and make one of the following recommendations:

OPTION ONE	OPTION TWO	OPTION THREE
The student has satisfied the minimal criteria on at least THREE of the measures stage and shall move forward to the assessment.	The student has not satisfied the minimal criteria on at least THREE measures; however, the LSC feels strongly that additional data shall be collected, and the student reconsidered at that time.	The student has not satisfied the minimal criteria on at least THREE measures, and the identification process shall stop.

STAGE 3: PARENTAL PERMISSION FOR TESTING

At this time, district personnel shall obtain written parental permission for testing. District personnel shall also notify parents in writing about their rights under FERPA.

STAGE 4: ASSESSMENT

Once the LSC has determined that the student shall move forward to the assessment stage, district personnel shall review all data available before deciding which measures are most appropriate to be used during the assessment. After reviewing the information available, district personnel shall collect measures from at least two of the following assessment criteria.

A student shall satisfy minimal state criteria on at least **TWO** of these measures.

Assessment Criteria

- ☐ A score at or above the 90th percentile on the total score in the pertinent academic area on a norm-referenced achievement test.
- ☐ A score at or above the 90th percentile in the pertinent academic area on a norm-referenced individual achievement test.
- ☐ A portfolio of the student's work demonstrating outstanding achievement in the pertinent academic area over a period of at least six months. The portfolio shall be evaluated using a rubric approved by the MDE.

STAGE 5: ASSESSMENT REPORT

District personnel shall write an assessment report, which must contain the following components:

1. Student's name
2. Name of each measure used, and date administered or completed
3. Results of each measure
4. Test behaviors for any individually administered test(s)
5. Name and credentials of individual who administered any individual test(s)
6. Interpretation of any individually administered test(s)
7. Name of the person responsible for writing the Assessment Report, his/her signature and date
8. The date of the Assessment Report

STAGE 6: LSC ELIGIBILITY RULING

The LSC shall meet to review all data to determine if eligibility criteria have or have not been satisfied. The LSC shall rule that the student is or is not eligible for the academically gifted program. See Appendix C.

> NOTE: Once a student has been ruled eligible for the academically gifted program, additional eligibilities are not required to provide services in academic areas other than the area of the original eligibility ruling. However, careful consideration shall be given as to the probability of the student being successful in additional areas.

A student with an intellectually gifted eligibility ruling does not need to have an academically gifted ruling to be served in an academically gifted program. Since not all intellectually gifted students are also academically gifted, available data shall be reviewed to determine the probability that the student will be successful in the academic placement.

Parental Notification

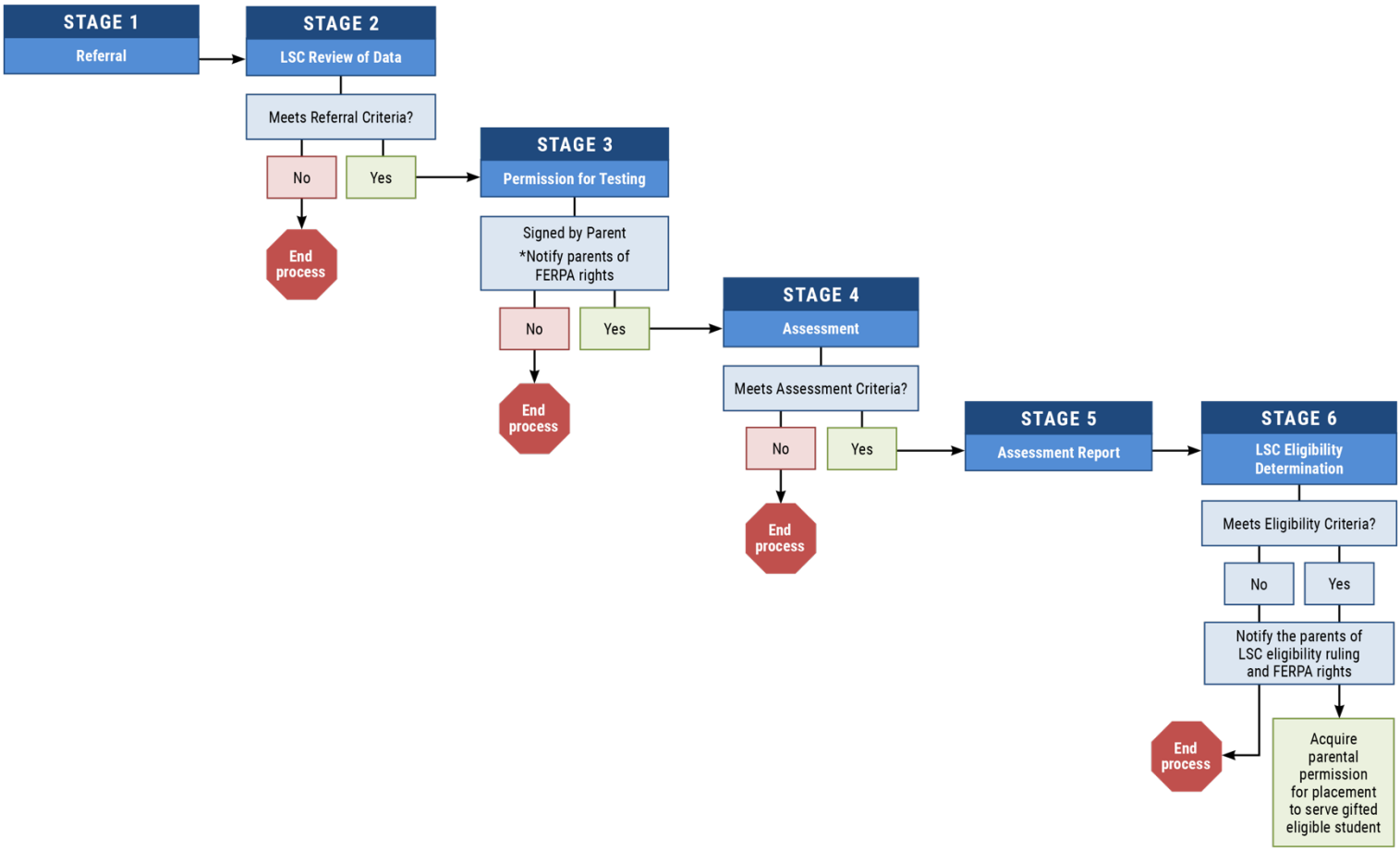
District personnel shall notify in writing the parents of each student tested for the academically gifted program about the assessment results. District personnel shall offer to explain any of the results about which the parents have questions. The district shall also notify parents in writing about their rights under FERPA.

IDENTIFICATION PROCESS

for

ACADEMICALLY

Gifted Students



IDENTIFICATION OF CREATIVELY GIFTED STUDENTS

STAGE 1: REFERRAL

A student may be referred by a teacher, administrator, counselor, parent, peer, self, or any other person having reason to believe that the student may be creatively gifted. The person initiating the referral shall sign and date the referral form. District personnel shall collect the data required to satisfy the district's referral criteria. Only the LSC can stop the identification process once a referral has been signed.

Referral Criteria

A statement is required from an individual with documented expertise in the performing arts indicating that the student is in the top 10% of age peers in ability in the performing arts and has an exceptionally high degree of creativity and **THREE** of the following:

- ☐ Published checklist of creativity or a published test of creativity
- ☐ Published checklist of characteristics in the performing arts or a published test of ability in the performing arts
- ☐ Individual accomplishment in the performing arts such as recognition at the state level or above
- ☐ Videotape of the student's performance in the performing arts evaluated using a rubric
- ☐ Other indicators of an exceptionally high degree of ability in the performing arts (with prior approval of the MDE)

Each district shall establish the local minimally acceptable criteria on each measure used at this stage. Documentation of the measures and minimally acceptable criteria for each shall be maintained in a written document and approved by the local school board. This document shall be distributed to district administrators, school counselors, and teachers, and shall be available to parents at each school site.

STAGE 2: LSC REVIEW OF REFERRAL DATA

Once the referral data has been collected, the LSC shall review all data and make one of the following recommendations:

OPTION ONE	OPTION TWO	OPTION THREE
The student has satisfied the minimal criteria and shall move forward to the assessment stage.	The student has not satisfied the minimal criteria. However, the LSC feels strongly that additional data shall be collected, and the student reconsidered at that time.	The student has not satisfied the minimal criteria, and the identification process shall stop.

STAGE 3: PARENTAL PERMISSION FOR TESTING

At this time, district personnel shall obtain written parental permission for testing. District personnel shall also notify parents in writing about their rights under FERPA.

STAGE 4: ASSESSMENT

Once the LSC has determined that the student shall move forward to the assessment phase, district personnel shall review all available data before deciding which measures are most appropriate to be used during assessment. District personnel shall collect measures from at least **TWO** of the categories of assessment measures. At least **ONE** of the measures shall be a measure of creativity. A student shall satisfy minimally acceptable criteria on the measures used.

Assessment Criteria

- ☐ Published checklist of creativity with a score in at least the superior range, or a published test of creativity with a score in at least the superior range.
- ☐ Published checklist of characteristics for performing arts with a score in at least the superior range, or a published test of ability in the performing arts with a score in at least the superior range.
- ☐ Videotape of the student's performance (must have been taped within the past twelve months) evaluated using a rubric (with prior approval by the MDE) by an individual who derives their main source of income from working in the pertinent performing arts area and who certifies in writing that the student has an exceptionally high degree of creativity and ability in the performing arts which places them in the top 5% of age peers.

Individual Audition

If the student has satisfied the minimal criteria as outlined above, the student shall successfully complete an individual live audition before a Panel of Experts. There must be at least three experts on the panel with no more than one being an employee of the district. The teacher in the program may not be a member of the panel. All members of the panel shall meet the following criteria:

1. Possess an advanced degree in the appropriate performing arts area or
2. Derive the main source of income from working in the appropriate performing arts area.

The district shall maintain written documentation confirming the qualifications of each member of the panel. The members of the panel shall observe a live performance by the student in the appropriate performing arts area. The evaluation of the panel shall be conducted simultaneously, independently, and without discussion of the results. Each member of the panel will complete a rubric (with prior approval of the MDE) and sign a statement that they find that the student has an exceptionally high degree of creativity and an exceptionally high ability in the performing arts that places them in the top 5% of age peers.

STAGE 5: ASSESSMENT REPORT

District personnel shall write an Assessment Report which must contain the following components.

1.	Student's name
2.	The name of at least two measures, with the score on each measure, that were used to determine that the student satisfied minimally acceptable assessment criteria
3.	Individual audition summary
4.	The date that each measure was administered or completed
5.	Completed rubric signed and dated by each member of the panel
6.	A signed statement by each member of the panel certifying the student's creativity and ability in the performing arts
7.	A signed statement by each member of the panel certifying the student's creativity and ability in the performing arts
8.	The date of the Assessment Report

STAGE 6: LSC ELIGIBILITY DETERMINATION

Once the Assessment Report is finished, the LSC shall meet and review all data and determine if eligibility criteria have or have not been satisfied. The LSC shall rule that the student is or is not eligible for the creatively gifted program. See Appendix C.

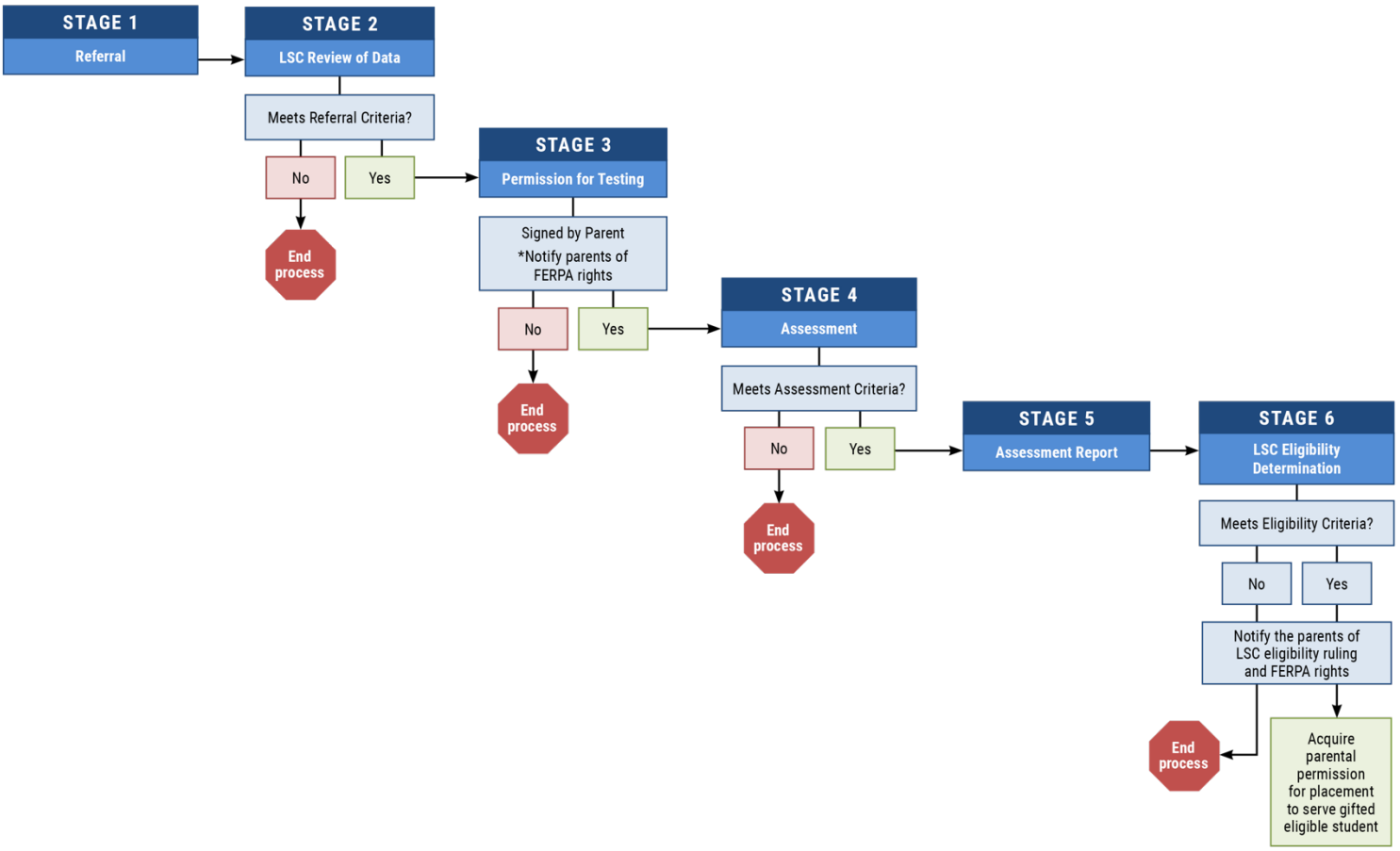
Parental Notification

District personnel shall notify in writing the parents of each student tested for the creatively gifted program about the assessment results. District personnel shall offer to explain any of the results about which the parents have questions. District personnel shall offer to explain any of the results that parents have questions about. District personnel shall also notify parents in writing about their rights under FERPA.

IDENTIFICATION PROCESS

for

CREATIVELY
Gifted Students



SECTION 2

Gifted Education
PROGRAM MANAGEMENT

GIFTED EDUCATION PROGRAM STANDARDS

CRITERION I: CURRICULUM AND INSTRUCTION

1. The local gifted education program shall provide a qualitatively different educational experience in addition to and different from the regular program of instruction.
2. A differentiated curriculum shall be provided for identified gifted students based on mastery of the MDE gifted program outcomes.
3. Gifted education program teachers provide individualized instruction for cognitive and affective growth.
4. Requisite resources and materials shall be provided to adequately support the efforts of gifted education programming.

CRITERION II: PROGRAM ADMINISTRATION AND MANAGEMENT

1. Only teachers endorsed in gifted education shall teach in the gifted education program.
2. Appropriately qualified personnel shall direct services for the education of gifted students.
3. Gifted programming shall be an integral part of the district's overall educational offerings, providing gifted students a required minimum of 240 minutes per week (see page 41). It is recommended that gifted students receive a minimum of 270 instructional minutes.
4. The gifted education program shall maintain all correspondence with MDE.
5. Gifted education programming shall include a positive working relationship with parents.
6. Gifted education programming shall include a positive working relationship with district administrative and instructional personnel.

CRITERION III: PROGRAM DESIGN

1. A continuum of programming services shall exist for gifted learners.
2. Adequate funds shall be budgeted to allow for gifted programming that meets the needs of the district's gifted students.
3. Gifted programming is based on an established mission/philosophy statement with goals and objectives that reflect the need for gifted education programming.
4. Flexible grouping of students in a resource room shall be developed in order to facilitate differentiated instruction and curriculum.

CRITERION IV: PROGRAM EVALUATION

1. An annual self-evaluation shall be conducted for the purpose of improving the program.
2. A program evaluation shall be conducted competently, confidentially, and ethically,

soliciting information from all stakeholders.

3. The program evaluation shall be made available through a written report.

CRITERION V: SOCIAL-EMOTIONAL GUIDANCE AND COUNSELING

1. Gifted students shall be provided guidance to meet their unique social-emotional development.
2. Gifted at-risk students shall be provided with targeted and differentiated services, including guidance and counseling, to help them reach their potential.
3. Underachieving students who are potentially gifted shall be identified and served rather than omitted from differentiated services.

CRITERION VI: PROFESSIONAL DEVELOPMENT

1. A comprehensive staff development program and materials shall be provided for all school staff involved in the education of gifted students.
2. Gifted program teachers and district staff are provided opportunities to attend non-district professional development regarding gifted education.
3. Professional development materials pertaining to gifted education are available in the district and updated on a regular basis.
4. Staff development is provided to all personnel involved in the identification and assessment of potentially gifted students.

CRITERION VII: STUDENT IDENTIFICATION AND ASSESSMENT

1. District guidelines shall outline a coordinated, comprehensive, and coherent process for student referral and assessment to determine eligibility for gifted services. Guidelines shall be published and publicly available.
2. Equitable consideration for gifted education services is given to all students through the screening process.
3. Referrals for gifted screening are accepted from multiple sources.
4. All student identification procedures and instruments shall be based on best practices and research.
5. Reliable and valid instruments are used for identifying gifted students.
6. Student assessment instruments used to determine eligibility for gifted education services shall be selected based on the strengths of the individual student. A comprehensive student profile that addresses multiple factors is available to the examiner.

INDEPENDENT OR PRIVATE TESTING

Districts shall have a policy regarding private assessment data. Parents may have their child

independently assessed by a licensed psychometrist or examiner. The student shall satisfy minimally acceptable criteria on the measures used. In addition, the child must satisfy at least THREE of the following to be considered for the Gifted Educational Program:

- ☐ A score at or above the 90th percentile on a group measure of intelligence that has been administered within the past twelve months
- ☐ A score at or above the superior range on a normed, published characteristics of giftedness checklist
- ☐ A score at or above the superior range on a normed, published measure of creativity
- ☐ A score at or above the superior range on a normed, published measure of leadership
- ☐ A score at or above the 90th percentile on total language, total math, total reading, total science, total social studies, or the composite on a normed achievement test
- ☐ A score at or above the 90th percentile on a normed measure of cognitive ability
- ☐ A score at or above the 90th percentile on an existing measure of individual intelligence that has been administered within the past twelve months
- ☐ Other measures that are documented in the research on the identification of intellectually gifted students

PROGRAMMING OPTIONS

INTELLECTUALLY GIFTED PULL-OUT (GRADES 2-12)

A group of all intellectually gifted students is provided services by a properly endorsed teacher in a self-contained room for a required minimum of 240 minutes per week (see page 41). It is recommended that gifted students receive a minimum of 270 instructional minutes. The recommended time for gifted instruction is 330 minutes (including planning time) per week. The activities in the gifted class shall develop and enhance the process skills in the outcomes document, the teaching strategies notebook, and the required components of the gifted program standards document. Some of the activities shall be short-term exploratory activities that introduce students to ideas and concepts not normally covered in the regular education program. The activities shall enhance the integration of advanced content and individual student interests by utilizing higher-level thinking skills, creative problem-solving, critical thinking skills, research skills, personal growth, human relations exercises, leadership skills, and creative expression. Activities shall also create an appreciation for the multicultural composition of the school and community.

Intellectually gifted students in grades 9-12 may be served in an academically gifted program. They may also be served in an enrichment pull-out program like the one for intellectually gifted students in grades 2-8. They shall be provided with these services by a properly licensed teacher holding a gifted endorsement. The class shall satisfy the time requirements for a Carnegie Unit course.

Gifted students should not be denied the opportunity to attend elective courses at any time.

INTELLECTUALLY GIFTED: MIDDLE SCHOOL

Intellectually gifted students in middle schools may be served in an enrichment pull-out

program like the one for intellectually gifted students in grades 2-6. At the secondary level, the intellectually gifted program may also be scheduled as an elective using the intellectually gifted course code (662001). Eligible gifted students shall be provided these services by a properly licensed teacher holding a gifted endorsement. Instructional time shall be equal to all other academic courses.

ACADEMICALLY GIFTED (GRADES 9-12 ONLY)

The Mississippi Gifted Education Act of 1989 requires that the Gifted Education Program (GEP) shall be in addition to and different from the regular program of instruction. Not all academic classes have been approved for the academically gifted program. Local district personnel shall reference the gifted section in the Approved Courses for the Secondary Schools of Mississippi to determine if a course may be taught as part of an academically gifted program. The Instructional Management Plan (IMP) for the course must show how it is in addition to and different from the same course if it were taught in the regular education program. Teachers shall have a valid teaching license in the appropriate secondary area and a gifted endorsement. The class shall satisfy the time requirements for a Carnegie unit course.

ARTISTICALLY OR CREATIVELY GIFTED PULL-OUT (GRADES 2-8)

Artistically gifted or creatively gifted students are provided services by a properly endorsed teacher in a self-contained classroom for a required minimum of 240 minutes per week (see page 41). It is recommended that gifted students receive a minimum of 270 instructional minutes. The activities shall develop and enhance the process skills in the outcomes document and the integration of advanced content and individual student interests (see page 41). Activities shall also create an appreciation for the multicultural composition of the school and community. The IMP must show how the activities are in addition to and different from classes in the visual/performing arts if they were taught in the regular education program.

ARTISTICALLY OR CREATIVELY GIFTED (GRADES 9-12)

Artistically gifted or creatively gifted students shall be provided courses appropriate to their eligibility ruling. Local district personnel shall reference the gifted section in the Approved Courses for the Secondary Schools of Mississippi to determine if a course may be taught as a part of an artistically gifted or creatively gifted program. The IMP for the program must show how it is in addition to and different from the same course if it were taught in the regular education program. The teacher shall have a valid teaching license in the appropriate secondary area and a gifted endorsement. The district may elect to serve the students in a resource program like the one for artistically gifted or creatively gifted students in grades 2-8. The IMP for the course must show how it is in addition to and different from the same course if it were taught in the regular education program. Teachers shall have a valid teaching license in the appropriate secondary area and a gifted endorsement. The class shall satisfy the time requirements for a Carnegie unit course.

DUAL CREDIT/DUAL ENROLLMENT

High school students may attend regular classes for part of the day and attend one or more classes at a higher grade level within the district, at an Institution of Higher Learning (IHL), or a Community or Junior College for part of the day. All expenses related to attendance at

an IHL are the sole responsibility of the student's family. The classes shall be in an academic area identified as a strength during the eligibility process and an academic area of intense personal interest for the student.

There is no funding from the state for this option. Students must meet the criteria for participating in dual credit/dual enrollment classes.

INDEPENDENT STUDY

Students are allowed to conduct an in-depth individual investigation under the supervision of a properly endorsed teacher of the gifted. The student must develop a written contract with the teacher before beginning the investigation. The contract shall include the reason for the investigation, the timeline for the investigation, the expected final product, and the expert audience that will critique the final product.

A Carnegie Unit may be awarded for the independent study if the student is enrolled in the "Field Experience" course in tandem with the intellectually gifted enrichment pull-out course in grades 9-12.

MENTORSHIP

The gifted student is assigned as an intern to a professional or expert in a selected field related to the student's interest. The student shall develop a written contract with the teacher of the gifted and the mentor.

CLASS SIZE

The Mississippi Gifted Education Act of 1989 requires teachers of the gifted to provide a gifted program that meets the individual needs of the gifted students being served. The recommended size of each class in grades 2-6 is 8-12 students. While local districts have flexibility in the operation of programs, general education class size as mandated in the accreditation standards is inappropriate for gifted classes. The integrity of the program shall be maintained. Districts scheduling gifted classes with more than 15 students will be required to submit justification to the MDE.

Districts shall electronically submit schedules of all gifted education program teachers to the MDE by February 1 and September 1 each year.

OTHER CONSIDERATIONS

- State and District Assessments

Each district is responsible for ensuring that students are being serviced during the administration of state and district assessments. A modified or alternate schedule is permitted and made available to the MDE upon request.

- Gifted Students in Alternative School Settings

Each district is responsible for ensuring that services continue for students who are placed in an alternative school setting. The amount of time and the way services are provided shall be determined by the school district.

PROPOSAL FOR GIFTED PROGRAM

The Proposal for Gifted Program Form (Appendix D) must be submitted to the State Board of Education for approval prior to providing a program for gifted students. Gifted program proposals may be approved for a period of up to three years.

Whenever a district makes changes to the local gifted program, the district shall submit a new Proposal for Gifted Program Form to the MDE for approval prior to implementing those changes.

GIFTED PROGRAM POLICY

Each local school district shall have a policy reflecting support for gifted education as an integral part of the district's overall educational offerings by adding and adapting the nature and operations of the general education program that must include:

1. Appropriate provisions for the needs of gifted and high ability students
2. The gifted student identification process

   INCLUDE:
   - Referral from multiple sources
   - Both objective and subjective assessment measures
   - Minimum accepted criteria
   - Neither grades nor achievement test scores shall eliminate a student from gifted identification
   - MDE assessment timeline
3. Parent appeals and hearings
4. Maintenance and destruction of gifted student files

MONITORING AND SELF-EVALUATION

Local gifted education programs shall be monitored by the MDE.

Each district shall electronically submit to the MDE a copy of the local GEP self-evaluation by June 30 each year. The district shall also maintain a copy on file. This evaluation shall be made in accordance with the Regulations for Gifted Education Programs.

NON-COMPLIANCE

Districts must comply with the requirements of the Mississippi Gifted Education Act of 1989 (MS Code Ann. 37-23-171 through 37-23-181) the requirements of the Mississippi Gifted Education Program Standards, the requirements of these gifted program regulations, and the requirements of the Mississippi Public School Accountability Standards related to gifted education programs. If a district does not comply with the above requirements or fails to correct a problem identified during a program monitoring visit, the district accreditation status may be downgraded and state funds for the gifted program may be withheld until such time that compliance occurs. The hearing and appeals procedures related to accreditation are outlined in Accreditation Policy 6.0 as indicated in the Mississippi Public School Accountability Standards.

GEP CONTACT PERSON

Each local district superintendent shall appoint at least two Gifted Education Contact Persons (GEP) Contacts. These individuals are the link between the district and the MDE. This is not intended to be an additional administrative position at the district level. At least one of the GEP Contacts in the district shall hold a valid gifted endorsement and have experience as a GEP teacher. It is the responsibility of these individuals to keep the superintendent informed about the local gifted education program and all communications from the MDE regarding gifted education programs.

GIFTED TEACHER UNITS

The gifted education program is funded by the state legislature through the Mississippi Adequate Education Program. Gifted teacher units in grades 2-6 shall be calculated as follows:

1. The first teacher unit shall be funded on the basis of a minimum of 20 identified and participating students.
2. The second gifted teacher unit shall be funded when there are 41 identified and participating students.
3. Additional gifted teacher units shall be funded based on the 40 + 1 formula.
4. No student may be counted more than once for the purpose of justifying funding of a gifted teacher unit.
5. The data entered into the Mississippi Student Information System (MSIS) shall be the official numbers for the purposes of funding gifted teacher units.

NOTE: If funds are available for permissible programs in grades 7-8, the teacher unit funding formula shall be the same as it is for grades 2-6.

If funds are available for permissible programs in grades 9-12, gifted teacher units in grades 9-12 shall be funded as follows:

1. If a teacher serves at least 7 identified and participating students and no more than 14 identified and participating students, that class period shall be funded.
2. If a teacher serves fewer than 7 identified and participating students or more than 14 identified and participating students, that class period shall be considered for prorated funding.
3. If a teacher serves at least 7 identified and participating students and no more than 14 students (some of whom are not identified), the class period shall be prorated based on the percentage of identified students in the class.

Gifted Teacher Unit Allocations cannot be used for any other purpose but to hire a gifted teacher.

PLANNING TIME

Each teacher of the gifted in grades 2-8 shall have a daily planning period within the instructional day equal to the regular education teachers at the school, not exceeding 60 minutes per day or one ½ day per week. This time is needed to develop activities to meet the individual needs of gifted students as required by law. Each teacher of the gifted in grades 9-12 shall have the same planning time as the regular education teachers at that school.

ASSESSMENT TIME

One teacher of the gifted may be assigned an average of one 60-minute period per day of assessment time to perform the duties related to referral, assessment, and LSC meetings. If the time is combined, it may not exceed one-half day per week. Additional teachers of the gifted may be assigned assessment time based on the following formula:

- 1-300 gifted students district-wide = 1 assessment teacher
- 301-600 gifted students district-wide = 2 assessment teachers
- 601-900 gifted students district-wide = 3 assessment teachers

Additional assessment time is earned on multiples of 300 + 1 gifted students.

MISSION/PHILOSOPHY STATEMENT

Each district shall have on file a written Mission/Philosophy Statement with accompanying goals and objectives. This statement shall be available to administrators, teachers, and counselors, and available to parents at the school site.

INSTRUCTIONAL MANAGEMENT PLAN (IMP)

An IMP is not required for intellectually gifted programs, which shall follow the curriculum of the Outcomes for Gifted Education Programs as published by the MDE.

Each local school district shall have a written IMP for academically gifted, artistically gifted, and creatively gifted programs. The IMP shall include, at a minimum, the following components:

1. District mission/philosophy statement, including goals and objectives
2. Program outcomes for the specific gifted program(s) offered
    a. Differentiated activities
    b. Scope and sequence of program process skills (outcomes)

HOMEWORK/CLASSWORK

Gifted students in grades 2-8 shall not be required to make up classwork missed when they are scheduled to be in the gifted classroom. Gifted students shall be held accountable for demonstrating mastery of concepts and information on regularly scheduled tests. It shall be noted that some gifted students will not be high academic achievers for a variety of reasons. It is not reasonable to expect intellectually gifted students, artistically gifted students, and/or creatively gifted students, by virtue of having been granted one of those gifted eligibility rulings, to make all A's and B's. The exception is academically gifted students in grades 9-12 who have been ruled eligible based on exceptionally high academic achievement in the pertinent area being served.

ANNUAL REASSESSMENT

A committee shall meet at least annually to reassess each gifted student's continuation in the gifted program. The committee must include at least the student's teacher of the gifted and a designated administrative representative. Documentation of the meeting must be maintained and must include the name(s) of the student(s) discussed, a list of the committee members present, and the date of the meeting. Since participation in the gifted program is an entitlement under law, students shall remain in the gifted program as long as they are successful in the program. Grades and/or success in the regular education program is the responsibility of the regular classroom teacher and shall not be considered as a reason for removal from the gifted program.

Should the committee determine that a student should exit the program due to lack of progress in the program and/or unsatisfactory participation in the program, the student's parents must be notified and given the opportunity to discuss the decision with the committee before the student is removed. Should the parents not agree to the removal of the student from the program, the local district shall grant the parents a hearing. Each local school district shall have a policy in place as to how this hearing will be conducted and how the lack of agreement will be resolved.

MS CODE Ann. 37-23-171 THROUGH 37-23-181

MISSISSIPPI CODE of 1972

*** Current through the 2019 Regular Session ***

§ 37-23-171. Short title

Sections 37-23-171 through 37-23-181 shall be known and may be cited as the "Mississippi Gifted Education Act of 1989."

HISTORY: SOURCES: Laws, 1989, ch. 447, § 1, eff from and after July 1, 1989.

§ 37-23-173. Legislative findings and declarations; purpose

The Legislature finds and declares that there are many children in the State of Mississippi who are intellectually, academically, creatively, and/or artistically gifted and who require additional opportunities to allow them to develop their capabilities to their fullest potential.

Consequently, it is the purpose of Sections 37-23-171 through 37-23-181 to provide for a uniform system of education for gifted children in the public schools of Mississippi, to provide for a nondiscriminatory process of identification of these children, to provide for periodic evaluation of the program and its benefit to the gifted children, and to ensure that gifted children are identified and offered an appropriate education.

Further, it is the intent of the Legislature that local districts be given as much flexibility as possible in the operation of their programs and that there be parental involvement in the development and conduct of their programs.

HISTORY: SOURCES: Laws, 1989, ch. 447, § 2; Laws, 1993, ch. 585, § 1, eff from and after July 1, 1993.

§ 37-23-175. Definitions

For purposes of Sections 37-23-171 through 37-23-181, the following terms shall have the following meanings unless the context shall prescribe otherwise:

(a) "Gifted children" shall mean children who are found to have an exceptionally high degree of intellect, and/or academic, creative, or artistic ability.

(b) "Gifted education" shall mean programs for the instruction of intellectually gifted children within Grades 2 through 12 and programs for the instruction of academically gifted children within Grades 9 through 12 and programs for the instruction of creative or artistically gifted children within Grades 2 through 12 of the public elementary and secondary schools of this state. Such programs shall be designed to meet the individual needs of gifted children and shall be in addition to and different from the regular program of instruction provided by the district.

(c) "Department" shall mean the State Department of Education. (d) "Board" shall mean the State Board of Education.

HISTORY: SOURCES: Laws, 1989, ch. 447, § 3; Laws, 1993, ch. 585, § 2, eff from and after July 1, 1993.

§ 37-23-177. General powers and duties of the board of education

The board shall have the following powers, duties and responsibilities:

(a) To promulgate and enforce rules, regulations, and guidelines to implement the provisions of Sections 37-23-171 through 37-23-181;

(b) To provide technical assistance to local school district personnel in the development, implementation, evaluation, and modification of gifted education programs for gifted children;

(c) To review and approve or deny all local school district gifted education programs, or changes therein, submitted pursuant to Sections 37-23-171 through 37-23-181;

(d) To accept and distribute federal funds or funds made available from other sources;

(e) To develop certification requirements for all teaching or nonteaching personnel employed in gifted education programs;

(f) To develop staff development programs for personnel employed in gifted education programs;

(g) To collect such data from all local school districts as may be required to implement Sections 37-23-171 through 37-23-181;

(h) To disseminate information on quality gifted education programs; and

(i) To withhold funds from any school district which refuses or fails to comply with the provisions of Sections 37-23-171 through 37-23-181.

HISTORY: SOURCES: Laws, 1989, ch. 447, § 4, eff from and after July 1, 1989.

§ 37-23-179. Promulgation of rules, regulations, and guidelines; office for gifted education; implementation of programs of gifted education by local school districts; funding of programs

(1) The board shall specifically promulgate rules, regulations, and guidelines which establish model programs of gifted education and also establish minimum criteria for gifted education programs. In providing programs of gifted education, the local district may use the model programs prepared by the board or may itself develop programs of gifted education which, prior to being implemented, shall be approved by the board, provided, that no such plan or program shall be approved or continued unless it meets the minimum criteria established by the board.

(2) There is hereby created within the department an office for gifted education which shall be staffed by such professional, support. and clerical personnel as may be necessary to implement the provisions of Sections 37-23-171 through 37-23-181.

(3) All local school districts may have programs of gifted education for intellectually, creatively, and/or artistically gifted students in Grades 2 through 12 and for academically gifted students in Grades 9 through 12 approved by the board. Beginning with the 1993-1994 school year, all local school districts shall have programs of gifted education for intellectually gifted students in Grade 2, subject to the approval of the State Board of Education and the availability of funds appropriated therefor by line-item. Beginning with the 1994-1995 school year, all local

school districts shall have programs of gifted education for intellectually gifted students in Grades 2 and 3, subject to the approval of the State Board of Education. Beginning with the 1995-1996 school year, all local school districts shall have programs of gifted education for intellectually gifted students in Grades 2, 3. and 4 subject to the approval of the State Board of Education. Beginning with the 1996-1997 school year, all local school districts shall have programs of gifted education for intellectually gifted students in Grades 2, 3, 4, and 5, subject to the approval of the State Board of Education. Beginning with the 1997-1998 school year, all local school districts shall have programs of gifted education for intellectually gifted students in Grades 2, 3, 4, 5, and 6, subject to the approval of the State Board of Education. The programs shall be funded as a part of the exceptional child programs in accordance with Section 37-19-5(3). Each local school district shall include as a part of its five-year plan a description of any proposed gifted education programs of the district. State-funded teacher units for gifted education programs for the fiscal year 1994 and thereafter shall be at least the number funded for gifted education programs for the fiscal year 1993 and any additional numbers that may be funded by the appropriation of the Legislature for those programs. Additional programs above the number authorized statewide and expansion of programs using state funds shall be allowed only in years in which the funding for gifted education teacher units exceeds the number funded for fiscal year 1993. In the Minimum Education Program appropriation bill each year, there shall be a line item specifying the number of special education teacher units that are to be used for gifted education programs.

HISTORY: SOURCES: Laws, 1989, ch. 447, § 5; Laws, 1992, ch. 503, § 1; Laws, 1993, ch. 585, § 3, eff from and after July 1, 1993.

§ 37-23-181. Relationship of provisions with §§ 37-23-121 through 37-23-131

Sections 37-23-171 through 37-23-181 shall be in addition to and supplemental to the provisions of Sections 37-23-121 through 37-23-131, known as the "Mississippi Learning Resources Law of 1974."

HISTORY: SOURCES: Laws, 1989, ch. 447, § 6; Laws, 1992, ch. 396 § 3, eff from and after passage (approved April 27, 1992).

APPENDIX A

Gifted Education Program
Referral Form

MISSISSIPPI DEPARTMENT OF EDUCATION
Ensuring a bright future for every child

GIFTED EDUCATION PROGRAM
Referral Form

A student may be referred for consideration by a parent, teacher, counselor, administrator, peer, self, or anyone else having reason to believe that the student might be intellectually gifted.

Student Name _____ Age _____ Grade _____

Date of Birth _____ Student ID# _____

School _____ Teacher _____

Parent/Guardian Name(s) _____

Address _____
Street Address *City* *State* *Zip*

Phone _____ Alternate Phone _____

Referral initiated by _____ Relationship to student _____

Results from the following measures have been gathered to determine the student's referral eligibility to move forward for gifted assessment:

OBJECTIVE MEASURES

☐ Normed Group Measure of Intelligence	☐ Normed Measure of Cognitive Abilities	☐ Normed Achievement Test
MINIMUM CRITERIA: A score at or above the 90th percentile	**MINIMUM CRITERIA:** A score at or above the 90th percentile	**MINIMUM CRITERIA:** A total score at or above the 90th percentile in the areas below
Score - Percentile: _____ **ATTACH SCORE REPORT**	Score - Percentile: _____ **ATTACH SCORE REPORT**	Total Reading Percentile: _____ Total Math Percentile: _____ Total Language Percentile: _____ Total Science Percentile: _____ Total Social Studies Percentile: _____ Composite Percentile: _____
Measure: _____ Administered by: _____ Date: _____	Measure: _____ Administered by: _____ Date: _____	Measur _____ Administered by: _____ Date: _____

SUBJECTIVE MEASURE(S)

☐ Checklist of Gifted Characteristics	☐ Creativity Checklist	☐ Leadership Checklist
MINIMUM CRITERIA: A score at or above the superior range	**MINIMUM CRITERIA:** A score at or above the superior range	**MINIMUM CRITERIA:** A score at or above the superior range
Score - Percentile: _____ Measure: _____ Completed by: _____ Date: _____	Score - Percentile: _____ Measure: _____ Completed by: _____ Date: _____	Score - Percentile: _____ Measure: _____ Completed by: _____ Date: _____

LSC REVIEW OF REFERRAL DATA AND RECOMMENDATION

☐ The student has satisfied minimal criteria and shall move forward to the assessment stage. Mark the following provisions if requirements are met: ☐ Special Considerations for Gifted Identification ☐ Twice Exceptional	☐ The student has not satisfied minimal criteria on at least two measures; however, the LSC feels strongly that additional data, including individual assessment, may be collected and the student reconsidered at that time.	☐ The student has not satisfied minimal criteria on at least two measures, and the identification process shall stop.

SIGNATURES OF LSC MEMBERS

_____ Print Name	_____ Signature
_____ Print Name	_____ Signature
_____ Print Name	_____ Signature
_____ Print Name	_____ Signature
_____ Date	

APPENDIX B

Special Considerations for Gifted Identification Checklist

MISSISSIPPI DEPARTMENT OF EDUCATION
Ensuring a bright future for every child

Special Considerations for Gifted Identification Checklist

Student _____ Grade _____ Teacher _____

District _____ School _____

Date _____ Completed By _____ Relationship _____

OPTION I

A student who has been diagnosed with ADD/ADHD qualifies for the use of the special consideration assessment criteria as defined by the *Regulations for Gifted Education Programs*.

Diagnosis Date: _____ By: _____

Attach a copy of diagnosis and recommendation.

OPTION II

If the student satisfies **five** (5) or more of the following criteria, the District should follow the Special Considerations for Gifted Identification provisions provided by the *Regulations for Gifted Education Programs*.

- ☐ The student has limited English proficiency or English is not the primary language in the home.
- ☐ Non-standard English interferes with learning activities.
- ☐ There is evidence of frequent moves from one school to another or one district to another.
- ☐ Few academic enrichment opportunities are available in the home or local neighborhood.
- ☐ Home or after-school responsibilities may interfere with the student's learning activities.
- ☐ Cultural values may be in conflict with dominant culture.
- ☐ There is a lack of access to cultural activities within the dominant culture.
- ☐ The student has poor reading skills.
- ☐ The student is frequently absent.
- ☐ The student demonstrates difficulty staying on task.
- ☐ Other (medical diagnosis, foster child, death of family member, etc..) _____

ADDITIONAL DOCUMENTATION:

APPENDIX C

Gifted Eligibility Form

Gifted Eligibility Form

School District: _____ School: _____ Contact Person: _____

COMPLETED BY PARENT/GUARDIAN

Student Name _____ Age _____

Date of Birth _____ Grade Placement _____ Student ID# _____

Parent/Guardian Name _____

Address _____
Street Address *City* *State* *Zip*

Phone _____ Alternate Phone _____

Parental Consent for Testing

I have been informed in writing of the identification process for the gifted program. The Family Education Rights and Privacy Act (FERPA) has been explained to me, and I hereby consent to having my child tested in an effort to determine if a gifted eligibility can be satisfied according to criteria in the Gifted Program Regulations.

_____ _____
Parent/Guardian Signature Date

COMPLETED BY AUTHORIZED DISTRICT REPRESENTATIVE(S)

Eligibility Determination

First Submission	Second Submission
Based upon the assessment data, the Gifted Local Survey Committee has determined that this student is:	Based upon the assessment data, the Gifted Local Survey Committee has determined that this student is:
☐ Intellectually Gifted ☐ Academically Gifted	☐ Intellectually Gifted ☐ Academically Gifted
☐ Artistically Gifted ☐ Creatively Gifted	☐ Artistically Gifted ☐ Creatively Gifted
☐ Provisional Eligibility (Twice Exceptional)	☐ Provisional Eligibility (Twice Exceptional)
☐ Not Eligible for Gifted Services	☐ Not Eligible for Gifted Services
Date:_____	Date:_____
Members Present (Printed Name/Signature)	**Members Present** (Printed Name/Signature)
_____ _____	_____ _____
_____ _____	_____ _____
_____ _____	_____ _____
_____ _____	_____ _____

Upon signatures from authorized district personnel, the eligibility determined above is the official ruling for the aforementioned student in the state of Mississippi. The original form should be placed in the gifted student file and a copy should be placed in the cumulative record.

APPENDIX D

Gifted Education Program Proposal

MISSISSIPPI DEPARTMENT OF EDUCATION
Ensuring a bright future for every child

GIFTED EDUCATION PROGRAM PROPOSAL

Mississippi Department of Education ○ Office of Elementary Education & Reading

District _____ Phone _____

Gifted Contact Person(s) _____

INTELLECTUALLY GIFTED		
Check the categories of instruments to be used during the identification process. Complete the name of the instrument(s) and minimal score. If needed, a list can be attached.		
Category	Name of Instrument	Score or Percentile
Group intelligence test(s)		
Characteristics of giftedness checklist		
Measure of creativity		
Measure of leadership		
Achievement test(s)		
Individual test of intelligence		
Other measures		

ACADEMICALLY GIFTED		
Check the categories of instruments to be used during the identification process. Complete the name of the instrument(s) and minimal score. If needed, a list can be attached.		
Category	Name of Instrument	Score or Percentile
Group achievement test(s)		
Individual achievement test		
Portfolio*		
*A copy of the rubric that will be used to evaluate the portfolio, including the minimal acceptable score, must be submitted for approval with the program proposal.		

ARTISTICALLY GIFTED		
Check the categories of instruments to be used during the identification process. Complete the name of the instrument(s) and minimal score. If needed, a list can be attached.		
Category	Name of Instrument	Score or Percentile
Measure of creativity		
Measure of ability in visual arts		
Portfolio*		
*A copy of the rubric that will be used to evaluate the portfolio, including the minimal acceptable score, must be submitted for approval with the program proposal.		

CREATIVELY GIFTED

Check the categories of instruments to be used during the identification process. Complete the name of the instrument(s) and minimal score. If needed, a list can be attached.

Category	Name of Instrument	Score or Percentile
Measure of creativity		
Measure of ability in performing arts		
Portfolio*		

*A copy of the rubric that will be used to evaluate the portfolio, including the minimal acceptable score, must be submitted for approval with the program proposal.

TYPES OF PROGRAM(S)

Check all that apply for the district and indicate the grade level(s) in which each program will be implemented:

Program	Grade Level(s)
Intellectually Gifted Resource*	*Mandated in grades 2-6
Academic Placement*	*Available in grades 9-12 only
Artistically Gifted Resource	
Creatively Gifted Resource	
Dual Enrollment	
Independent Study	
Mentorship	

APPROVAL OF PROPOSAL

Superintendent Signature _____ Date _____

GEP Contact Person's Signature _____ Date _____

MDE USE ONLY

Gifted Specialist _____ Date _____

Bureau Director's Signature _____ Date _____