

Special Education for Gifted Students

SUBJECT: Special Education for Gifted Students
22 Pa. Code Chapter 16

DATE OF ISSUE: March 26, 2003

PURPOSE

The purpose of this Circular is to clarify responsibilities placed upon school districts with regard to the provision of gifted education. Forms to be used by districts in connection with the provision of gifted education, as well as formats which districts may modify to fit their specific circumstances, are attached at the end of this circular. Districts should review Chapter 16 in detail for a complete understanding of gifted education requirements.

The responsibilities fall into the following four general categories:

1. Identify and evaluate gifted students.
2. Develop a Gifted Individualized Education Program (GIEP) for each gifted student.
3. Determine educational placement based upon each gifted student's individual needs.
4. Safeguard gifted students' due process rights.

(1) Identify and Evaluate Gifted Students

School districts are required to identify all students of school age (grades K-12) within their boundaries who are thought to be gifted. Districts must conduct awareness activities to inform the public of gifted education services and programs, as well as how to request these services and programs. Districts should distribute information using a public outreach awareness system that has sufficient capacity to reach all parts of the parent/guardian community, including parents/guardians of school age children not enrolled in the public schools.

If teachers or parents suspect that a student is gifted, the district must refer that student for a Gifted Multidisciplinary Evaluation (GMDE), provided that either the student's parents have requested evaluation or the student is thought to be gifted as a result of the district's screening. If a student is referred for a GMDE, the district must comply with the notice and consent requirements set forth in Sections 16.61 and 16.62.

The GMDE, which is to be completed by the Gifted Multidisciplinary Team (GMDT), must be sufficient in scope and depth. GMDE procedures should include opportunities to acquire sufficient information to make a determination as to whether a student is gifted and in need of specially designed education. The GMDE may include, but is not limited to, ability tests, nationally normed and validated achievement assessments, individualized achievement assessments, class work samples, curriculum based assessments, cumulative review tests, performance based skills as demonstrated in portfolios, products, projects, competitions, or other demonstration of skills, teacher observations, noteworthy achievements and parental input.

Mentally gifted students include those with an IQ of 130, who also meet additional criteria set forth in Department Guidelines. If a student's IQ is less than 130, these additional criteria must strongly indicate gifted ability in order for that student to be admitted to a gifted program. Because disabilities and bias factors may mask gifted abilities, districts are

cautioned to examine discrepancies between ability assessment results and academic achievement or demonstrated skills. 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.

Following its evaluation, the GMDT prepares a Gifted Written Report (GWR), including recommendations as to whether a student is gifted and in need of specially designed instruction. The GWR becomes the basis for the Gifted Individual Education Program (GIEP) team's determination as to whether the student is gifted and in need of specially designed instruction. Disagreement over identification should be resolved amicably within the GIEP team whenever possible and, when disagreements cannot be resolved, parents should be reminded of their parental rights of mediation and/or due process.

(2) Develop a Gifted Individualized Education Program (GIEP) for each Gifted Student

Districts must appoint a GIEP team to review the GMDT recommendations. If the GIEP team determines that a student is gifted, it must develop a GIEP for that student.

Specially designed instruction for gifted students may result in the adaptation or modification of the general curriculum, including compacting learning experiences, accelerating the student, or placing the student in more than one grade level. Specially designed instruction may also have an impact on instructional environments, methods, and materials. 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.

Gifted education must be *individualized* programming that addresses the gifted learner's need for acceleration, enrichment, or both to accommodate the student's individual academic abilities. Gifted programming must be "reasonably calculated to yield meaningful educational benefit and student progress". (22 Pa. Code §16.1(vii)). Strands of the Chapter 4: Academic Standards and Assessments may need to be reorganized across grade levels to allow the gifted student to show mastery at an earlier stage of development and to provide meaningful educational benefit of at least one year's growth for a year spent in school. Chapter 4 also requires acceleration, enrichment, or both for gifted students. (22 Pa. Code § 4.28(b).) This individualized program should be presented as a continuum of learning options for the gifted learner.

(3) Determine Educational Placement Based upon each Gifted Student's Individual Needs

Students who are exceptionally 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. Additionally, credit by examination may be an option to determine appropriate educational assignment. Graduation planning may need to be part of the GIEP 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.

(4) Provide Procedural Safeguards for Gifted Students

School districts must provide notice to the parents of gifted students at least 10 school days prior to:

- conducting a GMDE;
- conducting a gifted multidisciplinary reevaluation;
- initiating or changing the identification, evaluation or educational placement of a student;
- refusing to initiate or change the identification, evaluation or educational placement of a student; or
- making any significant changes to the GIEP.

Additionally, districts must obtain written parental consent prior to conducting a GMDE or placing a student in a gifted program. The forms for notice and consent are attached below. Parents may request an impartial due process hearing if they disagree with the district's identification, evaluation or placement of a student, or the provision of services to a gifted student.

Gifted Education Program Assistance Review and Visitation Process

The Department of Education has developed a Gifted Education Program Assistance Process to aid districts with their efforts to achieve and maintain Chapter 16 compliance.

The following criteria will be used to select the school districts to be reviewed each year:

- Gifted Education Program Assistance requested by the school district,
- Requests for assistance filed by parents,
- Chapter 16 violations, and
- Random selection.

The Gifted Education Program Assistance Process includes a Self-Assessment Instrument and an on-site review by Department Gifted Liaisons. The Self-Assessment Instrument has four sections: an administrative review, a gifted education program review, administrative and instructional staff review, and a visitation review. Upon completion of the Gifted Education Program Assistance Review and Visitation Process, the Gifted Liaison will make a report to the school district and to the Department. The report will identify deficiencies and suggest follow-up activities to assist the district in achieving compliance with the help of Department resources.

REFERENCES:

State Board of Education Regulations

[22 Pa. Code 4.28\(b\)](#)

[22 Pa. Code §11.12](#)

[22 Pa. Code Chapter 16](#)

Public School Code of 1949

24 P.S. § 13-1371

ATTACHMENTS:

Gifted Education Program Self-Assessment Instrument ([Word](#)) ([PDF](#))

Department Guidelines for the Education of Mentally Gifted Students (Available 8/31/03)

Forms

Notice of Parental Rights
Permission to Evaluate
Notice of Intent to Reevaluate
Invitation to Participate in GIEP Team Meeting
Notice of Recommended Assignment - NORA

Formats

Gifted Written Report (GWR)
Gifted Written Report (GWR) --- Annotated
Gifted Individualized Education Program (GIEP)
Gifted Individualized Education Program (GIEP) --- Annotated
Gifted Individualized Education Program (GIEP) --- Model
Each of the above is available under Forms and Formats at:
(http://www.portal.state.pa.us/portal/server.pt/community/gifted_education/7393)

CONTACT BUREAU/OFFICE:

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