

**OFFICE OF CHIEF ACADEMIC OFFICER**  
**Summary of State Board of Education Agenda Items**  
**Consent Agenda**  
**December 21, 2023**

**OFFICE OF ELEMENTARY EDUCATION**

- D. Approval to revise the Regulations for Gifted Education Programs  
(Has cleared the Administrative Procedures Act process with public comments)

Background Information: The purpose of the revision of the current regulations is to update requirements and processes to identify potentially gifted students for Local Education Agencies (LEAs). As well as provide LEAs guidance on implementation requirements for Gifted Education Programs (GEP). The updates to the regulations are based on recommendations made by Mississippi district personnel. As the regulations are revised and approved by the State Board of Education, the modifications will be disseminated to the appropriate individuals in the educational community. An up-to-date copy of the GEP regulations shall be kept on file at the Mississippi Department of Education.

The public comment period was open from October 23, 2023, through 5:00 p.m. November 27, 2023. Based on the public comments received minor changes were made to the document.

Recommendation: Approval

Back-up material attached

## APA Comment Summary on 2023 Gifted Education Program Regulations

The Office of Elementary Education and Reading received the following APA comments about the 2023 Gifted Education Program Regulations.

Summary of Comment	MDE Response
<p>330 minutes - Does this include planning time or is this instructional minutes? If instructional minutes, this is not possible with recess and planning requirements. Will a district be docked if not able to achieve 330 instructional minutes?</p> <p>Previous regulations say 300 minutes is recommended. Why is it now listed at 330 minutes?</p>	<p>330 Minutes does include planning time. This will be clarified in the proposed GEP regulations.</p>
<p>Page 45 “The recommended time for gifted instruction is 330 minutes per week. Suggestion: The recommended time for gifted instruction, <u>including planning time</u> is 330 minutes per week.</p>	<p>See the previous response regarding required instructional minutes.</p>
<p>Gifted Time: The requirement for a minimum of 270 minutes per week may cause scheduling trouble for schools using the every-day format for gifted instruction, especially at the middle school level, which for our school includes both 5th and 6th grades.</p>	<p>The language will be changed from required to recommended.</p>
<p>Page 46 “Artistically gifted or creatively gifted students are provided services by a properly endorsed teacher in a self-contained classroom for a recommended 300 minutes per week, or a required minimum of 240 minutes per week. Suggestion: This should reflect the change to 270 minutes minimum and 330 minutes recommended.</p>	<p>This is an error and will be corrected in the approved GEP regulations to reflect 270 minutes and 330 minutes.</p>



## APA Comment Summary on 2023 Gifted Education Program Regulations

Summary of Comment	MDE Response
I would like some clarification about the time requirements on page 68. The current standard is 240 minutes. Is this moving to 270? Shouldn't this affect teacher allocation? If more time is required, then we may need more teachers to serve students. Also, our 6th graders are on middle school campuses. 240 minutes is the most they can serve giving the scheduling--5 days at a 48 minute period.	Changing the language from required to recommend would address the scheduling issues with GEPs in middle schools.
On page 3 it states, "No single evaluation method or instrument adequately identifies students who are gifted." With that statement in mind, how can students get to phase 2 only using GRS alone? This is before the IQ test is considered.	Language in the regulations will allow school districts to use their discretion in determining the use of objective and subjective measures to move students to the IQ test. This should become part of the districts policy for gifted screening.
What made the determination to go from 3 areas to 2 areas for phase 1 eligibility?	This was an error and will be corrected to reflect the required number of criteria for eligibility.
Page 15, Data Collection: I hope this is not saying students only need to meet two referral criteria instead of the three as is currently required. Please keep the requirement of meeting three referral criteria to move to individual testing by psychometrist.	See the previous response regarding eligibility requirements.
Data Collection: Same concern as I expressed regarding mass screening data collection. Keep the THREE required referral criteria	See the previous response regarding eligibility requirements.
On pages 14 and 15, there is a discrepancy between how many indicators must be met in order to proceed. In the past, a student must have met three indicators to proceed for individual testing. Page 14 indicates ONE and page 15 indicates TWO. The correct number, be it two or three, needs to be specified. I'm sure that this needs to be corrected across all four areas--Intellectual, Artistic, Creative, and Academic.	See the previous response regarding eligibility requirements.

## APA Comment Summary on 2023 Gifted Education Program Regulations

Summary of Comment	MDE Response
On individual referrals the person initiating the referral must sign the referral page, for what purpose? Will a Google Form or a direct email suffice as a "Signature"? Why is there no line on the referral form in Appendix A?	A signature is needed to validate the referral. A signature line will be included on the referral form in Appendix A.
Individual referrals require written parental permission for testing before phase 1 begins, and mass referrals require written parental permission for testing after phase 1 is complete? Why is that?	A signature is needed acknowledging that parent/guardian(s) are aware of the assessment process.
Why is a GPPDS mentioned in the regs and referred to several times, but the actual form is called Gifted Eligibility?	The GPPDS will be corrected throughout the document to read Gifted Eligibility.
Page 8 as well as other pages throughout the document: if GPPDS is being changed to Gifted Eligibility Form need to be sure to change each GPPDS to Gifted Eligibility Form	See the previous response regarding this correction.
GIFTED PUPIL PERSONNEL DATA SHEET (GPPDS) 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. Change the name of the sheet to <b>Gifted Eligibility Form</b> .	See the previous response regarding this correction.
All references to the GPPDS need to be replaced with GEF (Gifted Eligibility Form). This should be consistent throughout the document. I would also like to request requiring a copy of this form be placed in the cumulative record for the student as many gifted students are missed when transferring from school to school, especially if parents do not specifically request services.	See the previous response regarding this correction.

## APA Comment Summary on 2023 Gifted Education Program Regulations

Summary of Comment	MDE Response
On class size requirements, there are no requirements, only recommendations. Is there not a firm maximum? More than 15 just requires additional documentation. Can we add a firm maximum to keep program integrity?	“Recommendation” allows flexibility for districts with unique needs regarding student population. Instructional practices impact the program integrity not class size.
<b>CLASS SIZE:</b> 1) Districts must electronically submit teacher schedules on 2 different dates. Districts already input teacher schedules into MSIS. Why doesn't MDE just pull them from MSIS? Why do we need an extra step at the district level? 2) The first section about class size says districts must submit justification if more than 15 students per class, but 5 pages later under the same heading it says recommendation increased to allow for up to 60 students while maintaining the integrity of program. These areas need to be the same to reduce confusion	It is necessary to submit the schedules twice for verification purposes. This information is critical in ensuring proper coding in MSIS for MAEP funding.  Sixty students is the maximum number in the GEP, not in a single class setting. See previous response regarding program integrity.
The maximum number of students that a teacher could have on their roster was 60. That has been removed. Will we have a maximum? Is the new maximum 75 (15x5)?	No, there will not be a new maximum of 75 students.
On Option 2 for both individual and mass referrals, it states that a student does not have to meet the two criterias and could take an individual assessment. My question is so students do not HAVE to meet 2 criterias if the LSC sees fit to move forward to IQ testing?	See the previous response regarding eligibility requirements.
Page 12 says any student transferring into MS with a score at or above the 91st percentile on an IQ test shall be ruled eligible and placed. Does that mean the student does not have to satisfy TWO of the referral criteria (both objective and subjective measures)?	See the previous response regarding eligibility requirements.

## APA Comment Summary on 2023 Gifted Education Program Regulations

Summary of Comment	MDE Response
<p>In regard to the requirement of "a combination of objective measures and subjective measures," which are referenced on page 3, page 6, page 13, page 21, page 25, and page 71, I always understood this to mean that we needed to include <u>both</u> objective <u>and</u> subjective measures, not just one or the other, in order to meet the referral criteria. However, this past year, we were told we could use only subjective measures (<i>SIGS-2</i> general intellectual ability, creativity, and leadership sections) without any additional objective assessment in order to satisfy the three required referral criteria prior to the IQ assessment stage. The new regulations still use the same language as the 2013 regulations, making it sound as though we still need at least one objective measure in the referral stage. I don't really feel comfortable using only the <i>SIGS-2</i> (subjective measure) unless the wording is updated to say "objective <u>and/or</u> subjective measures" so that it's clear that an objective measure is not required as long as the student satisfies the required number of criteria on a subjective measure. My question is still this: Is an objective measure required in the referral stage?</p>	<p>See the previous response regarding the districts use of subjective and objective measures.</p>
<p>Page 13 - Stage 2: Data Collection</p> <p>The next step in the process will consist of the collection of substantiated student data obtained through 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 ONE of the following referral criteria before moving</p>	<p>See the previous response regarding eligibility requirements.</p>

## APA Comment Summary on 2023 Gifted Education Program Regulations

Summary of Comment	MDE Response
<p>forward to the LSC Review of Referral.</p> <p><i>The 2013 regulations stated, "a student shall satisfy TWO of the following criteria...". If the criteria is being changed to ONE, are we lowering the standards for gifted eligibility? If we are lowering the standards, we would prefer to keep the criteria at TWO and lower the accepted percentage on the screener.</i></p>	
<p>In regard to out-of-state transfers on page 5, I am confused about the following statement: "Once gifted eligibility in another state has been documented, the student shall be moved to Stage 5 of Identification of Intellectually Gifted Students (page 20)." Stage 5 is the assessment team report, so this statement sounds as though we would always accept the out-of-state eligibility even if it doesn't meet our MS requirement of 91st percentile on the IQ test. Prior to this statement, the paragraph sounds like we can accept the out-of-state eligibility <i>only</i> if it meets the MS requirement of 91st percentile on an IQ test.</p>	<p>Intellectually gifted students from out of state, will be accepted into the MS GEP if they have met the 91<sup>st</sup> percentile on an IQ test. These students will no longer be required to be reassessed for the GEP in the state of Mississippi.</p>
<p>Also in regard to out-of-state transfers, in the past when a student transferred from another state with a gifted ruling, even if their out-of-state evaluation satisfied our criteria, we were still required to re-evaluate the student with an IQ test here to determine eligibility in MS. Do the new regulations now mean that we are not required to administer an IQ test here if their previous IQ test from the previous state meets our criteria?</p>	<p>See the previous response regarding out of state transfers.</p>

## APA Comment Summary on 2023 Gifted Education Program Regulations

Summary of Comment	MDE Response
<p>There is no temporary placement in the gifted program while the student goes through the eligibility process within the local district. This statement is in direct opposition to the Military Interstate Compact</p> <p><b>Please consider the following to justify changes requested regarding Out of State Transfers:</b></p> <p>Gov. Tate Reeves, signed Executive Order NO. 1561- Military Star School Program on February 21, 2022. Twelve Mississippi school districts currently have been awarded Military Star School Status, but there are military students located in school districts all over Mississippi that should be given the same considerations.</p> <p>The Military Star School program is designed to help schools respond to the educational and social-emotional challenges military-connected children face during their transition to a new school and keep them on track to be college, workforce, and life-ready.</p> <p>For Military Star Districts, the Military Interstate Children’s Compact is put in place and focuses on key educational transition issues to allow for uniform treatment of military students alongside their civilian peers.</p> <p>Article V-Placement &amp; Attendance of the MIC3 Rules for Course and Educational Program Placement states, “The Compact <u>requires the student be placed in courses and programs based on prior enrollment</u>. The receiving state <u>may perform evaluations to ensure the appropriate placement and the student’s continued enrollment in the course or program</u>.</p> <p>The Mississippi 2013 Gifted Regulations and 2023 Draft Gifted Regulations, out for APA,</p>	<p>The language in the proposed regulations will be revised to include students who fall under the Military Interstate Compact.</p>

## APA Comment Summary on 2023 Gifted Education Program Regulations

Summary of Comment	MDE Response
<p>require that students from Out of State meet the 91st percentile for placement or be retested and meet Mississippi gifted placement criteria. For a Military child that has been served in a gifted program through the DODEA/DODDS or a public school in another state to be placed in a Mississippi gifted program in compliance with the Compact, subsequently evaluated, and possibly removed from the program, serious emotional harm could result. This is also true for out-of-state transfer students with no military connections.</p> <p><b>Possible Wording:</b>  <b>Military family students and other Out of State Transfer students with documentation of gifted placement be awarded reciprocal eligibility for placement in Mississippi Gifted Education programs.</b></p> <p><b>Please refer to information compiled and suggestions offered by Emily Nelson for this possible wording:</b></p> <p>“Students transferring to a Mississippi school who successfully completed the intellectually, academically, artistically, or creatively gifted identification process of the DoDEA or other “out of state” school district and have a current gifted eligibility should be placed in the most comparable program offered by the school.</p>	
<p>Out-of-state students that satisfy the referral criteria in Mississippi and score in the 91<sup>st</sup> percentile shall be placed in the gifted identification process.</p>	<p>See the previous response regarding out of state transfers.</p>

## APA Comment Summary on 2023 Gifted Education Program Regulations

Summary of Comment	MDE Response
Out-of State Transfer Students: Could the exact process for what to do with a transfer student who was ruled as gifted using academically-gifted criteria versus intellectually-gifted criteria be made clearer?	See the previous response regarding out of state transfers.
Can we please clarify what constitutes the 91% on a level C test? For instance-I have a student from Florida who qualified using the Verbal (expanded crystallized) Index (VECI) on the WISC-V. Different states use so many different ways to qualify children that I am concerned there will be quite a bit of confusion knowing what to use from each test.	Any portion of the previously administered IQ test where the student scored in the 91 <sup>st</sup> percentile would count.
P. 13 says “All information/data collected as part of the identification process shall be placed in an individual eligibility file for each student. These files.....etc.....shall not be placed in the student’s cumulative record folder.” Does this include the GPPDS?	The GPPDS should be kept in the gifted file. The district can decide whether or not to include the GPPDS in the cumulative folder.
Gifted File Requirements: Could it be made clear exactly what “original protocols” means? Does this mean the answer sheet (or whatever the student wrote on), or does it mean a test booklet? For some of the tests, the test booklet is reused, and the student only writes on the answer sheet, especially in the upper grades. Requiring that the test booklet be included in each file in those cases would greatly increase the cost of referrals to districts.	Further clarification regarding file requirements will be provided during gifted trainings and virtual office hours.
Page 15 and Page 21 Suggestion: The criteria for Mass Screening and Individual Referrals should be a total of <u>three</u> measures.	See the previous response regarding referral criteria.



## APA Comment Summary on 2023 Gifted Education Program Regulations

Summary of Comment	MDE Response
<p>Pages 18 and 24 #2 says to name at least three measures from Stage 1. Should it say TWO measures?</p>	<p>See the previous response regarding referral criteria.</p>
<p>The student has satisfied minimal criteria on at least <del>two</del> THREE measures and shall move forward to the assessment stage.</p> <p><b>OPTION TWO</b> The student has not satisfied minimal criteria on at least <del>two</del> THREE measures; however, the LSC feels strongly that additional data, including individual assessment, may be collected and the student reconsidered at that time.</p> <p><b>OPTION THREE</b> The student has not satisfied minimal criteria on at least <del>two</del> THREE measures, and the identification process shall stop.</p> <p>the LSC must verify that the student satisfied minimal criteria on THREE measures for the student to move forward in the referral process. This would include the scores from the mass screening as well as two additional measures from the Data Collection options in the list above.</p> <p>To indicate that the student needs “at least two,” is misleading and would result in students moving forward to the assessment stage not having met referral requirements.</p>	<p>See the previous response regarding referral criteria.</p>
<p>On page 17 and page 23, #2 still says "name of at least <u>three</u> measures from Stage 1: Referral." Should this now say "<u>two</u> measures" instead of three?</p>	<p>See the previous response regarding referral criteria.</p>

## APA Comment Summary on 2023 Gifted Education Program Regulations

Summary of Comment	MDE Response
<p>Students participating in the Individual Identification Process shall satisfy <del>TWO</del> THREE?. Question: TWO? Does this mean that a student only needs 1 objective measure and 1 subjective measure in order to get to the IQ Assessment stage?</p>	<p>See the previous response regarding referral criteria.</p>
<p>Individual Referrals: The wording has been changed from “Students...shall satisfy three of the following criteria...” to “Students...shall satisfy three of the following criteria, including both objective and subjective measures....” Our school feels that requiring the student to have qualifying scores on both objective and subjective measures, instead of simply requiring three qualifying scores from any of the approved measures, would seriously reduce the efficacy of individual referrals. In our experience, some students do not score well on the objective screeners, but the person referring may rate the child highly on gifted traits, and indeed, the child may then make a qualifying score on an individual intelligence test. We are also concerned that requiring both subjective and objective measures to move a student forward to individual assessment would hinder our efforts to identify more underachieving students and students from diverse backgrounds. Sometimes these students do not score well on objective screening tests, but those who refer them know them well enough to have seen the traits of a gifted learner in their behaviors. We are especially concerned about these students since they sometimes have the most need of services to ensure that they have every opportunity to meet their potential.</p>	<p>See the previous response regarding referral criteria.</p>

## APA Comment Summary on 2023 Gifted Education Program Regulations

Summary of Comment	MDE Response
<b>TWO?</b> Does this mean that a student only needs 1 objective measure and 1 subjective measure in order to get to the IQ Assessment stage?	See the previous response regarding referral criteria.
Page 21 says that students with individual referrals shall satisfy both objective and subjective measures, so can a student get to the IQ test on GRS scores alone?	See the previous response regarding referral criteria.
A student shall satisfy <del>ONE</del> <b>TWO</b> of the following referral criteria before moving forward to the LSC Review of Referral Data Stage: (Note: Should this be <u><b>TWO</b> measures in addition to the screener or is the requirement going to be only 2 measures? One being objective and the other subjective?</u> ) <u>If the requirement is being lowered to just 2 measures, ignore the notes below.</u>	See the previous response regarding referral criteria.
Currently, the list states the student must satisfy 5 of the criteria on the checklist. Can that number be decreased? (i.e., a student whose parent(s) died during the school year but may not meet 4 other criteria.	See the previous response regarding referral criteria.
Page 21- Stage 3 lists one of the criteria as a score at or above 90th percentile on an individual intelligence test administered within the last 12 months. If the score is at or above the 91st percentile, would this not satisfy the IQ test in stage 5? If so, can it be used in both stage 3 and stage 5?	Further clarification regarding score requirements will be addressed during trainings and virtual office hours. This will not impact the proposed regulations.
In regard to page 15 and page 22, does "Option Two" mean the student can go ahead and move to the IQ test if the LSC decides it even without satisfying two referral criteria first? Option Two uses the words, "individual assessment," which often refers to the IQ test, so it sounds like the LSC has the authority to move a student	See the previous response regarding referral criteria.

## APA Comment Summary on 2023 Gifted Education Program Regulations

Summary of Comment	MDE Response
<p>forward to the IQ even without meeting at least two referral criteria. I just want to be sure I'm understanding that correctly. The words, "individual assessment," may not be intended to include the IQ test, but it is unclear.</p>	
<p>What is the difference between a normed group measure of intelligence and a normed measure of cognitive abilities? Please name specific tests as examples</p>	<p>The MDE cannot name specific examples of assessments. This will be addressed in future trainings and virtual office hours.</p>
<p>What is the time limit for keeping eligible and ineligible folders?</p>	<p>Records should be kept at least five years after the students exit the GEP. This language will be included in the proposed regulations.</p>
<p><b>DESTRUCTION OF FILES:</b> Thank you for addressing this! May we please clearly address not only files of eligible students, but also the Ineligibles, the mass screening answer sheets of those not referred, and the stopped files (that did not move on for testing).</p>	<p>Consideration will be made to include the additional files and documents when addressing file storage and disposal.</p>
<p>Page: 13 "The files shall be maintained in a separate locked storage facility/file cabinet in a central location within the district..." Suggestion: Please add the option to store student files in a secure electronic storage location.</p>	<p>See the previous response regarding file storage and disposal.</p>
<p><b>Possible problem:</b> If each district decides on their own maintenance and destruction of files policy, there will be no continuity within the state. Better that this should be included in the regulations.</p> <p><b>Possible solution:</b> Three years after a student graduates, ineligible folders can be destroyed and eligible folders can be released. Notification of release of folders shall be made through notification on</p>	<p>See the previous response regarding file storage and disposal.</p>

## APA Comment Summary on 2023 Gifted Education Program Regulations

Summary of Comment	MDE Response
the school district website and through an additional local source.	
Gifted Program Policy: Regarding item 4. Maintenance and destruction of gifted student files, a statewide policy is needed for how long files should be kept and timeline for destroying them	See the previous response regarding file storage and disposal.
On page 6, it is stated that gifted files shall be maintained in a separate, locked storage location at the central office. We have done this in the past; however, I have ceased making two copies of each file for storage space. Each teacher maintains a locked storage cabinet with their own files. This assists them with matching records to class rolls and ensuring that each student has a Permission to Place form on file, etc. I would like this removed or changed OR I would like some clarification as to what forms and records the teacher is required to maintain in the classroom. Also concerning records, I would like for clarification as to which records should be maintained--eligible and ineligible and for how long.	See the previous response regarding file storage and disposal.
What is the process for removal of a gifted student? In previous regs, it was if student wasn't showing significant progress and could be reentered at anytime.	Removal of students from the GEP is addressed on page 53 of the proposed regulations.
Page 3: Please correct name <u>from</u> Pam Pate <u>to</u> Pam Pape under list of contributors.	The correction will be made from Pate to Pape.

## APA Comment Summary on 2023 Gifted Education Program Regulations

Summary of Comment	MDE Response
<p>Assessment Timeline: It may be very difficult to complete referrals at the end of the assessment period, because there are only a few weeks between June 30 and the beginning of the fall semester and November 30 and the beginning of the spring semester, and several of those weeks are school holidays. Also, could there be some kind of provision to account for times when, for example, parents do not return paperwork in a timely manner? Finally, could it be clarified exactly when a referral begins? (Is this from the date on the original referral document?)</p>	<p>Language in the proposed regulations will be revised to: The students should be assessed within 90 school days from the receipt of a signed referral form.</p>
<p>Assessment Timeline: I suggest clarifying that for the Fall Semester Eligibility a student would not have to wait until the fall term to be placed and begin participating in gifted classes. Similarly for the Spring Semester Eligibility. As a parent, if my child was ruled eligible in December, I would want them to participate as soon as possible, thereby meeting their educational needs. Most districts will use the current wording and charts to wait to serve the student. Teachers of the gifted should be able to accommodate incoming students at any time during a term, especially since the curriculum includes leadership and interpersonal relationships; hence, other students could be mentors for new students, etc.</p>	<p>Language in the proposed regulations would specify that gifted services will begin as soon as the permission to serve form is signed by the parent/guardian.</p>
<p><b><i>Gifted teacher units are funded based on enrollment on December 1 for the upcoming school year (for example gifted enrollment numbers on December 1, 2023 will be used to determine funding for the 2024-2025 school year). Due to the size of our district, we screen all 2nd graders during October/November. It would be difficult to complete the assessment process</i></b></p>	<p>For MAEP funding purposes, the schedule for all MSIS submissions is set by the MDE. Submissions after the deadline would impact districts' teacher unit allocations for the next fiscal year. It is critical that GEP data is entered in a timely manner to ensure adequate funding for all programs funded through MAEP.</p>

## APA Comment Summary on 2023 Gifted Education Program Regulations

Summary of Comment	MDE Response
<p><i>by November 30 for these students. It would also increase our numbers in our gifted program for the current year, causing teachers to be over the 60 students per teacher maximum. We can push back our screening until the spring, but it will increase the stress on teachers mass screening 1st and 2nd grade in the spring, along with all individual referrals. Once parents find out that if a child is referred between July 1-November 30 and qualifies and will be in Venture in the spring, we could see all parents referring students at that time. We are concerned about the increase we may see in our gifted numbers in January causing teachers to be over the 60 student maximum. It is definitely problematic adding students to the program for the spring semester when teachers may be at their maximum student numbers already.</i></p>	
<p>For the purposes of the assessment timeline, referrals begin on the day that a student is referred by anyone believing that the student may be intellectually gifted.</p> <p><b>Possible Problems:</b> As many variables connected to school schedules will determine whether timelines based on specific months may be appropriate in all Mississippi school districts, it might be more appropriate to specify that the timeline begins when formal referral papers are signed and dated.</p> <p><b>Possible Wording:</b> For purposes of the assessment timeline, referrals begin on the date referral papers are signed and dated. The timeline from the receipt of signed and dated referral papers to completion of the</p>	<p>See the previous response regarding referral date.</p>

## APA Comment Summary on 2023 Gifted Education Program Regulations

Summary of Comment	MDE Response
<p>assessment process shall be no longer than (Four? Five?) months with placement of eligible students by the beginning of the next semester.</p> <p>In the event the timeline is not met for a student, justification shall be included in the final paragraph of the assessment report.</p>	
<p>Appendix A: Referral Form: (1) Remove "Gender" from form. (2) Referral initiated by: Please clarify if signature required or printed name.</p>	<p>Race and gender will be removed from the referral form.</p> <p>See the previous response regarding Appendix A: Referral Form signature.</p>
<p>Appendix C: Gifted Eligibility Form: Remove "Gender" from form.</p>	<p>See the previous response regarding gender.</p>
<p>Appendix D, page 61: Incorrect title. Should be Gifted Education Program Proposal</p>	<p>See the previous response regarding change of titles to be consistent throughout the proposed regulations.</p>
<p>The Emerging Potential Checklist renaming to Disadvantaged Identification Students has a negative connotation. If there is a name change, can the name have a positive or neutral connotation? (i.e., Marginalized Student Checklist)</p>	<p>The Emerging Potential Checklist will be renamed to Special Consideration for Gifted Identification Checklist and will be consistently referred to as such throughout the proposed regulations.</p>
<p>In regard to "Disadvantaged for Gifted Assessment," this appears to be the new terminology for what was previously called "Emerging Potential for Gifted." However, page 13 still references "Emerging Potential for Gifted criteria," so that wording may need to be updated.</p>	<p>See the previous response regarding Emerging Potential.</p>



## APA Comment Summary on 2023 Gifted Education Program Regulations

Summary of Comment	MDE Response
<p>Consistency</p> <p>for the Emerging Potential for Gifted criteria as "At a Disadvantage for Gifted Testing,"</p>	<p>See the previous response regarding Emerging Potential.</p>
<p>Disadvantaged for Gifted Identification Checklist (page 13 and Appendix B). While we can never have an exhaustive list, I do feel that the current list should be expanded to include foster care, McKinney-Vento, 504, and dyslexia as separate check boxes. As it is, all of these fall under "OTHER". I would like to keep the "OTHER" box as an option as well because there are some circumstances that may warrant this designation.</p>	<p>"Other" will be included on the new Special Considerations for Gifted Identification Checklist.</p>
<p>Emerging Potential for Gifted Checklist: Especially if the new regulations require students meet both subjective and objective measures in the screening process, we would request that the emerging potential for gifted checklist be modified to include more factors that might affect student scores. This might help to offset disadvantages for underachieving and / or socially or economically disadvantaged students.</p>	<p>See the previous response regarding objective and subjective measures.</p>
<p>In regard to page 25, "Potentially Twice-Exceptional Students," it says a student who already qualifies under IDEA can be granted a provisional eligibility for gifted if "in the opinion of the reviewing committee" he/she "would benefit from participation." Am I correct that this means the IDEA student is not necessarily required to meet the IQ score criteria of 91st percentile or the additional measure that's required for the disadvantaged</p>	<p>Further clarification regarding students who fall under IDEA will be addressed in future trainings.</p>

## APA Comment Summary on 2023 Gifted Education Program Regulations

Summary of Comment	MDE Response
<p>students who don't meet 91st percentile on the IQ? Are we allowed to go ahead and determine a provisional eligibility just based on our opinion that they would benefit from participation?</p>	
<p>Page 25 - Private Assessment</p> <p>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.</p> <p>Referral</p> <p>Districts shall collect private testing data to meet requirements of the objective measure of the referral criteria. Additional data shall be collected, and students moved to Stage 4: Assessment.</p> <p>Eligibility</p> <p>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 GPPDS</p> <p><i>This is a new section in the gifted regulations. We would like to only accept private testing that includes stage 1-s. If we accept outside data for referrals, we may see an increase in how many students we conduct IQ testing on. If a parent wants to privately assess, we feel the whole process should be completed privately, not just the referral data.</i></p>	<p>Private Assessments is addressed in the proposed regulations. School districts must adopt their own policy regarding private assessments.</p>

## APA Comment Summary on 2023 Gifted Education Program Regulations

Summary of Comment	MDE Response
<p>There is also a section on this topic on page 45 - Independent or private testing (<i><b>this needs to all be combined into one section</b></i>)</p> <p><i>For those students being privately tested, does their gifted file require the same items as all others? For example, gifted files require the original protocols -do we need to get that on those who are privately tested?</i></p>	
<p>Districts shall have a policy regarding private assessment data. Add to required policies on (Page 49)</p>	<p>See the previous response regarding private assessments.</p>
<p><b>INDEPENDENT OR PRIVATE TESTING</b>  <b>Comment:</b> The section below is found towards on <b>page 45</b>. It could be placed here or the above could be located with this on <b>page 45</b>. Parents may have their child independently assessed by a licensed psychometrist or examiner.</p> <p>The student shall satisfy minimal acceptable criteria on the measures used.</p> <p>In addition, the child must satisfy at least one of the following to be considered for the Gifted Educational Program:</p> <ol style="list-style-type: none"> <li>1 A score at or above the 90th percentile on a group measure of intelligence that has been administered within the past twelve months</li> <li>2 A score at or above the superior range on a normed, published characteristics of giftedness checklist</li> <li>3 A score at or above the superior range on a normed, published measure of creativity</li> <li>4 A score at or above the superior range on a normed, published measure of leadership</li> </ol>	<p>See the previous response regarding private assessments.</p>

## APA Comment Summary on 2023 Gifted Education Program Regulations

Summary of Comment	MDE Response
<p>5 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</p> <p>6 A score at or above the 90th percentile on a normed measure of cognitive ability</p> <p>7 A score at or above the 90th percentile on an existing measure of individual intelligence that has been administered within the past twelve months</p> <p>8 Other measures that are documented in the research on identification of intellectually gifted student</p>	
<p>Private Assessment / Independent or Private Testing: Could these sections be made clearer? The section states “The student shall satisfy minimal acceptable criteria on the measures used. In addition, the child must satisfy at least one of the following....” Could some clarification be added to ensure districts understand what this means? If this means that the student must have a score of 91% on an approved individual intelligence test from an outside source and then the school must collect at least one qualifying score on an approved screening implement, it would be helpful if this fact were spelled out.</p> <p>As a secondary note, this criteria would be especially problematic if students in the regular school referral process have to meet three total of both subjective and objective screening measures and then have to have a qualifying individual intelligence test score. We believe that together these two requirements would encourage parents to seek outside testing since their child would</p>	<p>See the previous response regarding private assessments.</p>

## APA Comment Summary on 2023 Gifted Education Program Regulations

Summary of Comment	MDE Response
<p>have to meet fewer criteria to qualify for services. We understand that the proposed private testing requirement is intended to ensure that students who have qualifying IQ scores from outside sources are not excluded from services. However, it would also further advantage students from more privileged backgrounds since parents of limited means usually cannot afford outside testing. Therefore, to help ensure that underprivileged students and students from diverse backgrounds are not further disadvantaged in the referral process, we would encourage that the individual referral process not require that BOTH subjective and objective screening measures be met in the initial screening stage.</p>	
<p>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.</p> <p><i>Can this be done by video conferencing into their regular gifted classroom? What is the time requirement that must be met? This will require creative scheduling due to the size of our district and students from all our schools attending the same alternative school.</i></p> <p>The additional organization and colorful graphs add much needed clarity throughout the regulations.</p>	<p>Further clarification on the delivery of services to students in the alternative setting will be provided during gifted trainings and virtual office hours.</p>

## APA Comment Summary on 2023 Gifted Education Program Regulations

Summary of Comment	MDE Response
<p>Adding the appropriate data that are required for those students who are at a Disadvantage for Identification in the six sections that describe each stage of the process adds clarity and helps to assure that these students have the appropriate flexibility applied throughout the process. Because the identification stages take place over time, the blue checked box reinforces the need to make sure that these data points need to be checked as the student's identification packet is completed.</p>	<p>No response required.</p>
<p>The addition of statements that clarify appropriate practices such as those listed below remove ambiguity:</p> <p>"Gifted students should not be denied the opportunity to attend elective courses at any time." Page 46</p> <p>"District scheduling gifted classes with more than 15 students will be required to submit justification to MDE." Page 48</p> <p>"Each district is responsible for ensuring that students are being serviced during the administration of state and district assessments. A modified or alternative schedule is permitted and made available to the MDE upon request." Page 48</p> <p>"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."</p> <p>"Gifted Teacher Unit Allocations can not be used for any other purpose but to hire a gifted teacher." Page 51</p> <p>"The Instructional Management Plan (IMP) is not required for intellectually gifted programs, which shall follow the curriculum of the Outcomes for Intellectually Gifted Education Programs, 2017 as published by the MDE." Page 52</p> <p>"Any student transferring into Mississippi with a score at or above the 91st percentile on a</p>	<p>No response required.</p>

## APA Comment Summary on 2023 Gifted Education Program Regulations

Summary of Comment	MDE Response
<p>Level C (individual test of intelligence) shall be ruled eligible for gifted services and placed in the gifted education program no matter when the eligibility was determined.” Is a considerable improvement from the current regulations. Page 20</p>	
<p>These important additions and improvements make it clear that Matt Sheriff, Mississippi Coordinator of Gifted Services, listened to stakeholders statewide and brought his personal integrity as well as an intellectual investment into the improvement and clarity of the regulations to assure that each Gifted Identification Process and all Gifted Education Programs meet the needs of these students.</p>	<p>No response required.</p>
<p><u>Is this a typographical error?</u> “For gifted funding purposes, students shall be marked eligible and assigned to a gifted education program purposes in MSIS by December 1.”</p> <p><b>Potential Solution:</b> To add clarity, correct the wording and remove the funding reference and December 1<sup>st</sup> date from the paragraph titled “Spring Semester Eligibility” and add it as a “note” under the section as shown above in the box.</p>	<p>See the previous response regarding the timeline.</p>
<p><b>Possible Concern:</b> Though the <i>2023 PGR</i> allows for an abridged identification process for students with an Out-of-State gifted eligibility, which is an improvement from the <i>2013 Gifted Regulations</i>, it falls short of extending <u>reciprocity</u> to another state’s gifted eligibility because gifted identification processes differ across states. The <i>2023 PGR</i> limits reciprocity to the states that require an IQ test (Level “C” Assessment Instrument) as a component of the gifted identification process. Few other states require an IQ test as a part of their gifted eligibility process even if intellect is a component of identification and services.</p>	<p>See the previous response regarding out of state students.</p>

## APA Comment Summary on 2023 Gifted Education Program Regulations

Summary of Comment	MDE Response
<p><b>Potential Solution:</b> <u>Grant reciprocity</u> to the intellectually, academically, artistically, or creatively gifted identification process of the DoDEA and the gifted programs of other States so that students who have a current gifted eligibility may be placed in the most comparable program offered by the school. Granting reciprocity will give students consistent services by eliminating the “inflexible administrative and bureaucratic practices” that are an inefficient use of a teacher’s time as well as the unnecessary investment of psychometric testing. This change equates to a family-friendly welcome to those moving to Mississippi, reduces the amount of paperwork required by staff, and saves dollars spent on psychometric testing.</p>	
<p><b>Potential Problem:</b> Three groups of students may earn gifted eligibility through the Disadvantage for Gifted Identification process. Yet the paragraph on page 14 of the <i>2023 PGR</i> references only one of these groups. The reference is to the “checklist” which lists “factors” that when impacting in concert might “put a student at a Disadvantage for Identification.” The other two groups of students who may also earn gifted eligibility through this process are (1) those with ADHD or another medically diagnosed condition that might hinder the ability to observe or to measure the student’s strengths, and (2) those protected under IDEA or 504 who have a disability or condition that might impair the ability to observe or to measure strengths.</p> <p>The omission of two groups of students who can use this identification process adds to the confusion and lack of clarity.</p> <p><b>Potential Solution:</b> Add clarity to the regulations by listing all three groups who may access gifted eligibility through the Disadvantage for Identification process to the paragraph on page 14. See suggestion below:</p>	<p>See the previous response regarding Disadvantage for Gifted Identification/Emerging Potential.</p>



## APA Comment Summary on 2023 Gifted Education Program Regulations

Summary of Comment	MDE Response
<p><b>Question: Should 504 be included below?</b></p> <ul style="list-style-type: none"> <li>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) <b>and 504</b> guidelines, as well as students who exhibit classroom behavior such as extreme shyness, short attention spans, disruptiveness, continual questioning, and anxiety.</li> </ul>	<p>See the previous response regarding Disadvantage for Gifted Identification/Emerging Potential.</p>
<p><b>Possible Concern:</b> The <i>2023 PGR</i> fails to serve as a helpful tool to those determining if a student is <i>Potentially Twice-Exceptional</i> as described on page 26.</p> <p><b>Potential Solution:</b> Add an additional paragraph with guided-questions that could help those contemplating the possibility of “Provisional Identification” status.</p> <p>Such a paragraph might read as follows:</p> <p>After it is determined that a student protected under IDEA or 504 has insufficient data for an Intellectually Gifted Identification nor a Disadvantage for Gifted Identification the GLSC may consider a <u>Provisional Identification</u>. When considering this identification, the GLSC should ask these questions:</p> <ol style="list-style-type: none"> <li>1. Might this student’s disability mask the ability to observe the student’s gifts or suppress the ability to measure a student’s strengths? If “no” stop the process. If “yes” then ask...</li> <li>2. Though the data are insufficient, does at least one data point strongly indicate high potential? If “no” stop the process. If “yes” then ask...</li> <li>3. Does at least one person (the student, parent, regular education</li> </ol>	<p>See the previous response regarding Disadvantage for Gifted Identification/Emerging Potential.</p>

## APA Comment Summary on 2023 Gifted Education Program Regulations

Summary of Comment	MDE Response
<p>teacher, principal, teacher of the gifted, peer) believe that this student would benefit from the program? If “no” then stop the process. If “yes” then ...</p> <p>The student qualifies for a <u>Provisional Identification</u> that can stay in place for up to one year.</p>	
<p><b>Disadvantage for Gifted Identification</b> (page 14)</p> <p>“... All students should be considered when using the Disadvantage for Gifted Identification Checklist.” <u>Additionally, those with an ADHD diagnosis or another medically diagnosed condition that might hinder the ability to observe or to measure the student’s strengths, and those protected under IDEA or 504 who have an eligibility or condition that might impair the ability to observe or to measure strengths at any stages of the gifted identification process.</u> “Students who are determined to be at a disadvantage for gifted assessment shall be given special consideration during the gifted identification process.”</p> <p><b>Potential Solution:</b> Though the changes to the Disadvantaged for Gifted Identification Checklist form are an improvement, additional changes would support clarity.</p>	<p>See the previous response regarding Disadvantage for Gifted Identification/Emerging Potential.</p>
<p><b>Possible Concern:</b> In the 2023 PGR, each identification process (intellectually, academically, artistically, and creatively) contains an “Assessment Timeline” with months specified.</p> <p><b>Potential Solution:</b> Add a statement such as: The Gifted Identification process, from referral to placement, may last no longer than five months. When the district fails to complete the process within the timeline, the last paragraph of the Assessment Report must justify the district’s failure to meet the timeline. The validity of the justification would become a part</p>	<p>See the previous response for assessment timeline.</p>

## APA Comment Summary on 2023 Gifted Education Program Regulations

Summary of Comment	MDE Response
<p>of the district's tri-yearly Gifted Program Audit conducted by MDE.</p>	
<p><b>Possible Concern:</b> The <i>2023 PGR</i>, in the section for <i>Potentially Twice-Exceptional Students</i>, page 26, requires the GLSC to hold an additional meeting and create more paperwork to remove the <u>Provisional Identification</u> status which in turn allows the student may remain in the gifted program as all other student without ongoing identification consideration. Though a <u>Provisional Identification</u> is rare, most of the students who are extended gift eligibility through a <u>Provisional Identification</u> status are successful within the program. For this reason, the inverse of the current requirement would allow for a more efficient use of time and reflect best pedagogical practices</p> <p><b>Potential Solution:</b> Include a process such as the following suggestion:</p> <p>After it is determined that a student qualifies for <u>Provisional Identification</u> status as a student who is Potentially Twice-Exceptional and enters the program, the teacher of the gifted documents the student's personal growth towards the outcomes listed in <i>Outcomes for Intellectually Gifted Education Programs, 2017</i> as all Gifted students' growth is documented within the program.</p> <p>If the student grows in skills associated with thinking, creativity, information literacy, communication, affective-awareness, and success, and makes progress towards the development of personal outcomes through class assignments and activities, at the end of the calendar year the "provisional" aspect of the Provisional Identification status automatically transfers to Gifted Identification, and the student continues in the program identified as any Intellectually Gifted student.</p> <p>If the student fails to progress in skills associated with thinking, creativity, information literacy, affective-awareness, and success, the</p>	<p>See the previous response regarding Potentially Twice-Exceptional Students.</p>

## APA Comment Summary on 2023 Gifted Education Program Regulations

Summary of Comment	MDE Response
<p>teacher of the gifted must notify the parent and request a meeting of the GLSC and MDT. During this meeting all participants affirm that the elements of the IEP are being followed in the gifted education setting. If not, the situation is addressed and corrected. During this meeting, the joint team creates or approves interventions that the gifted education teacher will follow to make the student successful within the program. If the student fails to respond to the interventions, then additional interventions are created and provided for the student. After two or more contacts with the student's parent reporting failure to make progress within the gifted education program and after two or more interventions are put in place to support the student's path towards success, the GLSC and the MDT may convene to terminate the Provisional Identification and end gifted services.</p> <p>If within a calendar year, the student's parent chooses to sign a <i>Refusal of Gifted Services</i> form, the Provisional Identification is terminated.</p> <p>At the very least, teachers of the gifted and GLSCs need to understand that:</p> <p>Potential = Provisional</p> <p>No other gifted students should have Provisional status.</p>	
<p><b>Potential Problem:</b> Three groups of students may earn gifted eligibility through the Disadvantage for Gifted Identification process. Yet the paragraph on page 14 of the 2023 PGR references only one of these groups. The reference is to the "checklist" which lists "factors" that when impacting in concert might "put a student at a Disadvantage for Identification." The other two groups of students who may also earn gifted eligibility through this process are (1) those with ADHD or another medically diagnosed condition that might hinder the ability to observe or to measure the student's strengths, and (2) those</p>	<p>See the previous response regarding Disadvantage for Gifted Identification/Emerging Potential.</p>

## APA Comment Summary on 2023 Gifted Education Program Regulations

Summary of Comment	MDE Response
<p>protected under IDEA or 504 who have a disability or condition that might impair the ability to observe or to measure strengths.</p> <p>The omission of two groups of students who can use this identification process adds to the confusion and lack of clarity.</p> <p><b>Potential Solution:</b> Add clarity to the regulations by listing all three groups who may access gifted eligibility through the Disadvantage for Identification process to the paragraph on page 14. See suggestion below:</p>	
<p><b>Regarding the various areas of gifted (Academically, Artistically, Creatively, Intellectually) Problem:</b> The wording above leads to the assumption that these programs are offered state-wide in Mississippi. This could be misleading to out of state transfers and parents.</p> <p><b>Possible wording for clarity:</b> Add asterisks above.</p> <p><b>* Programs for intellectually gifted students in grades 2-6 are funded by mandated State of Mississippi legislation. Programs for academically, artistically, creatively and 7-12 intellectually gifted children are not mandated by legislation. Currently, these programs are funded at the discretion of individual school districts.</b></p>	<p>Language will be included in the proposed regulation to specify only certain districts offer gifted programs beyond the intellectually gifted class.</p>
<p><b>Possible Problem:</b> Does this statement mean “School Board Policy?” Some school districts balk at putting procedural information into “policy.” If it needs to be a policy, add this to the required policy list on <b>page 49</b>. Each district shall have a <b>policy or procedure</b> that establishes the process that parents shall adhere to when requesting access to these files.</p>	<p>Yes, the local school board policy.</p>

## APA Comment Summary on 2023 Gifted Education Program Regulations

Summary of Comment	MDE Response
<p><b>Possible Problems:</b></p> <ul style="list-style-type: none"> <li>• If the student is a transfer from in-state or out-of-state, it may be impossible to get the protocols.)</li> <li>• Many of the objective measures are on-line versions which are not allowed to be printed. Others are “non-consumable” and reusable. Can the score sheet be included in these situations?</li> </ul> <p>INCLUDE:</p> <ul style="list-style-type: none"> <li>• Objective measure(s)</li> <li>• Subjective measure(s)</li> <li>• Individual assessment(s)</li> </ul> <p><b>Possible solution:</b> If the protocol is not possible to obtain, include justification in the folder.</p>	<p>Further clarification regarding documentation for out of state students will be addressed in future gifted trainings and virtual office hours.</p> <p>Further clarification regarding the use of online, consumable, and reusable assessment documents will be addressed in future gifted trainings and virtual office hours.</p>
<p><b>(Question:</b> The section below is not included in the proposed regulations at this point. It may be included in another location. This wording set criteria for districts who wanted to raise their cut-score. <b>Should it still be included?)</b></p> <p>District personnel shall make decisions as to whether the minimal acceptable criteria set in regulations will be used, or if a higher minimal acceptable criteria will be used.</p> <p>The assessment criteria and acceptable minimal scale/percentile scores to be used shall be documented in writing in the district’s Gifted Education Program Proposal submitted to and approved by the Office of Curriculum and Instruction at the MDE.</p> <p>If a district decides to raise its minimal acceptable scale/percentile score for gifted eligibility above the state minimum scale/percentile score, justification shall be provided to the MDE in writing. Included in the justification must be documentation that the district continuously addresses the Emerging</p>	<p>No, this information will not be included in the proposed regulations.</p>

## APA Comment Summary on 2023 Gifted Education Program Regulations

Summary of Comment	MDE Response
Potential for Gifted guidelines as outlined in the regulations.	
<p>Regarding Assessment Reporting:</p> <p>Qualifications of the individual who administered the individual test of intelligence <b>to include license number and date of expiration. Please add this to ensure it is included.</b></p>	Consideration will be made to include this information on the appropriate documentation.
<p>Add in any other items that have mentioned a required “policy Referral from multiple sources</p> <ul style="list-style-type: none"> <li>• Both objective and subjective assessment measures</li> <li>• Minimum accepted referral criteria (specify that this is the referral criteria)</li> <li>• Neither grades nor achievement test scores shall eliminate a student from gifted identification</li> <li>• MDE assessment timeline</li> </ul> <p>3. Parent appeals and hearings</p> <p>4. Districts shall have a policy regarding private assessment data. <b>(Page 26)</b></p> <p>5. Each district shall have a policy that establishes the process that parents shall adhere to when requesting access to these files. (page 13)</p>	See the previous response regarding subjective and objective measures.
Can examples of acceptable Achievement tests be listed so that there is consistency in what districts use.	The MDE cannot list acceptable achievement test for districts to use.
Please clarify the minimally acceptable criteria for mass and individual screening.	This information is addressed in the proposed regulations.

## APA Comment Summary on 2023 Gifted Education Program Regulations

Summary of Comment	MDE Response
Can the assessment report be sent when transferring, not just the GPPDS?	Language will be included in the proposed regulations requiring assessment reports for transfer students.
State and District Assessments: It says that "a modified or alternate schedule... [must be] made available to the MDE upon request." Could clarification be added to this statement?	Further clarification requesting districts to submit a modified schedule for GEP during district and state assessments will be addressed gifted training and virtual office hours.

---

**List comments here – all emails, letters, or calls are included as back-up**



## Gifted Regs feedback

Lauren Sexton <lsexton@ossdms.org>

Fri 11/17/2023 9:37 AM

To: Mathis Sheriff <msheriff@mdek12.org>

### External Email

CAUTION: This email originated from outside of the MDE organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

- 330 minutes - Does this include planning time or is this instructional minutes? If instructional minutes, this is not possible with recess and planning requirements. Will a district be docked if not able to achieve 330 instructional minutes?
- Previous regulations say 300 minutes is recommended. Why is it now listed at 330 minutes?
- On page 3 it states, "No single evaluation method or instrument adequately identifies students who are gifted." With that statement in mind, how can students get to phase 2 only using GRS alone? This is before the IQ test is considered.
- What made the determination to go from 3 areas to 2 areas for phase 1 eligibility?
- On individual referrals the person initiating the referral must sign the referral page, for what purpose? Will a Google Form or a direct email suffice as a "Signature"? Why is there no line on the referral form in Appendix A?
- Individual referrals require written parental permission for testing before phase 1 begins, and mass referrals require written parental permission for testing after phase 1 is complete? Why is that?
- Why is a GPPDS mentioned in the regs and referred to several times, but the actual form is called Gifted Eligibility?
- On class size requirements, there are no requirements, only recommendations. Is there not a firm maximum? More than 15 just requires additional documentation. Can we add a firm maximum to keep program integrity?
- The maximum number of students that a teacher could have on their roster was 60. That has been removed. Will we have a maximum? Is the new maximum 75 (15x5)?
- On Option 2 for both individual and mass referrals, it states that a student does not have to meet the two criteria and could take an individual assessment. My question is so students do not HAVE to meet 2 criteria if the LSC sees fit to move forward to IQ testing?
- Page 12 says any student transferring into MS with a score at or above the 91st percentile on an IQ test shall be ruled eligible and placed. Does that mean the student does not have to satisfy TWO of the referral criteria (both objective and subjective measures)?
- P. 13 says "All information/data collected as part of the identification process shall be placed in an individual eligibility file for each student. These files.....etc.....shall not be placed in the student's cumulative record folder." Does this include the GPPDS?
- Page 21 says that students with individual referrals shall satisfy both objective and subjective measures, so can a student get to the IQ test on GRS scores alone?
- Page 21- Stage 3 lists one of the criteria as a score at or above 90th percentile on an individual intelligence test administered within the last 12 months. If the score is at or above the 91st percentile, would this not satisfy the IQ test in stage 5? If so, can it be used in both stage 3 and stage 5?
- Pages 18 and 24 #2 says to name at least three measures from Stage 1. Should it say TWO measures?

- What is the difference between a normed group measure of intelligence and a normed measure of cognitive abilities? Please name specific tests as examples.
- What is the time limit for keeping eligible and ineligible folders?
- What is the process for removal of a gifted student? In previous regs, it was if student wasn't showing significant progress and could be reentered at anytime.

On a side note, could there be a professional development created for gen Ed teachers about administering the GRS or SIGS from the state level?

Sent from my 📱



## OXFORD SCHOOL DISTRICT GIFTED PROGRAM

200 Bolt Boulevard • Oxford, Mississippi 38655  
Phone: (662) 234-3541 • Fax: (662) 232-2862

To: Mat Sheriff

From: Marilyn Barnes, Gifted Contact

Below, are the suggestions, comments, and questions from Oxford School District.

1. The Emerging Potential Checklist renaming to Disadvantaged Identification Students has a negative connotation. If there is a name change, can the name have a positive or neutral connotation? (i.e., Marginalized Student Checklist)
2. Currently, the list states the student must satisfy 5 of the criteria on the checklist. Can that number be decreased? (i.e., a student whose parent(s) died during the school year but may not meet 4 other criteria.
3. Out-of-state students that satisfy the referral criteria in Mississippi and score in the 91<sup>st</sup> percentile shall be placed in the gifted identification process.
4. Can examples of acceptable Achievement tests be listed so that there is consistency in what districts use.
5. Please clarify the minimally acceptable criteria for mass and individual screening.
6. Can the assessment report be sent when transferring, not just the GPPDS?





# Rankin County School District

## TRADITION OF EXCELLENCE

BRANDON FLORENCE McLAURIN NORTHWEST PELAHATCHIE PIGGAH PUCKETT RICHLAND

Post Office Box 1359 | Brandon, MS 39043 | p 601.825.5590 | f 601.825.2618 | www.rcsd.ms

November 27, 2023

Mathis Sheriff  
Office of Elementary Education  
359 North West Street; PO Box 771  
Jackson, Mississippi 39205-0771

Re: Proposed Revisions to Regulations for Gifted Education Programs 2023

Thank you for the opportunity to respond to the proposed changes to Regulations for Gifted Education Programs 2023. After careful consideration, we submit the following comments:

- Page 13 - Stage 2: Data Collection

The next step in the process will consist of the collection of substantiated student data obtained through 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 ONE of the following referral criteria before moving forward to the LSC Review of Referral.

*The 2013 regulations stated, "a student shall satisfy TWO of the following criteria...". If the criteria is being changed to ONE, are we lowering the standards for gifted eligibility? If we are lowering the standards, we would prefer to keep the criteria at TWO and lower the accepted percentage on the screener.*

- Page 25 - 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 requirements of the objective measure of the referral criteria. Additional data shall be collected, and students moved to Stage 4: Assessment.

---

Dr. Scott Rimes  
Superintendent of Education



# Rankin County School District

## TRADITION OF EXCELLENCE

BRANDON FLORENCE McLAURIN NORTHWEST PELAHATCHIE PISGAH PUCKETT RICHLAND

Post Office Box 1359 | Brandon, MS 39043 | p 601.825.5590 | f 601.825.2618 | www.rcsd.ms

### 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 GPPDS.

*This is a new section in the gifted regulations. We would like to only accept private testing that includes stage 1-5. If we accept outside data for referrals, we may see an increase in how many students we conduct IQ testing on. If a parent wants to privately assess, we feel the whole process should be completed privately, not just the referral data.*

There is also a section on this topic on page 45 - Independent or private testing (*this needs to all be combined into one section*)

*For those students being privately tested, does their gifted file require the same items as all others? For example, gifted files require the original protocols - do we need to get that on those who are privately tested?*

### • Page 26 - Assessment Timeline

#### Fall Semester Eligibility

If a student is referred or screened from December 1 – June 30 each year, the assessment process must be complete, and the student placed in gifted services by the beginning of the fall term.

#### Spring Semester Eligibility

If a student is referred or screened from July 1 – November 30 each year, the assessment process must be complete, and the student placed in gifted services by the beginning of the spring of the following year. For gifted funding purposes, students shall be marked eligible and assigned to a gifted education program purposes in MSIS by December 1.

For the purposes of the assessment timeline, referrals begin on the day that a student is referred by anyone believing that the student may be intellectually gifted.





# Rankin County School District

## TRADITION OF EXCELLENCE

BRANDON FLORENCE McLAURIN NORTHWEST PELAHATCHIE PISGAH PUCKETT RICHLAND

Post Office Box 1359 | Brandon, MS 39043 | p 601.825.5590 | f 601.825.2618 | www.rcsd.ms

*Gifted teacher units are funded based on enrollment on December 1 for the upcoming school year (for example gifted enrollment numbers on December 1, 2023 will be used to determine funding for the 2024-2025 school year). Due to the size of our district, we screen all 2nd graders during October/November. It would be difficult to complete the assessment process by November 30 for these students. It would also increase our numbers in our gifted program for the current year, causing teachers to be over the 60 students per teacher maximum. We can push back our screening until the spring, but it will increase the stress on teachers mass screening 1st and 2nd grade in the spring, along with all individual referrals. Once parents find out that if a child is referred between July 1-November 30 and qualifies and will be in Venture in the spring, we could see all parents referring students at that time. We are concerned about the increase we may see in our gifted numbers in January causing teachers to be over the 60 student maximum. It is definitely problematic adding students to the program for the spring semester when teachers may be at their maximum student numbers already.*

### • Page 70 - Other Considerations

#### 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.

*Can this be done by video conferencing into their regular gifted classroom? What is the time requirement that must be met? This will require creative scheduling due to the size of our district and students from all our schools attending the same alternative school.*

We appreciate the opportunity to respond to the proposed revision. If you have any questions, please feel free to contact us for more information.

Yours in education,

Scott Rimes, Ph.D.  
Superintendent of Education  
Rankin County School District

---

Dr. Scott Rimes  
Superintendent of Education

## APA Comments for New Gifted Regulations

Bostick, Shauna <shauna.bostick@leecountyschools.us>

Mon 11/27/2023 10:13 AM

To: Mathis Sheriff <msheriff@mdek12.org>

### External Email

CAUTION: This email originated from outside of the MDE organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

1. All references to the GPPDS need to be replaced with GEF (Gifted Eligibility Form). This should be consistent throughout the document. I would also like to request requiring a copy of this form be placed in the cumulative record for the student as many gifted students are missed when transferring from school to school, especially if parents do not specifically request services.
2. On page 6, it is stated that gifted files shall be maintained in a separate, locked storage location at the central office. We have done this in the past; however, I have ceased making two copies of each file for storage space. Each teacher maintains a locked storage cabinet with their own files. This assists them with matching records to class rolls and ensuring that each student has a Permission to Place form on file, etc. I would like this removed or changed OR I would like some clarification as to what forms and records the teacher is required to maintain in the classroom. Also concerning records, I would like for clarification as to which records should be maintained--eligible and ineligible and for how long.
3. Disadvantaged for Gifted Identification Checklist (page 13 and Appendix B). While we can never have an exhaustive list, I do feel that the current list should be expanded to include foster care, McKinney-Vento, 504, and dyslexia as separate check boxes. As it is, all of these fall under "OTHER". I would like to keep the "OTHER" box as an option as well because there are some circumstances that may warrant this designation.
4. On pages 14 and 15, there is a discrepancy between how many indicators must be met in order to proceed. In the past, a student must have met three indicators to proceed for individual testing. Page 14 indicates ONE and page 15 indicates TWO. The correct number, be it two or three, needs to be specified. I'm sure that this needs to be corrected across all four areas--Intellectual, Artistic, Creative, and Academic.
5. I would like some clarification about the time requirements on page 68. The current standard is 240 minutes. Is this moving to 270? Shouldn't this affect teacher allocation? If more time is required, then we may need more teachers to serve students. Also, our 6th graders are on middle school campuses. 240 minutes is the most they can serve giving the scheduling--5 days at a 48 minute period.

--

*Do the best you can until you know better. Then when you know better, do better. --Maya Angelou*



**Confidentiality Disclaimer**

The foregoing electronic message and any files transmitted with it are confidential and are intended only for the use of the intended recipient named above. This communication may contain material protected by the Family Educational Rights and Privacy Act (FERPA). If you are not the intended recipient, copying, distribution or use of the contents of this message is strictly prohibited. If you received this electronic message in error, please notify us immediately at 662-841-9144.

This is an email account managed by [leecountyschools.us](http://leecountyschools.us). This email and any files transmitted with it are confidential. They are intended solely for the use of the individual or entity to whom they are addressed. The contents of this email are governed by the laws of the state and the board policies of the school district. If you have received this email in error please notify the sender.



## Comments regarding Gifted Education Regulations Revisions

Pam Pape <ppape@clintonpublicschools.com>

Sun 11/26/2023 5:37 PM

To: Mathis Sheriff <msheriff@mdek12.org>

### External Email

CAUTION: This email originated from outside of the MDE organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi, Mat,

Here are a few comments regarding the revisions. Most are minor, but I am concerned about the change in the number of criteria that must be met for a student to be given the individual intelligence test by the psychometrist. I gather it's to help districts maintain numbers, but since I was not able to attend the conference where I suppose it was discussed I'm just guessing.

I hope you had a blessed Thanksgiving, and I truly appreciate all you do for us.

1. Page 3: Please correct name from Pam Pate to Pam Pape under list of contributors.
2. Page 8 as well as other pages throughout the document: if GPPDS is being changed to Gifted Eligibility Form need to be sure to change each GPPDS to Gifted Eligibility Form
3. Page 15, Data Collection: I hope this is not saying students only need to meet two referral criteria instead of the three as is currently required. Please keep the requirement of meeting three referral criteria to move to individual testing by psychometrist.
4. Page 21, Data Collection: Same concern as I expressed regarding mass screening data collection. Keep the THREE required referral criteria.
5. Page 27, Assessment Timeline: I suggest clarifying that for the Fall Semester Eligibility a student would not have to wait until the fall term to be placed and begin participating in gifted classes. Similarly for the Spring Semester Eligibility. As a parent, if my child was ruled eligible in December, I would want them to participate as soon as possible, thereby meeting their educational needs. Most districts will use the current wording and charts to wait to serve the student. Teachers of the gifted should be able to accommodate incoming students at any time during a term, especially since the curriculum includes leadership and interpersonal relationships; hence, other students could be mentors for new students, etc.
6. Page 49, Gifted Program Policy: Regarding item 4. Maintenance and destruction of gifted student files, a statewide policy is needed for how long files should be kept and timeline for destroying them.
7. Appendix A:  
Referral Form: (1) Remove "Gender" from form. (2) Referral initiated by: Please clarify if signature required or printed name.
8. Appendix C:  
Gifted Eligibility Form: Remove "Gender" from form.

9. Appendix D, page 61: Incorrect title. Should be Gifted Education Program Proposal

Pam

## GEP Regulations Public Comments

Kelli McCorkle <kmccorkle@pgsd.ms>

Mon 11/27/2023 8:17 AM

To: Mathis Sheriff <msheriff@mdek12.org>

### External Email

CAUTION: This email originated from outside of the MDE organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,  
Please see the comments below for the GEP Regulations.

### 2023 Gifted Regulations Review

Page: 13

"The files shall be maintained in a separate locked storage facility/file cabinet in a central location within the district..."

Suggestion: Please add the option to store student files in a secure electronic storage location.

Page 15 and Page 21

Suggestion: The criteria for Mass Screening and Individual Referrals should be a total of three measures.

Page 45

"The recommended time for gifted instruction is 330 minutes per week.

Suggestion: The recommended time for gifted instruction, including planning time is 330 minutes per week.

Page 46

"Artistically gifted or creatively gifted students are provided services by a properly endorsed teacher in a self-contained classroom for a recommended 300 minutes per week, or a required minimum of 240 minutes per week.

Suggestion: This should reflect the change to 270 minutes minimum and 330 minutes recommended.

--

**Kelli McCorkle, Ed.S.**

Pascagoula-Gautier School District

Director of Early Beginnings

Gifted Coordinator

Excel By 5 Certification Manager  
228-938-6418

**Confidentiality Notice:** *This communication may contain material protected by the Family Educational Rights and Privacy Act (FERPA.) This communication and any documents or files transmitted with it are confidential and are intended solely for the use of the Pascagoula-Gautier School District and the individual or entity to which it is addressed. Any use, dissemination, forwarding, printing or copying of this communication is strictly prohibited.*



## Public Comment for Gifted Regulations

Hollie Butler <hbutler@corinth.k12.ms.us>

Fri 10/27/2023 12:58 PM

To:Lorie Sisk <lsisk@mdek12.org>;Mathis Sheriff <msheriff@mdek12.org>

### External Email

CAUTION: This email originated from outside of the MDE organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

I hope you are both doing well!

After reviewing the proposed changes to the gifted regulations, the following are the questions/comments I have (I apologize in advance for all my questions):

1. In regard to out-of-state transfers on page 5, I am confused about the following statement: "Once gifted eligibility in another state has been documented, the student shall be moved to Stage 5 of Identification of Intellectually Gifted Students (page 20)." Stage 5 is the assessment team report, so this statement sounds as though we would always accept the out-of-state eligibility even if it doesn't meet our MS requirement of 91st percentile on the IQ test. Prior to this statement, the paragraph sounds like we can accept the out-of-state eligibility *only* if it meets the MS requirement of 91st percentile on an IQ test.
2. Also in regard to out-of-state transfers, in the past when a student transferred from another state with a gifted ruling, even if their out-of-state evaluation satisfied our criteria, we were still required to re-evaluate the student with an IQ test here to determine eligibility in MS. Do the new regulations now mean that we are not required to administer an IQ test here if their previous IQ test from the previous state meets our criteria?
3. In regard to the requirement of "a combination of objective measures and subjective measures," which are referenced on page 3, page 6, page 13, page 21, page 25, and page 71, I always understood this to mean that we needed to include both objective and subjective measures, not just one or the other, in order to meet the referral criteria. However, this past year, we were told we could use only subjective measures (*SIGS-2* general intellectual ability, creativity, and leadership sections) without any additional objective assessment in order to satisfy the three required referral criteria prior to the IQ assessment stage. The new regulations still use the same language as the 2013 regulations, making it sound as though we still need at least one objective measure in the referral stage. I don't really feel comfortable using only the *SIGS-2* (subjective measure) unless the wording is updated to say "objective and/or subjective measures" so that it's clear that an objective measure is not required as long as the student satisfies the required number of criteria on a subjective measure. My question is still this: Is an objective measure required in the referral stage?
4. In regard to "Disadvantaged for Gifted Assessment," this appears to be the new terminology for what was previously called "Emerging Potential for Gifted." However, page 13 still references "Emerging Potential for Gifted criteria," so that wording may need to be updated.
5. In regard to page 15 and page 22, does "Option Two" mean the student can go ahead and move to the IQ test if the LSC decides it even without satisfying two referral criteria first? Option Two uses the words, "individual assessment," which often refers to the IQ test, so it sounds like the LSC has the authority to move a student forward to the IQ even without meeting at least two referral criteria. I just want to be sure I'm understanding that correctly. The words, "individual assessment," may not be intended to include the IQ test, but it is unclear.

6. On page 17 and page 23, #2 still says "name of at least three measures from Stage 1: Referral." Should this now say "two measures" instead of three?
7. In regard to page 25, "Potentially Twice-Exceptional Students," it says a student who already qualifies under IDEA can be granted a provisional eligibility for gifted if "in the opinion of the reviewing committee" he/she "would benefit from participation." Am I correct that this means the IDEA student is not necessarily required to meet the IQ score criteria of 91st percentile or the additional measure that's required for the disadvantaged students who don't meet 91st percentile on the IQ? Are we allowed to go ahead and determine a provisional eligibility just based on our opinion that they would benefit from participation?

Again, I apologize for all my questions/comments. Thank you for all you do!

Respectfully,

Hollie Butler

--

*Hollie Butler*

Referral to Placement Coordinator  
Corinth School District Administrative Office  
1204 N. Harper Road, Corinth, MS 38834  
662-287-2425/Fax 662-286-1885

The foregoing electronic message and any files transmitted with it are confidential and are intended only for the use of the intended recipient named above. This communication may contain material protected by the Family Educational Rights and Privacy Act (FERPA). If you are not the intended recipient, copying, distribution, or use of the contents of this message is strictly prohibited. If you received this electronic message in error, please notify us immediately at:

Corinth School District  
1204 North Harper Road  
Corinth, MS 38834  
(662)-287-2425

The foregoing electronic message and any files transmitted with it are confidential and are intended only for the use of the intended recipient named above. This communication may contain material protected by the Family Educational Rights and Privacy Act (FERPA). If you are not the intended recipient, copying, distribution, or use of the contents of this message is strictly prohibited. If you received this electronic message in error, please notify us immediately at:

Corinth School District  
1204 North Harper Road  
Corinth, MS 38834  
(662) 287-2425



## Public Comment for Gifted Regs 2023

Tami Harrell <tharrell@pcsd.ms>

Mon 11/13/2023 4:08 PM

To: Mathis Sheriff <msheriff@mdek12.org>

### External Email

CAUTION: This email originated from outside of the MDE organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I have the following comments:

#### **OUT OF STATE GIFTED ELIGIBILITIES:**

Can we please clarify what constitutes the 91% on a level C test? For instance-I have a student from Florida who qualified using the Verbal (expanded crystallized) Index (VECI) on the WISC-V. Different states use so many different ways to qualify children that I am concerned there will be quite a bit of confusion knowing what to use from each test.

#### **CLASS SIZE:**

- 1) Districts must electronically submit teacher schedules on 2 different dates. Districts already input teacher schedules into MSIS. Why doesn't MDE just pull them from MSIS? Why do we need an extra step at the district level?
- 2) The first section about class size says districts must submit justification if more than 15 students per class, but 5 pages later under the same heading it says recommendation increased to allow for up to 60 students while maintaining the integrity of program. These areas need to be the same to reduce confusion

#### **DESTRUCTION OF FILES:**

Thank you for addressing this! May we please clearly address not only files of eligible students, but also the Ineligibles, the mass screening answer sheets of those not referred, and the stopped files (that did not move on for testing).

Overall I think you have done a terrific job on the updated regs! Thank you for all the extra effort!

--

Tami Harrell  
Director of Student Services  
Pontotoc County School District  
662-489-3902

#### **Confidentiality Disclaimer**

The foregoing electronic message and any files transmitted with it are confidential and are intended only for the use of the intended recipient named above. This communication may contain material protected by the Family Educational Rights and Privacy Act (FERPA). If you are not the intended recipient, copying, distribution or use of the contents of this message is strictly prohibited. If you received this electronic message in error, please notify us immediately at [662-489-3932](tel:662-489-3932).

*De Soto*

**The 2023 Proposed Gifted Regulations (2023 PGR) provides many improvements to the *Gifted Regulations for Gifted Education Programs, 2013*.**

The additional organization and colorful graphs add much needed clarity throughout the regulations.

Adding the appropriate data that are required for those students who are at a Disadvantage for Identification in the six sections that describe each stage of the process adds clarity and helps to assure that these students have the appropriate flexibility applied throughout the process. Because the identification stages take place over time, the blue checked box reinforces the need to make sure that these data points need to be checked as the student's identification packet is completed.

The addition of statements that clarify appropriate practices such as those listed below remove ambiguity:

"Gifted students should not be denied the opportunity to attend elective courses at any time."  
Page 46

"District scheduling gifted classes with more than 15 students will be required to submit justification to MDE." Page 48

"Each district is responsible for ensuring that students are being serviced during the administration of state and district assessments. A modified or alternative schedule is permitted and made available to the MDE upon request." Page 48

"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."

"Gifted Teacher Unit Allocations can not be used for any other purpose but to hire a gifted teacher." Page 51

"The Instructional Management Plan (IMP) is not required for intellectually gifted programs, which shall follow the curriculum of the Outcomes for Intellectually Gifted Education Programs, 2017 as published by the MDE." Page 52

"Any student transferring into Mississippi with a score at or above the 91st percentile on a Level C (individual test of intelligence) shall be ruled eligible for gifted services and placed in the gifted education program no matter when the eligibility was determined." Is a considerable improvement from the current regulations. Page 20

**These important additions and improvements make it clear that Matt Sheriff, Mississippi Coordinator of Gifted Services, listened to stakeholders statewide and brought his personal integrity as well as an intellectual investment into the improvement and clarity of the regulations to assure that each Gifted Identification Process and all Gifted Education Programs meet the needs of these students.**



## Issues concerning Compliance with the Military Interstate Compact and Reciprocity for Out-of-State Gifted Identification

**Possible Concern:** The *2023 Proposed Gifted Regulations (2023 PGR)* requires students who are identified as gifted by DoDEA to go through all six stages of the Gifted Identification process unless an IQ test (Level C Individual Test of Intelligence) was administered as a part of the DoDEA gifted identification process. The DoDEA uses a multi-gift approach to gifted identification. Though intellect is a component considered in the identification process, a Level 'C' or Individual IQ test is not required for gifted identification. The services DoDEA provides includes an intellectual processing component like the thinking and creativity outcomes taught in Mississippi's Gifted Education Programs. The activities taught in DoDEA AAPPS-RS K-5 classes are so similar to those taught within Mississippi gifted programs that they can be exchanged among teachers working in the two programs.

Thus, the *2023 PGR* fails to allow for the flexibility required by the *Military Interstate Compact*. According to this *Compact*, the children of military families must be afforded access to the same programs, courses, and activities in their new school if such programs, courses, and activities are available. Failure to provide a gifted identification and gifted services to the gifted elementary age children of military families transferring to a Mississippi school causes the student to be "penalized or delayed in achieving educational goals by inflexible administrative and bureaucratic practices," as forbidden in the *Military Interstate Compact* ([https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/134229\\_dodi\\_2017.pdf](https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/134229_dodi_2017.pdf).)

**Possible Concern:** Though the *2023 PGR* allows for an abridged identification process for students with an Out-of-State gifted eligibility, which is an improvement from the *2013 Gifted Regulations*, it falls short of extending reciprocity to another state's gifted eligibility because gifted identification processes differ across states. The *2023 PGR* limits reciprocity to the states that require an IQ test (Level "C" Assessment Instrument) as a component of the gifted identification process. Few other states require an IQ test as a part of their gifted eligibility process even if intellect is a component of identification and services.

**Potential Solution:** Grant reciprocity to the intellectually, academically, artistically, or creatively gifted identification process of the DoDEA and the gifted programs of other States so that students who have a current gifted eligibility may be placed in the most comparable program offered by the school. Granting reciprocity will give students consistent services by eliminating the "inflexible administrative and bureaucratic practices" that are an inefficient use of a teacher's time as well as the unnecessary investment of psychometric testing.

This change equates to a family-friendly welcome to those moving to Mississippi, reduces the amount of paperwork required by staff, and saves dollars spent on psychometric testing.

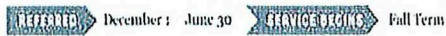
## Issues Regarding a Hardship in Regulatory Compliance

**Possible Concern:** In the 2023 PGR, each identification process (intellectually, academically, artistically, and creatively) contains an “Assessment Timeline” with months specified.

#### ASSESSMENT TIMELINE

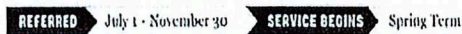
##### Fall Semester Eligibility

If a student is referred or screened from December 1 – June 30 each year, the assessment process must be complete, and the student placed in gifted services by the beginning of the fall term.

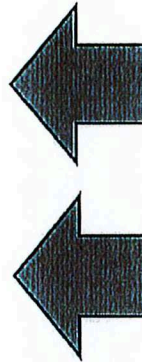


##### Spring Semester Eligibility

If a student is referred or screened from July 1 – November 30 each year, the assessment process must be complete, and the student placed in gifted services by the beginning of the spring of the following year. For gifted funding purposes, students shall be marked eligible and assigned to a gifted education program purposes in MSIS by December 1.



For the purposes of the assessment timeline, referrals begin on the day that a student is referred by anyone believing that the student may be intellectually gifted.



- Mississippi high schools follow different daily schedules spanning different academic years. Most schools provide seven or eight class periods daily. Others use the 4x4 block schedule. The academic year typically spans ten months, but several districts use modified, flex, and year-round calendars. Naming specific months add a layer of unnecessary complication.
- Students screened in the spring semester must complete the multistep identification process before July 1<sup>st</sup>. Students are often unavailable in the month of June and sometimes parents fail to inform staff. Reasons may include visiting a father in Alaska for the summer, taken off medication during the summer, the parent’s cell phone number changes, or transportation is unavailable.
- Considering the current school year as a possible scenario, for students advancing to Stage 5 (final assessment) of the six-stage gifted identification process from November 27, 2023 to November 30, 2023 the district must: (1) appropriately assessed, (2) assessment report written, (3) eligibility determination meeting held, (4) report and FERPA provided and explained to the parent, (5) initial placement form sent home, signed by parent, and returned to school on or before January 5, 2024, or the district is out of compliance with the 2023 PGR. This is unrealistic.

**Potential Solution:** Add a statement such as: The Gifted Identification process, from referral to placement, may last no longer than five months. When the district fails to complete the process within the timeline, the last paragraph of the Assessment Report must justify the district’s failure to meet the timeline. The validity of the justification would become a part of the district’s tri-yearly Gifted Program Audit conducted by MDE.

**Possible Concern:** The Assessment Timeline on page 26 of the 2023 PGR appears unclear.



#### ASSESSMENT TIMELINE

##### Fall Semester Eligibility

If a student is referred or screened from December 1 – June 30 each year, the assessment process must be complete, and the student placed in gifted services by the beginning of the fall term.

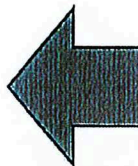
**REFERRED** December 1 – June 30 **SERVICE BEGINS** Fall Term

##### Spring Semester Eligibility

If a student is referred or screened from July 1 – November 30 each year, the assessment process must be complete, and the student placed in gifted services by the beginning of the spring of the following year. For gifted funding purposes, students shall be marked eligible and assigned to a gifted education program purposes in MSIS by December 1.

**REFERRED** July 1 – November 30 **SERVICE BEGINS** Spring Term

For the purposes of the assessment timeline, referrals begin on the day that a student is referred by anyone believing that the student may be intellectually gifted.



Is this a typographical error? “For gifted funding purposes, students shall be marked eligible and assigned to a gifted education program purposes in MSIS by December 1.”

#### ASSESSMENT TIMELINE

##### Fall Semester Eligibility

If a student is referred or screened from December 1 – June 30 each year, the assessment process must be complete, and the student placed in gifted services by the beginning of the fall term.

**REFERRED** December 1 – June 30 **SERVICE BEGINS** Fall Term

##### Spring Semester Eligibility

If a student is referred or screened from July 1 – November 30 each year, the assessment process must be complete, and the student placed in gifted services by the beginning of the spring of the following year. For gifted funding purposes, students shall be marked eligible and assigned to a gifted education program purposes in MSIS by December 1.

**REFERRED** July 1 – November 30 **SERVICE BEGINS** Spring Term

For the purposes of the assessment timeline, referrals begin on the day that a student is referred by anyone believing that the student may be intellectually gifted.

**Note:** For gifted funding purposes, students shall be marked eligible and assigned to a gifted education teacher in MSIS by December 1.

**Potential Solution:** To add clarity, correct the wording and remove the funding reference and December 1<sup>st</sup> date from the paragraph titled “Spring Semester Eligibility” and add it as a “note” under the section as shown above in the box.

## **Request for Clarity Specifying the Difference between Twice-Exceptional Students and Potentially Twice-Exceptional Students, Provisional Identification Status, and Appropriate Identification Requirements and Services for Both Groups**

**Possible Concern:** Further clarity is needed in the 2023 PGR to assure the appropriate identification of all students “who already have an eligibility ruling under IDEA.”

- The 2023 PGR fails to clarify that the *Twice-Exceptional* and the *Potentially Twice-Exceptional*, are two different groups of students.
  - The *Twice-Exceptional* students are those students who “already have an eligibility ruling under IDEA” and have the data necessary to meet gifted eligibility. Some of these students meet criteria as those at a Disadvantage for Identification.
  - The *Potentially Twice-Exceptional Students*, as described on page 26, are students who “already have an eligibility ruling under IDEA” but who “fail to satisfy the criteria for gifted eligibility.” This group may earn a Provisional Identification and must demonstrate giftedness through performance in the gifted classroom setting for up to one year to maintain their gifted eligibility.

**Note:** To subject a *Twice-Exceptional* student to Provisional Identification status is discriminatory and disregards a cautionary letter from \*\*\*\*\*, Director of OCR dated \*\*\*\*\*&&, (web address and attached). It is appropriate, however, to use a Provisional Identification as a highly personalized and much need extension of the gifted eligibility process for the *Potentially Twice-Exceptional* when a student’s disability manifests to such a degree that it is impossible to document gifts through published observation checklists or intellectual psychometric measures.

**Potential Solution:** The 2023 PGR should include a summary that shows all the gifted identification processes opened to students who “already have an eligibility ruling under IDEA” (and 504) at the time gifted eligibility is determined. See the example below:

Gifted Eligibility Processes open to students with a ruling under IDEA (or plans under 504)

1. **Intellectually Gifted Identification** - This process has two paths: Mass Screening or Individual. Any student may go through the six stages of this process and with the appropriate data, earn gifted eligibility. When gifted eligibility is determined, the Gifted Identification process is complete. The student’s IDEA/504 eligibility is independent from the gifted eligibility.
2. **Intellectually Gifted Identification for Students who are at a Disadvantage for Identification** – This process has two paths: Mass Screening or Individual. Three groups of students may go through this process and with the appropriate data, earn gifted eligibility. These groups are:
  - a. Those with ADHD or another medically diagnosed condition that might hinder the ability to observe or to measure a student’s strengths.
  - b. Those who are already protected under IDEA or 504 and have a ruling or a condition that might impede the ability to measure a student’s gifts.



- c. Those with five or more factors that existing in concert might obstruct or interfere with a student's ability to successfully navigate any stage of the identification process.

When gifted eligibility is determined, the identification process is complete. The student's IDEA/504 eligibility is important to the identification process because the student's disability contributes to disadvantages common within assessment.

3. **Provisionally Twice-Exceptional Students who may be Intellectually Gifted** – This process is open to IDEA or 504 students who fail to have the data to meet gifted eligibility but have at least one data point that strongly suggests giftedness. These students may access gifted services provisionally for up to one year, and upon demonstrating growth in the program, may continue in the program as all other gifted students.

**Possible Concern:** The 2023 PGR fails to serve as a helpful tool to those determining if a student is *Potentially Twice-Exceptional* as described on page 26.

**Potential Solution:** Add an additional paragraph with guided-questions that could help those contemplating the possibility of "Provisional Identification" status.

Such a paragraph might read as follows:

After it is determined that a student protected under IDEA or 504 has insufficient data for an Intellectually Gifted Identification nor a Disadvantage for Gifted Identification the GLSC may consider a Provisional Identification. When considering this identification, the GLSC should ask these questions:

1. Might this student's disability mask the ability to observe the student's gifts or suppress the ability to measure a student's strengths? If "no" stop the process. If "yes" then ask...
2. Though the data are insufficient, does at least one data point strongly indicate high potential? If "no" stop the process. If "yes" then ask...
3. Does at least one person (the student, parent, regular education teacher, principal, teacher of the gifted, peer) believe that this student would benefit from the program? If "no" then stop the process. If "yes" then ...

The student qualifies for a Provisional Identification that can stay in place for up to one year.

**Possible Concern:** The 2023 PGR, in the section for *Potentially Twice-Exceptional Students*, page 26, requires the GLSC to hold an additional meeting and create more paperwork to remove the Provisional Identification status which in turn allows the student may remain in the gifted program as all other student without ongoing identification consideration. Though a Provisional Identification is rare, most of the students who are extended gift eligibility through a Provisional Identification status are successful within the program. For this reason, the inverse of the current requirement would allow for a more efficient use of time and reflect best pedagogical practices.

**Potential Solution:** Include a process such as the following suggestion:

After it is determined that a student qualifies for Provisional Identification status as a student who is Potentially Twice-Exceptional and enters the program, the teacher of the gifted documents the student's personal growth towards the outcomes listed in *Outcomes for*

*Intellectually Gifted Education Programs, 2017* as all Gifted students' growth is documented within the program.

If the student grows in skills associated with thinking, creativity, information literacy, communication, affective-awareness, and success, and makes progress towards the development of personal outcomes through class assignments and activities, at the end of the calendar year the "provisional" aspect of the Provisional Identification status automatically transfers to Gifted Identification, and the student continues in the program identified as any Intellectually Gifted student.

If the student fails to progress in skills associated with thinking, creativity, information literacy, affective-awareness, and success, the teacher of the gifted must notify the parent and request a meeting of the GLSC and MDT. During this meeting all participants affirm that the elements of the IEP are being followed in the gifted education setting. If not, the situation is addressed and corrected. During this meeting, the joint team creates or approves interventions that the gifted education teacher will follow to make the student successful within the program. If the student fails to respond to the interventions, then additional interventions are created and provided for the student. After two or more contacts with the student's parent reporting failure to make progress within the gifted education program and after two or more interventions are put in place to support the student's path towards success, the GLSC and the MDT may convene to terminate the Provisional Identification and end gifted services.

If within a calendar year, the student's parent chooses to sign a *Refusal of Gifted Services* form, the Provisional Identification is terminated.

At the very least, teachers of the gifted and GLSCs need to understand that:

Potential = Provisional

No other gifted students should have Provisional status.

**Request for Additional Clarity Specifying the Three Groups of Students that may Receive Gifted Eligibility through use of the Disadvantage for Gifted Identification Process.**



**Potential Problem:** Three groups of students may earn gifted eligibility through the Disadvantage for Gifted Identification process. Yet the paragraph on page 14 of the 2023 PGR references only one of these groups. The reference is to the “checklist” which lists “factors” that when impacting in concert might “put a student at a Disadvantage for Identification.” The other two groups of students who may also earn gifted eligibility through this process are (1) those with ADHD or another medically diagnosed condition that might hinder the ability to observe or to measure the student’s strengths, and (2) those protected under IDEA or 504 who have a disability or condition that might impair the ability to observe or to measure strengths.

The omission of two groups of students who can use this identification process adds to the confusion and lack of clarity.

**Potential Solution:** Add clarity to the regulations by listing all three groups who may access gifted eligibility through the Disadvantage for Identification process to the paragraph on page 14. See suggestion below:

**Disadvantage for Gifted Identification (page 14)**

“... All students should be considered when using the Disadvantage for Gifted Identification Checklist.” Additionally, those with an ADHD diagnosis or another medically diagnosed condition that might hinder the ability to observe or to measure the student’s strengths, and those protected under IDEA or 504 who have an eligibility or condition that might impair the ability to observe or to measure strengths at any stages of the gifted identification process. “Students who are determined to be at a disadvantage for gifted assessment shall be given special consideration during the gifted identification process.”

**Potential Solution:** Though the changes to the Disadvantaged for Gifted Identification Checklist form are an improvement, additional changes would support clarity.

**Disadvantaged 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 disadvantaged for 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 Disadvantaged 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:**

Add: "...ADHD or another medically diagnosed condition that may hinder assessment..."

Option II should be listed as Option III.

Option II should read:

Students who have an IEP or 504 plan as the result of a condition that might hinder the assessment process. Attach a copy of the plan.



Example Form with suggested changes:

STUDENT NAME	STUDENT MSIS #
COMPLETED BY	RELATIONSHIP

NOTE: The best information may be gleaned through conversations with the parent.

**OPTION I**

A student diagnosed with ADD/ADHD or another medical condition that similarly hinders the ability to measure a student's potential requires the district to use of the Disadvantaged for Assessment guidelines as defined by the *Regulations for Gifted Education Programs, 2023*.

Date of Diagnosis: \_\_\_\_\_ Person making diagnosis: \_\_\_\_\_

Attach a copy of the ADHD diagnosis and recommendations.  
Other medical conditions diagnosed by a doctor will be considered on a case-by-case basis.

**OPTION II**

A student who is identified as having an educational disability as described under IDEA may be at a Disadvantaged for Identification. The student's disability, with the IEP attached, will be considered by the GLSC or in a joint meeting of the GLSC and the MDT team to make the determination.

**OPTION III**


Circumstances influencing a student's behavior and performance might hinder an educator's ability to observe gifts and might suppress an examiner's ability to measure potential. For this reason, if this student has five (5) or more of the following indicators, the student will follow the identification process for students who are at a Disadvantaged for Identification as described in the *Regulations for Gifted Education Programs, 2023*.

Speaks with limited English proficiency
First-degree relative spoke another language before English
Parent, guardian, or caregiver speaks non-standard English
Parent or guardian changed after age 1
Placement with two or more guardians or foster homes
First-degree relative died, abandoned, or has limited access
1 <sup>st</sup> , 2 <sup>nd</sup> , and 3 <sup>rd</sup> grade student has attended more than one school
4 <sup>th</sup> , 5 <sup>th</sup> , 6 <sup>th</sup> , 7 <sup>th</sup> , and 8 <sup>th</sup> grade student has attended more than two schools
Socialization common among productive citizens might be unsupported
Factors influencing development may vary from national norms
Reads one or more years below grade level
Frequently absent or tardy
Difficulty staying on task
Limited enrichment materials compared to the typical US home
Limited enrichment experiences compared to same age peers across the US
After-school responsibilities might interfere with performance
OTHER:

Note: The "factors" or circumstances listed on the example form differ from those on the proposed form but might be helpful as GLSCs contemplate who might be at a Disadvantage for Gifted Identification.


## Observations that may Improve the Efficient Use of Gifted Forms

**Possible Concern:** The same information on multiple forms within the same referral packet creates an inefficient use of teacher time. (See Referral and Gifted Eligibility Forms below.)

 **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 _____	Gender _____	Student ID# _____
School _____	Teacher _____	
Parent/Guardian Name(s) _____		
Address _____		
Street Address _____	City _____	State _____ Zip _____
Phone _____		Alternate Phone _____
Referred initially by _____ Relationship to student _____		

 **Gifted Eligibility Form**

School District: \_\_\_\_\_ School: \_\_\_\_\_ Contact Person: \_\_\_\_\_

Student Name _____	Age _____	Gender _____	Race _____
Date of Birth _____	Grade Placement _____	Student ID# _____	
Parent/Guardian Name _____			
Address _____			
Street Address _____	City _____	State _____	Zip _____
Phone _____		Alternate Phone _____	
<p align="center"><b>Parental Consent for Testing</b></p> <p>I have been informed in writing of the identification process for the gifted program. The Family Educational 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 verified according to criteria in the Gifted Program Regulations.</p>			
Parent/Guardian Signature _____			Date _____

**COMPLETED BY PARENT/GUARDIAN**

**Potential Solution:** Put a Student Identification Box which requires “Name” and “MSIS Number” at the same location on each form. Remove any other duplicated data points within the Gifted Referral Packet.

Student name: _____ Student MSIS number: _____
--

Because forms are tied to a stage of the Gifted Identification Process, limit the information required on the form to the data points needed for the student to advance to the next stage in the process.

**Possible Concern:** The Proposed Gifted Referral Form has two pages. This invites human error. Such an error will cause an inefficient use of time required by multiple staff to remedy at a later stage in the process.

**GIFTED EDUCATION PROGRAM**

A student may be referred for consideration by a parent, teacher, counselor, administrator, peer, or other staff member having reason to believe that the student might be eligible for gifted.

**Student Information:** Student Name, Date of Birth, Gender, School, Teacher, Home Address, City, State, Zip, Phone, Primary Teacher, Relationship to Student.

**Parental Consent:** Parents have the following concerns have been referred to the student's ability to move forward for gifted assessment.

**OBJECTIVE MEASURES:**

- ☐ Standard Group Measure of Intelligence. MINIMUM CRITERIA: A score of 130 or above the 98th percentile. Score: \_\_\_\_\_ Percentile: \_\_\_\_\_. ATTACH SCORE REPORT.
- ☐ Standard Measure of Cognitive Abilities. MINIMUM CRITERIA: A score of 130 or above the 98th percentile. Score: \_\_\_\_\_ Percentile: \_\_\_\_\_. ATTACH SCORE REPORT.
- ☐ Standard Achievement Test. MINIMUM CRITERIA: A score of 130 or above the 98th percentile in the state below. Total Reading Percentile: \_\_\_\_\_. Total Math Percentile: \_\_\_\_\_. Total Language Percentile: \_\_\_\_\_. Total Science Percentile: \_\_\_\_\_. Total Social Studies Percentile: \_\_\_\_\_. Composite Score: \_\_\_\_\_. Score: \_\_\_\_\_ Percentile: \_\_\_\_\_. ATTACH SCORE REPORT.

**SUBJECTIVE MEASURE(S):**

- ☐ Checklist of Gifted Characteristics. MINIMUM CRITERIA: A score of 130 or above the 98th percentile. Score: \_\_\_\_\_ Percentile: \_\_\_\_\_. ATTACH SCORE REPORT.
- ☐ Creativity Checklist. MINIMUM CRITERIA: A score of 130 or above the 98th percentile. Score: \_\_\_\_\_ Percentile: \_\_\_\_\_. ATTACH SCORE REPORT.
- ☐ Leadership Checklist. MINIMUM CRITERIA: A score of 130 or above the 98th percentile. Score: \_\_\_\_\_ Percentile: \_\_\_\_\_. ATTACH SCORE REPORT.

**LSC REVIEW OF REFERRAL DATA AND RECOMMENDATION:**

- ☐ The student's ability to move forward with the referral process is recommended.
- ☐ The student's ability to move forward with the referral process is not recommended.
- ☐ The student's ability to move forward with the referral process is not recommended.

**SIGNATURES OF LSC MEMBERS:**

- \_\_\_\_\_  
Signature
- \_\_\_\_\_  
Signature
- \_\_\_\_\_  
Signature
- \_\_\_\_\_  
Signature

**Potential Solution:** Add an identification text box to each form so that the identity of the student can be assured throughout the packet. Retain only those data points that provide the necessary information for the student to advance to the next stage in the process on each form.

Compress the textboxes so that all necessary data fits on one page.

For example, "student address" might be a data point needed somewhere in the referral packet. If so, the Gifted Eligibility form is the place to keep that data point, rather than the Gifted Referral form, because this Gifted Eligibility form serves as a document signed by the parent to grant permission to assess the student and to either bestow or to withhold eligibility. It is unnecessary on other forms.

**Possible Concern:** The Gifted Eligibility form in the 2023 PGR continues to request that the parent either provide or affirm the "race" and "gender" of their child to complete the form.

- This request on the current form causes annoyance to some parents and prompts conversations about the necessity and use of this information.
- Race and gender are extraneous data points in the 2023 PGR, so the collection of these data points as a part of identification process is similar to requesting shoe size.
- Race and Gender are not required components of the Gifted Assessment Report provided to parents.
- If disaggregation of gifted data concerning "race" or "gender" is needed for research or evidentiary purposes, it will be collected through a query of students tagged with the relevant indicators in a data base rather than through a search of the gifted paperwork.

**Potential Solution:** To reduce confusion and to save teachers' time, remove the request for "race" and "gender" from the proposed Gifted Eligibility form.



**Possible Concern:** The Proposed Gifted Referral Form may need to include more information to be a useful tool that helps the process move smoothly from the referral stage to the formal assessment stage.

For example, below is a copy of the Proposed Gifted Referral Form next to the current DeSoto County Schools (DCS) Gifted Referral form approved by MDE.

The image shows two forms side-by-side for comparison. The left form is the 'Proposed Gifted Referral Form' and the right form is the 'DeSoto County Schools (DCS) Gifted Referral form'.

**Proposed Gifted Referral Form (Left):** This form is titled 'GIFTED EDUCATION PROGRAM' and includes sections for 'Objective Measures' and 'Subjective Measures'. It contains checkboxes for various criteria such as 'Intellectual Ability', 'Academic Achievement', 'Creative Thinking', and 'Social Skills'. It also includes a section for 'Recommendation' with checkboxes for 'Recommended' and 'Not Recommended'.

**DeSoto County Schools (DCS) Gifted Referral form (Right):** This form is titled 'PLEASE USE BLUE OR BLACK INK ONLY' and includes sections for 'STUDENT INFORMATION', 'TEACHER INFORMATION', and 'RECOMMENDATION'. It contains checkboxes for various criteria such as 'Intellectual Ability', 'Academic Achievement', 'Creative Thinking', and 'Social Skills'. It also includes a section for 'Recommendation' with checkboxes for 'Recommended' and 'Not Recommended'.

In DCS, the psychometrists use this form to help select the most appropriate IQ Test. The information listed below is helpful but absent from the proposed 2023 PGR form:

Does the student wear eyeglasses or a hearing-aid?

Medications? For what reason? Allergies?

ELL? IEP? TST?

Does the student have any physical limitations that should be considered when selecting an appropriate assessment instrument?

In smaller districts, or in schools where the psychometrist/psychologist is a part of the staff and knows many of the students personally, it may be unnecessary to include this much information on the referral form.

**Potential Solution:** MDE should continue allowing district to customize forms with MDE approval.

## 2023 Proposed Gifted Regulations

Comments by Carol Paola

Submitted November 27, 2023

**Administrative Procedures Act (APA) Notice**

Office of Academic Education

Office of Elementary Education

Title 7, Education K-12

**Part 96: Regulations for Gifted Education Programs 2023**

On **October 19, 2023**, the State Board of Education (SBE) approved to begin the Administrative Procedures Act process to revise the Regulations for Gifted Education Programs 2023. Please submit written comments to **Matthis Sheriff**, Office of Elementary Education, 359 North West Street, Post Office Box 771, Jackson, MS 39205-0771. You may also submit comments in writing by email at [msheriff@mdek12.org](mailto:msheriff@mdek12.org).

All public comments must be received in the Office of Elementary Education no later than **5:00 p.m. on November 27, 2023**. APA comments will be presented to the SBE on **December 21, 2023**.

### 2023 Regulations / APA Review

Note for MDE Gifted Specialist, Mat Sheriff: All notes that are my questions or suggestions are highlighted in **turquoise**.

Possible additions or suggested changes are highlighted in **yellow**. If you have any questions or concerns, please contact me by phone at 228-860-1763 or at [carol.paola@lbsd12.com](mailto:carol.paola@lbsd12.com) or [magc.carol.paola@gmail.com](mailto:magc.carol.paola@gmail.com)

#### STATE DEFINITIONS (Page 8)

- 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. (No Change)



- 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.

**Problem:** The wording above leads to the assumption that these programs are offered state-wide in Mississippi. This could be misleading to out of state transfers and parents.

**Possible wording for clarity:** Add asterisks above.

\* Programs for intellectually gifted students in grades 2-6 are funded by mandated State of Mississippi legislation. Programs for academically, artistically, creatively and 7-12 intellectually gifted children are not mandated by legislation. Currently, these programs are funded at the discretion of individual school districts.

- GIFTED PUPIL PERSONNEL DATA SHEET (GPPDS) 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. Change the name of the sheet to **Gifted Eligibility Form**.

#### SECTION 1 Gifted Education STUDENT IDENTIFICATION (Page 10)

##### 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.

**Question: Should 504 be included below?**

- 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) and 504 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 - O F - STATE GIFTED ELIGIBILITIES (Page 12)**

Each state has a unique set of eligibility criteria for placement in a gifted program. A student moving to Mississippi with a gifted eligibility from another state must satisfy Mississippi eligibility criteria before being considered for placement in the gifted program.

Any student transferring into Mississippi with a score at or above the 91st percentile on a Level C



(individual test of intelligence) shall be ruled eligible for gifted services and placed in the gifted education program no matter when the eligibility was determined.

In all other situations, the eligibility ruling from another state may be used to satisfy the referral criteria in Mississippi. Once gifted eligibility in another state has been documented, the student shall be moved to Stage 5 of Identification of Intellectually Gifted Students (page 20).

There is no temporary placement in the gifted program while the student goes through the eligibility process within the local district. **This statement is in direct opposition to the Military Interstate Compact**

**Please consider the following to justify changes requested regarding Out of State Transfers:**

Gov. Tate Reeves, signed Executive Order NO. 1561- Military Star School Program on February 21, 2022. Twelve Mississippi school districts currently have been awarded Military Star School Status, but there are military students located in school districts all over Mississippi that should be given the same considerations.

The Military Star School program is designed to help schools respond to the educational and social-emotional challenges military-connected children face during their transition to a new school and keep them on track to be college, workforce, and life-ready.

For Military Star Districts, the Military Interstate Children's Compact is put in place and focuses on key educational transition issues to allow for uniform treatment of military students alongside their civilian peers.

Article V-Placement & Attendance of the MIC3 Rules for Course and Educational Program Placement states, "The Compact requires the student be placed in courses and programs based on prior enrollment. The receiving state may perform evaluations to ensure the appropriate placement and the student's continued enrollment in the course or program."

The Mississippi 2013 Gifted Regulations and 2023 Draft Gifted Regulations, out for APA, require that students from Out of State meet the 91st percentile for placement or be retested and meet Mississippi gifted placement criteria. For a Military child that has been served in a gifted program through the DODEA/DODDS or a public school in another state to be placed in a Mississippi gifted program in compliance with the Compact, subsequently evaluated, and possibly removed from the program, serious emotional harm could result. This is also true for out-of-state transfer students with no military connections.



**Carol Paola Possible Wording:**

**Military family students and other Out of State Transfer students with documentation of gifted placement be awarded reciprocal eligibility for placement in Mississippi Gifted Education programs.**

**Please refer to information compiled and suggestions offered by Emily Nelson for this possible wording:**

**"Students transferring to a Mississippi school who successfully completed the intellectually, academically, artistically, or creatively gifted identification process of the DoDEA or other "out of state" school district and have a current gifted eligibility should be placed in the most comparable program offered by the school.**

**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 the student's GPPDS or Gifted Eligibility Form and parental permission to serve.

**STATES OF EMERGENCY AND NATIONAL DISASTERS**

During states of emergency or national disasters which cause an influx of students who do not have access to their education records from another state, the MDE will inform districts of the appropriate course of action to determine gifted eligibility.

**PROCEDURAL SAFEGUARDS (Page 13)**

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. (Only addition is the wording highlighted in yellow.)

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.

**Possible Problem:** Does this statement mean "School Board Policy?" Some school districts balk at putting procedural information into "policy." If it needs to be a policy, add this to the required policy list on page 49.

**Possible wording:**

Each district shall have a **policy or procedure** that establishes the process that parents shall adhere to when requesting access to these files.

**GIFTED STUDENT FILE REQUIREMENTS (Page 13)**

1. Gifted Pupil Personnel Data Sheet (GPPDS)/Gifted Eligibility Form (Include the new form title)

INCLUDE:

- Parent signature
- Eligibility/ineligibility mark
- 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

**(Possible Problems:**

- If the student is a transfer from in-state or out-of-state, it may be impossible to get the protocols.)
- Many of the objective measures are on-line versions which are not allowed to be printed. Others are "non-consumable" and reusable. Can the score sheet be included in these situations?

INCLUDE:

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

**Possible solution:** If the protocol is not possible to obtain, include justification in the folder.

**LOCAL SURVEY COMMITTEE (LSC) (No changes)**



<p>Each district shall establish a 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.</p> <p>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 an eligibility under the twice-exceptional criteria.</p> <p>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.</p>	<p><b>IDENTIFICATION OF INTELLECTUALLY GIFTED STUDENTS</b></p> <p>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.</p> <p>(Note: Addition of documented research related to distinct difference between intellectual and academic ability)</p> <p>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. (No changes)</p> <p>Throughout the identification process, district personnel shall be careful to select measures that target the student's strengths. (No Change)</p>	<p><b>DISADVANTAGED FOR GIFTED IDENTIFICATION</b></p> <p>The Disadvantaged for Gifted Identification Checklist (Appendix B) makes provisions for certain factors that exist that may put the student at a disadvantage when inappropriate instruments are used during the assessment process.</p> <p>All students should be considered when using the Disadvantaged for Gifted Identification Checklist.</p> <p>Students who are determined to be at a disadvantage for gifted assessment shall be given special considerations during the gifted identification process.</p>
---	---	---

## IDENTIFICATION PROCESS 1: MASS SCREENING (Page 14)

### 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 Emerging Potential for Gifted criteria as "At a Disadvantage for Gifted Testing," 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 who are at a disadvantage 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 (Page 15)

The next step in the process will consist of the collection of substantiated student data obtained through 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 ONE TWO of the following referral criteria before moving forward to the LSC Review of Referral

Data Stage: (Note: Should this be TWO measures in addition to the screener or is the requirement going to be only 2 measures? One being objective and the other subjective?) If the requirement is being lowered to just 2 measures, ignore the notes below.



- 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 identification of intellectually gifted students

Students who are at a disadvantage 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

The student has satisfied minimal criteria on at least ~~two~~ **THREE** measures and shall move forward to the assessment stage.

**OPTION TWO** The student has not satisfied minimal criteria on at least ~~two~~ **THREE** measures; however, the LSC feels strongly that additional data, including individual assessment, may be collected and the student reconsidered at that time.

**OPTION THREE** The student has not satisfied minimal criteria on at least ~~two~~ **THREE** measures, and the identification process shall stop.

**the LSC must verify that the student satisfied minimal criteria on THREE measures for the student to move forward in the referral process. This would include the scores from the mass screening as well as two additional measures from the Data Collection options in the list above.**

To indicate that the student needs "at least two," is misleading and would result in students moving forward to the assessment stage not having met referral requirements.

#### 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. (No Changes)

#### Stage 5: Assessment (Page 16)

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) to satisfy eligibility criteria.

(The section below is not included in the proposed regulations at this point. It may be included in another location. This wording set criteria for districts who wanted to raise their cut-score. Should it still be included?)

District personnel shall make decisions as to whether the minimal acceptable criteria set in regulations will be used, or if a higher minimal acceptable criteria will be used.

The assessment criteria and acceptable minimal scale/percentile scores to be used shall be documented in writing in the district's Gifted Education Program Proposal submitted to and approved by the Office of Curriculum and Instruction at the MDE.



If a district decides to raise its minimal acceptable scale/percentile score for gifted eligibility above the state minimum scale/percentile score, justification shall be provided to the MDE in writing. Included in the justification must be documentation that the district continuously addresses the Emerging Potential for Gifted guidelines as outlined in the regulations.

**Students who are at a disadvantage 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 (Page 18)**

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: Referrals 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 **to include license number and date of expiration.** **Please add this to ensure it is included.**
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 (Page 21)**

**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 **TWO THREE? Question: TWO? Does this mean that a student only needs 1 objective measure and 1 subjective measure in order to get to the IQ Assessment stage?**

of the following referral criteria, including both objective and subjective measures before moving forward to the LSC Review of Referral Data Stage:

- 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 identification of intellectually gifted student

### Stage 4: LSC Review of Referral Data (Page 22)

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

#### OPTION ONE:

The student has satisfied minimal criteria on at least two measures and shall move forward to the assessment stage.

#### \*\*\*OPTION TWO:

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.

#### OPTION THREE:

The student has not satisfied minimal criteria on at least two measures, and the identification process shall stop. Students who are at a disadvantage 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.

**Question: TWO? Does this mean that a student only needs 1 objective measure and 1 subjective measure in order to get to the IQ Assessment stage?**

#### **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) to satisfy eligibility criteria.

**Students who are at a disadvantage 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 (Page 24)**

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: Referrals 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. **Please add: License number and expiration date**
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 (Page 26)**

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 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 GPPDS.

**INDEPENDENT OR PRIVATE TESTING** **Comment:** The section below is found towards on page 45. It could be placed here or the above could be located with this on page 45.

Parents may have their child independently assessed by a licensed psychometrist or examiner.

The student shall satisfy minimal acceptable criteria on the measures used.

In addition, the child must satisfy at least one of the following to be considered for the Gifted Educational Program:

- 1 A score at or above the 90th percentile on a group measure of intelligence that has been administered within the past twelve months
- 2 A score at or above the superior range on a normed, published characteristics of giftedness checklist
- 3 A score at or above the superior range on a normed, published measure of creativity
- 4 A score at or above the superior range on a normed, published measure of leadership
- 5 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
- 6 A score at or above the 90th percentile on a normed measure of cognitive ability
- 7 A score at or above the 90th percentile on an existing measure of individual intelligence that has been administered within the past twelve months
- 8 Other measures that are documented in the research on identification of intellectually gifted student

### POTENTIALLY TWICE—EXCEPTIONAL STUDENTS

Students who already have an eligibility ruling under IDEA and are being assessed for an



<p>intellectually gifted eligibility, and who did not satisfy all 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.</p> <p>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 <b>may</b> be granted a provisional eligibility for the intellectually gifted program for a period up to one year.</p> <p>Within that year, the student's gifted teacher 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</p>
<p><b>PARENTAL PERMISSION FOR PLACEMENT</b> 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.</p>
<p><b>ASSESSMENT TIMELINE (Page 27)</b></p> <p><b>Fall Semester Eligibility</b> If a student is referred or screened from December 1 – June 30 each year, the assessment process must be complete, and the student placed in gifted services by the beginning of the fall term.</p> <p><b>Spring Semester Eligibility</b> If a student is referred or screened from July 1 – November 30 each year, the assessment process must be complete, and the student placed in gifted services by the beginning of the spring of the following year. For gifted funding purposes, students shall be marked eligible and assigned to a gifted education program purposes in MSIS by December 1.</p>

For the purposes of the assessment timeline, referrals begin on the day that a student is referred by anyone believing that the student may be intellectually gifted.
<b>Possible Problems:</b> As many variables connected to school schedules will determine whether timelines based on specific months may be appropriate in all Mississippi school districts, it might be more appropriate to specify that the timeline begins when formal referral papers are signed and dated.
<b>Possible Wording:</b> For purposes of the assessment timeline, referrals begin on the date referral papers are signed and dated. The timeline from the receipt of signed and dated referral papers to completion of the assessment process shall be no longer than (Four? Five?) months with placement of eligible students by the beginning of the next semester.
In the event the timeline is not met for a student, justification shall be included in the final paragraph of the assessment report.
<b>GIFTED EDUCATION PROGRAM STANDARDS</b> <b>CRITERION I: CURRICULUM AND INSTRUCTION</b> 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. 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.
<b>CRITERION II: PROGRAM ADMINISTRATION AND MANAGEMENT</b> 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 minimum of 270 minutes per week of services in an approved gifted education program.
4. 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 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 nondistrict 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.
- 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 (Page 45)**

Parents may have their child independently assessed by a licensed psychometrist or examiner.

The student shall satisfy minimal acceptable criteria on the measures used.

In addition, the child must satisfy at least one of the following to be considered for the Gifted Educational Program:

- 1 A score at or above the 90th percentile on a group measure of intelligence that has been administered within the past twelve months
- 2 A score at or above the superior range on a normed, published characteristics of giftedness checklist
- 3 A score at or above the superior range on a normed, published measure of creativity
- 4 A score at or above the superior range on a normed, published measure of leadership
- 5 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
- 6 A score at or above the 90th percentile on a normed measure of cognitive ability
- 7 A score at or above the 90th percentile on an existing measure of individual intelligence that has been administered within the past twelve months
- 8 Other measures that are documented in the research on identification of intellectually gifted student

**(This section should be combined with the section on Private Assessment located on page 26)**

**PRIVATE ASSESSMENT (page 26)**

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 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 GPPDS.

#### **PROGRAMMING OPTIONS INTELLECTUALLY GIFTED PULL - OUT (GRADES 2-12) (Page 45-47)**

A group of all intellectually gifted students is provided services by a properly endorsed teacher in a self-contained room for a minimum of 270 minutes per week (see page 41). The recommended time for gifted instruction is 330 minutes per week.

The activities in the gifted class shall develop and enhance the process skills in the outcomes document, the teaching strategies notebook, and 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 utilizing higher-level thinking skills, creative problem solving, critical thinking skills, research skills, personal growth and 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 these services by a properly licensed teacher holding a gifted endorsement. The class shall satisfy 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 pullout 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 the gifted endorsement. The class shall satisfy 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 recommended 300 minutes per week, or a required minimum of 240 minutes per week. 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 the 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 the gifted endorsement. The class shall satisfy time requirements for a Carnegie unit course.

**DUAL CREDIT/DUAL ENROLLMENT** High school students may attend regular classes 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 (Page 48)**

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 (Page 48)**

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 (Page 48)**

- **State and District Assessments**

Each district is responsible for ensuring that students are being serviced during the administration of state and districts 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 (Page 49)**

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 (Page 49)**

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 referral criteria (specify that this is the referral criteria)
- Neither grades nor achievement test scores shall eliminate a student from gifted identification
- MDE assessment timeline

Add in any other items that have mentioned a required "policy." Each district shall have a policy that establishes the process that parents shall adhere to when requesting access to these files. (page 13)

3. Parent appeals and hearings

4. Maintenance and destruction of gifted student file

**Possible problem:** If each district decides on their own maintenance and destruction of files policy, there will be no continuity within the state. Better that this should be included in the regulations.

**Possible solution:**

<p>Three years after a student graduates, ineligible folders can be destroyed and eligible folders can be released. Notification of release of folders shall be made through notification on the school district website and through an additional local source.</p>	<p><b>MONITORING AND SELF-EVALUATION</b> (Page 50)</p> <p>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.</p> <p><b>NON-COMPLIANCE</b> Districts shall comply with the requirements of the Mississippi Gifted Education Act of 1989 (Miss. 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. Please refer to the current edition of the Mississippi Public School Accountability Standards, for further details.</p> <p><b>GEP CONTACT PERSON</b></p> <p>Each local district superintendent shall appoint at least two GEP Contact Persons. 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.</p> <p>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.</p>	<p><b>GIFTED TEACHER UNITS</b> (Page 51)</p> <p>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:</p> <ol style="list-style-type: none"> <li>1. The first teacher unit shall be funded on the basis of a minimum of 20 identified and participating students.</li> </ol>
--	---	---



<p>2. The second gifted teacher unit shall be funded when there are 41 identified and participating students.</p> <p>3. Additional gifted teacher units shall be funded based on the <math>40 + 1</math> formula.</p> <p>4. No student may be counted more than once for the purpose of justifying funding of a gifted teacher unit.</p> <p>5. The data entered into the Mississippi Student Information System (MSIS) shall be the official numbers for the purposes of funding gifted teacher units.</p> <p><b>NOTE: (Page 51)</b> 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.</p> <p>If funds are available for permissible programs in grades 9-12, gifted teacher units in grades 9-12 shall be funded as follows:</p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> </ol> <p><b>Gifted Teacher Unit Allocations can not be used for any other purpose but to hire a gifted teacher.</b></p>	<p><b>PLANNING TIME (Page 52)</b> 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 <math>\frac{1}{2}</math> 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.</p>
---	--

**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 (Page 52)**

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 (Page 53)**

Gifted students in grades 2-8 shall not be required to makeup 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.



<p>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.</p> <p>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</p>	<p><b>ANNUAL REASSESSMENT (Page 53)</b></p> <p>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.</p> <p>Since participation in the gifted program is an entitlement under law, students shall remain in the gifted program as long as they are being successful in the program. Grades and/or success in the regular education program is the responsibility of the regular classroom teachers and shall not be considered as a reason for removal from the gifted program.</p> <p>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.</p> <p>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.</p>
--	--

**2023 Proposed Gifted Regulations**  
Comments by Carol Paola for APA Review  
Submitted November 27, 2023

**2023 Regulations / APA Review**

Note for MDE Gifted Specialist, Mat Sheriff: All notes that are my questions or suggestions are highlighted in **turquoise**. Possible additions or suggested changes are highlighted in **yellow**. If you have any questions or concerns, please contact me by phone at 228-860-1763 or at [carol.paola@lbsdk12.com](mailto:carol.paola@lbsdk12.com) or [magc.carol.paola@gmail.com](mailto:magc.carol.paola@gmail.com)

**STATE DEFINITIONS (Page 8)**

- 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. (No Change)
- 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.



**Problem:** The wording above leads to the assumption that these programs are offered state-wide in Mississippi. This could be misleading to out of state transfers and parents.

**Possible wording for clarity:** Add asterisks above.

\* Programs for intellectually gifted students in grades 2-6 are funded by mandated State of Mississippi legislation. Programs for academically, artistically, creatively and 7-12 intellectually gifted children are not mandated by legislation. Currently, these programs are funded at the discretion of individual school districts.

- GIFTED PUPIL PERSONNEL DATA SHEET (GPPDS) 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. Change the name of the sheet to Gifted Eligibility Form.

## SECTION 1 Gifted Education STUDENT IDENTIFICATION (Page 10)

### 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.



**Question: Should 504 be included below?**

- 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) and 504 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 (Page 12)**

Each state has a unique set of eligibility criteria for placement in a gifted program. A student moving to Mississippi with a gifted eligibility from another state must satisfy Mississippi eligibility criteria before being considered for placement in the gifted program.

Any student transferring into Mississippi with a score at or above the 91st percentile on a Level C (individual test of intelligence) shall be ruled eligible for gifted services and placed in the gifted education program no matter when the eligibility was determined.

In all other situations, the eligibility ruling from another state may be used to satisfy the referral criteria in Mississippi. Once gifted eligibility in another state has been documented, the student shall be moved to Stage 5 of Identification of Intellectually Gifted Students (page 20).



There is no temporary placement in the gifted program while the student goes through the eligibility process within the local district. This statement is in direct opposition to the Military Interstate Compact

**Please consider the following to justify changes requested regarding Out of State Transfers:**

Gov. Tate Reeves, signed Executive Order NO. 1561 - Military Star School Program on February 21, 2022. Twelve Mississippi school districts currently have been awarded Military Star School Status, but there are military students located in school districts all over Mississippi that should be given the same considerations.

The Military Star School program is designed to help schools respond to the educational and social-emotional challenges military-connected children face during their transition to a new school and keep them on track to be college, workforce, and life-ready.

For Military Star Districts, the Military Interstate Children's Compact is put in place and focuses on key educational transition issues to allow for uniform treatment of military students alongside their civilian peers.

Article V-Placement & Attendance of the MIC3 Rules for Course and Educational Program Placement states, "The Compact requires the student be placed in courses and programs based on prior enrollment. The receiving state may perform evaluations to ensure the appropriate placement and the student's continued enrollment in the course or program."

The Mississippi 2013 Gifted Regulations and 2023 Draft Gifted Regulations, out for APA, require that students from Out of State meet the 91st percentile for placement or be retested and meet Mississippi gifted placement criteria. For a Military child that has been served in a gifted program through the DODEA/DODDS or a public school in another state to be placed in a Mississippi gifted program in compliance with the Compact, subsequently evaluated, and possibly removed from the program, serious emotional harm could result. This is also true for out-of-state transfer students with no military connections.

**Carol Paola Possible Wording:**

Military family students and other Out of State Transfer students with documentation of gifted placement be awarded reciprocal eligibility for placement in Mississippi Gifted Education programs.

Please refer to information compiled and suggestions offered by Emily Nelson for this possible wording:



**"Students transferring to a Mississippi school who successfully completed the intellectually, academically, artistically, or creatively gifted identification process of the DoDEA or other "out of state" school district and have a current gifted eligibility should be placed in the most comparable program offered by the school."**

#### **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 the student's GPPDS or Gifted Eligibility Form and parental permission to serve.

#### **STATES OF EMERGENCY AND NATIONAL DISASTERS**

During states of emergency or national disasters which cause an influx of students who do not have access to their education records from another state, the MDE will inform districts of the appropriate course of action to determine gifted eligibility.

#### **PROCEDURAL SAFEGUARDS (Page 13)**

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. (Only addition is the wording highlighted in yellow.)

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.

**Possible Problem: Does this statement mean "School Board Policy?" Some school districts balk at putting procedural information into "policy." If it needs to be a policy, add this to the required policy list on page 49.**

**Possible wording:**



Each district shall have a <b>policy or procedure</b> that establishes the process that parents shall adhere to when requesting access to these files.	<p><b>GIFTED STUDENT FILE REQUIREMENTS (Page 13)</b></p> <p>1. Gifted Pupil Personnel Data Sheet (GPPDS)/<b>Gifted Eligibility Form (Include the new form title)</b></p> <p>INCLUDE:</p> <ul style="list-style-type: none"><li>• Parent signature</li><li>• Eligibility/ineligibility mark</li><li>• Signed by LSC (minimum of 2 signatures)</li><li>• Eligibility date</li></ul> <p>2. Permission for gifted service form</p> <p>INCLUDE:</p> <ul style="list-style-type: none"><li>• Parent signature</li></ul> <p>3. Assessment report (See pages 17 and 22)</p> <p>4. Referral documentation (See Appendix A)</p> <p>5. Original protocols</p> <p><b>Possible Problems:</b></p> <ul style="list-style-type: none"><li>• If the student is a transfer from in-state or out-of-state, it may be impossible to get the protocols.)</li><li>• Many of the objective measures are on-line versions which are not allowed to be printed. Others are “non-consumable” and reusable. Can the score sheet be included in these situations?</li></ul> <p>INCLUDE:</p> <ul style="list-style-type: none"><li>• Objective measure(s)</li><li>• Subjective measure(s)</li><li>• Individual assessment(s)</li></ul> <p><b>Possible solution:</b> If the protocol is not possible to obtain, include justification in the folder.</p>
	<p><b>IDENTIFICATION PROCESS 1: MASS SCREENING (Page 14)</b></p> <p><b>Stage 1: Mass Screening</b></p> <p>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</p>

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 Emerging Potential for Gifted criteria as "At a Disadvantage for Gifted Testing,"** 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 who are at a disadvantage 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 (Page 15)

The next step in the process will consist of the collection of substantiated student data obtained through 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 **ONE TWO** of the following referral criteria before moving forward to the LSC Review of Referral

Data Stage: **(Note: Should this be TWO measures in addition to the screener or is the requirement going to be only 2 measures? One being objective and the other subjective?) If the requirement is being lowered to just 2 measures, ignore the notes below.**

- 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 identification of intellectually gifted students

Students who are at a disadvantage 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

The student has satisfied minimal criteria on at least **two-THREE** measures and shall move forward to the assessment stage.

**OPTION TWO** The student has not satisfied minimal criteria on at least **two-THREE** measures; however, the LSC feels strongly that additional data, including individual assessment, may be collected and the student reconsidered at that time.

**OPTION THREE** The student has not satisfied minimal criteria on at least **two-THREE** measures, and the identification process shall stop.

**the LSC must verify that the student satisfied minimal criteria on THREE measures for the student to move forward in the referral process. This would include the scores from the mass screening as well as two additional measures from the Data Collection options in the list above.**

**To indicate that the student needs "at least two," is misleading and would result in students moving forward to the assessment stage not having met referral requirements.**

### 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 (Page 16)

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) to satisfy eligibility criteria.



**(Question: The section below is not included in the proposed regulations at this point. It may be included in another location. This wording set criteria for districts who wanted to raise their cut-score. Should it still be included?)**

District personnel shall make decisions as to whether the minimal acceptable criteria set in regulations will be used, or if a higher minimal acceptable criteria will be used.

The assessment criteria and acceptable minimal scale/percentile scores to be used shall be documented in writing in the district's Gifted Education Program Proposal submitted to and approved by the Office of Curriculum and Instruction at the MDE.

If a district decides to raise its minimal acceptable scale/percentile score for gifted eligibility above the state minimum scale/percentile score, justification shall be provided to the MDE in writing. Included in the justification must be documentation that the district continuously addresses the Emerging Potential for Gifted guidelines as outlined in the regulations.

**Stage 6: Assessment Report (Page 18)**

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: Referrals 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 to include license number and date of expiration. **Please add this to ensure it is included.**
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

## IDENTIFICATION PROCESS TYPE 2: INDIVIDUAL (Page 21)

### 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 **TWO** **THREE?** **Question: TWO? Does this mean that a student only needs 1 objective measure and 1 subjective measure in order to get to the IQ Assessment stage?**

of the following referral criteria, including both objective and subjective measures before moving forward to the LSC Review of Referral Data Stage:

- 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 identification of intellectually gifted student

### Stage 4: LSC Review of Referral Data (Page 22)

Once the referral data have been collected, the LSC shall review all data and make



one of the following recommendations:

**OPTION ONE:**

The student has satisfied minimal criteria on at least two measures and shall move forward to the assessment stage.

**\*\*\*OPTION TWO:**

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.

**OPTION THREE:**

The student has not satisfied minimal criteria on at least two measures, and the identification process shall stop. Students who are at a disadvantage 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.

**Question: TWO? Does this mean that a student only needs 1 objective measure and 1 subjective measure in order to get to the IQ Assessment stage?**

**Stage 6: Assessment Report (Page 24)**

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: Referrals 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. Please add: License number and expiration date
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



#### **PRIVATE ASSESSMENT (Page 26)**

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. Add to required policies on (Page 49)

#### **Referral**

Districts shall collect private testing data to meet 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 GPPDS.

**INDEPENDENT OR PRIVATE TESTING** Comment: The section below is found towards on page 45. It could be placed here or the above could be located with this on page 45.

Parents may have their child independently assessed by a licensed psychometrist or examiner.

The student shall satisfy minimal acceptable criteria on the measures used.

In addition, the child must satisfy at least one of the following to be considered for the Gifted Educational Program:

- 1 A score at or above the 90th percentile on a group measure of intelligence that has been administered within the past twelve months
- 2 A score at or above the superior range on a normed, published characteristics of giftedness checklist
- 3 A score at or above the superior range on a normed, published measure of creativity
- 4 A score at or above the superior range on a normed, published measure of leadership
- 5 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
- 6 A score at or above the 90th percentile on a normed measure of cognitive ability
- 7 A score at or above the 90th percentile on an existing measure of individual intelligence that has been administered within the past twelve months
- 8 Other measures that are documented in the research on identification of intellectually gifted student

## ASSESSMENT TIMELINE (Page 27)

### Fall Semester Eligibility

If a student is referred or screened from December 1 – June 30 each year, the assessment process must be complete, and the student placed in gifted services by the beginning of the fall term.

### Spring Semester Eligibility

If a student is referred or screened from July 1 – November 30 each year, the assessment process must be complete, and the student placed in gifted services by the beginning of the spring of the following year. For gifted funding purposes, students shall be marked eligible and assigned to a gifted education program purposes in MSIS by December 1.

For the purposes of the assessment timeline, referrals begin on the day that a student is referred by anyone believing that the student may be intellectually gifted.

### Possible Problems:

As many variables connected to school schedules will determine whether timelines based on specific months may be appropriate in all Mississippi school districts, it might be more appropriate to specify that the timeline begins when formal referral papers are signed and dated.

**Possible Wording:** For purposes of the assessment timeline, referrals begin on the date referral papers are signed and dated. The timeline from the receipt of signed and dated referral papers to completion of the assessment process shall be no longer than (Four? Five?) months with placement of eligible students by the beginning of the next semester.

In the event the timeline is not met for a student, justification shall be included in the final paragraph of the assessment report.



**GIFTED PROGRAM POLICY** (Page 49)

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

**Add in any other items that have mentioned a required "policy."** See below items highlighted in yellow. Page numbers are listed)

- Referral from multiple sources
  - Both objective and subjective assessment measures
  - Minimum accepted referral criteria (specify that this is the referral criteria)
  - Neither grades nor achievement test scores shall eliminate a student from gifted identification
  - MDE assessment timeline
3. Parent appeals and hearings

4. Districts shall have a policy regarding private assessment data. (Page 26)

5. Each district shall have a policy that establishes the process that parents shall adhere to when requesting access to these files. (page 13)

6. Maintenance and destruction of gifted student file See possible problem below:

**Possible problem:** If each district decides on their own maintenance and destruction of files policy, there will be no continuity within the state. Better that this should be included in the regulations.

**Possible solution:**

Three years after a student graduates, ineligible folders can be destroyed and eligible folders can be released. Notification of release of folders shall be made through notification on the school district website and through an additional local source.



**Union Public School District  
417 S Decatur Street  
Union, Mississippi  
Dr. Lori Wilcher, Gifted Coordinator  
Katie Goss, Gifted Contact**

Re: Comments on Proposed Mississippi Gifted Regulations

To Whom It May Concern:

Our gifted program has the following potential concerns with the proposed gifted regulations:

- **Out-of State Transfer Students:** Could the exact process for what to do with a transfer student who was ruled as gifted using academically-gifted criteria versus intellectually-gifted criteria be made clearer?
- **Gifted File Requirements:** Could it be made clear exactly what "original protocols" means? Does this mean the answer sheet (or whatever the student wrote on), or does it mean a test booklet? For some of the tests, the test booklet is reused, and the student only writes on the answer sheet, especially in the upper grades. Requiring that the test booklet be included in each file in those cases would greatly increase the cost of referrals to districts.
- **Individual Referrals:** The wording has been changed from "Students...shall satisfy three of the following criteria..." to "Students...shall satisfy three of the following criteria, including both objective and subjective measures...." Our school feels that requiring the student to have qualifying scores on both objective and subjective measures, instead of simply requiring three qualifying scores from any of the approved measures, would seriously reduce the efficacy of individual referrals. In our experience, some students do not score well on the objective screeners, but the person referring may rate the child highly on gifted traits, and indeed, the child may then make a qualifying score on an individual intelligence test. We are also concerned that requiring both subjective and objective measures to move a student forward to individual assessment would hinder our efforts to identify more underachieving students and students from diverse backgrounds. Sometimes these students do not score well on objective screening tests, but those who refer them know them well enough to have seen the traits of a gifted learner in their behaviors. We are especially concerned about these students since they sometimes have the most need of services to ensure that they have every opportunity to meet their potential.
- **Assessment Timeline:** It may be very difficult to complete referrals at the end of the assessment period, especially because there are only a few weeks between June 30 and the beginning of the fall semester and November 30 and the beginning of the spring semester, and several of those weeks are school holidays. Also, could there be some kind of provision to account for times when, for example, parents do not return

paperwork in a timely manner? Finally, could it be clarified exactly when a referral begins? (Is this from the date on the original referral document?)

- Private Assessment / Independent or Private Testing: Could these sections be made clearer? The section states "The student shall satisfy minimal acceptable criteria on the measures used. In addition, the child must satisfy at least one of the following...." Could some clarification be added to ensure districts understand what this means? If this means that the student must have a score of 91% on an approved individual intelligence test from an outside source and then the school must collect at least one qualifying score on an approved screening implement, it would be helpful if this fact were spelled out.
  - As a secondary note, this criteria would be especially problematic if students in the regular school referral process have to meet three total of both subjective and objective screening measures and then have to have a qualifying individual intelligence test score. We believe that together these two requirements would encourage parents to seek outside testing since their child would have to meet fewer criteria to qualify for services. We understand that the proposed private testing requirement is intended to ensure that students who have qualifying IQ scores from outside sources are not excluded from services. However, it would also further advantage students from more privileged backgrounds since parents of limited means usually cannot afford outside testing. Therefore, to help ensure that underprivileged students and students from diverse backgrounds are not further disadvantaged in the referral process, we would encourage that the individual referral process not require that BOTH subjective and objective screening measures be met in the initial screening stage.
- State and District Assessments: It says that "a modified or alternate schedule... [must be] made available to the MDE upon request." Could clarification be added to this statement?
- Emerging Potential for Gifted Checklist: Especially if the new regulations require students meet both subjective and objective measures in the screening process, we would request that the emerging potential for gifted checklist be modified to include more factors that might affect student scores. This might help to offset disadvantages for underachieving and / or socially or economically disadvantaged students.
- Gifted Time: The requirement for a minimum of 270 minutes per week may cause scheduling trouble for schools using the every-day format for gifted instruction, especially at the middle school level, which for our school includes both 5th and 6th grades.

Thank you for your consideration,

Union Public School District Gifted Program



## Re: Gifted Regulations

Barrow, Adrianna <MBarrow@harrison.k12.ms.us>

Tue 11/28/2023 11:24 AM

To: Donna Hales <DHales@mdek12.org>

Cc: Mathis Sheriff <msheriff@mdek12.org>

### External Email

CAUTION: This email originated from outside of the MDE organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you for forwarding. I am not sure how that happened. I appreciate your time!

**From:** Donna Hales <DHales@mdek12.org>

**Sent:** Tuesday, November 28, 2023 7:49 AM

**To:** Barrow, Adrianna <MBarrow@harrison.k12.ms.us>

**Cc:** Mathis Sheriff <msheriff@mdek12.org>

**Subject:** RE: Gifted Regulations

Good morning,

I have included [msheriff@mdek12.org](mailto:msheriff@mdek12.org) on this email as he is the contact for comments around the gifted regulations.

Thank you,

DONNA HALES, Director

Office of Program Evaluation & Public Reporting

601-359-2331 | [mdek12.org](http://mdek12.org)



MISSISSIPPI  
DEPARTMENT OF  
EDUCATION

**From:** Barrow, Adrianna <MBarrow@harrison.k12.ms.us>

**Sent:** Monday, November 27, 2023 6:21 PM

**To:** Donna Hales <DHales@mdek12.org>

**Subject:** Gifted Regulations

### External Email

CAUTION: This email originated from outside of the MDE organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Evening,

I am emailing you to let you know some concerns about changes that need to be made to the new gifted regulations.

**PURPOSE:** 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. These programs are not funded by the Legislature. They are at the discretion and funding at the local level. If these programs are not funded by the State of Mississippi, wording should be included that they are at the discretion and funding by local school districts. The above wording makes it appear that if districts want the program, the funding would be available.

OUT OF STATE: Any student transferring into Mississippi with a score at or above the 91st percentile on a Level C (individual test of intelligence) shall be ruled eligible for gifted services and placed in the gifted education program no matter when the eligibility was determined. (New wording)

NOTE: Students who have a valid Mississippi gifted eligibility ruling do not have to be reevaluated. See the annual reassessment statement for information on In all other situations, the eligibility ruling from another state may be used to satisfy the referral criteria in Mississippi. Once gifted eligibility in another state has been documented, the student shall be moved to Stage 5 of Identification of Intellectually Gifted Students (page 20). (New wording) There is no temporary placement in the gifted program while the student goes through the eligibility process within the local district.

Please consider the following to justify changes requested regarding Out of State Transfers: Gov. Tate Reeves, signed Executive Order NO. 1561- Military Star School Program on February 21, 2022. Twelve Mississippi school districts have been awarded Military Star School Status. The Military Star School program is designed to help schools respond to the educational and social-emotional challenges military-connected children face during their transition to a new school and keep them on track to be college, workforce, and life-ready. For Military Star Districts, the Military Interstate Children's Compact is put in place and focuses on key educational transition issues to allow for uniform treatment of military students alongside their civilian peers. Article V- Placement & Attendance of the MIC3 Rules for Course and Educational Program Placement states, "The Compact requires the student be placed in courses and programs based on prior enrollment. The receiving state may perform evaluations to ensure the appropriate placement and the student's continued enrollment in the course or program. The Mississippi 2013 Gifted Regulations and 2023 Draft Gifted Regulations, out for APA, require that students from Out of State meet the 91st percentile for placement or be retested and meet Mississippi gifted placement criteria. For a Military child that has been served in a gifted program through the DODEA/DODDS or a public



school in another state to be placed in a Mississippi gifted program in compliance with the Compact, subsequently evaluated, and possibly removed from the program, serious emotional harm could result. This is also true for students with no military connections. I would like to request that Military family students and other Out of State Transfer students with documentation of gifted placement be awarded reciprocal eligibility for placement in Mississippi Gifted Education programs. This affects many of our military students along the Gulf Coast.

**STATE AND DISTRICT ASSESSMENTS:** Each district is responsible for ensuring that students are serviced during the administration of state and districts assessments. A modified or alternate schedule is permitted and made available to the MDE upon request. This is important because many gifted teachers are pulled to test and gifted students miss services. This can add up to many days.

**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. (These sections are new to the regulations)

#### **GEP CONTACT PERSON**

Each local district superintendent shall appoint at least one, but no more than two GEP Contacts. These individuals are the link between the district and the Office of Curriculum and Instruction at 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. 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. District can have up to two GEP Contacts with at least one holding gifted endorsement. **Please consider adding District can have up to two**

**GEP Contacts with at least one holding gifted endorsement and having taught gifted. Many times, people will have the endorsement but not fully understand gifted students or the program. Knowing what it is like to teach a gifted child is important to the GEP.**

If you have any questions please let me know.

[mbarrow@harrison.k12.ms.us](mailto:mbarrow@harrison.k12.ms.us)

Michelle Barrow

Gifted Contact Harrison County School District

Confidentiality Notice: The foregoing electronic message and any files transmitted with it are confidential and are intended only for the use of the intended recipient named above. This communication may contain material protected by the Family Educational Rights and Privacy Act (FERPA). If you are not the intended recipient, copying, distribution or other use of the contents of this message is strictly prohibited. If you received the electronic message in error, please notify us immediately at 228-539-6500. It is the policy and commitment of Harrison County School District that it does not discriminate based on race, age, color, sex, national origin, physical/mental disability or religion.

Harrison County School District, 11072 Hwy 49, Gulfport MS 39503





2023

# REGULATIONS

*for*

Gifted Education Programs

---

Raymond C. Morgigno, Ph.D.  
**INTERIM STATE SUPERINTENDENT OF EDUCATION**

Donna H. Boone, Ph. D.  
**Chief Academic Officer**

**OFFICE OF ELEMENTARY EDUCATION AND READING**

Tenette Smith, Ed.D.  
EXECUTIVE DIRECTOR

Mat Sheriff, Ed.S.  
STATE GIFTED COORDINATOR  
*Office of Intervention Services*

---

The Mississippi State Board of Education, the Mississippi Department of Education, the Mississippi School for the Arts, the Mississippi School for the Blind, the Mississippi School for the Deaf, and the Mississippi School for Mathematics and Science do not discriminate on the basis of race, sex, color, religion, national origin, age, or disability in the provision of educational programs and services or employment opportunities and benefits. The following office has been designated to handle inquiries and complaints regarding the non-discrimination policies of the above-mentioned entities: Director, Office of Human Resources, Mississippi Department of Education, 359 North West Street, P.O. Box 771, Suite 203, Jackson, MS 39205-0771, (601)359-3511.

**MISSISSIPPI DEPARTMENT OF EDUCATION**

359 North West Street  
P. O. Box 771  
Jackson, Mississippi 39205-0771  
(601) 359-3511  
[www.mdek12.org/ESE](http://www.mdek12.org/ESE)



## CONTRIBUTORS

Sally Amos *Tupelo School District*

Diane Lowery, *University of Mississippi*

Lora Beasley, *Lamar County School District*

Sally Landrum, *Kosciusko School District*

Samantha Benson, *Jackson County School District*

Jennifer Martin, *Rankin County School District*

Charlotte Christian, *Rankin County School District*

Laura McAlpin, *Clinton School District*

Robert Christian, *Scott County School District*

Emily Nelson, *Desoto County School District*

Jennie Cook, *Kosciusko School District*

Carol Paola, *Long Beach School District*

Jen Cornett, *Pearl School District*

Pam Pape, *Clinton Public School District*

Terry Gressett, *Union School District*

Paige Pigott, *North Pike Public School District*

Teresa Gregory, *Tupelo School District*

Kathryn Roehm, *Desoto County School District*

Kristy Hale, *Desoto County School District*

Lynncoy Thornburg, *Jefferson County School District*

Shelly, Helenius, *Madison Count School District*

Laurie Weathersby, *Rankin County School District*

Heather Houston, *University of Southern Mississippi*

Donna Welborn, *Clinton Public School District*

Paulette Howze, *Cleveland School District*

Connie West, *Vicksburg-Warren School District*

Von Jackson, *Gulfport School District*

Whitney Wooten, *North Tippah School District*

Shanel Kidd, *Jackson Public School District*

Sherry Worsham, *Grenada School District*

## **ACKNOWLEDGEMENTS**

Mississippi Department of Education

Melissa Banks, *Director of Digital Learning*

Jennifer Desai, *Graphic Designer, Communications*

Sandra Elliot, *Academic Intervention Specialist, English Language*

Ginger Koestler, *Director of Policy and Practice-Special Education*

Michelle McClain, *Behavior Support Specialist*

Cindy Risher, *Academic Intervention Specialist for Secondary Schools*

Lorie Sisk, *Gifted Support Specialist*

# TABLE OF CONTENTS

PURPOSE .....	8
STATE DEFINITIONS .....	9
<b>SECTION 1: Gifted Education Student Identification</b>	
STUDENT IDENTIFICATION PROCESSES .....	11
OUT-OF-STATE GIFTED ELIGIBILITIES .....	12
IN-STATE GIFTED STUDENT TRANSFERS .....	12
STATES OF EMERGENCY AND NATIONAL DISASTERS .....	12
LOCAL SURVEY COMMITTEE (LSC) .....	12
PROCEDURAL SAFEGUARDS.....	13
GIFTED STUDENT FILE REQUIREMENTS .....	13
IDENTIFICATION OF INTELLECTUALLY GIFTED STUDENTS .....	14
SPECIAL CONSIDERATION FOR GIFTED IDENTIFICATION .....	14
IDENTIFICATION PROCESS 1: MASS SCREENING.....	14
Stage 1: Mass Screening .....	14
Stage 2: Data Collection.....	15
Stage 3: LSC Review of Data .....	16
Stage 4: Parental Permission for Testing .....	16
Stage 5: Assessment .....	16
Stage 6: Assessment Report .....	17
Stage 7: Eligibility Determination.....	18
IDENTIFICATION PROCESS TYPE 2: INDIVIDUAL REFERRAL .....	19
Stage 1: Referral .....	19
Stage 2: Parental Permission for Testing .....	19
Stage 3: Data Collection.....	19
Stage 4: LSC Review of Referral Data .....	20
Stage 5: Assessment .....	20
Stage 6: Assessment Report .....	21
Stage 7: LSC Eligibility Determination .....	22
PRIVATE ASSESSMENT.....	23
Referral .....	23
Eligibility.....	23
POTENTIALLY TWICE—EXCEPTIONAL STUDENTS.....	23
PARENTAL PERMISSION FOR PLACEMENT .....	23
ASSESSMENT TIMELINE .....	23



IDENTIFICATION OF ARTISTICALLY GIFTED STUDENTS .....	24
<b>STAGE 1: REFERRAL</b> .....	24
Referral Criteria .....	24
<b>STAGE 2: LSC REVIEW OF REFERRAL DATA</b> .....	25
<b>STAGE 3: PARENTAL PERMISSION FOR TESTING</b> .....	25
<b>STAGE 4: ASSESSMENT</b> .....	25
Assessment Criteria .....	26
Individual Audition .....	26
<b>STAGE 5: ASSESSMENT REPORT</b> .....	27
<b>STAGE 6: LSC ELIGIBILITY DETERMINATION</b> .....	27
Parental Notification .....	27
IDENTIFICATION OF ACADEMICALLY GIFTED STUDENTS .....	28
<b>STAGE 1: REFERRAL</b> .....	29
Referral Criteria .....	29
<b>STAGE 2: LSC REVIEW OF REFERRAL DATA</b> .....	30
<b>STAGE 3: PARENTAL PERMISSION FOR TESTING</b> .....	30
<b>STAGE 4: ASSESSMENT</b> .....	30
Assessment Criteria .....	30
<b>STAGE 5: ASSESSMENT REPORT</b> .....	31
<b>STAGE 6: LSC ELIGIBILITY RULING</b> .....	31
Parental Notification .....	31
IDENTIFICATION OF CREATIVELY GIFTED STUDENTS.....	33
<b>STAGE 1: REFERRAL</b> .....	33
Referral Criteria .....	33
<b>STAGE 2: LSC REVIEW OF REFERRAL DATA</b> .....	34
<b>STAGE 3: PARENTAL PERMISSION FOR TESTING</b> .....	34
<b>STAGE 4: ASSESSMENT</b> .....	34
Assessment Criteria .....	35
Individual Audition .....	35
<b>STAGE 5: ASSESSMENT REPORT</b> .....	36
<b>STAGE 6: LSC ELIGIBILITY DETERMINATION</b> .....	36
Parental Notification .....	36

## SECTION 2: Gifted Education Program Management

GIFTED EDUCATION PROGRAM STANDARDS .....	39
<b>CRITERION I: CURRICULUM AND INSTRUCTION</b> .....	39
<b>CRITERION II: PROGRAM ADMINISTRATION AND MANAGEMENT</b> .....	39
<b>CRITERION III: PROGRAM DESIGN</b> .....	39
<b>CRITERION IV: PROGRAM EVALUATION</b> .....	39

<b>CRITERION V: SOCIAL-EMOTIONAL GUIDANCE AND COUNSELING .....</b>	<b>40</b>
<b>CRITERION VI: PROFESSIONAL DEVELOPMENT .....</b>	<b>40</b>
<b>CRITERION VII: STUDENT IDENTIFICATION AND ASSESSMENT.....</b>	<b>40</b>
<b>PROGRAMMING OPTIONS.....</b>	<b>41</b>
<b>INTELLECTUALLY GIFTED PULL-OUT (GRADES 2-12) .....</b>	<b>41</b>
<b>INTELLECTUALLY GIFTED: MIDDLE SCHOOL (GRADES 6-8) .....</b>	<b>42</b>
<b>ACADEMICALLY GIFTED (GRADES 9-12 ONLY) .....</b>	<b>42</b>
<b>ARTISTICALLY OR CREATIVELY GIFTED PULL-OUT (GRADES 2-8) .....</b>	<b>42</b>
<b>ARTISTICALLY OR CREATIVELY GIFTED (GRADES 9-12) .....</b>	<b>42</b>
<b>DUAL ENROLLMENT .....</b>	<b>43</b>
<b>INDEPENDENT STUDY.....</b>	<b>43</b>
<b>MENTORSHIP .....</b>	<b>43</b>
<b>CLASS SIZE .....</b>	<b>43</b>
<b>PROPOSAL FOR GIFTED PROGRAM .....</b>	<b>44</b>
<b>GIFTED PROGRAM POLICY .....</b>	<b>44</b>
<b>MONITORING AND SELF-EVALUATION .....</b>	<b>45</b>
<b>NON-COMPLIANCE .....</b>	<b>45</b>
<b>GEP CONTACT PERSON .....</b>	<b>45</b>
<b>GIFTED TEACHER UNITS.....</b>	<b>46</b>
<b>PLANNING TIME.....</b>	<b>46</b>
<b>ASSESSMENT TIME .....</b>	<b>47</b>
<b>MISSION/PHILOSOPHY STATEMENT.....</b>	<b>47</b>
<b>INSTRUCTIONAL MANAGEMENT PLAN (IMP) .....</b>	<b>47</b>
<b>HOMEWORK/CLASSWORK .....</b>	<b>47</b>
<b>ANNUAL REASSESSMENT .....</b>	<b>48</b>
<b>MS CODE 37-23-171 THROUGH 181.....</b>	<b>49</b>

[APPENDIX A: Referral Form](#)

[APPENDIX B: Special Considerations for Gifted Identification Checklist](#)

[APPENDIX C: Gifted Eligibility Form](#)

[APPENDIX D: Gifted Program Proposal Form](#)

## 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 91<sup>st</sup> 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

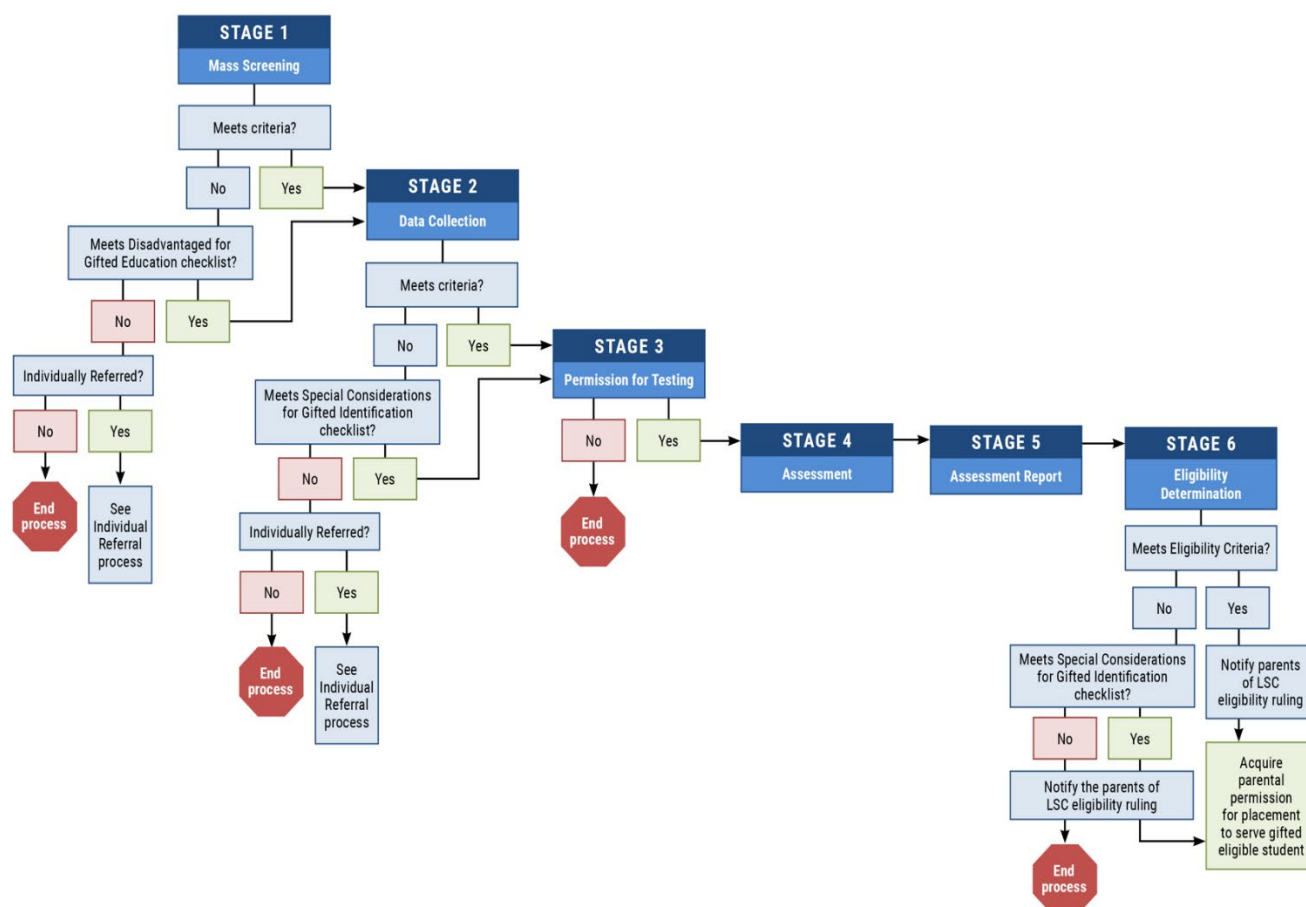
Once the Assessment Report is finalized, the LSC shall meet to review all data and determine if eligibility criteria have or have not been satisfied. The LSC shall rule that the student is or is not eligible for the intellectually gifted program. See Appendix C.

### 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 *for* INTELLECTUALLY Gifted Students

### Mass Screening



## 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

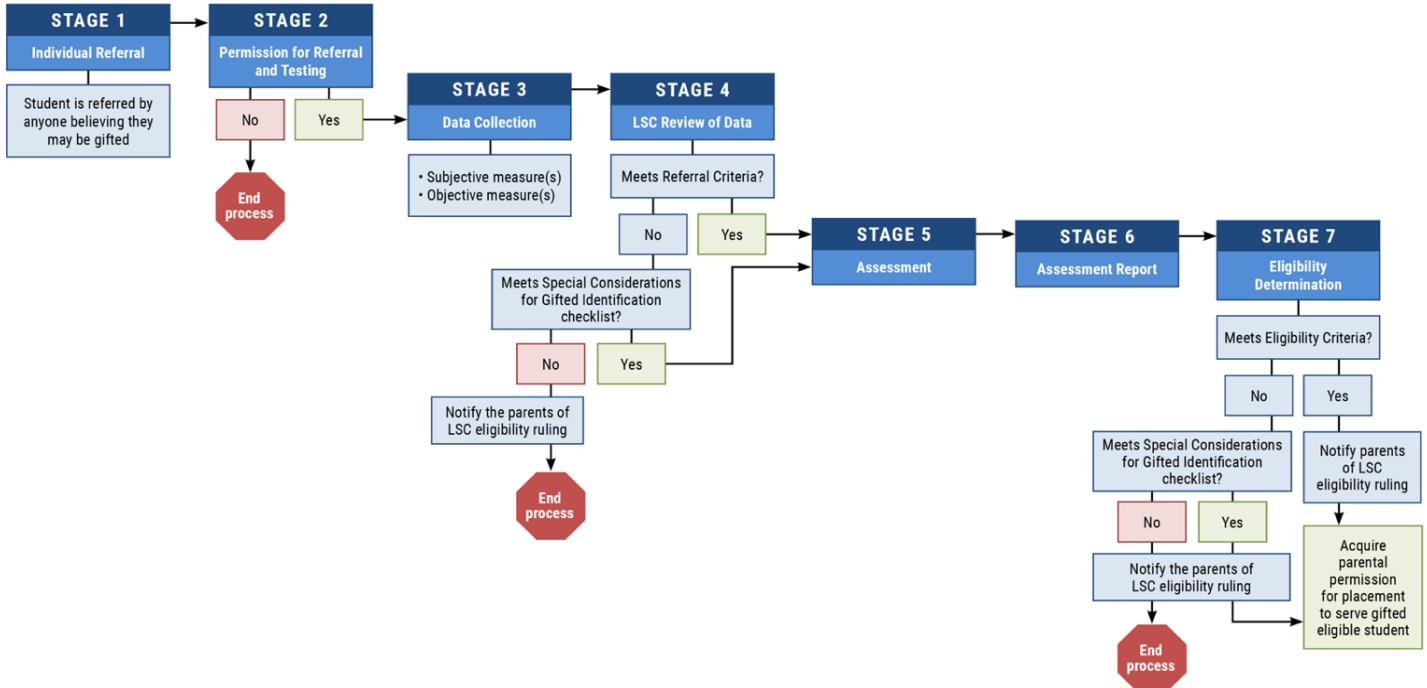
Once the Assessment Report is finalized, the LSC shall meet to review all data and determine if eligibility criteria have or have not been satisfied. The LSC shall rule that the student is or is not eligible for the intellectually gifted program. See Appendix C.

#### 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.

## IDENTIFICATION PROCESS *for* INTELLECTUALLY Gifted Students

### Individual Referral



## **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 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 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.

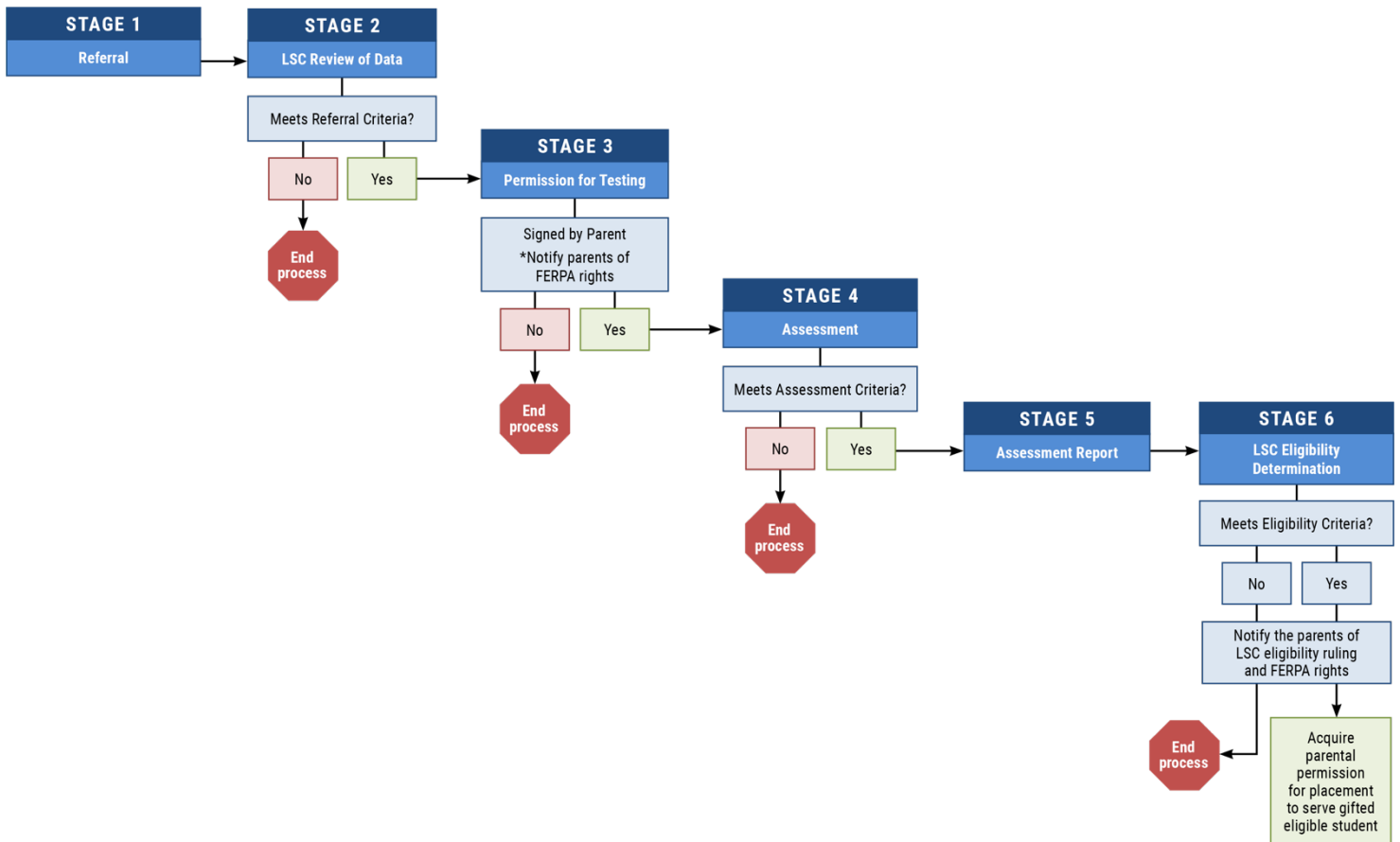
### Parental Notification

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 <b>THREE</b> of the measures stage and shall move forward to the assessment.	The student has not satisfied the minimal criteria on at least <b>THREE</b> 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 <b>THREE</b> 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.

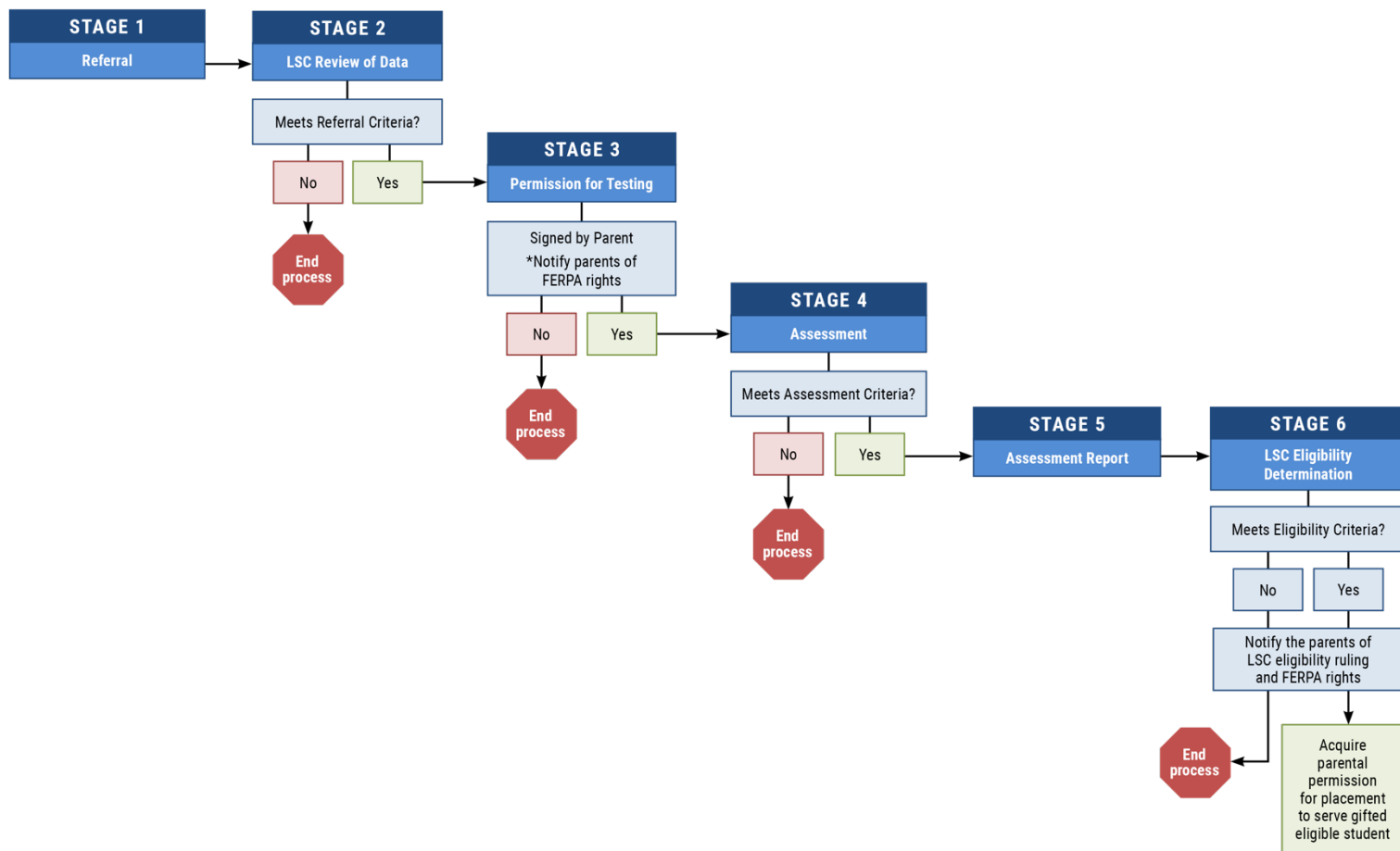
### Parental Notification

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.

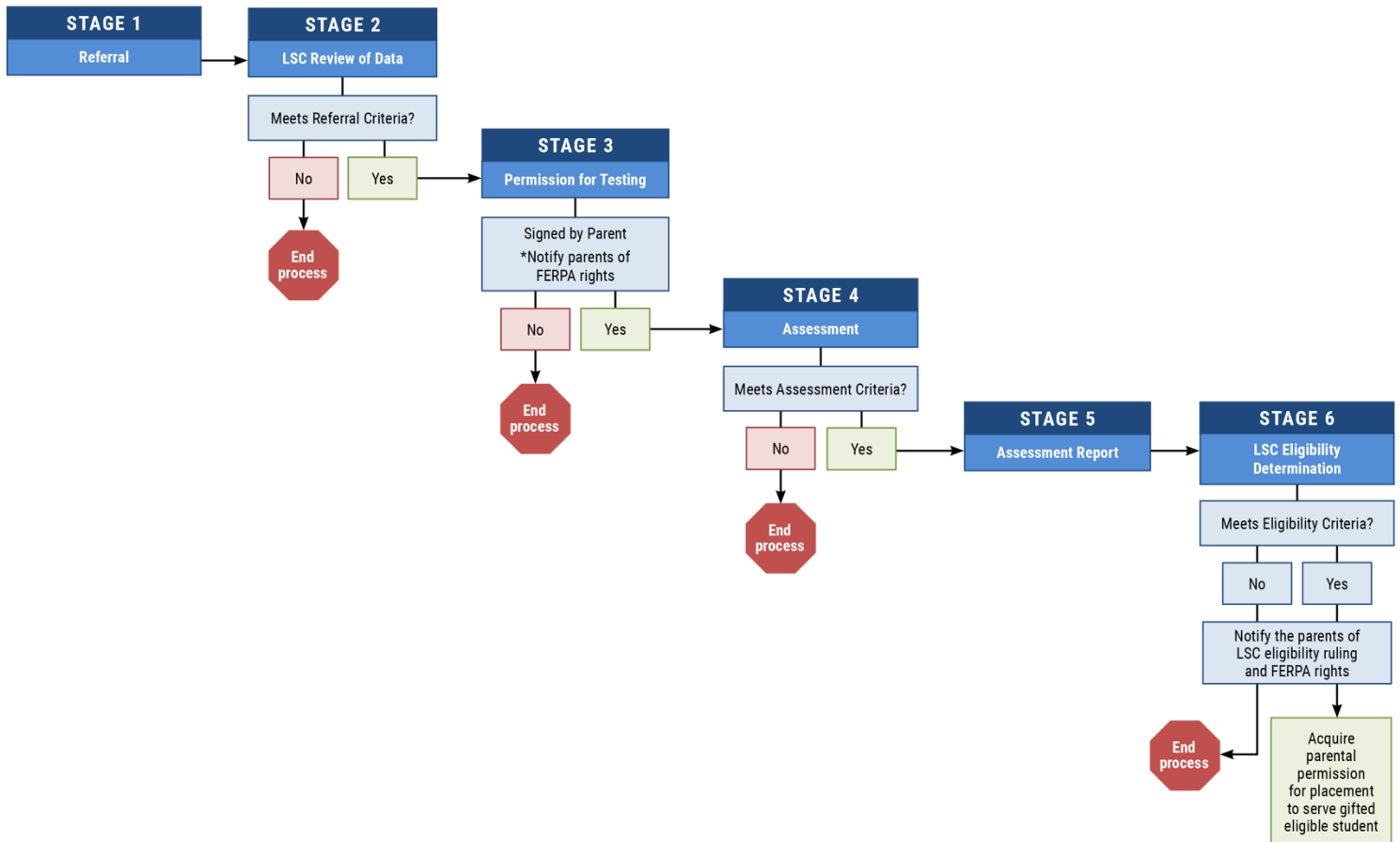
### Parental Notification

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 1/2 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**

## 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 _____		
<i>Street Address</i>	<i>City</i>	<i>State</i>
Phone _____		Alternate Phone _____
Zip _____		

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		
<input type="checkbox"/> Normed Group Measure of Intelligence	<input type="checkbox"/> Normed Measure of Cognitive Abilities	<input type="checkbox"/> Normed Achievement Test
<b>MINIMUM CRITERIA:</b> A score at or above the 90 <sup>th</sup> percentile	<b>MINIMUM CRITERIA:</b> A score at or above the 90 <sup>th</sup> percentile	<b>MINIMUM CRITERIA:</b> A total score at or above the 90 <sup>th</sup> percentile in the areas below
Score - Percentile: _____ <b>ATTACH SCORE REPORT</b>	Score - Percentile: _____ <b>ATTACH SCORE REPORT</b>	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: _____	Measure: _____ Administered by: _____ Date: _____



## SUBJECTIVE MEASURE(S)

<input type="checkbox"/> Checklist of Gifted Characteristics	<input type="checkbox"/> Creativity Checklist	<input type="checkbox"/> Leadership Checklist
<b>MINIMUM CRITERIA:</b> A score at or above the superior range	<b>MINIMUM CRITERIA:</b> A score at or above the superior range	<b>MINIMUM CRITERIA:</b> 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

<input type="checkbox"/> The student has satisfied minimal criteria and shall move forward to the assessment stage.  Mark the following provisions if requirements are met: <input type="checkbox"/> Special Considerations for Gifted Identification <input type="checkbox"/> Twice Exceptional	<input type="checkbox"/> <input type="checkbox"/> 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.	<input type="checkbox"/> <input type="checkbox"/> 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**

# 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

Based upon the assessment data, the Gifted Local Survey Committee has determined that this student is:

- ☐ Intellectually Gifted      ☐ Academically Gifted  
☐ Artistically Gifted      ☐ Creatively Gifted  
☐ Provisional Eligibility (Twice Exceptional)  
☐ Not Eligible for Gifted Services

Date: \_\_\_\_\_

**Members Present**  
 (Printed Name/Signature)

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

### Second Submission

Based upon the assessment data, the Gifted Local Survey Committee has determined that this student is:

- ☐ Intellectually Gifted      ☐ Academically Gifted  
☐ Artistically Gifted      ☐ Creatively Gifted  
☐ Provisional Eligibility (Twice Exceptional)  
☐ Not Eligible for Gifted Services

Date: \_\_\_\_\_

**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 Eligibility Form

## 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







## *Regulations for Gifted Education Programs*

***2013***

~~Lynn House, Ph.D., Interim State  
Superintendent Kim Benton, Ed.D.,  
Interim Deputy State Superintendent,  
Instructional Enhancement and Internal Operations  
Trecina Green, Associate Superintendent, Instructional  
Enhancement Nathan Oakley, Bureau Director, Office  
of Curriculum and Instruction Chauncey Spears, Office  
Director, Office of Curriculum and Instruction~~

Mississippi Department of Education  
P.O. Box 771  
Jackson, MS 39205-0771  
Telephone: 601-359-2586  
Fax: 601-359-2040

**Effective Date: 2014-2015 School Year**

## ACKNOWLEDGEMENTS

### COMMITTEE MEMBERS (2006)

Castle, Conrad, Ph.D.	Mississippi Department of Education
Dyess, Kaye	West Jasper School District
Goldman, Mandy	Lauderdale County Schools
Grantham, Melissa	Madison County School District
Hammond, Gail	Rankin County School District
Houston, Heather	University of Southern Mississippi
Johnstone, Susan	Tupelo Public School District
Morris, Lynn	Lamar County School District
Mosley, Teresa	Jackson Public School District
Mucha, Linda	Harrison County School District
Prather, Jean	Mississippi Association for Gifted Children
Rogers, Amy	Lamar County School District
Rogers, Melissa	Covington County School District
Thompson, Deborah	Moss Point School District
Triggs, Dee	Harrison County School District
Vinson, Mike, Ed.D.	Mississippi Association of School Administrators

### COMMITTEE MEMBERS (2013)

Grantham, Melissa	Madison County School District
Green, Treecina	Mississippi Department of Education
Hammond, Gail, Ph.D.	Rankin County School District
Jackson, Von	Gulfport School District
Nelson, Emily	Desoto County School District
Paola, Carol	Long Beach School District
Spears, Chauncey	Mississippi Department of Education
Toy, Royal, Ed.D.	Mississippi University for Women
Welborn, Donna	Jackson Public School District

## ***Regulations for Gifted Education Programs***

### **TABLE OF CONTENTS**

Purpose	1
State Definitions	1
Student Identification Processes	2
Procedural Safeguards	3
Local Survey Committee	3
Identification of Intellectually Gifted Students	3
Identification of Academically Gifted Students	9
Identification of Artistically Gifted Students	13
Identification of Creatively Gifted Students	17
Parental Permission for Placement	21
Annual Reassessment	21
Mission/Philosophy Statement	21
Instructional Management Plan	21
Programming Options	22
Class Size	23
Homework/Classwork	24
Gifted Teacher Units	24
Planning Time	25
Assessment Time	25
Proposal for Gifted Program	25
Monitoring and Self-Evaluation	25
GEP Contact Person	26
Non-Compliance	26
Appendix A: Emerging Potential for Gifted Checklist	27
Appendix B: Gifted Education Program Proposal	28
Appendix C: MS Code 37-23-171 through 181	30



## **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 ~~2013 Regulations for the Gifted Education Programs in Mississippi~~ is to ensure that gifted children who demonstrate unusually high potential as described in the proceeding definitions are identified and offered an appropriate education based upon 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 should be addressed based on the program options ~~provided in the Outcomes for Intellectually Gifted Education Programs Grades 2-8 in Mississippi.~~

**“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.

## **STUDENT IDENTIFICATION PROCESSES**

### **Format Change/content unchanged**

~~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: referral, LSC review of referral data, parental permission for testing, assessment, assessment report, and the 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 individual student.

The identification process shall provide an equitable opportunity for the inclusion of students with an emerging potential for gifted – students who are culturally diverse, underachieving, disabled under the Individuals with Disabilities Education Act (IDEA) guidelines, physically handicapped, ADD/ADHD, 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 should 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 are 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 as to the appropriate placement in the academically gifted program. The academically gifted program shall consist of courses only in grades 9-12 deemed “gifted” by the MDE. Any district offering academically gifted courses should also offer comparable courses for students who are not gifted eligible.

### **Out-of-state gifted eligibilities**

Each state has a unique set of eligibility criteria for placement in a gifted program. Hence, a student moving to Mississippi with a gifted eligibility from another state must satisfy Mississippi eligibility criteria before being considered for placement in the gifted program. The eligibility ruling from another state may be used to initiate the referral process in Mississippi. There is no temporary placement in the gifted program while the student goes through the eligibility process within the local district.

~~**NOTE:** Students who have a valid Mississippi gifted eligibility ruling do not have to be reevaluated. 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 state provided the district has a program in the particular area for which the student has eligibility.~~

## **PROCEDURAL SAFEGUARDS – Formatting Change**

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, 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 that 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 to access these files. Parents shall be made aware of their rights to an explanation of the results of the Assessment Team Report.

## **LOCAL SURVEY COMMITTEE (LSC) – Formatting Change**

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 should include a special education teacher when a student is being considered for an 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.

## **IDENTIFICATION OF INTELLECTUALLY GIFTED STUDENTS Formatting Changes to all stages**

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

## **STAGE 1: REFERRAL**

There are two types of gifted referral processes:

- Type One - Mass Screening Referral Process addresses those students who are mass screened for gifted eligibility.
- Type Two - Individual Referral Process addresses those students who are individually referred for gifted eligibility.

### **Mass Screening Referral Process**

This process requires all Mississippi districts to screen all students in at least one grade level each year. Districts should use a normed group measure of intelligence in the Mass Screening Referral Process. This process should assist in identifying students in underrepresented populations. Students who obtain a full-scale score at or above the 90<sup>th</sup> percentile on the normed group measure of intelligence shall move forward in the referral process. Students who scored at or above the 85<sup>th</sup> percentile but lower than the 90<sup>th</sup> percentile on the normed group measure of intelligence shall be subjected to an Emerging Potential for Gifted Referral Checklist. If these students meet the criteria on the checklist, they shall move forward in the referral process.

The next step in the process will consist of the collection of substantiated student data obtained using 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 additional criteria before moving forward to the LSC Review of Referral Data Stage:

1. a score at or above the superior range on a normed published characteristics of giftedness checklist,
2. a score at or above the superior range on a normed published measure of creativity,
3. a score at or above the superior range on a normed published measure of leadership,
4. a score at or above the 90<sup>th</sup> percentile on total language, total math, total reading, total science, total social studies, or the composite on a normed achievement test,
5. a score at or above the 90<sup>th</sup> percentile on a normed measure of cognitive ability,
6. a score at or above the 90<sup>th</sup> percentile on an existing measure of individual intelligence that has been administered within the past twelve months, and/or
7. other measures that are documented in the research on identification of intellectually gifted students.

### **Individual Referral Process**

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. Students participating in the Individual Referral Process shall satisfy three of the following criteria before moving forward to the LSC Review of Referral Data Stage:

1. a score at or above the 90<sup>th</sup> percentile on a group measure of intelligence that has been administered within the past twelve months,



2. a score at or above the superior range on a normed published characteristics of giftedness checklist,
3. a score at or above the superior range on a normed published measure of creativity,
4. a score at or above the superior range on a normed published measure of leadership,
5. a score at or above the 90<sup>th</sup> percentile on total language, total math, total reading, total science, total social studies, or the composite on a normed achievement test,
6. a score at or above the 90<sup>th</sup> percentile on a normed measure of cognitive ability,
7. a score at or above the 90<sup>th</sup> percentile on an existing measure of individual intelligence that has been administered within the past twelve months, and/or
8. other measures that are documented in the research on identification of intellectually gifted students.

Documentation of measures shall be maintained in a written document approved by the local school board indicating that the district is using the state minimal scale/percentile score criteria on all referral measures. This document shall be distributed to district administrators, school counselors, and teachers and shall be available to parents at each school site.

**NOTE:** Any student who does not meet the minimum acceptable criteria (score in the 90<sup>th</sup> percentile) on the normed group measure of intelligence during the Mass Screening Referral Process and does not qualify for the Emerging Potential for Gifted 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 their performance on the normed group measure of intelligence administered during the Mass Screening Referral Process.

## **STAGE 2: 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:

1. the student has satisfied minimal criteria on at least three measures and should move forward to the assessment stage, or
2. the student has not satisfied minimal criteria on at least three measures, however, the LSC feels strongly that additional data should be collected, and the student reconsidered at that time, or
3. the student has not satisfied minimal criteria on at least three measures and the identification process should stop.

## **~~Provisions for Emerging Potential for Gifted Populations Disadvantaged for Gifted Identification~~**

~~At this point the LSC shall make the decision as to the possibility that the student could be eligible for consideration as a candidate for an emerging potential for gifted assessment. If it is believed that the student might have emerging gifted potential, then the Emerging Potential for Intellectually Gifted Assessment Checklist should be completed for possible use during the assessment process. The Emerging Potential for Gifted category makes provisions for certain factors that exist that may put the student at a disadvantage when inappropriate instruments are used during the assessment process.~~

## **STAGE 3: PARENTAL PERMISSION FOR TESTING-Formatting Change**

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** Formatting Change

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 or not it satisfies minimal identification criteria, and use that information to select the most appropriate test of intelligence. Standard operating procedures should 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.

District personnel shall make decisions as to whether the minimal acceptable criteria set in regulations will be used, or if a higher minimal acceptable criteria will be used. The assessment criteria and acceptable minimal scale/percentile scores to be used shall be documented in writing in the district's Gifted Education Program Proposal submitted to and approved by the Office of Curriculum and Instruction at the MDE. If a district decides to raise its minimal acceptable scale/percentile score for gifted eligibility above the state minimum scale/percentile score, justification shall be provided to the MDE in writing. Included in the justification must be documentation that the district continuously addresses the Emerging Potential for Gifted guidelines as outlined in the regulations.

#### **Emerging Potential for Gifted** Formatting Change

Students who have satisfied criteria on the Emerging Potential for Gifted Checklist who did not satisfy minimal acceptable criteria on an individual test of intelligence, but did score at least at the 84<sup>th</sup> percentile or have a scale score that falls within the range of the 90<sup>th</sup> 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 90<sup>th</sup> percentile,
2. A group intelligence measure with a minimal score at the 90<sup>th</sup> percentile, or
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.

#### **Potentially Twice-Exceptional Students** Formatting Change

Students who already have an eligibility ruling under IDEA and are being assessed for an 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 91<sup>st</sup> 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 of one year. At the end of 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.

#### **~~STAGE 5: ASSESSMENT REPORT~~ Formatting Change**

District 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 of 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, and
11. Date of the Assessment Report.

#### **~~STAGE 6: LSC ELIGIBILITY DETERMINATION~~ Formatting Change**

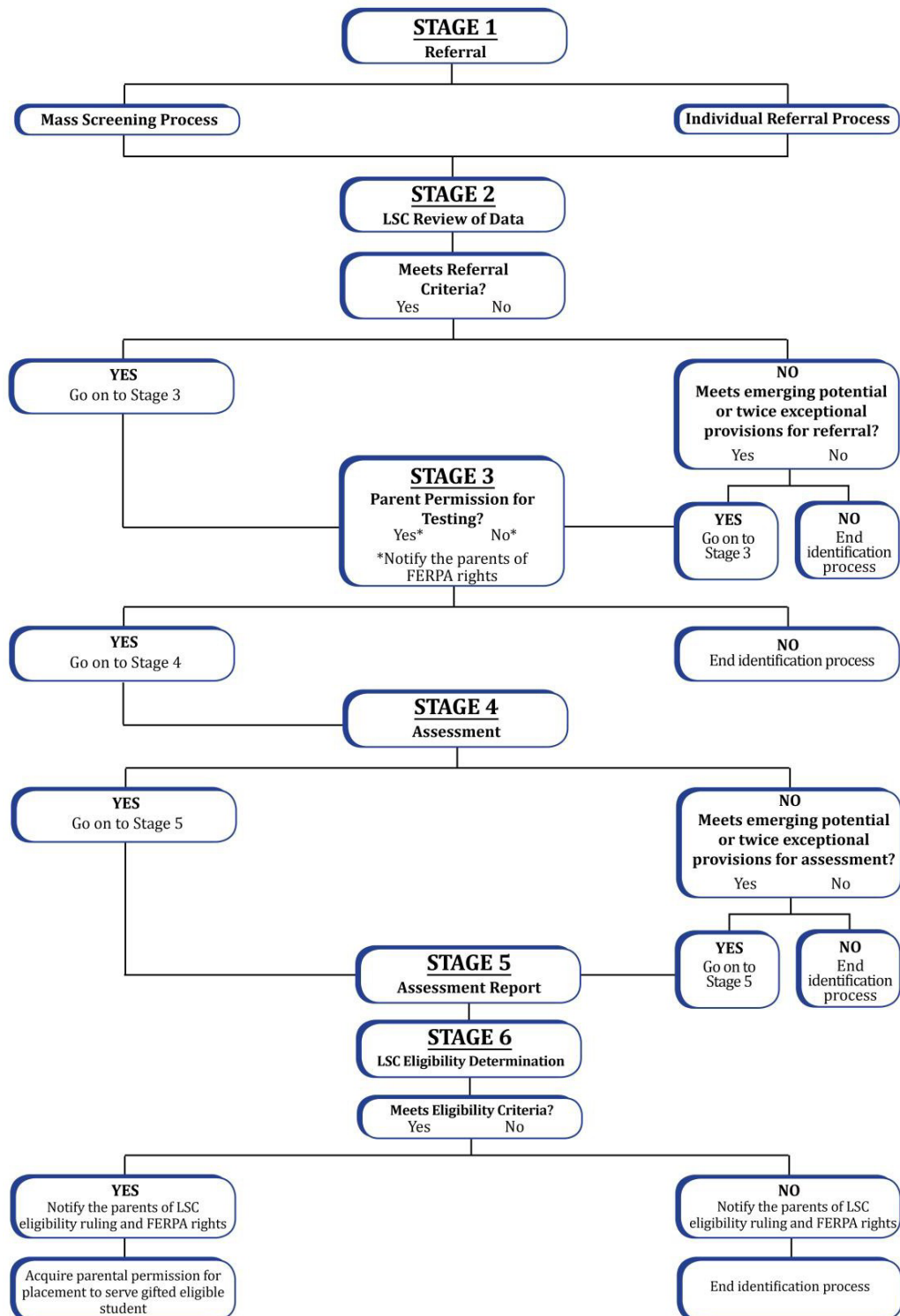
Once the Assessment Report is finalized, the LSC shall meet to review all data and determine if eligibility criteria have or have not been satisfied. The LSC shall rule that the student is or is not eligible for the intellectually gifted program.

#### **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.

## SCHEMATIC OF IDENTIFICATION PROCESS FOR INTELLECTUALLY GIFTED STUDENTS

Formatting Change





## **IDENTIFICATION OF ACADEMICALLY GIFTED STUDENTS**

### **Format Change to All Stages**

**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 two of the following criteria before moving to the assessment process:

1. Grade history of A's and B's in the pertinent academic area,
2. Portfolio of the student's work indicating outstanding capabilities in the pertinent academic area (evaluated using a rubric),
3. Group or individual intelligence test administered within the last twelve months,
4. Group or individual achievement test score(s) in the pertinent academic area (individual achievement test must have been administered within the last twelve months), or
5. Other demonstrated achievement and/or potential abilities (with prior approval of the MDE).

Each district shall establish the local minimal acceptable criteria on each measure used at this stage. Documentation of the measures and minimal 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:

1. The student has satisfied minimal criteria on at least two of the measures stage, and should move forward to the assessment,
2. The student has not satisfied minimal criteria on at least two measures; however, the LSC feels strongly that additional data should be collected, and the student reconsidered at that time, or
3. The student has not satisfied minimal criteria on at least two measures, and the identification process should 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 should move forward to the assessment stage, district personnel shall review all data available before deciding which measures are most appropriate to be used during 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**

1. A score at or above the 90th percentile on the total score in the pertinent academic area on a norm-referenced achievement test,
2. A score at or above the 90th percentile in the pertinent academic area on a norm-referenced individual achievement test, or
3. 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, date, and
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 has or has not been satisfied. The LSC shall rule that the student is or is not eligible for the academically gifted program.

**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. District shall also notify parents in writing about their rights under FERPA.

## ASSESSMENT TIMELINE

### Fall Semester Eligibility

If a student is referred or screened from December 1 – June 30 each year, the assessment process must be complete, and the student placed in gifted services by the beginning of the fall term.



### Spring Semester Eligibility

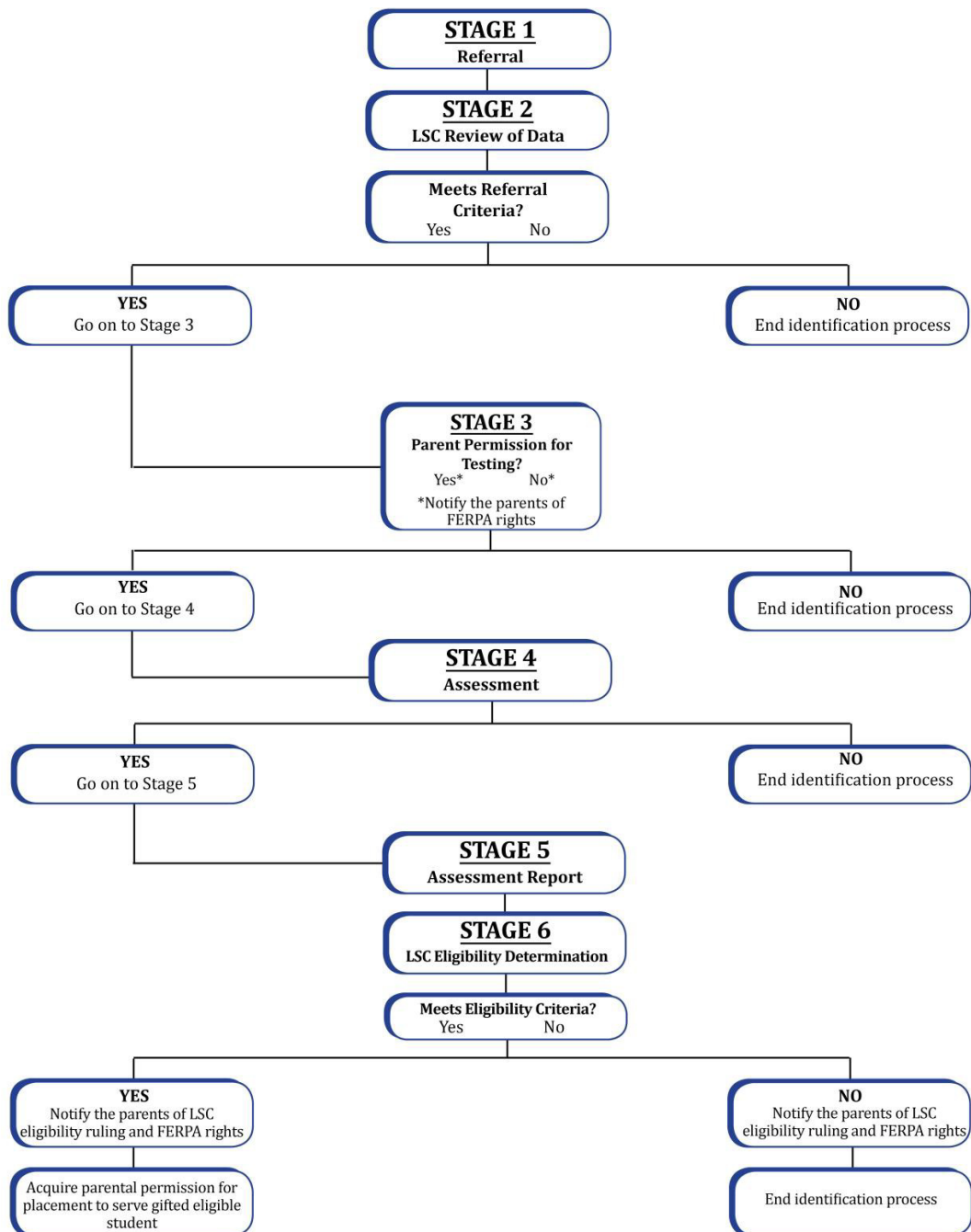
If a student is referred or screened from July 1 – November 30 each year, the assessment process must be complete, and the student placed in gifted services by the beginning of the spring of the following year. For gifted funding purposes, students shall be marked eligible and assigned to a gifted education program purposes in MSIS by December 1.



For the purposes of the assessment timeline, referrals begin on the day that a student is referred by anyone believing that the student may be intellectually gifted.

## SCHEMATIC OF IDENTIFICATION PROCESS FOR ACADEMICALLY GIFTED STUDENTS

Formatting Change





## **IDENTIFICATION OF ARTISTICALLY GIFTED STUDENTS**

### **Format Change to All Stages**

#### **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 one of the following:

1. Published checklist of creativity or norm-referenced test of creativity,
2. Published checklist of characteristics for the visual arts or a published test of ability in the visual arts,
3. Individual accomplishment in the visual arts such as recognition at the state level or above,
4. Portfolio of the student's work evaluated using a rubric, or
5. 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 minimal acceptable criteria on each measure used at this stage. Documentation of the measures and minimal 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:

1. The student has satisfied minimal criteria and should move forward to the assessment stage,
2. The student has not satisfied the minimal criteria. However, the LSC feels strongly that additional data should be collected and the student reconsidered at that time, or
3. The student has not satisfied minimal criteria, and the identification process should 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 should move forward to the assessment stage, 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 assessment criteria noted below. At least one of the criteria shall be a measure of creativity. A student shall satisfy minimal acceptable criteria on the measures used.

### **Assessment Criteria**

1. 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,
2. Published checklist of characteristics for the visual arts with a score in at least the superior range, or a published test of ability in the visual arts with a score in at least the superior range, or
3. 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 two 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. Date that each measure was administered or completed,
5. Completed rubric signed and dated by each member of the panel,
6. Signed statement by each member of the panel certifying the student's creativity and ability in the visual arts, and,
7. Name of the person responsible for writing the Assessment Report, signature and position, and date of the Assessment Report.

### **STAGE 6: LSC ELIGIBILITY DETERMINATION**

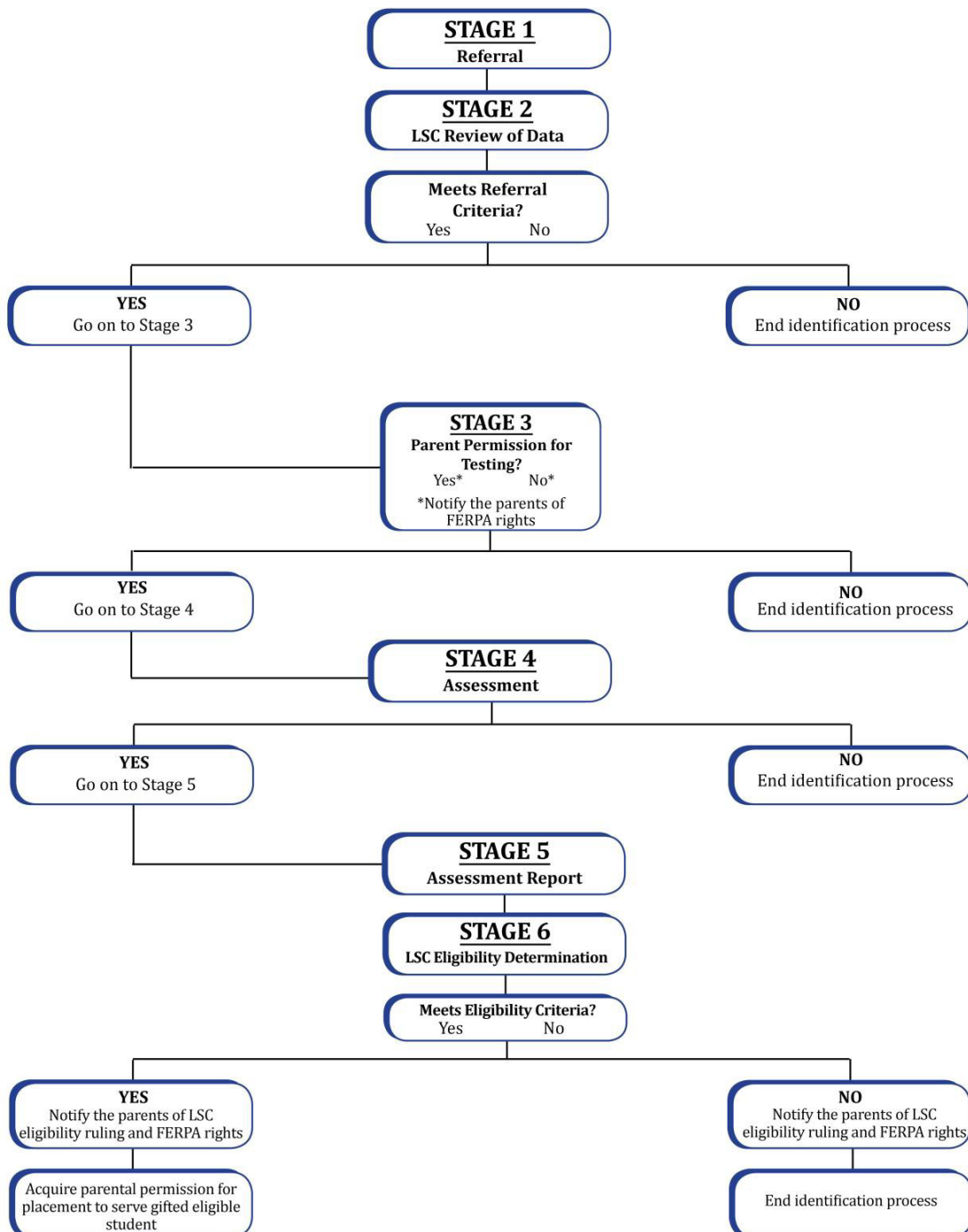
Once the Assessment Report is finalized, the LSC shall meet and review all data and determine if eligibility criteria have or have not been satisfied. The LSC shall rule that the student is or is not eligible for the artistically gifted program.

#### **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.

## **SCHEMATIC OF IDENTIFICATION PROCESS FOR ARTISTICALLY GIFTED STUDENTS**

Formatting Change





## **IDENTIFICATION OF CREATIVELY GIFTED STUDENTS**

### **Format Change to All Stages**

#### **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 one of the following:

1. Published checklist of creativity or a published test of creativity,
2. Published checklist of characteristics in the performing arts or a published test of ability in the performing arts,
3. Individual accomplishment in the performing arts such as recognition at the state level or above,
4. Videotape of the student's performance in the performing arts evaluated using a rubric, or
5. 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 minimal acceptable criteria on each measure used at this stage. Documentation of the measures and minimal 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:

1. The student has satisfied minimal criteria and should move forward to the assessment stage,
2. The student has not satisfied minimal criteria. However, the LSC feels strongly that additional data should be collected and the student reconsidered at that time, or
3. The student has not satisfied minimal criteria, and the identification process should 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 should 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 minimal acceptable criteria on the measures used.

### **Assessment Criteria**

1. 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,
2. 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, or
3. 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 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. Name of at least two measures, with the score on each measure, that were used to determine that the student satisfied minimal acceptable assessment criteria,
3. Individual audition summary,
4. Date that each measure was administered or completed,
5. Completed rubric signed and dated by each member of the panel,
6. Signed statement by each member of the panel certifying the student's creativity and ability in the performing arts,
7. Name of person responsible for writing the Assessment Report, signature and position, and
8. Date of the Assessment Report.

### **~~STAGE 6: LSC ELIGIBILITY DETERMINATION~~**

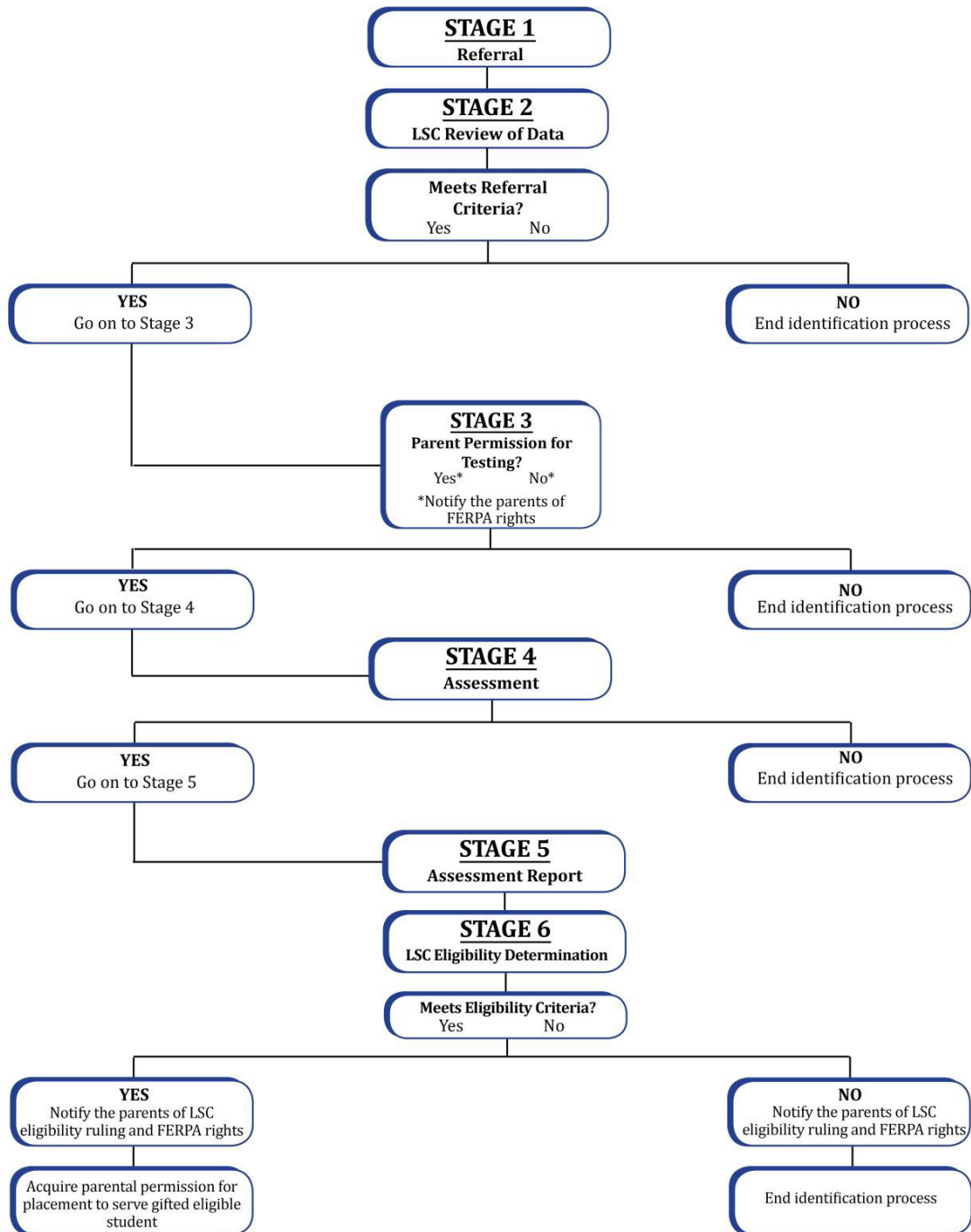
Once the Assessment Report is finished, the LSC shall meet and review all data and determine if eligibility criteria has or has not been satisfied. The LSC shall rule that the student is or is not eligible for the creatively gifted program.

#### **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.

## SCHEMATIC OF IDENTIFICATION PROCESS FOR CREATIVELY-GIFTED STUDENTS

Format Change





## **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.

## **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 should remain in the gifted program as long as they are being successful in the program. Grades and/or success in the regular education program is the responsibility of the regular classroom teachers and should 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 should have a policy in place as to how this hearing will be conducted and how the lack of agreement will be resolved.

## **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)**

~~Each local school district shall have a written IMP for the intellectually gifted program and for all other gifted programs (academically gifted, artistically gifted, and/or creatively gifted) that the district offers. The IMP shall include, at a minimum, the following components:~~

- ~~1. District mission/philosophy statement, including goals and objectives;~~
- ~~2. The components of the Mississippi Gifted Education Program Standards:~~
  - ~~a. Differentiated activities;~~
  - ~~b. Scope and sequence of program process skills (outcomes);~~
  - ~~c. Career exploration and life skills;~~
  - ~~d. Exposure to and appreciation for the visual and performing arts;~~
  - ~~e. In-class counseling/guidance for gifted students;~~
  - ~~f. Social-emotional needs of gifted students;~~
  - ~~g. Affective needs of gifted students; and~~
  - ~~h. Needs of gifted at-risk students; and~~
  - ~~i. Program outcomes for the specific gifted program(s) offered.~~

## 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. 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 minimum of 270 minutes per week of services in an approved gifted education program.
4. 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**

Parents may have their child independently assessed by a licensed psychometrist or examiner. The student shall satisfy minimal acceptable criteria on the measures used. In addition, the child must satisfy at least one 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 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 minimum of 270 minutes per week (see page 41). The recommended time for gifted instruction is 330 minutes per week. The activities in the gifted class shall develop and enhance the process skills in the outcomes document, the teaching strategies notebook, and 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 utilizing higher-level thinking skills, creative problem solving, critical thinking skills, research skills, personal growth and 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 these services by a properly licensed teacher holding a gifted endorsement. The class shall satisfy 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 the gifted endorsement. The class shall satisfy 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 recommended 300 minutes per week, or a required minimum of 240 minutes per week. 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 the 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 the gifted endorsement. The class shall satisfy time requirements for a Carnegie unit course.

## **DUAL CREDIT/DUAL ENROLLMENT**

High school students may attend regular classes 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 districts 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.

## **Change in Sequence**

### **PROGRAMMING OPTIONS**

#### **INTELLECTUALLY GIFTED PULL-OUT (GRADES 2-8)**

A group of all intellectually gifted students is provided services by a properly endorsed teacher in a self-contained room for a recommended 300 minutes per week, or a minimum of 240 minutes per week. The activities in the gifted class should develop and enhance the process skills in the outcomes document, the teaching strategies notebook, and required components of the gifted program standards document. Some of the activities should be short-term exploratory activities that introduce students to ideas and concepts not normally covered in the regular education program. The activities should enhance the integration of advanced content and individual student's interests utilizing higher-level thinking skills, creative problem solving, critical thinking skills, research skills, personal growth and human relations exercises, leadership skills, and creative expression. Activities should also create an appreciation for the multicultural composition of the school and community.

#### **INTELLECTUALLY GIFTED (GRADES 9-12)**

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 these services by a properly licensed teacher holding a gifted endorsement. The class shall satisfy time requirements for a Carnegie Unit course.

#### **ACADEMICALLY GIFTED (GRADES 9-12 ONLY)**

The Mississippi Gifted Education Act of 1989 requires that the 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 should 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 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 the gifted endorsement. The class shall satisfy 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 recommended 300 minutes per week, or a minimum of 240 minutes per week. The activities should develop and enhance the process skills in the outcomes document and the integration of advanced content and individual students' interest. Activities should 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 should 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 the 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 and the teacher's credentials are the same as mentioned previously. The class shall satisfy time requirements for a Carnegie Unit course.

## **DUAL ENROLLMENT**

High School students may attend regular classes 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 (CJC) for a part of the day. All expenses related to attendance at an IHL are the sole responsibility of the student's family. The classes should be in an academic area identified as a strength during the eligibility process and an academic area of intense personal interest for the student.

**NOTE:** There is no funding from the state for this option. Students must meet the criteria for participating in 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 should 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.

**NOTE:** 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 2-8 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.



## **HOMEWORK/CLASSWORK**

Gifted students in grades 2-8 may not be required to make-up class work 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 should 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 upon exceptionally high academic achievement in the pertinent area being served.

## **GIFTED TEACHER UNITS**

The gifted education program is an add-on program 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. The teacher serving fewer than 20 students, more than 60 students, or working less than full time in the gifted program shall be prorated.
5. No student may be counted more than once for the purpose of justifying funding of a gifted teacher unit.
6. 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 upon the percentage of identified students in the class.

## **PLANNING TIME**

Each teacher of the gifted in grades 2-8 should have a daily planning period of not more than 60 minutes. 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 should 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 upon 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.

## **PROPOSAL FOR GIFTED PROGRAM**

The Proposal for Gifted Program Form 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 five years, depending upon the district's annual self-evaluation on the *Mississippi Gifted Education Program Standards* and monitoring reports.

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

## **MONITORING AND SELF-EVALUATION**

Local gifted education programs shall be monitored by the Office of Curriculum and Instruction.

Each district shall 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 *Mississippi Gifted Education Program Standards*. ~~It is suggested that the evaluation follow the rubric format of the standards. A sample self-evaluation document is available online, located in the Advanced Learning and Gifted area of [www.mde.k12.ms.us/ci](http://www.mde.k12.ms.us/ci). Written documentation shall be submitted with the evaluation for each rating of 3 or higher. A written corrective action plan approved by the local school board shall be maintained on file in the district with the evaluation for each rating of 1. The corrective action plan should be succinct.~~

## **GEP CONTACT PERSON**

Each local district superintendent shall appoint at least one, but no more than two GEP Contacts. These individuals are the link between the district and the Office of Curriculum and Instruction at 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. 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.

## **NON-COMPLIANCE**

Districts must comply with the requirements of the Mississippi Gifted Education Act of 1989 (MS Code 37-23-171 through 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*.

## **~~Appendix A: Emerging Potential for Gifted Checklist~~** **Formatting and Name Change**

*(Note: Complete this checklist only if there is reason to believe the student will have emerging potential for gifted during the identification process.)*

District personnel shall complete this checklist for any student referred for the gifted program that satisfies one or more of the descriptors for emerging potential for gifted, listed under the Student Identification Processes section of the Gifted Regulations. If some of these elements fit the student being considered, the student could be at a disadvantage when certain measures are used during the identification process. This information is only to be considered when selecting appropriate measures during the identification process.

**Student:** \_\_\_\_\_ **Grade:** \_\_\_\_\_ **Teacher:** \_\_\_\_\_

**District:** \_\_\_\_\_

**School:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Questionnaire Completed By:** \_\_\_\_\_

**Relationship to Student:** \_\_\_\_\_

### **Option I**

A student who has been diagnosed with ADD/ADHD qualifies for use of the emerging potential for testing criteria as defined in the regulations.

Date of Diagnosis: \_\_\_\_\_ Person making diagnosis: \_\_\_\_\_

**(Attach a copy of diagnosis and recommendations.)**

### **Option II**

If the student satisfies five (5) or more of the following criteria, the student may be considered for emerging potential for testing criteria as defined in the regulations.

- \_\_\_\_\_ 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.

## Appendix B: Gifted Education Program Proposal

Mississippi Department of Education – Office of Curriculum and Instruction

District _____	Phone _____																											
Gifted Contact Person _____																												
<b>INTELLECTUALLY GIFTED</b>																												
<p>Check the categories of instruments to be used during the identification process. Only complete the name of the instrument(s) and minimal score if establishing a minimal acceptable criteria higher than that stated in the regulations:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 40%;"></th> <th style="width: 30%; text-align: center;">Name of Instrument</th> <th style="width: 30%; text-align: center;">Score</th> </tr> </thead> <tbody> <tr> <td>-Group intelligence test(s)</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>-Characteristics of giftedness checklist</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>-Measure of creativity</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>-Measure of leadership</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>-Measure of cognitive ability</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>-Achievement test(s)</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>-Individual test of intelligence</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>-Other measures</td> <td>_____</td> <td>_____</td> </tr> </tbody> </table>			Name of Instrument	Score	-Group intelligence test(s)	_____	_____	-Characteristics of giftedness checklist	_____	_____	-Measure of creativity	_____	_____	-Measure of leadership	_____	_____	-Measure of cognitive ability	_____	_____	-Achievement test(s)	_____	_____	-Individual test of intelligence	_____	_____	-Other measures	_____	_____
	Name of Instrument	Score																										
-Group intelligence test(s)	_____	_____																										
-Characteristics of giftedness checklist	_____	_____																										
-Measure of creativity	_____	_____																										
-Measure of leadership	_____	_____																										
-Measure of cognitive ability	_____	_____																										
-Achievement test(s)	_____	_____																										
-Individual test of intelligence	_____	_____																										
-Other measures	_____	_____																										
<b>ACADEMICALLY GIFTED</b>																												
<p>Check the categories of instruments to be used during the identification process. Only complete the name of the instrument(s) and minimal score if establishing a minimal acceptable criteria higher than that stated in the regulations:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 40%;"></th> <th style="width: 30%; text-align: center;">Name of Instrument</th> <th style="width: 30%; text-align: center;">Score</th> </tr> </thead> <tbody> <tr> <td>-Group achievement test(s)</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>-Individual achievement test</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>-Portfolio*</td> <td>_____</td> <td>_____</td> </tr> </tbody> </table> <p style="margin-top: 10px;">*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.</p>			Name of Instrument	Score	-Group achievement test(s)	_____	_____	-Individual achievement test	_____	_____	-Portfolio*	_____	_____															
	Name of Instrument	Score																										
-Group achievement test(s)	_____	_____																										
-Individual achievement test	_____	_____																										
-Portfolio*	_____	_____																										
<b>ARTISTICALLY GIFTED</b>																												
<p>Check the categories of instruments to be used during the identification process. Only complete the name of the instrument(s) and minimal score if establishing a minimal acceptable criteria higher than that stated in the regulations:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 40%;"></th> <th style="width: 30%; text-align: center;">Name of Instrument</th> <th style="width: 30%; text-align: center;">Score</th> </tr> </thead> <tbody> <tr> <td>-Measure of creativity</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>-Measure of ability in visual arts</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>-Portfolio*</td> <td>_____</td> <td>_____</td> </tr> </tbody> </table> <p style="margin-top: 10px;">*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.</p>			Name of Instrument	Score	-Measure of creativity	_____	_____	-Measure of ability in visual arts	_____	_____	-Portfolio*	_____	_____															
	Name of Instrument	Score																										
-Measure of creativity	_____	_____																										
-Measure of ability in visual arts	_____	_____																										
-Portfolio*	_____	_____																										



### CREATIVELY GIFTED

Check the categories of instruments to be used during the identification process. Only complete the name of the instrument(s) and minimal score if establishing a minimal acceptable criteria higher than that stated in the regulations:

	Name of Instrument	Score
-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.

### TYPE 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

**Below is for MDE use only:**

_____	_____
Office Director's Signature	Date

_____	_____
Bureau Director's Signature	Date

## **Appendix C: MS Code 37-23-171 through 181**

### MISSISSIPPI CODE of 1972

\*\*\* Current through the 2012 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 insure 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 instruction of intellectually gifted children within Grades 2 through 12 and programs for instruction of academically gifted children within Grades 9 through 12 and programs for 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 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 fiscal year 1994 and thereafter shall be at least the number funded for gifted education programs for fiscal year 1993 and any additional numbers that may be funded by 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

# Blank Page