

REGULATIONS

These regulations provide further explanation of elements of State Board of Education Rule 160-4-2-.38 EDUCATION PROGRAM FOR GIFTED STUDENTS.

Regulations Related to the Referral Process

(See Rule 160-4-2-.38, Page 2, Section [b] Referral, Paragraph 2, Automatic Referral.)

District-wide norm-referenced test scores must be used as part of the student search process to ensure that all students are considered for possible gifted program placement. However, the local district is not required to administer additional tests to every student who meets the locally established performance level for automatic referral.

Instead, local districts must establish a decision-making process which allows professional staff members to consider all information collected during the student search stage of the nomination process and determine whether it is appropriate to proceed with a formal referral and further assessment. This decision-making process must be applied consistently to all students who meet the system's automatic consideration criteria, as well as to those who are nominated through a reported referral. Factors to be considered in this screening process should include the strength of the evidence of the student's advanced learning needs, the recency and performance levels of any previous gifted program referral, circumstances which would indicate those assessment results are no longer valid, or other criteria adopted by the local system.

When a Student Search/Eligibility Team or a designated professional staff member screens nominated students, the Eligibility Team chairperson or the designated individual must document the following:

- the date of the meeting/decision,
- the committee members present (if an Eligibility Team is used),
- the names of the students who were considered,
- the source of the nomination (automatic, teacher, parent, etc.), and
- the committee's/individual's decisions and rationale for those decisions regarding whether each student who was considered should be referred for formal evaluation.

Student data shall be kept by grade level, gender, and ethnic group. These data shall be reviewed at least annually as part of the local system's formative evaluation of gifted program services. The nomination process should be carefully scrutinized for any factors which may be contributing to underrepresentation of some groups of students in the system's program for gifted students. The nomination, decision-making, and formal referral data must be summarized and reported upon request to the Department of Education as part of the system's evaluation report.

Regulations Related to the Assessment of Mental Ability

(See Rule 160-4-2-.38, Page 3, Section 1, Initial Eligibility, Paragraph [I], Mental Ability.)

For establishing the required standard in the mental ability category of Rule 160-4-2-.38, a component score may be used only in the multiple criteria assessment process. (See Option b in Paragraph [I] on page 3 of the rule.) It is appropriate to use a component score to partially establish a student's eligibility for gifted program services only in the following circumstances:

- The subtest contains enough items and enough variety of items to provide a comprehensive assessment of the student's abilities in a given content domain;
- The component battery was normed separately from the total test composite score and the other subtests;
- The test publisher recommends the use of component scores for identifying the abilities of gifted students;
- The preponderance of both test and non-test evidence collected during the assessment process supports that component score as the best measure of the student's mental ability; and
- The local school system is able to provide a match between the student's identified strengths and gifted program curriculum.

Regulations Related to the Assessment of Motivation

(See Rule 160-4-2-.38, Page 4, Section 1, Initial Eligibility, Paragraph [IV], Motivation.)

All assessment procedures selected to determine a student's need for gifted program services should help system personnel identify those students who are performing at the extremely high end of whatever performance/ability continuum is being assessed. Therefore, if a district has chosen to use GPA in the area of motivation to (partially) establish students' eligibility for gifted program placement, the local system should set its minimum performance standard for GPA at that level which is achieved by no more than 10% of the students in each grade level where GPA is being used to measure motivation. The GPA criterion can (and probably will be) set higher than 3.5 on a 4-point scale, but under no circumstances should it be set lower than 3.5.

Regulations Related to Program Delivery Models

(See Rule 160-4-2-.38, Page 6, Section e, Curriculum and Services to Be Provided, Paragraph 2.)

Local systems are required to provide at least five segments a week (or the yearly equivalent) of gifted education services for all eligible students whose participation in the gifted program has received parental permission. The differentiated instruction must be provided in one or more of the delivery models described below. Detailed descriptions of

the characteristics of the various delivery strategies, the recommended uses of each, and the research findings on effect sizes may be found in the body of the *Resource Manual*

for Gifted Education Services. The following regulations, however, describe the requirements

which must be met in order to count the instructional segments provided by any of these models at the gifted weight in FTE reporting.

Direct Services

- **Resource Class (K-12)** -- All students must have been identified as gifted by Georgia State Board of Education criteria. The class is limited to the maximum size specified in State Board of Education Rule 160-5-1-.08 CLASS SIZE. The teacher must have the gifted endorsement. The curriculum must have an academic content foundation, but it should focus on interdisciplinary enrichment activities. The content and pacing should be differentiated to the degree that the activities are clearly not appropriate for more typical students at that grade level. Gifted students may receive no more than ten segments per week of resource class service.
- **Advanced Content Class (6-12)** -- Students are homogeneously grouped on the basis of achievement and interest in a specific academic content area. The district may elect to include students who are not identified as gifted but who have demonstrated exceptional ability and motivation in a particular content area. In that case, the local district must establish criteria and guidelines that identify students who will be successful with the advanced curriculum to be offered in these classes. (Identified gifted students may also be required to meet the specific achievement criteria.)

Identified gifted students in the advanced content course may be counted at the gifted weight only if (a) the maximum size specified for gifted resource classes in State Board Rule 160-5-1-.08 CLASS SIZE is observed; (b) a description of the course curriculum (showing very clearly how the advanced course content, pacing, process skills emphasis, and expectation of student outcomes differ from the course more typical students at that grade level would take in that content area) is developed and maintained by the local board of education; and (c) the teacher has the following qualifications:

1. **Advanced Placement (AP) Courses** -- The teacher must have the appropriate content area certification. In addition, the teacher must (a) have been trained by the College Board in that specific AP course and have had at least 10 clock hours of staff development in characteristics of gifted learners and curriculum differentiation for gifted students; or (b) have the gifted endorsement.
2. **International Baccalaureate (IB) Courses** -- The teacher must have the appropriate content area certification. In addition, the teacher must (a) have been trained by the International Baccalaureate Program in that specific IB subject area and have had at least 10 clock hours of staff development in characteristics of gifted learners and curriculum differentiation for gifted students; or (b) have the gifted endorsement.
3. **Honors Courses** -- The teacher of a locally developed honors course curriculum must have the appropriate content area certification and the gifted endorsement in order to count the gifted students in the class at the gifted FTE weight.

- **Cluster Grouping (K-12)** -- Identified gifted students are placed as a group into an otherwise heterogeneous classroom, rather than being dispersed among all of the rooms/courses at that grade level. To count any gifted student at the gifted weight when this delivery model is used, the regular classroom teacher must have the gifted endorsement. One or two segments per day provided in this setting may be counted at the gifted weight if the teacher documents the curriculum modifications he/she has made for the gifted students by way of (a) separate lesson plans and (b) individual student contracts which show the:
 1. Reason(s) why that particular student needs an advanced curriculum in that particular content area (e.g., pretest grades);
 2. Learning objectives for the gifted student;
 3. Alternative activities in which the gifted student will be engaged;
 4. Dates and amount of time (in segments) the student will be engaged in the higher-level activities; and
 5. Means by which the gifted student's learning will be assessed (e.g., the expected outcomes or products).

Indirect Services

- **Collaborative Teaching (K-12)** -- Direct instruction may be provided by a regular classroom teacher, but there must be substantial, regularly scheduled collaborative planning between the content area teacher and the gifted specialist (the teacher with the gifted endorsement who is serving as the instructional facilitator). The gifted specialist, the regular classroom teacher, and the gifted student (when appropriate) collaborate in the development of challenging assignments which substitute for or extend the core curriculum objectives which the identified gifted student has already mastered.

To ensure adequate time for the gifted specialist to meet with teaching partners and gifted students, develop or secure advanced materials and other resources, develop individual student contracts, and provide small group or individual instruction, he/she must be given one full period each day or its weekly equivalent during which he/she has only gifted education programming responsibilities (as determined by the local system) for every three classes in which he/she has collaborative teaching responsibilities. The total number of gifted students whose instruction may be modified through this collaborative approach may not exceed an average of eight per class. For example, if the gifted program specialist is working with three classroom teachers during the first period of the school day, there may be no more than 24 gifted students (for whom curriculum is being modified) divided among the three classes, and the gifted specialist must be given one full class period at some point during the week to plan appropriately challenging instruction, gather advanced materials, meet with teacher partners and students, and/or provide small group or individual instruction for gifted students.

**Table 1:
Required Planning Time for Gifted Program Specialist in the
Collaborative Teaching Model**

Number of classes within which gifted planning, specialist collaborates group	Number of segments which can be counted at the gifted weight	Number of periods that must be allotted for collaborative individual and small work, etc.
1-3	1-24	1
4-6	25-48	2
7-9	49-72	3
10-12	73-96	4
13-15	97-120	5
16-18	121-144	6

Instructional segments which have been modified for gifted learners may be counted at the gifted weight only if the teacher-partners document the curriculum modifications made for the gifted students by way of (a) separate lesson plans; (b) a time log of collaborative planning by the teacher partners; and (c) individual student contracts which show the reason(s) why any student whose instruction is counted at the gifted weight needs an advanced curriculum in that particular content area (e.g., pretest grades), the learning objectives for the gifted student, the alternative activities in which the gifted student will be engaged, the dates and amount of time (in segments) the student will be engaged in the higher-level activities, the means by which the gifted student’s learning will be assessed (e.g., the expected outcomes or products), and the responsibilities of the gifted education teacher and the classroom teacher.

- **Mentorship/Internship** (9-12) -- A gifted student works with a mentor to explore a profession of interest. The gifted education specialist maintains close contact with both the participating student(s) and the selected mentor(s) to ensure acceptable progress toward the student’s individual learning goals.

One or two instructional segments per day may be counted at the gifted weight for students participating in a gifted mentorship/internship if an individual student contract

documents the work to be done, the learning objectives for the gifted student, the dates

and amount of time the student will be participating in the internship/mentorship, the means by which the gifted student's learning will be assessed (e.g., the expected outcomes or products), and the responsibilities of the gifted education teacher and the mentor.

To ensure adequate time for the gifted education specialist to monitor and assist gifted students participating in mentorships/internships, he/she must be given one full period each day or its weekly equivalent during which he/she has only gifted education programming responsibilities (as determined by the local system) for every fifteen (15) gifted students for whom he/she is supervising a mentorship/internship experience.

- **Joint Enrollment/Postsecondary Options** -- High school students may be enrolled in college, university, or technical school courses. Students enrolled in such courses receive both high school and college credits, and this instruction may serve as the gifted instruction local districts are required to provide for qualified students. Note that present rules indicate FTE funding generated while away from the regular school campus will be awarded to the post-secondary institution. Students served through joint enrollment must meet state regulations for attendance and must be present on the secondary campus for at least three instructional segments. The student must have an individual student contract which shows the reason(s) why he/she needs a more advanced curriculum than any which could be provided on the high school campus, the learning objectives for the gifted student, the dates and amount of time (in segments) the student will participate in the joint enrollment arrangement, and the means by which the gifted student's learning will be assessed (e.g., the expected outcomes or products).

Approved Innovative Models

The Georgia Department of Education encourages the development of innovative programs for gifted students that are clearly in accordance with the needs of the community and the philosophy of the district. If a school district desires to implement a gifted program delivery model other than one of the models described above, the district must submit a description of that plan to the Department of Education's Gifted Education Specialist. The plan must clearly describe the rationale for the special model, the goals and objectives for the program, the advanced nature of the curriculum which will be provided to gifted learners, how the model's effectiveness will be evaluated, how FTE funding will be generated and documented, and the anticipated fiscal impact of the model (i.e., how many FTE will be generated).

The Gifted Education Specialist will approve local school district plans for special models that are in accordance with all applicable rules and regulations, that are consistent with best practice guidelines for the education of gifted students, and that provide strong programming and fiscal accountability. If the district's proposal for a special model is not within the guidelines established by State Board of Education rules and Department of Education regulations, the Gifted Education Specialist will advise the district contact

that the local Board of Education would have to be granted a waiver from the State Board of Education before that model could be used to provide gifted education services.