

PA 21-199 Section 2 – Gifted and Talented Students
(Background information for Policy Review Committee)
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P.A. 21-199, “An Act Concerning Various Revisions and Additions to the Statutes Relating to Education and Workforce Development, **Section 2**,” requires local and regional boards of education to develop a policy, not later than July 1, 2022, for the equitable identification of gifted and talented students. The legislation indicates that such policy shall require the use of multiple methods of identification of gifted and talented students that are in compliance with guidance provided by the State Department of Education (SDE).

Policy Implications

This section of the Act impacts policy #6172.1, “Gifted and Talented Programs,” and makes it a mandated policy beginning with the 2022-2023 school year.

The SDE in March 2019 issued the guidance document, “Gifted and Talented Education: Guidance Regarding Identification and Service.” While this was done prior to the new legislation, it contains timely information which is included in this narrative.

The laws and regulations governing gifted and talented education are embedded within those that pertain to special education in Connecticut. It is important to note that gifted and talented education is not included in the federal Individuals with Disabilities Education Act (IDEA), which sets forth the federal requirements for special education. Only state laws and regulations apply to gifted and talented education, not the IDEA.

C.G.S. 10-76a (5) indicates that a student who has extraordinary learning ability or outstanding talent in the creative arts requires programs or services beyond the level of those ordinarily provided in regular school programs.

Definition of Gifted and Talented

C.G.S. 10-76a-2 offers the following three important definitions that serve as the foundation for the identification of students as gifted and/or talented:

“Extraordinary learning ability” means a child identified by the planning and placement team as gifted and talented on the basis of either performance on relevant standardized measuring instruments, or demonstrated or potential achievement or intellectual creativity, or both.

“Gifted and talented” means a child identified by the planning and placement team as (A) possessing demonstrated or potential abilities that give evidence of very superior intellectual, creative or specific academic capability and (B) needing differentiated instruction or services beyond those being provided in the general education program in order to realize the child’s intellectual, creative or specific academic potential. The term shall include children with extraordinary learning ability and children with outstanding talent in the creative arts.

“Outstanding talent in the creative arts” means a child identified by the planning and placement team as gifted and talented on the basis of demonstrated or potential achievement in music, the visual arts or the performing arts.

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These definitions can be synthesized into the following two broad descriptions of students who may be identified as gifted and/or talented:

1. those with extraordinary learning ability (commonly referred to as gifted); and/or
2. those with outstanding talent in the creative arts (commonly referred to as talented).

Extraordinary learning ability pertains to academic achievement and intellectual creativity. Outstanding talent in the creative arts pertains to achievement in music, the visual, or performing arts. Students in these classifications are collectively referred to as gifted and talented.

Mandatory Referral, Identification, and Evaluation Services

Subsection (b) of regulation 10-76d-1 states that “Each board of education shall be required to provide referral, identification and evaluation services only for gifted and talented children enrolled in grades kindergarten to twelve, inclusive, in a public school under the jurisdiction of such board of education.” Districts are mandated to have a process for the referral, identification, and evaluation of public school students enrolled in Grades K-12 as gifted and/or talented. The referral may come from any source including the teacher, administrator, parent, guardian, or child.

The Planning and Placement Team (PPT) is required to be used to evaluate and identify gifted and talented children. However, the composition of the PPT used for this purpose is different from the PPT composition for special education.

“For purposes of the evaluation, identification or determination of the specific educational needs of a child who may be gifted or talented, the PPT means a group of certified or licensed professionals who represent each of the teaching, administrative and pupil personnel staffs, and who participate equally in the decision making process.” Note that the student’s parent or guardian is not a required member of the PPT assembled for the purpose of identifying gifted and talented students.

Districts are required to evaluate and identify gifted and talented students but there is flexibility in how this evaluation is conducted. State regulations indicate districts may use individual evaluations or group assessment and evaluations to identify gifted and talented children, provided that parental consent is acquired before a child is individually evaluated.

A district may conduct planning and placement team meetings on groups of children for whom evaluation and identification as gifted and talented are planned. Parents must be provided written notice that their child has been referred to the planning and placement team for consideration as a gifted and talented child. Written parental consent shall be secured before a child is individually evaluated for identification as gifted and talented.

The results of the planning and placement team meeting concerning a determination of the child’s identification as gifted or talented shall be provided to the parent in writing. If a parent disagrees with the results of the evaluation conducted by the district, the parent has a right to a hearing.

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Group Assessments and Individual Evaluations

In the case of a group assessment, a district may use an appropriate standardized test administered to all students in a particular grade. A district can use a locally normed cut score to identify students for consideration by a PPT for the gifted and talented classification.

In this approach, the district may convene a group PPT to review the cases of the students who meet or exceed the established cut score. The use of local norms over state/national norms has the advantage of potentially being more informative of a child's standing with respect to the general education program of a school. Objective measures such as these also allow for the possible identification of students as gifted and talented who are members of historically underrepresented populations.

When a child is individually referred for gifted and talented identification (e.g., by a teacher, administrator, parent, guardian, child), written consent from a parent or guardian is required before the evaluation and PPT can proceed. An individual referral has the advantage of allowing for the possible identification of students as gifted and talented in areas that are not typically addressed by large-scale standardized tests (e.g., social studies, a technical discipline, music, creative arts, performing arts).

Role of Local Context in Identification

After the PPT determination from an individual/group assessment the classification of a child as gifted or talented is dependent upon the local context because a PPT must inventory and evaluate a child's needs relative to what is available from the general education program in the child's school.

If a differentiated instruction need exists that exceeds the general education program, then the child has met the criteria for the gifted and talented classification. Since there are differences between general education programs in different schools, a child could be gifted and talented in one school but not gifted and talented in another. Similarly, if the PPT determines that a child has demonstrated or has potential for superior ability/achievement in music, the visual arts or the performing arts and, relative to the general program, the child has unmet educational needs, then the child should be classified as having outstanding talent in the creative arts. Students can be found to have outstanding talent in the creative arts in a single or in multiple modes/expressions of musical, visual, or performing arts. In the case of either the high ability student or the student with outstanding talent in the creative arts, need is operationally defined as whatever is required in order for the student to realize his/her intellectual, creative or specific academic potential.

Connecticut regulations state that "A board of education may identify up to ten per cent of its total student population for the district as gifted and talented." This ten percent criterion is evaluated against the total student population of the district.

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Provision of Services

While the gifted and talented identification and evaluation of students is mandatory, the provision of services for identified students is not required and is left to the discretion of the district. A student may be identified as gifted and talented and as a student with disability who is eligible for special education and related services. In that case, the student would be entitled to an Individualized Education Program (IEP) pursuant to state and federal law but is not entitled to receive gifted and talented services.

Other Considerations

Although the percentage of students identified and/or served in gifted and talented education programs does not currently reflect the general school population, gifted and talented youth exist in all cultural and economic groups. When appropriate identification protocols are employed along with programming models that cultivate potential, more students from historically underrepresented groups can be identified, resulting in a more equitable process reflective of the national student population. Some students, despite substantial potential, have had few opportunities to develop their talents. Other students have been under challenged with unmet learning needs.

Policy #6172.1, “Gifted and Talented Programs,” a mandated policy beginning with the 2022-2023 school year, has been revised and follows for your consideration.

April 2022

A mandated policy (as of July 1, 2022) to consider.

Instruction

Gifted and Talented Students Program (Version #1)

The Board of Education (Board) recognizes its responsibility to identify gifted and talented students within the school district [and to provide these students with appropriate instructional adaptations and services]. *(Districts are required to identify but provision of services is at the discretion of the local district.)* The Board is committed to providing identification and assessment which is responsive to students' economic conditions, gender, developmental differences, disabling conditions and cultural diversity.

For purposes of this policy, "gifted and talented students" means a child identified by the Planning and Placement Team (PPT) as (A) possessing demonstrated or potential abilities that give evidence of very superior intellectual, creative or specific academic capability and (B) needing differentiated instruction or services beyond those being provided in the general education program in order to realize the child's intellectual, creative or specific academic potential. The term shall include children with extraordinary learning ability and children with outstanding talent in the creative arts.

For purposes of this policy "outstanding talent in the creative arts" means a child identified by the Planning and Placement Team as gifted and talented on the basis of demonstrated or potential achievement in music, the visual arts or the performing arts.

The school district shall provide educational programs for the gifted and talented, within budgetary constraints, that include a broad spectrum of learning experiences which increase knowledge and develop skills necessary for the student to function successfully in society while encouraging students to excel in areas of special competence and interest. *(optional language)*

The Superintendent or his/her designee will develop procedures for an ongoing kindergarten through grade twelve identification process for gifted and talented students that includes multiple measures in order to identify student strengths in intellectual ability, creativity or a specific academic area.

Multiple measures may include, but are not limited to, tests of academic achievement, aptitude, intelligence, and creativity; achievement test scores; grades; student performance or products; samples of student work; parent, student, and/or teacher recommendations; and other appropriate measures. The identification methodology will include consideration of all students, including those who are English language learners and those with Individualized Education Plans (IEP) or 504 Plans, be developmentally appropriate, non-discriminatory, and related to the programs and services offered by the District.

The final determination in the identification of students as gifted and/or talented must be done by a PPT. Such PPT charged with this responsibility shall be composed of a group of certified or licensed professionals representing each of the teaching, administrative and pupil personnel staffs.

Instruction

Gifted and Talented Students Program (Version #1) (continued)

Though early identification of the gifted and talented is important, it is essential that the identification of these students be recognized as a continuing process in that special abilities and skills appear at different times in the lives of many children and new children are regularly being enrolled in the system.

Upon the identification of a student as gifted and talented, the District shall provide electronic notice of such identification to the parent/guardian of such student. Such notice shall include, but need not be limited to:

1. an explanation of how such student was identified as gifted and/or talented;
2. the contact information for the District's employee in charge of the provision of services to gifted and talented students, or, if there is no such employee, the District's employee in charge of the provision of special education and related services;
3. the employee at the State Department of Education who has been designated as responsible for providing information and assistance to Boards of Education and parents or guardians of students related to gifted and talented students, pursuant to section 10-3e of the General Statutes; and
4. any associations in the state that provide support to gifted and talented students.

The school district, should it decide to offer services to the gifted and talented, shall utilize the guidelines, developed and promulgated by the State Department of Education (SDE), for providing services to those students. The guidelines include best practices for the district to consider for (1) addressing the intellectual, social and emotional needs of gifted and talented students in schools and (2) providing teacher training and professional development on gifted and talented students.

Legal Reference: Connecticut General Statutes
 10-76a-(e) Definitions.
 10-76d-(e) Duties and powers of Boards of Education to provide special
 education programs and services.
 Regulations of Connecticut State Agencies Sections 10-76a-1–10-76l-1.
 P.A. 19-184 An Act Concerning the Provision of Special Education.
 Gifted and Talented Education: Guidance Regarding Identification and
 Service. SDE Guidance, March 2019.
 P.A. 21-199 An Act Concerning Various Revisions and Additions to the
 Statutes Relating to Education and Workforce Development, Section 2.

Policy adopted:

rev 6/17

rev 7/19

rev 4/22

A mandated policy (as of July 1, 2022) to consider.

Instruction

Gifted and Talented Students Program (Version #2)

The _____ Public Schools are committed to recognizing and promoting the individual strengths, gifts, and talents of all children.

The _____ Public Schools, in conjunction with State of Connecticut regulations and requirements, will identify students demonstrating extraordinary ability academically, creatively and artistically.

The identification process is based on a multi-criteria assessment process, typically including both subjective and objective data. The process must include multiple measures in order to identify student strengths in intellectual ability, creativity or a specific academic area. Multiple measures may include, but are not limited to, tests of academic achievement, aptitude, intelligence, and creativity; achievement test scores; grades; student performance or products; samples of student work; parent, student, and/or teacher recommendation; and other appropriate measures. The identification methodology will include consideration of all students, including those who are English language learners and those with Individualized Education Plans or 504 Plans, be developmentally appropriate, non-discriminatory, and related to the programs and services offered by the District.

The final determination in the identification of students as gifted and/or talented must be done by a Planning and Placement Team (PPT). Such PPT charged with this responsibility shall be composed of a group of certified or licensed professionals representing each of the teaching, administrative and pupil personnel staffs.

It is recognized that identified students may be accommodated in a variety of ways, such as, but not limited to, the provision for supplementary materials, extensions to the curriculum and accelerated placement options.

Upon the identification of a student as gifted and talented, the District shall provide electronic notice of such identification to the parent/guardian of such student. Such notice shall include, but need not be limited to:

1. an explanation of how such student was identified as gifted and talented;
2. the contact information for the District's employee in charge of the provision of services to gifted and talented students, or, if there is no such employee, the District's employee in charge of the provision of special education and related services;
3. the employee at the State Department of Education who has been designated as responsible for providing information and assistance to Boards of Education and parents or guardians of students related to gifted and talented students, pursuant to section 10-3e of the General Statutes; and
4. any associations in the state that provide support to gifted and talented students.

Instruction

Gifted and Talented Students Program (Version #2) (continued)

Legal Reference: Connecticut General Statutes

10-76a-(e) Definitions.

10-76d-(e) Duties and powers of Boards of Education to provide special education programs and services.

Regulations of Connecticut State Agencies Sections 10-76a-1–10-76l-1.

P.A. 19-184 An Act Concerning the Provision of Special Education.

Gifted and Talented Education: Guidance Regarding Identification and Service. SDE Guidance, March 2019.

P.A. 21-199 An Act Concerning Various Revisions and Additions to the Statutes Relating to Education and Workforce Development, Section 2.

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