

CHAPTER 59
GIFTED AND TALENTED PROGRAMS
[Prior to 9/7/88, see Public Instruction Department[670] Ch 56]
[Former Ch 59 Rescinded IAB 9/7/88]

281—59.1(257) Scope and general principles.

59.1(1) Scope. These rules apply to the provision of gifted and talented programs authorized in Iowa Code sections 257.42 to 257.49, for students who are identified as gifted and talented and who are enrolled in public schools in this state.

59.1(2) General principles. Gifted and talented programs may be made available to eligible students by a local school district, as a cooperative effort between local school districts and through cooperative arrangements between local school districts and other educational agencies. It is the responsibility of the school districts electing to provide such programs to ensure that they meet the requirements of state statute and these rules.

281—59.2(257) Definitions. For the purpose of this chapter the following definitions apply.

“Creative thinking” refers to students who have advanced insight, outstanding imagination and innovative reasoning ability. Such students possess outstanding ability to integrate seemingly unrelating information in formulating unique ideas, insights, solutions, or products.

“Department” refers to the department of education.

“General intellectual ability” refers to students who can learn at a faster pace, master higher levels of content and handle abstract concepts at a significantly higher level than expected, given the student’s chronological age and experiences.

“Leadership ability” refers to those students who possess outstanding potential or demonstrated ability to exercise influence on decision making. These students may be consistently recognized by their peers, may demonstrate leadership behavior through school and nonschool activities or may evidence personal skills and abilities that are characteristic of effective leaders.

“Local education agency” refers to a local school district.

“Program budget” is a budget consisting of a listing of the estimated direct program and object expenditures that are necessary to accomplish the goals of the program, along with a listing of the sources of revenue and, if necessary, the amounts of fund balance to be applied.

“Specific ability aptitude” refers to those students who have exceptionally high achievement or potential and a high degree of interest in a specific field of study.

“Visual or performing arts ability” refers to students who demonstrate or indicate potential for outstanding aesthetic production or creativity in areas such as art, dance, music, drama, and media production.

281—59.3(257) Development of plan. On or before November 1 of each year a local education agency may submit program plans to the department to provide gifted and talented programming for the school year commencing the following July 1.

The department of education may upon request allow a local education agency to submit program plans after November 1 for good cause. Good cause shall include illness or death of a local education agency staff member, acts of God, or unforeseeable circumstances which in the opinion of the director of the department of education constitute sufficient cause for allowing submission of program plans after November 1. A local education agency desiring permission to submit a program plan after November 1 shall notify the department of education staff member responsible for receiving applications as soon as possible upon determining that it will not be able to meet the November 1 deadline. When an extension of the submission deadline is allowed, the department of education shall establish a date by which the local education agency shall submit the plan. Permission to submit a program plan after November 1 shall expire upon receipt of the program plan by the department of education, and shall not carry over into subsequent application years.

281—59.4(257) Program plan. The following items shall constitute a program plan which must be filed with the department to qualify for additional allowable growth to provide appropriate programs for gifted and talented students under provisions of Iowa Code section 257.34.

59.4(1) Content of the plan. The plan shall:

- a. Describe the rationale for the gifted and talented program.
- b. Describe the target population.
- c. Identify the goals and objectives of the planned programs and designate the role of staff to meet these goals and objectives.
- d. Specify provisions for the ongoing identification, assessment, evaluation and placement of pupils in appropriate programs.
- e. Describe provisions for the orderly development of sequential programs including curriculum, instructional resources, administrative service, staff utilization and personnel training.
- f. Describe provisions, if any, for cooperative arrangements.
- g. Describe the design for program evaluation.
- h. Include a program budget.
- i. Describe the procedure for providing each student with a written personalized plan for gifted and talented education.

59.4(2) Reserved.

281—59.5(257) Responsibilities of participating local school districts.

59.5(1) Development of goals and objectives. Gifted and talented program goals and objectives shall be established for the following:

- a. Curriculum and instructional strategies.
- b. Student outcomes.
- c. Program management and administration.
- d. Program development.

59.5(2) Development of curriculum and instructional strategies. The program of instruction shall consist of content and teaching strategies that reflect the accelerative pace, intellectual processes and creative abilities that characterize gifted and talented students. A linkage between the selection of students, the anticipated student outcomes and the special instructional programs shall be evident. Learning activities shall provide for the development of skills which are beyond the scope of the regular classroom, introduce advanced concepts and contents, and offer students a greater latitude of inquiry than would be possible without the specialized instructional program. Specialized instructional activities shall be those not ordinarily found in the regular school program and may include, but shall not be limited to:

- a. A special curriculum supplementing the regular curriculum, using a high level of cognitive and affective concepts and processes.
- b. Flexible instructional arrangements such as special classes, seminars, resource rooms, independent study, student internships, mentorships, research field trips, and research centers.

59.5(3) Student enrollment. Students shall be involved in a program for a sufficient portion of the regularly scheduled school time to ensure that projected student outcomes are likely to be achieved.

59.5(4) Personalized plan. The services provided for each student placed in a gifted and talented program shall be contained in a written, personalized gifted and talented plan. The plan shall include:

- a. Relevant background data, assessment of present needs and projections for future needs.
- b. A chronology of all gifted and talented services rendered.
- c. Nature and extent of present services.
- d. If a district's program plan provides for indirect services to a gifted and talented student, such as consultative services for a regular classroom teacher, the personalized student plan must document the specific type and extent of supportive assistance provided the classroom teacher on behalf of adapting the regular school program to better address the student's needs.

59.5(5) *Student identification criteria and procedures.* Students will be placed in a gifted and talented program in accordance with systematic and uniform identification procedures which will be characterized by the following:

a. Identification will be for the purpose of determining the appropriateness of placement in a gifted and talented program or the receipt of special educational services rather than for categorically labeling a student.

b. The decision to provide a student with a gifted and talented program will be based on a comprehensive appraisal of the student, consideration of the nature of the available gifted and talented program and an assessment of actual and potential opportunities within the student's regular school program.

c. Multiple criteria shall be used in identifying a student, with no single criteria eliminating a student from participation. Criteria will combine subjective and objective data, including data with direct relevance to program goals, objectives and activities.

d. In the event that the number of eligible students exceeds the available openings, participants shall be selected according to the extent to which they can benefit from the program.

e. Each identified student's progress shall be reviewed at least annually to consider modifications in program or student placement.

59.5(6) *Evaluation.* The local education agency shall give attention to the following in its evaluation design:

a. Evaluation of gifted and talented programs shall be for the purpose of measuring program effects and providing information for program improvement.

b. Evaluation should be conducted for each program level where objectives have been established.

c. Both cognitive and affective components of student development should be evaluated.

d. Evaluation findings should report results based on actual accomplishments by the gifted and talented students or their teachers which are a direct result of the project, program, or activity.

e. Personalized education plans must be put in writing for each gifted and talented student and reviewed at least annually.

59.5(7) *Staff utilization plan.* Staff will be deployed to ensure quality gifted and talented programs by employing the following procedures:

a. A designated staff person shall be responsible for the overall program coordination throughout the local education agency.

b. The teaching staff of the gifted and talented program should work in parallel with the regular class teachers to assess, plan, carry out instruction, and evaluate outcomes.

c. Coordination time shall be made available to staff providing gifted and talented programs to allow staff to perform professional responsibilities.

59.5(8) *Staff in-service education design.* Periodic in-service sessions will be offered for all classroom teachers to maintain and update understandings and skills about individualizing programs for identified gifted and talented students. A staff development plan for personnel responsible for gifted and talented programs shall be provided. This plan shall be based upon the assessed needs of the gifted and talented instructional and supervisory personnel.

59.5(9) *Qualifications of personnel administering the program.* Instructional personnel providing programs for gifted and talented students should have preservice or in-service preparation in gifted and talented education that is commensurate with the extent of their involvement in the gifted and talented program.

59.5(10) *Program budget.* When programs are jointly provided by two or more local education agencies or by a local education agency in cooperation with another educational agency, the budget shall specify how each cooperating local education agency will determine the portion of the program costs to be provided by each local education agency and shall provide a budget that specifies the contribution of each local education agency. Funds generated through the process described in Iowa Code section 257.31 will be for expenditures directly related to providing the gifted and talented program described in the program plan.

59.5(11) Budget limitations. The following limits shall apply to the budget of the gifted and talented program:

- a. Excess costs of the gifted and talented program shall not exceed 40 percent of the district cost per pupil.
- b. The cost of supplies and materials shall not exceed 4 percent of the district cost per pupil.
- c. In determining the minimum one-fourth to be funded from the district cost, no more than 15 percent of the total gifted and talented program costs may be indirect expenses.

281—59.6(257) Responsibilities of area education agencies.

59.6(1) When a written request is received from one or more local school boards a gifted and talented advisory council shall be established and operated under provisions of Iowa Code sections 257.40 and 257.41.

59.6(2) Staff of the area education agency shall cooperate with local school districts in the identification and placement of gifted and talented students. Cooperation may include, but is not limited to:

- a. Assisting local school district personnel in the interpretation of available student data.
- b. Assistance in the development of the identification plan.
- c. Providing for psychological testing in individual cases when available data contains significant inconsistencies or in other circumstances when additional data may be necessary for determining the appropriateness of the student placement.

281—59.7(257) Responsibilities of the department.

59.7(1) The department shall provide forms to local education agencies for gifted and talented program proposals. These materials shall be provided not fewer than 45 days before programs are due for approval. The department shall also provide other forms, or outlines as specified in this chapter.

59.7(2) The department shall provide technical assistance to local education agencies and to area education agencies in the development of gifted and talented programs.

59.7(3) The department shall perform gifted and talented program review and approval.

59.7(4) The department shall develop a format for a gifted and talented annual report. This gifted and talented report is to be filed by local education agencies with the department within 45 days following the close of the school year or program.

281—59.8(257) Assurances. Each applicant shall assure that their area education agency has been consulted regarding the nature and extent of area education agency staff involvement in the program.

These rules are intended to implement Iowa Code sections 257.31 to 257.36, 257.40 and 257.41.

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