

## GIFTED IDENTIFICATION

In August 1971 the former Commissioner of Education S. Marland, Jr. identified gifted children in the following way to Congress

Gifted and talented children are those identified by professionally qualified persons who by virtue of outstanding abilities are capable of high performance. These are children who require differentiated educational programs and/or services beyond those normally provided by the regular school program in order to realize their contribution to self and society.

Gifted children may exhibit some of the following characteristics. It is important to always keep in mind that gifted students like all students are not a homogenous group and therefore may exhibit the following list of characteristics to a varying degree and some not at all. Equally important it is to remember that the existence of one or more of these characteristics alone is not proof that a child is gifted.

### General Intellectual Ability

- Have varied interests and exhibit curiosity
- Demonstrate a high level of language development and verbal ability (often an avid reader)
- Have an unusual capacity for processing information
- Heightened capacity to reason things out, comprehend meanings and make logical associations.

### Specific Academic Ability

- Capable of absorbing an extraordinary amount of information and retention of that information
- Able to comprehend subject matter at advanced levels
- Has increased facility with numbers
- Has quick mastery and recall of factual information
- Persistent and goal directed

### Creative Ability

- Flexible thought process in solving problems
- Early ability to delay closure
- Can generate original ideas and solutions; is highly creative

Highly developed sense of humor and vivid imagination  
Uses previously learned things in a new context

#### Leadership Ability

Have an evaluative approach toward self and others  
Heightened expectations of self and others  
Self confident in different age groups  
Is cooperative and responsible  
Often has solutions to social and environmental problems

#### Evaluation Procedure

In evaluating a student suspected of having an exceptionality the district uses a variety of assessment tools and strategies to gather functional and developmental information about the student. These should include information provided by the parents, information related to enabling the student to be involved and progress in the general curriculum, and information that will help determine if the student is a child with a disability and/or may be gifted, and writing an IEP. The evaluation should be comprehensive enough to identify all of the student's specially designed instruction and related services needs, whether or not commonly linked to the eligibility category for which the student is identified.

Qualifying areas defined.

- (1) "Intellectual ability" means a score two standard deviations above the mean as defined by the test author on a properly administered intelligence measure. The test administrator must also consider the standard error of measure (SEM) in the determination of whether or not criteria have been met in this area.
- (2) "Subject matter aptitude/achievement" means superior academic performance on a total subject area score on a standardized measure, or as documented by information from other sources as specified in Paragraph (2) of Subsection C of 6.31.2.12 NMAC.
- (3) "Creativity/divergent thinking" means outstanding performance on a test of creativity/ divergent thinking, or in creativity/divergent thinking as documented

- by information from other sources as specified in Paragraph (2) of Subsection C of 6.31.2.12 NMAC.
- (4) “Problem-solving/critical thinking” means outstanding performance on a test of problem solving/ critical thinking, or in problem-solving/critical thinking as documented by information from other sources as specified in Paragraph (2) of Subsection B of 6.31.2.12 NMAC.
- (5) For students with “factors” as specified in Paragraph (2) of Subsection E of 6.31.2.12 NMAC, the impact of these factors shall be documented and alternative methods will be used to determine the student’s eligibility.

Evaluation procedures for gifted children.

- (1) Child find
- (2) Analysis of data. The identification of a student as gifted shall include documentation and analysis of data from multiple sources for subject matter aptitude/achievement, creativity/divergent thinking, and problem solving/critical thinking including:
- (a) standardized measures, as specified in Subsection B of 6.31.2.12 NMAC, and
- (b) information regarding the child’s abilities from other sources, such as collections of work, audio/visual tapes, judgment of work by qualified individuals knowledgeable about the child’s performance (e.g., artists, musicians, poets and historians, etc.), interviews, or observations.
- (3) The child’s ability shall be assessed in all four areas specified in Subsection B of 6.31.2.12 NMAC.

D. Standard method for identification. (See generally discussion on evaluation)

E. Alternative method for identification. (See generally discussion on evaluation)

F. Applicability of rules to gifted children.

(1) All definitions, policies, procedures, assurances, procedural safeguards and services identified in 6.31.2 NMAC for school-aged children with disabilities apply to school-aged gifted children within the educational jurisdiction of each local school district, including children in charter schools within the district, except:

(a) the requirements of 6.31.2.8 NMAC through 6.31.2.10 NMAC;

(b) Subsections J, K and L of 6.31.2.11 NMAC regarding child find, evaluations and services for private school children with disabilities, children with disabilities in state-supported educational programs, children with disabilities in detention and correctional facilities and children with disabilities who are schooled at home;

(c) the requirements of 34 CFR Secs. 300.530-300.536, Subsection I of 6.31.2.13 NMAC and 6.11.2.11 NMAC regarding disciplinary changes of placement for children with disabilities; and

(d) the requirements of 34 CFR Secs. 300.43, 300.320(b) and 6.31.2.11(G)(2) regarding transition planning. Students identified as gifted must meet the requirements at Subsection B of 22-13-1.1 NMSA 1978, which is the next step plan for students without disabilities.

(2) Assuming appropriate evaluations, a child may properly be determined to be both gifted and a child with a disability and be entitled to a free appropriate public education for both reasons. The rules in this section 6.31.2.12 NMAC apply only to gifted children.

DEFINITIONS:

D. These definitions apply only to NMAC 6.31.2.12 (*educational services for gifted children*).

(1) Gifted child defined. As used in 6.31.2.12 NMAC, “gifted child” means a school-age person as defined in Sec. 22-13-6(D) NMSA 1978 whose intellectual ability paired with subject matter aptitude/achievement, creativity/divergent thinking, or problem-solving/critical thinking meets the eligibility criteria in 6.31.2.12 NMAC and for whom a properly constituted IEP team determines that special education services are required to meet the child’s educational needs.

(2) Qualifying areas defined.

(a) “Intellectual ability” means a score two standard deviations above the mean as defined by the test author on a properly administered intelligence measure.

The test administrator must also consider the standard error of measure (SEM) in the determination of whether or not criteria have been met in this area.

(b) “Subject matter aptitude/achievement” means superior academic performance on a total subject area score on a standardized measure, or as documented by information from other sources as specified in Paragraph (2) of Subsection C of 6.31.2.12 NMAC.

(c) “Creativity/divergent thinking” means outstanding performance on a test of creativity/ divergent thinking, or in creativity/divergent thinking as documented by information from other sources as specified in Paragraph (2) of Subsection C of 6.31.2.12 NMAC.

(d) “Problem-solving/critical thinking” means outstanding performance on a test of problem-solving/ critical thinking, or in problem-solving/critical thinking as documented by information from other sources as specified in Subparagraph (b) of Paragraph (2) of Subsection B of 6.31.2.12 NMAC.

In adopting standards to determine who is a gifted child, the NMPED has provided for the evaluation of selected school-age children by multidisciplinary teams from each child's school district. That team will be vested with the authority to designate a child as gifted. The team will consider information regarding a child's cultural and linguistic background and socioeconomic background in the identification, referral and evaluation process. The team also will consider any disabling condition in the identification, referral and evaluation process.

The school district will create a gifted education program advisory committee of parents, community members, students and school staff members. The membership of each advisory committee will reflect the cultural diversity of the enrollment of the school district or the schools the committee advises. The advisory committee will regularly review the goals and priorities of the gifted program, including the operational plans for student identification, evaluation, placement and service delivery and shall demonstrate support for the gifted program.

Applicability of rules to gifted children.

(1) All definitions, policies, procedures, assurances, procedural safeguards and services identified in 6.31.2 NMAC for school-aged children with disabilities apply to school-aged gifted children within the educational jurisdiction of each local school district, including children in charter schools within the district, except:

- (a) the requirements of 6.31.2.8 NMAC through 6.31.2.10 NMAC
- (b) Subsections J, K and L of 6.31.2.11 NMAC regarding child find, evaluations and services for private school children with disabilities, children with disabilities in state-supported educational programs, children with disabilities in detention and correctional facilities and children with disabilities who are schooled at home;
- (c) the requirements of 34 CFR Secs. 300.530-300.536, Subsection I of 6.31.2.13 NMAC and 6.11.2.11 NMAC regarding disciplinary changes of placement for children with disabilities; and
- (d) the requirements of 34 CFR Secs. 300.43, 300.320(b) and 6.31.2.11(G)(2) regarding transition planning. Students identified as gifted must meet the requirements at Subsection B of 22-13-1.1 NMSA 1978, which is the next step plan for students without disabilities..
- (2) Assuming appropriate evaluations, a child may properly be determined to be both gifted and a child with a disability and be entitled to a free appropriate public education for both reasons. The rules in this section 6.31.2.12 NMAC apply only to gifted children.

**Guidelines for Curriculum:**

Students receiving gifted services must be provided a differentiated education from that regularly provided by New Mexico school districts. It is important that teachers of gifted students be aware of the following curricular issues and resources:

- techniques for differentiation of curriculum
- methods and materials specific to gifted students
- scope and sequence of their district's regular curriculum - standards/benchmarks of district
- academic needs of individual gifted students in relation to the district's regular curriculum

- state standards
- district gifted curriculum guides
- district/community philosophy toward gifted education.

**Focused monitoring:**

Gifted Education in New Mexico is under the umbrella of Special Education. A gifted child in this state is defined as a school-age person who intellectual ability paired with subject matter aptitude/achievement, creativity/divergent thinking, or problem-solving/critical thinking is so outstanding that a properly constituted Individual Education Plan (IEP) team decides special education services are required to meet the child's educational needs.

Each district is responsible for finding children who meet the criteria for services and have a demonstrated need and providing appropriate service. All of the applicable rules for children with disabilities apply to gifted children with **two exceptions**:

- child find in private schools, home schooled children, those enrolled in state supported schools, or children in detention and correctional facilities; and
- the provisions afforded children with disabilities regarding disciplinary changes of placement.