

## Fidelity of Services

**School districts comply with gifted/talented accountability standards and monitor the effectiveness of assessment and services for gifted/talented students.**

Accountability	Exemplary
1.1 Student assessment and services are in compliance with the Texas State Plan for the Education of Gifted/Talented Students (19 TAC §89.5).	
1.2 Gifted/talented education policies and procedures are reviewed and recommendations for improvement are made by an advisory group of community members, parents of gifted/talented students, school staff, and gifted/talented education staff which meets regularly for that purpose.	
1.3 No more than 45% of state funds allocated for gifted/talented education is spent on indirect costs as defined in the Financial Accounting and Reporting Module (Financial Accountability Resource Guide). At least 55% of the funds allocated to gifted/talented education is spent on assessment and services for gifted students (19 TAC §105.11).	1.3.1 Additional funding from business partnerships, scholarships, parent group fundraisers, etc. is used to supplement the state and local funding.
1.4 Local funding for gifted/talented education programs is used to supplement the state funding.	
1.5 Annual evaluation activities are conducted for the purpose of continued service development.	1.5.1 Ongoing formative and summative evaluation strategies, based on quantitative and qualitative data, are reviewed by the school board and used for substantive program improvement and development.
1.6 Long-range evaluation of services is based on evidence obtained through gifted/talented-appropriate performance measures such as those provided through the Texas Performance Standards Project (TPSP).	
1.7 The development and delivery of curriculum for gifted/talented students is monitored regularly by trained administrators.	
1.8 District guidelines for evaluation of resources used to serve gifted/talented students are established and used in selecting materials that are appropriate for differentiated learning.	
1.9 Curriculum for gifted/talented students is modified based on annual evaluations.	1.9.1 Gifted/talented curriculum is designed and evaluated through collaboration by specialists in content areas,

Accountability	Exemplary
	instructional techniques, and gifted/talented education.
1.10 Develop a comprehensive manual or program guide describing all gifted/talented programs, services, assessments, and communication which is accessible to parents, community and students including district G/T contact information.	
1.11 For any standard of service for which the district is out of compliance, a written plan specifying actions and timelines for achieving compliance.	1.11.1 Develop a comprehensive manual or program guide describing all gifted/talented programs, services, assessments, and communication which is accessible to parents, community and students including district G/T contact information that is reported to the state.
1.12 Funds used for programs and services must be determined effective and consistent with the standards set forth in this document.	
	1.13.1 Release time and/or extended contracts are provided to enable teachers at all levels to form vertical teams that coordinate gifted/talented services in the district.

## Student Assessment

**Gifted/talented identification procedures and progress monitoring allow students to demonstrate and develop their diverse talents and abilities.**

Accountability	Exemplary
2.1 Written policies on student identification for gifted/talented services are approved by the district board of trustees and disseminated to all parents (19 TAC §89.1).	2.1.1 Board-approved policies are reviewed at least once every three years and modified as needed.
2.2 Referral procedures for assessment of gifted/talented students are communicated to families in a language and form that the families understand or a translator or interpreter is provided to the extent possible.	
2.3 Referral forms for assessment of gifted/talented students are provided to families in language and form that the families understand, or a translator or interpreter is provided to the extent possible.	2.3.1 Referral forms for assessment of gifted/talented students are provided to families in language and form that the families understand, or a translator or interpreter is provided.
2.4 Families and staff are informed of individual student assessment results and placement decisions as well as given opportunities to schedule conferences to discuss assessment data.	
2.5 An awareness session providing an overview of the assessment procedures and services for gifted/talented students is offered for families by the district and/or campus prior to the referral period.	
2.6 All family meetings are offered in a language families can understand or a translator or interpreter is provided to the extent possible.	
2.7 Provisions regarding transfer students, furloughs, reassessment, exiting of students from program services, and appeals of district decisions regarding program placement are included in board-approved policy (19 TAC §89.1(5)).	
2.8 Policy ensuring that transfer students are properly assessed and appropriately placed within notification of enrollment in the district is included in board-approved policy. Transfers from campus to campus within the district are also addressed in board-approved policy.	2.8.1 Equitable access to gifted/talented services for transfer students is provided through board-approved policy that is developed in consideration of current best- practice recommendations.
2.9 When a gifted/talented student transfers to another district either in or out of Texas, that district is provided with the student's assessment data by the sending district.	

Accountability	Exemplary
<p>2.10 Policy is adopted allowing student furlough (the opportunity for students to have a leave of absence from gifted/talented program services) for specified reasons and for a certain period of time without being exited.</p>	
<p>2.11 Policy related to reassessment of gifted/talented students is based on performance in response to gifted/talented services and if reassessment occurs at all, it is no more than once in elementary grades, once in middle school grades, and once in high school.</p>	
<p>2.12 Policy related to exiting of students from gifted/talented services is based on multiple criteria including student performance in response to services. Exiting of a student is finalized by committee decision after consultation with parents and student regarding the student's educational needs.</p>	<p>2.12.1 Policy related to exiting of students from gifted/talented services is based on multiple criteria including student performance in response to services providing interventions prior to committee decision. Exiting of a student is finalized by committee decision after consultation with parents and student regarding the student's educational needs.</p>
<p>2.13 Policy related to appeals allows parents, students, and educators to appeal placement decisions in a timely manner and to present new data, if appropriate.</p>	
<p>2.14 Provisions for ongoing identification of students who perform or show potential for performing at remarkably high levels of accomplishment in each area of giftedness served by the district are included in board-approved policy (19 TAC §89.1(1)).</p>	<p>2.14.1 The identification process for gifted/talented services is ongoing, and assessment of students occurs at any time the need arises.</p>
<p>2.15 Assessment opportunities for gifted/talented identification are made available to students at least once per school year.</p>	<p>2.15.1 Assessment opportunities for gifted/talented identification are made available to students at least once a year at the elementary grades and once a semester at the secondary level.</p>
<p>2.16 Students in grades K-12 shall be assessed and, if identified, provided gifted/talented services (TEC §29.122 and 19 TAC §89.1(3)).</p>	<p>2.16.1 Students in grades K-12 are assessed and served in all areas of giftedness included in TEC §29.121.</p>
<p>2.17 Data collected from multiple sources for each area of giftedness served by the district are included in the assessment process for gifted/talented services (19 TAC §89.1(2)). The assessment process allows for student exceptionalities to the extent possible.</p>	

Accountability	Exemplary
2.18 Based on a review of information gathered during the assessment process, students whose data reflect that gifted/talented services will be the most effective way to meet their identified educational needs are recommended by the selection committee for gifted/talented services.	
2.19 Students are assessed in languages they understand or with nonverbal assessments.	
2.20 All kindergarten students are automatically considered for gifted/talented and other advanced level services.	
2.21 At the kindergarten level, as many criteria as possible, and at least three (3), are used to assess students who perform at remarkably high levels of accomplishment relative to age peers.	
2.22 In grades 1 – 12, qualitative and quantitative data are collected through three (3) or more measures and used to determine whether a student needs gifted/talented services.	
2.23 If services are available in leadership, artistic areas, and creativity, a minimum of three (3) criteria are used for assessment.	
2.24 Access to assessment and, if needed, gifted/talented services is available to all populations of the district (19 TAC §89.1(3)).	
2.25 The population of the gifted/talented services program is closely reflective of the population of the total district and/or campus.	
2.26 Final determination of students' need for gifted/talented services is made by a committee of at least three (3) local district or campus educators who have received training in the nature and needs of gifted/talented students and who have met and reviewed the individual student data (19 TAC §89.1(4)).	
2.27 The selection committee is formed of members who have completed training as required by 19 TAC §89.2.	2.27.1 The selection committee is formed of a majority of members who have completed thirty (30) hours of training and are current with the six-hour training update as required by 19 TAC §89.2(2).

Accountability	Exemplary
<p>2.28 A balanced examination of all assessment data collected through the district's gifted/talented assessment process is conducted and used by the selection committee in making identification decisions.</p>	<p>2.28.1 Additional data beyond that collected through the district's standard gifted/talented assessment process are considered, as needed, by the selection committee in making identification decisions in order to make the most appropriate placement.</p>
<p>2.29 Student progress/performance in response to gifted/talented services is periodically assessed and results are communicated to parents or guardians.</p>	
<p>2.30 Student progress/performance in response to gifted/talented services is periodically assessed using validated standards in the areas served. Results are communicated to parents or guardians.</p>	

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## SERVICE DESIGN

**A flexible system of viable service options provides a research-based learning continuum that is developed and consistently implemented throughout the district to meet the needs and reinforce the strengths and interests of gifted/talented students.**

Accountability	Exemplary
3.1 Identified gifted/talented students are assured an array of learning opportunities that are commensurate with their abilities and that emphasize content in the four (4) foundation curricular areas. Services are available during the school day as well as the entire school year. Parents are informed of these options (19 TAC §89.3(3)).	3.1.1 Specialists and advocates for gifted/talented students are consulted in the development of program policies and options.
3.2 Information concerning special opportunities (i.e. contests, academic recognition, summer camps, community programs, volunteer opportunities, etc.) is available and disseminated to parents and community members.	
3.3 Services for gifted/talented students are comprehensive, structured, sequenced, and appropriately challenging, including options in the four (4) foundation curricular areas.	3.3.1 Services for gifted/talented students are comprehensive, structured, sequenced, and appropriately challenging, including options in the four (4) foundation curricular areas, such as arts, leadership, creativity, career & technical education.
3.4 Gifted/talented students are ensured opportunities to work together as a group, work with other students, and work independently during the school day as well as the entire school year as a direct result of gifted/talented service options (19 TAC §89.3(1)).	
3.5 Flexible grouping patterns and independent investigations are provided in at least one of the four (4) foundation curricular areas.	
3.6 Out-of-school options relevant to the students' areas of strength are provided by school districts whenever possible (19 TAC §89.3(3)).	3.6.1 Options that meet the needs of gifted/talented students are available on a continuous basis outside the regular school day.
3.7 Local board policies are developed that are consistent with State Board of Education rules on credit by examination (19 TAC §74.24) and early high school graduation opportunities (TEC §56.203).	
3.8 Acceleration and flexible pacing is employed, allowing students to learn at the pace and level appropriate for their abilities and skills are	

Accountability	Exemplary
actively facilitated by district administrators, counselors, and teachers.	
3.9 Local board policies are developed that enable students to participate in dual/concurrent enrollment, <del>correspondence courses</del> , distance learning opportunities, accelerated summer programs.	
3.10 A person who has thirty (30) hours of professional development in gifted/talented education and annual six (6) hours update professional development as required in 19 TAC §89.2(1) is assigned to coordinate district level services for gifted/talented students in grades K - 12.	3.10.1. A person or persons with a gifted/talented endorsement, supplementary certification, or advanced degree in gifted/talented education are assigned to coordinate the district's K-12 gifted/talented education services.
3.11 Develop and implement services to address the social and emotional needs of gifted/talented students and its impact on student learning.	
	3.12.1 Gifted/Talented Education Plans for identified students detail the individual gifted/talented needs and services.



## CURRICULUM AND INSTRUCTION

**Districts meet the needs of gifted/talented students by modifying the depth, complexity, and pacing of the curriculum and instruction ordinarily provided by the school.**

<b>Accountability</b>	<b>Exemplary</b>
4.1 An array of appropriately challenging learning experiences in each of the four (4) foundation curricular areas is provided for gifted/talented students in grades K-12, and parents are informed of the opportunities (19 TAC §89.3).	4.1.1 Curriculum options in intellectual, creative and/or artistic areas; leadership; and specific academic fields are provided for gifted/talented students.
4.2 Opportunities are provided for students to pursue areas of interest in selected disciplines through guided and independent research.	
4.3 A continuum of learning experiences is provided that leads to the development of advanced-level products and/or performances such as those provided through the Texas Performance Standards Project (TPSP) (19 TAC §89.3(2)).	4.3.1 The opportunity for students who have been served in a gifted program for one or more years to develop sophisticated products and/or performances assessed by external evaluators who are knowledgeable in the field that is the focus of the product is available through gifted/talented curricula.
4.4 Participation in the Texas Performance Standards Project (TPSP), or other experiences that result in the development of sophisticated products and/or performances that are targeted to an audience outside the classroom, is available through gifted/talented curricula.	
4.5 Opportunities are provided to accelerate in areas of student strengths (19 TAC §89.3(4)).	
4.6 Flexible pacing is employed, allowing students to learn at the pace and level appropriate to their abilities and skills.	
4.7 Scheduling modifications are implemented in order to meet the identified needs of individual students.	
4.8 Provisions to improve services to gifted/talented students are included in district and campus improvement plans (TEC §§11.251-11.253).	4.8.1 Resources and release time for staff are provided for curriculum development for gifted/talented services.
4.9 Educators adapt and/or modify the core or standard curriculum to meet the needs of students with gifts and talents and those with special needs such as twice-exceptional, highly gifted, and English learners.	
	4.10.1 Release time and/or extended contracts are provided to enable teachers at all levels to form vertical

Accountability	Exemplary
	teams that coordinate gifted/talented services in the district.

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## PROFESSIONAL LEARNING

**All personnel involved in the planning, creation, delivery and administration of services to gifted/talented students possess the knowledge required to develop and provide differentiated programs and services.**

Accountability	Exemplary
<p>5.1 A minimum of thirty (30) clock hours of professional development that includes nature and needs of gifted/talented students, identification and assessment of gifted/talented students' needs, and curriculum and instruction for gifted/talented students is required for teachers who provide instruction and services that are a part of the district's defined gifted/talented services. Teachers are required to have completed the thirty (30) hours of professional development prior to their assignment to the district's gifted/talented services (19 TAC §89.2(1)).</p>	
<p>5.2 Teachers without required training who are assigned to provide instruction and services that are part of the district's defined gifted/talented services are required to complete the thirty (30) hour training within one semester (19 TAC §89.2(2)).</p>	
<p>5.3 Teachers are encouraged to obtain additional professional development in their teaching discipline and/or in gifted/talented education.</p>	<p>5.3.1 District support in the form of release time or tuition assistance is available for graduate studies in gifted/talented education for teachers who provide services to gifted/talented students.</p> <p>5.3.2 Teachers are encouraged to pursue advanced degrees in their teaching discipline and/or in gifted/talented education.</p> <p>5.3.3 Release time is provided for teachers and administrators to visit campuses or districts that have model services for gifted/talented students.</p>
<p>5.4 A written plan for professional development in the area of gifted/talented education that is based on identified needs is implemented and updated annually.</p>	
<p>5.5 Opportunities for professional development in the area of gifted/talented education are provided on a regular basis, and information on them is disseminated to professionals in the district.</p>	<p>5.5.1 Mentors and others who offer specialized instruction for gifted/talented students are provided training or resources to increase their understanding of the nature and needs of these students and the district goals for the students,</p>

Accountability	Exemplary
	including the state goal for gifted/talented students.
<p>5.6 Teachers who provide instruction and services that are a part of the district's defined gifted/talented services receive a minimum of six (6) hours annually of professional development in gifted/talented education that is related to state teacher education standards (19 TAC §89.2(3) and TAC §233.1).</p>	<p>5.6.1 Teachers who provide instruction and services that are a part of the district's defined gifted/talented services receive a minimum of six (6) hours annually of professional development in gifted/talented education based on evaluation of G/T services.</p> <p>5.6.2 All staff receive an orientation to the district's gifted/talented identification processes and gifted/talented services provided by the district or campus, along with training on the nature and needs of the gifted/talented.</p>
<p>5.7 Annually, each teacher new to the district receives an orientation to the district's gifted/talented identification processes and the district's services for gifted/talented students.</p>	
<p>5.8 Administrators who have supervisory duties for service decisions and teachers are required to complete a minimum of six (6) hours of professional development that includes nature and needs of gifted/talented students and service options for gifted/talented students (19 TAC §89.2(4)).</p>	<p>5.8.1 Administrators who have authority for gifted/talented service decisions receive a minimum of six (6) hours annually of professional development in gifted/talented education.</p>
<p>5.9 Counselors who work with gifted/talented students are required to complete a minimum of six (6) hours of professional development that includes nature and needs of gifted/talented students, service options for gifted/talented students, and social emotional learning (19 TAC §89.2(4)).</p>	<p>5.9.1 Counselors who work with gifted/talented students receive a minimum of six (6) hours annually of professional development in gifted/talented education.</p>
<p>5.10 Local district boards of trustees are trained to ensure program accountability based on the Texas State Plan for the Education of Gifted/Talented Students. (19 TAC §89.5)</p>	<p>5.10.1 Local district boards of trustees are encouraged to pursue professional development on the Texas State Plan for the Education of Gifted/Talented Students.</p>
<p>5.11 Evaluation of professional development activities for gifted/talented education is ongoing and related to state teacher education standards, and the results of the evaluation are used in making decisions regarding future staff development plans (19 TAC §89.5 and TAC §233.1).</p>	<p>5.11.1 A long-range plan for professional development that culminates in graduate studies in gifted/talented education, supplemental gifted/talented certification, and/or advanced degrees in gifted/talented education and/or their teaching discipline is pursued by a majority of</p>

Accountability	Exemplary
	the teachers who provide advanced-level and/or gifted/talented services.
5.12 Gifted/talented services staff are involved in planning, reviewing, and/or conducting the district's gifted/talented training.	

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## Family/Community Involvement

**The district involves family and community members in services designed for gifted/talented students throughout the school year.**

Accountability	Exemplary
6.1 Written policies are developed on gifted/talented student identification, approved by the local board of trustees and disseminated to parents (19 TAC §89.1).	
6.2 Input from family and community representatives on gifted/talented identification and assessment procedures is invited annually.	
6.3 Information is shared or meetings are held annually requesting parent and community recommendations regarding students who may need gifted/talented services.	
6.4 The opportunity to participate in a parent association and/or gifted/talented advocacy groups for the gifted/talented is provided to parents and community members.	
6.5 An array of learning opportunities is provided for gifted/talented students in grades K - 12, and parents are informed of all gifted/talented services and opportunities (19 TAC §89.3).	6.5.1 Support and assistance is provided to the district in gifted/talented service planning and improvement by a parent/community advisory committee.
6.6 Products and achievements of gifted/talented students are shared with the community.	
6.7 Orientation and periodic updates are provided for parents of students identified for and provided gifted/talented services.	
6.8 The effectiveness of gifted/talented services is evaluated annually, shared with the board of trustees, and the data is used to modify and update district and campus improvement plans. Parents are included in the evaluation process and outcomes in the evaluation and the findings are shared with parents (TEC §§11.251-11.253).	
	6.9.1 Community volunteers are organized and provided an orientation about working with gifted/talented students.
	6.10.1 Liaisons with business and community organizations are established, and the use of community resources (retired community members, foundations, universities, etc.) is evident in the service options available for gifted/talented students.

Accountability	Exemplary
	6.11.1 Professional development opportunities are offered by the gifted/talented coordinator in collaboration with the parent advisory committee to staff, parents, and community members.
	6.12.1 Presentations are given to community groups and organizations to solicit their involvement in services for gifted/talented students.
	6.13.1 A data bank of resources is compiled for use by gifted/talented students, their teachers, and their parents.
	6.14.1 Support for mentorship and independent study programs in the district is solicited by the parent/community advisory committee.

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**TEXAS EDUCATION CODE**  
**CHAPTER 29. EDUCATIONAL PROGRAMS**

**Subchapter D. Education Programs for Gifted and Talented Students**

**§29.121. Definition.**

In this subchapter, “gifted and talented students” means a child or youth who performs at or shows the potential for performing at a remarkably high level of accomplishment when compared to others of the same age, experience, or environment and who:

- (1) exhibits high performance capability in an intellectual, creative, or artistic area;
- (2) possesses an unusual capacity for leadership; or
- (3) excels in a specific academic field.

**§29.122. Establishment.**

Using criteria established by the State Board of Education, each school district shall adopt a process for identifying and serving gifted and talented students in the district and shall establish a program for those students in each grade level. A district may establish a shared services arrangement program with one or more other districts.

**§29.123. State Plan: Assistance.**

The State Board of Education shall develop and periodically update a state plan for the education of gifted and talented students to guide school districts in establishing and improving programs for identified students. The regional education service centers may assist districts in implementing the state plan. In addition to obtaining assistance from a regional education service center, a district may obtain other assistance in implementing the plan. The plan shall be used for accountability purposes to measure the performance of districts in providing services to students identified as gifted and talented.

Texas Education Code as passed by the 74th Legislature of the State of Texas. Effective September 1, 1995.



**TEXAS EDUCATION CODE**  
**CHAPTER 42. FOUNDATION SCHOOL PROGRAM**  
**Subchapter C. Special Allotments**

**§42.156. Gifted and Talented Student Allotment.**

(a) For each identified student a school district serves in a program for gifted and talented students that the district certifies to the commissioner as complying with Subchapter D, Chapter 29, a district is entitled to an annual allotment equal to the district's adjusted basic allotment as determined under Section 42.102 or Section 42.103, as applicable, multiplied by .12 for each school year or a greater amount provided by appropriation.

(b) Funds allocated under this section, other than the amount that represents the programs share of general administrative costs, must be used in providing programs for gifted and talented students under Subchapter D, Chapter 29, including programs sanctioned by International Baccalaureate and Advanced Placement, or in developing programs for gifted and talented students. Each district must account for the expenditure of state funds as provided by rule of the State Board of Education. If by the end of the 12th month after receiving an allotment for developing a program a district has failed to implement a program, the district must refund the amount of the allotment to the agency within 30 days.

(c) Not more than five percent of a district's students in average daily attendance are eligible for funding under this section.

(d) If the amount of state funds for which school districts are eligible under this section exceeds the amount of state funds appropriated in any year for the programs, the commissioner shall reduce each district's tier one allotments in the same manner described for a reduction in allotments under Section 42.253.

(e) If the total amount of funds allotted under this section before a date set by rule of the State Board of Education is less than the total amount appropriated for a school year, the commissioner shall transfer the remainder to any program for which an allotment under Section 42.152 may be used.

(f) After each district has received allotted funds for this program, the State Board of Education may use up to \$500,000 of the funds allocated under this section for programs such as MATHCOUNTS, Future Problem Solving, Odyssey of the Mind, and Academic Decathlon, as long as these funds are used to train personnel and provide program services. To be eligible for funding under this subsection, a program must be determined by the State Board of Education to provide services that are effective and consistent with the state plan for gifted and talented education. [Sections 42.157-42.200 reserved for expansion]

Texas Education Code as passed by the 74th Legislature of the State of Texas. Effective September 1, 1995.

# TEXAS ADMINISTRATIVE CODE

## Title 19, Part II

### Chapter 89. Adaptations for Special Populations

#### Subchapter A. Gifted/Talented Education

##### **§89.1 Student Assessment.**

School districts shall develop written policies on student identification that are approved by the local board of trustees and disseminated to parents. The policies must:

- (1) include provisions for ongoing screening and selection of students who perform or show potential for performing at remarkably high levels of accomplishment in the areas defined in the Texas Education Code, §29.121;
- (2) include assessment measures collected from multiple sources according to each area defined in The Texas State Plan for the Education of Gifted/Talented Students;
- (3) include data and procedures designed to ensure that students from all populations in the district have access to assessment and, if identified, services for the gifted/ talented program;
- (4) provide for final selection of students to be made by a committee of at least three local district educators who have received training in the nature and needs of gifted students; and
- (5) include provisions regarding furloughs, reassessment, exiting of students from program services, transfer students, and appeals of district decisions regarding program placement.

Source: The provisions of the §89.1 adopted to be effective September 1, 1996, 21 TexReg 5690.

##### **§89.2 Professional Development.**

School districts shall ensure that:

- (1) prior to assignment in the program, teachers who provide instruction and services that are a part of the program for gifted students have a minimum of 30 hours of staff development that includes nature and needs of gifted/talented students, assessing student needs, and curriculum and instruction for gifted students;
- (2) teachers without training required in paragraph (1) of this section who provide instruction and services that are part of the gifted/talented program must complete the 30-hour training requirement within one semester;
- (3) teachers who provide instruction and services that are a part of the program for gifted students receive a minimum of six hours annually of professional development in gifted education; and
- (4) administrators and counselors who have authority for program decisions have a minimum of six hours of professional development that includes nature and needs of gifted/talented students and program options.

### **§89.3 Student Services.**

School districts shall provide an array of learning opportunities for gifted/talented students in kindergarten through Grade 12 and shall inform parents of the opportunities. Options must include:

- (1) instructional and organizational patterns that enable identified students to work together as a group, to work with other students, and to work independently;
- (2) a continuum of learning experiences that leads to the development of advanced-level products and performances;
- (3) in-school and, when possible, out-of-school options relevant to the student's area of strength that are available during the entire school year; and
- (4) opportunities to accelerate in areas of strength.

Source: The provisions of this §89.3 adopted to be effective September 1, 1996, 21 TexReg 5690.

### **§89.4 Fiscal Responsibility.**

Repealed. Please see §105.11 below.

Source: The provisions of this §89.4 repealed to be effective May 23, 2011, 36 TexReg 3187.

### **§89.5 Program Accountability.**

School districts shall ensure that student assessment and services for gifted/talented students comply with accountability standards defined in the *Texas State Plan for the Education of the Gifted/Talented*.

Source: The provisions of this §89.5 adopted to be effective September 1, 1996, 21 TexReg 5690.

### **§105.11. Maximum Allowable Indirect Cost.**

No more than 48% of each school district's Foundation School Program (FSP) special allotments under the Texas Education Code, Chapter 42, Subchapter C, may be expended for indirect costs related to the following programs: compensatory education, bilingual education and special language programs, and special education. No more than 45% of each school district's FSP special allotments under the Texas Education Code, Chapter 42, Subchapter C, may be expended for indirect costs related to gifted and talented education programs. No more than 42% of each school district's FSP special allotments under the Texas Education Code, Chapter 42, Subchapter C, may be expended for indirect costs related to career and technical education programs. Indirect costs may be attributed to the following expenditure function codes: 34--Student Transportation; 41--General Administration; 81--Facilities

Acquisition and Construction; and the Function 90 series of the general fund, as defined in the Texas Education Agency publication, Financial Accountability System Resource Guide.

(b) For the 2012-2013 school year and each year thereafter, a school district may choose to use a greater indirect cost allotment under the Texas Education Code, §§ 42.151, 42.153, 42.154, and 42.156, to the extent the school district receives less funding per weighted student in state and local maintenance and operations revenue than in the 2011-2012 school year. The commissioner of education shall develop a methodology for a school district to make a determination under this section and may require any information necessary to implement this subsection. The commissioner's methodology must limit the percentage increase in allowable indirect cost to no more than the percentage decrease in state and local maintenance and operations revenue from the 2011-2012 school year.

**Source:** The provisions of this §105.11 adopted to be effective September 1, 1996, 21 TexReg 5710; amended to be effective December 5, 2004, 29 TexReg 11347; amended to be effective December 31, 2009, 34 TexReg 9439; amended to be effective December 26, 2011, 36 TexReg 8825.

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## Glossary

Term	Definition
ACCELERATION	<p>strategy of mastering knowledge and skills at rates faster or ages younger than the norm</p> <p>or</p> <p>Acceleration is an academic intervention that moves students through an educational program at a rate faster or at an age that is younger than typical.</p> <p>Acceleration helps match the level, complexity, and pace of the curriculum with the readiness and motivation of the student. It is about creating a better match between a student and the level and pace of instruction.</p> <p>Acceleration does NOT mean pushing a child. It does not mean forcing a child to learn advanced material or socialize with older children before he or she is ready. Acceleration is a strategy that respects individual differences and acknowledges the fact that some of these differences merit educational flexibility.</p> <p>From a Nation Deceived - Colangelo, N., Assouline, S., &amp; Gross, M. U. M. (2004). <i>A nation deceived: How schools hold back America's brightest students</i> (Vol. 1). Iowa City: University of Iowa, Connie Belin &amp; Jacqueline N. Blank International Center for Gifted Education and Talent Development</p>
AREA OF GIFTEDNESS	the specific set of abilities in which a student performs or shows potential to perform at a remarkably high level of accomplishment
ARRAY OF LEARNING EXPERIENCES	a menu of challenging activities or opportunities that fit the unique interests and abilities of advanced-level students
ARTISTICALLY GIFTED	possessing outstanding ability in the visual and/or performing arts
COMPLEXITY	extension of content in, between, and across disciplines through the study of themes, problems, and issues; seeing relationships between and among ideas in/within the topic, discipline, and disciplines; examining relationships in, between,

Term	Definition
	and across disciplines over time and from multiple points of view
CONCURRENT ENROLLMENT	the practice of enrolling in a college or university to earn college or university credit while in high school
CONTINUUM OF LEARNING EXPERIENCES	articulated intellectual, artistic, creative, and/or leadership activities and opportunities that build upon one another each year a student is in school
CREATIVELY GIFTED	possessing outstanding imagination, thinking ability, innovative or creative reasoning ability, ability in problem solving, and/or high attainment in original or creative thinking
CREDIT BY EXAM (CBE)	method in which a student may receive credit for a subject/course or accelerate through a grade by taking one or more exams
DEPTH	exploration of content within a discipline to include analyzing from the concrete to the abstract, familiar to the unfamiliar, known to the unknown; exploring the discipline by going beyond facts and concepts into generalizations, principles, theories, laws; investigating the layers of experience within a discipline through details, patterns, trends, unanswered questions, and/or ethical considerations
DIFFERENTIATION	modification of curriculum and instruction according to content, pacing, process and/or product to meet unique student needs in the classroom
DIVERSITY	the presence of difference between individuals and among groups including but not limited to age, socioeconomics, education, race and ethnicity, gender, culture, and religious beliefs
DUAL CREDIT	an opportunity for a student to earn high school credit for successful completion of a college course
FLEXIBLE PACING	Flexible pacing is defined as placing students at an appropriate instructional level and allowing them to move forward in the

Term	Definition
	curriculum as they master content and skills. Flexible pacing is achieved by such methods as continuous progress, compacted course, advanced level courses, grade skipping, early entrance, concurrent or dual enrollment, and credit by examination.
FOUNDATION CURRICULAR AREAS	English language arts/reading, mathematics, science, and social studies
FURLOUGH	a leave of absence from program services
GIFTED IN LEADERSHIP	possessing the natural ability to influence others; possessing skills in interpersonal relationships demonstrated, for example, by outstanding ability in such activities as student government
GIFTED IN SPECIFIC ACADEMIC FIELDS	possessing superior ability or potential in a specific course of study such as English language arts/reading, mathematics, science, or social studies
GIFTED/TALENTED SERVICES	services and activities not ordinarily provided by the school that are specifically designed to fully develop the capabilities of students who give evidence of high achievement or capability in areas such as intellectual, creative, artistic, or leadership capacity
INDEPENDENT STUDY	self-directed learning strategy where the teacher acts as guide or facilitator, and the student plays a more active role in designing and managing his or her own learning
INTELLECTUALLY GIFTED	possessing superior intelligence, with potential or demonstrated accomplishments in several fields of study; ability to perform complex mental tasks
MENTORSHIP	community member who shares his or her expertise with a student of similar career or field-of-study aspirations
QUALITATIVE MEASURES	performance indicators that cannot be recorded numerically and that include observations, anecdotal records, checklists, interviews, student products, performances, etc.

Term	Definition
QUANTITATIVE MEASURES	performance indicators that can be expressed in terms of definite numbers or amounts such as scores on achievement tests
TEXAS PERFORMANCE STANDARDS PROJECT (TPSP)	statewide standards and assessment system which includes instructional materials designed to provide assistance as districts achieve the state goal for gifted/talented students (complete information at <a href="http://www.texaspsp.org/">http://www.texaspsp.org/</a> )
Twice-Exceptional	<p>A "twice-exceptional learner" is a child or youth who performs at — <u>or shows the potential</u> for performing at — a remarkably high level of accomplishment when compared to others of the same age, experience, or environment and who:</p> <ol style="list-style-type: none"> <li>1. exhibits high performance capability in an intellectual, creative, or artistic area;</li> <li>2. possesses an unusual capacity for leadership; or</li> <li>3. excels in a specific academic field (<a href="#">TEC 29.121</a>).</li> </ol> <p>...and who also gives evidence of one or more disabilities as defined by federal or state eligibility (<a href="#">IDEA, 2004</a>) (<a href="#">300.8</a>) (<a href="#">Section 504</a>) criteria such as:</p> <ul style="list-style-type: none"> <li>• learning disabilities;</li> <li>• speech and language disorders;</li> <li>• emotional/behavioral disorders;</li> <li>• physical disabilities;</li> <li>• traumatic brain injury;</li> <li>• autism spectrum disorder; or</li> <li>• <a href="#">other health impairments</a> such as ADHD.</li> </ul>