

## **Development of Educational Plans for Students Who Are Gifted**

### **Background**

An educational plan (EP) is a written plan for each child who is identified as eligible for gifted education describing the student's educational needs and the services that will be provided to meet those needs. Districts continue to have the responsibility to provide students who are gifted in grades K-12 with an appropriate EP. The EP is to be developed by the district based on procedures that must be specified in each district's Special Programs and Procedures (SP&P) for the Provision of Specially Designed Instruction and Related Services to Exceptional Students document and be consistent with the requirements of State Board of Education Rule 6A-6.030191, Florida Administrative Code (FAC). The EP should identify the special needs of the student related to his or her areas of giftedness and should identify the services that will be provided to ensure the student will progress appropriately.

The contents of the EP should provide detailed information that is useful to school personnel and to the parents. An EP should provide a clear picture of the student, how the student is gifted, and the student's special needs related to the giftedness.

### **Purpose**

The purpose of this technical assistance paper (TAP) is to provide guidance concerning the implementation of Rule 6A-6.030191, FAC, Development of Educational Plans for Exceptional Students Who Are Gifted.

### **Components of the Rule**

The new rule clarifies that EPs are developed for students identified solely as gifted. The role of parents in developing EPs is made clear so far as their participation in decisions concerning the EP for their child. The rule also specifies the EP team participants and the contents of the EP document. Considerations in the EP development, review, and revision are provided as well as timelines for EP meetings and implementation of the EP.

#### REFER QUESTIONS TO:

Donnajo Smith  
ESE Program Development & Services  
325 West Gaines Street, Room 614  
Tallahassee, FL 32399-0400  
donna.j.smith@fldoe.org  
850/245-0925



John L. Winn, Commissioner

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BUREAU OF EXCEPTIONAL EDUCATION AND STUDENT SERVICES

## Questions and Answers

### *EPs Are Developed for Students Identified Solely As Gifted*

#### **1. What is meant by a current EP for a student who is gifted?**

A current EP is an EP which has not exceeded the timeline for its duration, is in place at the beginning of each school year, is in place during the full-time equivalent (FTE) surveys, and meets the needs of a student who is gifted. This plan should address the student's needs beyond the general curriculum resulting from the student's giftedness.

#### **2. Must an EP be developed for every student who is gifted?**

Yes. The new rule, 6A-6.030191, FAC, Development of Educational Plans for Exceptional Students Who Are Gifted, provides guidelines for developing an EP for students who are gifted only. Related services such as occupational therapy (OT), physical therapy (PT), and counseling may be added to the EP, or a student who is gifted may have a 504 plan for medical conditions not designating an exceptional student education disability, such as when a student has juvenile arthritis but is not eligible for special education and related services through the Individuals with Disabilities Education Act (IDEA). The district may designate a space on the EP form for these services and any relevant accommodations as described in the 504 plan.

#### **3. Can a student have both an IEP and EP?**

No. A student with a disability must have an IEP unless it is a 504 disability as noted in question 2. Gifted goals are then added to the IEP and follow all guidelines for the IEP, including goals addressing all the special needs of the student. If the student does not have a disability, then an EP is developed.

#### **4. May a student who is gifted have test accommodations?**

No. Students identified solely as gifted are not eligible for testing accommodations. If the student who is gifted has been determined to have a disability and has an IEP, then the student is considered for accommodations. Also, those students with a 504 plan are to be considered for and, if appropriate, provided with test accommodations as listed in appendix A of the Florida Comprehensive Assessment Test (FCAT) Administration Manual.

#### **5. Would an EP be maintained with no services?**

Yes. It may be reasonable to do this when, for example, the student's needs are met through the general curriculum in middle school, but the student may need different services in high school. Maintaining the EP ensures that the student's needs will again be considered at transition. Those students would not be counted as ESE students during FTE periods.

**6. If the parent has indicated they prefer not to have services provided for the student, should draft goals and objectives still be prepared for the student in planning for the EP meeting?**

Yes. The intention of the district is to provide services. If the parent elects for the student not to receive services at the present time, a blank EP does not indicate what the district intended to ensure as an appropriate education for the student. At the EP meeting, the district would specify services with goals and objectives they would provide to benefit the student. The parent may refuse those services at the present time. If the parent or school later feels that a need for services is indicated, the EP may be revisited.

***The Role of Parents in Developing EPs***

**7. What is the specific role of parents in developing an EP?**

Parents would provide critical information regarding the strengths of the child that may have a bearing on shaping the EP plans. For example, a parent may note if the student is working for scouting badges, is a volunteer in community organizations, is intensely emotionally sensitive, or has a perseveration that may impact academic progress. Parents would express their concerns for enhancing the education of their child so that they receive a free appropriate public education (FAPE). The parent may be concerned that test scores show the child is reading several years above grade level, yet the expectation is to read regularly on grade-level in the classroom. The parent participates in discussions regarding the child's need for specially designed instruction. The team would analyze how the child is gifted, consider current levels of performance, and discuss as a team how the child's needs might best be met and whether there may be a need for enrichment and/or acceleration. The parents will participate in deciding how the child will be involved and progress in the general curriculum. The team should identify the specific nature of the educational services and how they will be provided. Parents will participate in determining what services the school district will provide and in what setting. The EP team should determine what services are appropriate for the child to make measurable academic progress and where the services will be provided.

**8. What rights are in effect for students who are gifted?**

Rule 6A-6.03313, FAC, Procedural Safeguards for Exceptional Students Who Are Gifted, is in place. This information should be provided to parents as indicated in the rule.

***Parent Participation in Decisions Concerning the EP***

**9. How will the district ensure parent participation in the EP process?**

The district shall establish procedures to provide assurance that parents are active participants in the EP development. Rule 6A-6.03313, FAC, provides specific information about prior notice of the EP meeting and what the notice should include. The rule includes the content and provision of the procedural safeguards notice to parents.

## **10. Who must receive a copy of the EP?**

The parent receives a copy of the EP. The teacher of the gifted who will provide the gifted service must also receive a copy. The EP shall be accessible to each teacher responsible for implementation. In addition, each teacher of the student shall be informed of the specific responsibilities related to the implementation.

### ***EP Team Participants***

## **11. Who must participate in meetings to develop, review, and revise EP's for a student who is gifted?**

As stated in Rule 6A-6.030191, FAC, the EP team shall include the following:

- the parents of the student as outlined in subsection (2) of Rule 6A-6.030191, FAC
- one regular education teacher of the student who, to the extent appropriate, is involved in the development and review of the student's EP
- at least one teacher of the gifted program
- a representative of the school district who is qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of students who are gifted, is knowledgeable about the general curriculum, and is knowledgeable about the availability of resources of the school district (At the school district's discretion, one of the student's teachers may be designated to also serve as a representative of the school district if able to provide the information cited.)
- an individual who can interpret the instructional implications of evaluation results (This person may also be the teacher or local educational authority [LEA] representative.)
- at the discretion of the parent or school district, other individuals who may have knowledge or special expertise regarding the student
- the student, as appropriate.

If the primary language of the parents indicates a need for an interpreter, one should be provided. That may include sign language or other mode of communication as necessary to ensure parent participation. For a student who receives service in a full-time self-contained setting, the teacher of the gifted could serve as the general education teacher.

## **12. Would written input from the regular education teacher be sufficient for participation in the EP meeting and/or gifted staffing (as opposed to the general education teacher's physical presence at the meeting)?**

Involvement of the regular education teacher may be through attendance at the EP meeting or may be the provision of written documentation of the student's strengths and needs. The regular education teacher should contribute information as specified in the rule that will serve as a guide for meeting participants to identify and consider how the child's giftedness affects the child's involvement and progress in the general curriculum. However, if a member of the EP team requests additional information from the general education teacher, that information must be made available (e.g., conference call with the teacher, attendance for one portion of the meeting, or adjourn the meeting and reconvene at another time when the teacher can attend).

**13. If the student sees more than one general education teacher, which teacher should be part of the EP team?**

If the student has more than one general education teacher, the designated teacher should be in the area of the student's strength. For example, if the student is strongest and has the most need for challenge in math, then the math general education teacher would provide input, relating to the team how the student is currently performing in that area and any special needs to support continued progress. Other teachers may provide input or written documentation as well.

**14. May the EP for a student who is gifted be developed, reviewed, or revised at a group meeting for more than one student and one parent?**

Nothing in the educational plan rule addresses the issue of a group meeting. The language in the EP rule states that discussion at the meeting should focus on the individual student's current levels of performance and critical information regarding the strengths and interests of the child, his/her progress, and needs resulting from the child's giftedness, based on recent evaluations, class work, and/or state and district assessments. These subjects are not intended to be covered with other parents or students present. It should be noted that the corresponding rules regarding the development of IEPs, services plans, or individual family support plans also do not address the issue of group as opposed to individual meetings.

The intent of the EP meeting is to look at how the student is gifted and what this student needs to address his or her strengths and needs appropriately. A discussion of such individual strengths and needs in a group meeting would represent a violation of the student's confidentiality and privacy rights.

**15. Could there be a group meeting if there is a general session, for example discussing policies of a program followed by individual time spent with each parent to appropriately address individual EP goals?**

See question 14. It is important to consider ensuring that the parent and student, if present, are comfortable with the information shared at the general meeting. Again, decisions of the EP team are to focus on the individual student.

**16. Could students lead EP meetings?**

Yes, this could be appropriate as long as guidelines are followed for an EP meeting. Student/parent interaction at these conferences encourages parent engagement and the student's understanding of the goals and objectives.

**17. Who might be considered an interpreter of the instructional implications of evaluation results?**

The determination would depend on what evaluation results are going to be shared at the meeting. At the initial EP meeting, the psychologist may attend to interpret the results of an individually administered standardized test of intelligence. At a meeting to review or revise

the EP, the evaluation results may be interpreted by a teacher or LEA representative familiar with the instructional implications of the assessments administered since the last EP meeting.

### ***Contents of the EP***

#### **18. What should the contents of the EP include?**

After identifying the strengths of the student and what needs may then be appropriate based on the view of the student as discussed in questions 3 and 4, the team should look at how best to address challenges necessary for this student to perform to the best of his/her ability.

Issues to discuss must include

- concerns of the parents for enhancing the education of their child to ensure an appropriate public education
- student's needs for specially designed instruction or curriculum modifications, based on changes in what a student is expected to learn and changes in how the student learns dependent on recent evaluations and assessments
- how this student will be involved and demonstrate progress in the general curriculum (Sunshine State Standards)
- services the school district will provide to ensure an appropriate education and suitable challenge for the student, including a statement of the specially designed instruction to be provided for the student
- determination of the measurable goals, including benchmarks or short term objectives, that align with the needs of the student
- a clear statement of how the student's progress toward the stated goals will be measured and then reported to the parents
- in the case of a student with limited English proficiency, the language needs of the student as related to the EP
- special needs this child evidences as a result of his/her giftedness, for example, priority educational needs or a determination of whether the student is an underachiever, a perfectionist, or whether there are social and emotional concerns related to gifted characteristics to consider.

#### **19. May the contents of EPs of various students be similar?**

The contents may be similar, but they cannot be the same. The focus of the EP should be on the student's giftedness and the services to help the individual student make appropriate progress.

#### **20. Must the goals for a student who is gifted be measurable?**

Yes, the rule notes that the student's progress toward the goals (program and individual) will be measured and reported to the parents. The goals should relate to meeting the needs of the student that result from the giftedness to enable the student to receive an appropriate education. The intent is to indicate to the parent that the student is continuing to make academic and personal gains.

**21. Does an EP need to be written for a student indicating that gifted academic needs will be met in advanced classes such as advanced placement (AP) or dual enrollment, or should the student be dismissed from gifted?**

The team would make this determination at the meeting. Neither AP classes nor an International Baccalaureate (IB) Program would be considered gifted service since these programs are open to all students. If the team determines that the student has no social or emotional concerns related to characteristics of his or her giftedness (underachievement, perfectionism, etc.), the team may choose to indicate that academic needs are being met in this way and there are no other specific indicators of further need at this time. The team should consider whether the student needs support or services to ensure continued progress and growth. The district's SP&P should indicate criteria for determining an indication for dismissal.

***Considerations in EP Development, Review, and Revision***

**22. What information should be provided on the EP regarding the strengths of the child?**

Checklists for consideration of a child for referral for gifted eligibility address learning characteristics, motivational characteristics, creativity, and leadership. During the EP meeting, the parents would be asked to provide significant information about their child in terms of interests, academic areas of strength, and individual pursuits. They may be asked to share this information at the meeting. The school may provide documentation of the student's present levels of performance based on test scores, classroom performance, student products and/or portfolio. The school personnel could also provide information about the student's participation on teams or in school activities, role in competitions, and the student's strengths in a variety of academic areas.

**23. What considerations should be addressed in identifying needs of the student who is gifted?**

Rule 6A-6.030191, FAC, refers specifically to needs resulting from the student's giftedness. The team should consider asking how this student is gifted and what needs are evident beyond what is available in the general education setting? Also, what's the most important skill or behavior that the student needs in order to make progress commensurate with his/her abilities?

**24. Must the services on the EP occur during the actual FTE week?**

Yes, although optional additional service could be offered.

**25. Are we required to review the EP every two years? If so, what constitutes a review?**

You are not required to review the EP on any established schedule. It is recommended that a review take place when the EP is written for multiple years. Rule 6A-6.030191, FAC, states, "EPs may be reviewed more frequently as needed... or if the student's parent or teacher requests a review." An EP with measurable goals would require regular reports so progress can be noted and recorded. Assuming the goals and objectives are appropriate for the student

and document student growth, reports to the parent would need to be timely to ensure the student's needs are being addressed. Districts are required to define the timelines for the initiation, duration, and review of the EPs in its SP&P documents. Spans of time related to academic growth, such as kindergarten/first grade, primary level, intermediate level, middle school, or high school, may be appropriate intervals for EP duration. When frequency, location, and duration of service changes, a new EP must be developed.

Section (5) of the rule, considerations in EP development, review, and revision, states that the EP team shall consider

- the strengths of the student and needs resulting from the student's giftedness
- the results of recent evaluations, including class work and state or district assessments
- in the case of a student with limited English proficiency, the language needs of the student as they relate to the EP.

Typically, a student, particularly a gifted student, would achieve a level within three years that would require the EP to be edited and/or reviewed if the goals are significant for the needs of the student. It is not always appropriate to assume an EP could be left alone for several years. Similar to an IEP, there should be regular updates on how the student is progressing toward those measurable goals. Those who develop the EP should ensure that it is a meaningful document for the student, geared to what the student needs, rather than a list of what a teacher is going to do for every child.

**26. May parents request a review of the EP beyond what is scheduled by the district?**

A parent or the school may request a review of the EP at any time. This may be done, for example, to determine whether the services provided for the student are appropriate based on progress reports, evaluation, and assessment. The team may need to consider other strategies to meet the needs of the gifted learner. Low grades may serve as an indicator of a need to review strategies but should not be a cause for dismissal of the child from gifted services. Instead, the team would need to look at strategies to change the behavior.

**27. If a school has a population of K-8 and the students remain at the school, are transitional EPs required?**

The rule states that meetings should be held to develop and revise the EP at least every three years for students in K-8 and at least every four years for students in grades 9-12. EPs may be reviewed more frequently as needed, such as at transition from elementary to middle school and middle to high school. The key questions to ask are whether the service needs to change, the goals need to be reviewed, or other factors about the student's progress need to be addressed (see question 25).

**28. Who should develop the EP at transitions?**

Following the rule and the list of participants as described in question 11, the make-up of the EP team is determined by the district, a collaborative process in which there should be input from the sending professionals who are familiar with the special needs of the student as well as from the receiving professionals who are familiar with the facilities and resources of the new setting and are able to help determine how appropriate services might best be provided.



**29. If an eighth grade student has an EP dated in May and the district develops a four year EP for high school, are we required to review during May of the student's senior year?**

If an EP expires in May of the senior year and the student is progressing successfully towards graduation, there is no need to review or revise the EP.

***Timelines for EP Meetings***

**30. How soon after development must the EP be implemented?**

The EP must be implemented as soon as possible after the EP meeting. An EP must be in effect before specially designed instruction is provided for the student. The EP identifies the projected date for services to begin, the anticipated frequency, location, and duration of those services. For example, time the student will spend with gifted peers should be indicated or how much time daily will be involved if the student will be accelerated for a specific subject.

***Implementation of the EP***

**31. Who is responsible for implementation of the EP?**

The teacher of the gifted is responsible for implementation. The EP should be accessible to each teacher of the student. Each teacher shall be informed of specific duties related to the implementation of the EP. The teacher of the gifted who will provide the gifted service must receive a copy.