

# TENNESSEE PUBLIC CHARTER SCHOOL COMMISSION

## Gifted Students Procedures

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The purpose of this document is to provide information regarding procedures for students identified as intellectually gifted. These procedures cover:

- [School Responsibilities](#)
  - [School Plan](#)
  - [Current IEP](#)
  - [Service Provision](#)
- [LEA Responsibilities](#)
  - [TN Pulse Monitoring](#)
- [Forms and Appendices](#)

### **School Responsibilities**

**School Plan.** Each authorized charter school is required to develop and implement a written plan for identifying and serving gifted students. The components of this plan incorporate the requirements of the Title VI Resolution Agreement between the U.S. Department of Education Office for Civil Rights and the Tennessee Department of Education.

**Current IEP.** For students identified as intellectually gifted and receiving a gifted individualized education program (IEP), the following documentation shall be uploaded and available for review in TN Pulse:

#### (1) Invitation Letter

- (a) Documentation that the most recent invitation was received by a student's parent(s)/guardian(s) at least ten (10) days prior to the meeting date. The ten (10) days, which must pass before the meeting may be convened, may be waived by the parent (with documentation) after the parent has received notice that the charter school wants to convene an IEP meeting. Thereafter, the meeting may be held prior to the expiration of the ten (10) days. If parents choose to waive the ten (10)-day notice, documentation of this waiver must be noted on the invitation letter.
- (b) The invitation letter must be signed by the student's parent(s)/guardian(s).
  - (i) If a student will turn 14 within the timeframe of the IEP, the student must also be invited to the IEP meeting.

#### (2) Prior Written Notice

- (a) Written notice must be given to the parent(s)/guardian(s) of the student for whom the IEP meeting has been convened ten (10) days before the charter school proposes or refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of a free appropriate public education. The ten (10)-day notice requirement may be waived by the parent(s)/guardian(s). The notice provides the parent(s)/guardian(s) a comprehensive overview of the changes and affords them time and opportunity to express additional questions and/or concerns, or seek resolution before any action is taken.

#### (3) Current IEP Signature Page

- (a) Following the review of an IEP, the IEP shall be signed by the following individuals:
  - (i) Parent(s)/Guardian(s);

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- (ii) Special Education Teacher;
  - (iii) Regular Education Teacher;
  - (iv) LEA Representative (Principal or Director of Student Services);
  - (v) Interpreter of Evaluation Results (Related Service Providers, School Psychologist, or Special Education Teacher);
  - (vi) Student (if 14 years or older during IEP year);
  - (vii) EL Teacher if the student is dually identified; and
  - (viii) Other service providers (if applicable).
- (4) Informed Parental Consent (located in IEP Signature section)
- (a) Informed consent means the following:
    - (i) The parent(s)/guardian(s) have been fully informed of all information relevant to the activity for which consent is sought, in his or her native language, or through another mode of communication;
    - (ii) The parent(s)/guardian(s) understand and agree in writing to the carrying out of the activity for which his or her consent is sought, and the consent describes that activity and lists the records (if any) that will be released and to whom; and
    - (iii) The parent(s)/guardian(s) understand that the granting of consent is voluntary on the part of the parent(s) and may be revoked at any time.

If a draft IEP is made prior to the student's IEP meeting, the charter school shall share a copy of the draft IEP with the student's parent or guardian no later than 48 hours prior to the IEP meeting.

**Service Provision.** Charter schools shall ensure that a general education or special education teacher providing direct instruction to intellectually gifted students, in accordance with the student's IEP, meet the employment standards outlined in State Board rule 0520-02-06. Teachers shall:

- (1) Hold a valid Tennessee teaching license with an endorsement in a general education area or special education area; and
- (2) Meet one (1) of the following criteria:
  - (a) Hold an endorsement in gifted education;
  - (b) Provide gifted services under the supervision of a gifted consulting teacher that meets the requirements of this rule;
  - (c) Complete a minimum of six (6) semester hours in gifted coursework from a State Board approved educator preparation program, or from an educator preparation program approved by a state other than Tennessee; or
  - (d) Complete a gifted education training program recognized by the Department of Education.

### LEA Responsibilities

**TN Pulse Monitoring.** The Commission shall monitor compliance through an audit of randomly selected student files to ensure schools maintain the proper documentation. The Commission shall utilize the [Gifted IEP Monitoring Checklist](#) contained within these operating procedures to ensure all documents and

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signatures are accounted for. If proper documentation is not maintained, the Commission shall notify the appropriate parties utilizing the [Missing Gifted IEP Documentation Memo](#).

- (1) Desktop monitoring on TN Pulse will occur annually at minimum, but at a frequency determined by a school’s tier of risk as outlined in the [Risk Assessment Procedures](#); and
- (2) On-site monitoring will occur annually at minimum.

The Commission shall maintain documentation of IEP monitoring, including the date the monitoring occurred, the number of files monitored, and whether a missing documentation memo was sent to the school liaison as a result of the monitoring.

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### Forms and Appendices

The following forms and appendices are included to supplement these procedures:

- [Gifted IEP Monitoring Checklist](#) – *required*
- [Missing TN Pulse Documentation Memo](#) – *required, if applicable*
- [Intellectually Gifted State Evaluation Standards](#) – *guidance document (web link)*
- [TDOE Intellectually Gifted Evaluation Guidance](#) – *guidance document (web link)*

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## Gifted IEP Monitoring Checklist

Student:

Date:

Monitor Initials:

Primary/Secondary Disability:

IEP Due Date:

Re-evaluation Due Date:

1. Current Year IEP	Check if fulfilled
Invitation for Meeting <i>OR</i> Documentation of Waiver	
Prior Written Notice for Change in Educational Placement and/or the Provision of FAPE	
<b>IEP Contains:</b>	
• Overview of Student's Current Performance (strengths)	
• Documentation of Parent Concerns	
• Adverse Impact Statement	
• Consideration of Special Factors	
• Present Levels of Academic Achievement and Functional Performance (PLAAFPs)	
• Measurable Annual Goals (for each area of exceptionality identified in present levels of performance)	
• Academic/Non-Academic Accommodations and/or Modifications in the Classroom	
• State and District Testing Accommodations and/or Modifications	
• Special Education Direct and/or Related Services (for each area of exceptionality identified in present levels of performance)	
• LRE Statement Including Extent the Student Will Not Participate in the Regular Classroom (aligns with direct and/or related services)	
• Attend School of Choice	
• Special Transportation Needs Addressed in IEP	
• Extended School Year (ESY) Addressed in IEP	
IEP Signature Page	
Informed Parental Consent (IEP signature section)	
Current Year Progress Reports	1 2 3 4
Alternate Assessment Eligibility Determination Worksheet ( <i>if applicable</i> )	
Functional Behavioral Assessment (FBA) and/or Behavioral Intervention Plan (BIP), <i>if applicable</i>	
Documentation of IEP review by other teachers not in attendance (IEP signature section)	

2. Current Evaluation(s) and Eligibility Report	
Invitation to Meeting: Reevaluation	
Re-evaluation Summary Report (includes previous eligibility decisions and current classroom based, local, or state formative and summative assessments, including assessments used to determine eligibility)	

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Documentation of Parent Input	
Observation by General Education Teacher	
Observation by Special Education Teacher <i>(if applicable)</i>	
Observation by Related Service Provider <i>(if applicable)</i>	
Prior Written Notice for Re-evaluation	
Prior Written Notice for Comprehensive Re-evaluation/ Program Planning Results <i>(if applicable)</i>	
Signed Eligibility Report	
Prior Written Notice for Eligibility Determination and Placement	

**3. Initial Evaluation and IEP\***

Prior Written Notice for Initial Referral or Parent Request for Evaluation	
Parental Consent for Initial Evaluation	
Documentation of Parent Input	
Observation by General Education Teacher	
Observation by Special Education Teacher <i>(if applicable)</i>	
Observation by Related Service Provider <i>(if applicable)</i>	
Evaluation Report (includes current classroom based, local, or state assessments, including assessments used to determine eligibility)	
Signed Eligibility Report	
Invitation to Meeting: Eligibility/Placement	
Prior Written Notice for Eligibility and Initial IEP Meeting	
Consent for Initial Placement (IEP signature page from the initial IEP)	

*\* This section to be completed if the initial evaluation is the most recent evaluation.*

**4. Transition Documents (ages 14 & older)**

Student Invitation to Meeting	
Invitation of Outside Agency <i>(if applicable)</i>	
Permission to Invite Outside Agency <i>(if applicable)</i>	
Focused Plan of High School Study	
Measurable Post-secondary Goals in the Areas of Employment, Education/Training, Independent Living, and Community Participation	
Post-Secondary Transition Annual IEP Goals	
Transition Services	
Age-Appropriate Transition Assessment	

**5. Other Documents *(if applicable)***

Medical Documentation	
Homebound Documentation	

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**Missing or Inappropriate Special Education Documentation Memo**

**To:**

**From:**

**Date:**

**Re:** Special Education Gifted IEP Monitoring – School Abbreviation

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**Missing TN Pulse Documentation**

This memo is to notify (School Name) of missing or inappropriate IEP documentation in TN Pulse. In accordance with the Commission's [Special Education Monitoring Procedures](#), Commission staff completed desktop monitoring of (#) students' files on MM/DD/YYYY. The findings of the (Annual/Quarter #) desktop monitoring process are outlined below.

**Next Steps**

- Complete the required corrections by the deadlines indicated. If you have questions, please contact the Commission.