

**DEPARTMENT OF EDUCATION**  
**OFFICE OF THE SECRETARY**  
**900 Special Populations**

**902 Gifted or Talented Education Plan**

**1.0 Purpose**

The purpose of this regulation is to establish that a gifted or talented student, as identified by a professionally qualified person or persons, may require differentiated educational programs or services beyond those normally provided by the regular school program in order to address the individual's capabilities.

**23 DE Reg. 568 (01/01/20)**

**2.0 Definitions**

**"Gifted or Talented Education Plan"** or **"Plan"** means a Delaware Department of Education approved document created by a school district for the development, implementation, and evaluation of an identification process and appropriate services for gifted or talented students.

**"Gifted or Talented Student"** means a child enrolled in a Delaware public school who has been identified by a professionally qualified person or persons as meeting the following definition of gifted or talented:

A child capable of high performance with demonstrated achievement and/or potential ability in any of the following areas, singularly or in combination:

- General intellectual ability;
- Specific academic aptitude;
- Creative or productive thinking;
- Leadership ability;
- Visual and performing arts ability; or
- Psychomotor ability.

**"Relative Caregiver"** means, pursuant to 14 Del.C. §202(f)(2), an adult who, by blood, marriage or adoption, is the child's great grandparent, grandparent, step grandparent, great aunt, aunt, step aunt, great uncle, uncle, step uncle, step parent, brother, sister, step brother, step sister, half brother, half sister, niece, nephew, first cousin, or first cousin once removed but who does not have legal custody or legal guardianship of the student.

**23 DE Reg. 568 (01/01/20)**

**3.0 Development and Components of the Plan**

3.1 Each school district shall have a Plan which, at a minimum, shall:

- 3.1.1 Outline goals and specific outcomes;
- 3.1.2 Be developed with input from various stakeholder groups including parents;
- 3.1.3 Provide the process for identification of gifted or talented students by professionally qualified persons;
- 3.1.4 Outline an identification process that ensures all students have an equal opportunity to be identified and participate in the program;
- 3.1.5 Provide for a communication process, which shall include procedures to inform parent(s), guardian(s), or Relative Caregiver(s) of a student's participation in the gifted or talented education program;
- 3.1.6 Establish procedures for requiring that, at a minimum, each teacher assigned to teach a student identified as gifted or talented be certified in accordance with the applicable Professional Standards Board regulations.
- 3.1.7 Establish procedures for the identification and placement of a student who was identified as gifted or talented in the school district from which the student transferred; and
- 3.1.8 Provide for an evaluation of the Plan provided for its gifted or talented students.

3.2 Implementation of the gifted or talented programs and services shall be aligned to the Plan.

**23 DE Reg. 568 (01/01/20)**

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## TITLE 14 EDUCATION

### DELAWARE ADMINISTRATIVE CODE

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#### 4.0 Department of Education Responsibilities

- 4.1 The Department of Education shall maintain a resource guide of best practices, on its website, that a school district may use in the development and implementation of its Plan.
- 4.2 Each Plan shall be reviewed periodically, but not less than every five years, by the Department of Education for compliance with this regulation, and any substantive changes to the Plan shall be provided for review for compliance with this regulation.

**19 DE Reg. 48 (07/01/15)**

**23 DE Reg. 568 (01/01/20)**