



Vision


We envision a time when all students in New Mexico, including gifted students, are given an appropriate educational experience that matches their abilities and potentials, where there is ample opportunity for their intellectual challenge and growth, and those who work with them are adequately trained to appreciate, understand, and nurture their unique talents.

Mission

- To promote an understanding about gifted students and their educational and social emotional needs among educators, administrators, parents and anyone interested in the needs of gifted children and to provide a supportive learning community for each other.
- To communicate information about the latest issues, best practices, and research in the field of education of the gifted.
- To advocate and provide leadership for policies that promote supportive legislation and funding for the gifted at the state level.
- To disseminate information on education of the gifted to all interested parties.

New Mexico Association for the Gifted is an independent 501 (c) (3) public charity and is not associated with New Mexico Public Education Department.

Please visit our website at nmgifted.org



New Mexico Association for the Gifted

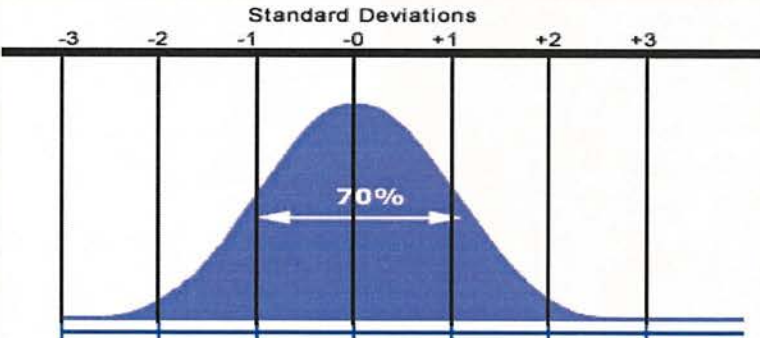
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Standard Deviations



Standard Deviation	Score	Intelligence Level	Percentage
-3	55	mentally inadequate	2.3%
-2	70	low intelligence	13.6%
-1	85	average	34.1%
0	100	above average	34.1%
+1	115	high intelligence	13.6%
+2	130	superior intelligence	2.1%
+3	145	exceptionally gifted	0.13%


- A gifted student falls within the end of a standard bell curve.
- The gifted population across the nation constitutes the top 2%.

Why the LRE (Least Restrictive Environment)? This does not make them the elite.

IQ SCORE	CLASSIFICATION	ABOUT HOW MANY PEOPLE?
160	Very Superior	1 in 10,000
150	Very Superior	9 in 10,000
140	Very Superior	7 in 1,000
130	Very Superior	3 in 100
120	Superior	11 in 100
110	Bright	21 in 100


3

Bright Child vs. Gifted Child	
Knows the answer	Asks the questions - sometimes deep probing questions of an abstract nature.
Is interested.	Is highly curious
Is attentive	Is mentally and physically involved
Has good ideas	Has wild, silly ideas
Works hard	Plays around, yet tests well
Answers the questions	Discusses in detail, elaborates
Top Group	Beyond the group
Listens with interest	Shows strong feelings and opinions
Learns with ease	Already knows
6-8 repetitions for mastery	1-2 repetitions for mastery
Understands ideas	Constructs abstractions
Enjoys peers	Prefers adults or older children or seeks out other very bright or gifted peers.
Grasps the meaning	Draws inferences and opens up new questions.
Completes assignments	Initiates projects
Is receptive	Is intense
Copies accurately	Creates a new design
Enjoys school	Enjoys learning - but may hate school.
Absorbs information.	Manipulates information
Technician	Inventor - Loves construction toys
Good Memorizer	Good guesser - draws on vast information store.
Is alert	Is keenly observant - seems to remember fine details.
Is pleased with own learning	Is highly self-critical - can be perfectionistic to the point of tantrums when young.
Enjoys straight-forward and/or sequential presentation	Thrives on complexity - needs the whole picture. Requires a gestalt approach.




Myths and Truths About Gifted Students


The National Association for Gifted Children (NAGC at nagc.org) compiled a list of the most prevalent myths in gifted education with evidence rebutting each of them.



o Myth: Gifted students don't need help; they'll do fine on their own.



o Truth: Would you send a star athlete to train for the Olympics without a coach? Gifted students need guidance from well-trained teachers who challenge and support them in order to fully develop their abilities. Many gifted students may be so far ahead of their same-age peers that they know more than half of the grade-level curriculum before the school year begins. Their resulting boredom and frustration can lead to low achievement, despondency, or unhealthy work habits. The role of the teacher is crucial for spotting and nurturing talents in school.




o Myth: *Teachers challenge all students, so gifted kids will be fine in the regular classroom.*




- o Truth: Although teachers try to challenge all students, they are frequently unfamiliar with the needs of gifted children and do not know how to best serve them in the classroom. A national study conducted by the Fordham Institute found that 58% of teachers have received no professional development focused on teaching academically advanced students in the past few years and 73% of teachers agreed that “Too often, the brightest students are bored and under-challenged in school- we’re not giving them a sufficient chance to thrive.” This report confirms what many families have known; not all teachers are able to recognize and support gifted learners.



- o *Myth: All children are gifted.*



o Truth: All children have strengths and positive attributes, but not all children are gifted in the educational sense of the word. The label “gifted” in a school setting means that when compared to others his or her age or grade, a child has an advanced capacity to learn and apply what is learned in one or more subject areas, or in the performing or fine arts. This advanced capacity requires modifications to the regular curriculum to ensure these children are challenged and learn new material. Gifted does not connote good or better; it is a term that allows students to be identified for services that meet their unique learning needs.




o *Myth: Acceleration placement options are socially harmful for gifted students.*




- o Truth: Academically gifted students often feel bored or out of place with their age peers and naturally gravitate towards older students who are more similar as “intellectual peers.” Studies have shown that many students are happier with older students who share their interest than they are with children the same age. Therefore, acceleration placement options such as early entrance to Kindergarten, grade skilling, or early exit should be considered for these students.



- o *Myth: Gifted education programs are elitist.*



o Truth: Gifted education programs are meant to help all high-ability students. Gifted learners are found in all cultures, ethnic backgrounds, and socioeconomic groups. However, many of these students are denied the opportunity to maximize their potential because of the way in which programs and services are funded, and/or flawed identification practices. For example, reliance on a single test score for gifted education services may excluded selection of students with different cultural experiences and opportunities. Additionally, with no federal money and few states providing an adequate funding stream, most gifted education programs and services are dependent solely on local funds and parent demand. This means that in spite of the need, often only higher-income school districts are able to provide services, giving the appearance of elitism.




o *Myth: That student can't be gifted, he is receiving poor grades.*




- **Truth:** Underachievement describes a discrepancy between a student's performance and his actual ability. The roots of this problem differ, based on each child's experiences. Gifted students may become bored or frustrated in an unchallenging classroom situation causing them to lose interest, learn bad study habits, or distrust the school environment. Other students may mask their abilities to try to fit in socially with their same-age peers and still others may have a learning disability that masks their giftedness. No matter the cause, it is imperative that a caring and perceptive adult help gifted learners break the cycle of underachievement in order to achieve their full potential.



- **Myth:** *Gifted students are happy, popular, and well adjusted in school.*



o Truth: Many gifted students flourish in their community and school environment. However, some gifted children differ in terms of their emotional and moral intensity, sensitivity to expectations and feelings, perfectionism, and deep concerns about societal problems. Others do not share interests with their classmates, resulting in isolation or being labeled unfavorable as a “nerd.” Because of these difficulties, the school experience is one to be endured rather than celebrated.




o *Myth: This child can't be gifted, he has a disability.*



- o Truth: Some gifted students also have learning or other disabilities. These “twice-exceptional” students often go undetected in regular classrooms because their disability and gifts mask each other, making them appear “average.” Other twice-exceptional students are identified as having a learning disability and as a result, are not considered for gifted services. In both cases, it is important to focus on the students’ abilities and allow them to have challenging curricula in addition to receiving help for their learning disability.



- o *Myth: Gifted education requires an abundance of resources.*



New Mexico Association for the Gifted


- o Truth: Offering gifted education services does not need to break the bank. A fully developed gifted education program can look overwhelming in its scope and complexity. However, beginning a program requires little more than an acknowledgement by district and community personnel that gifted students need something different, a commitment to provide appropriate curriculum and instruction, and teacher training in identification and gifted education strategies.



New Mexico Association for the Gifted


Proposed Legislation for 2017 Session

- o Right to Appropriate Curriculum Placement
- o Whereas
- o Acceleration options such as early entry to kindergarten, grade skipping, single-subject acceleration, faster-paced courses, dual and concurrent credit courses, early entry to college and credit for demonstrated mastery are among the most effective and best-researched educational interventions;
- o Acceleration has been shown to have little or no adverse socio-emotional impact on students;
- o Grouping similarly able students for acceleration of school curriculum has been shown to have positive social and academic impacts;
- o Grouping of gifted students is recognized as the most common Least Restrictive Environment, because it exposes them to appropriately challenging curriculum and provides the opportunity for functional social interactions;
- o Gifted students are often separated from their similarly able peers in order to heterogeneously populate general education classrooms;
- o Acceleration is under-utilized in New Mexico schools;
- o Not all NM districts have acceleration policies;
- o Acceleration costs less than many other educational interventions;
- o Existing district-level acceleration policies vary widely;
- o Dual credit memoranda sometimes prevent students from taking available dual-credit courses;
- o Giftedness is a priority in ESSA; and
- o According to the National Association for Gifted Children definition, the population of gifted students is far larger than that allowed under the NM exceptionality.



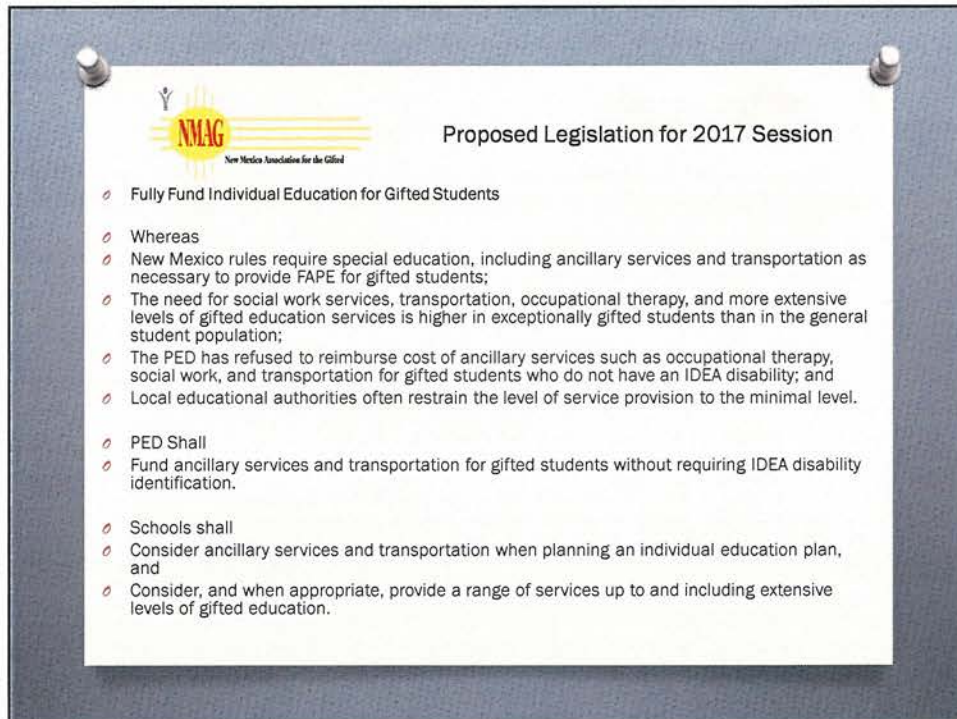
Proposed Legislation for 2017 Session


- o Right to Appropriate Curriculum Placement/ continued
- o The State Shall
- o Allow early entry to Kindergarten;
- o Allow credit for demonstrated mastery; and
- o Establish needs and research-based interventions for gifted and high-ability learners as a priority for expending ESSA funds.
- o Schools Shall
- o Adopt a policy for academic acceleration that:
 - o Specifies a range of available options,
 - o Specifies non-discrimination and inclusiveness of all students, including those with disabilities, language differences, and socio-economic disadvantages,
 - o Empowers the IEP team (for identified gifted students and those with disabilities), and the SAT team (for all other students) to make acceleration decisions.
- o Includes procedures for:
 - o Appeal and due process,
 - o Safe reversion of placement within a reasonable timeframe, if the acceleration is ineffective,
- o Not infringe on the right of a student to accelerate through a dual-credit or concurrent credit course because their home school offers the course that would earn high school credit,
- o Group and accelerate gifted and high ability students as appropriate for their individual needs,
- o Provide special supports for disadvantaged and disabled students to participate in acceleration, and
- o Accept accelerated credit or college credit toward graduation from all accredited schools.



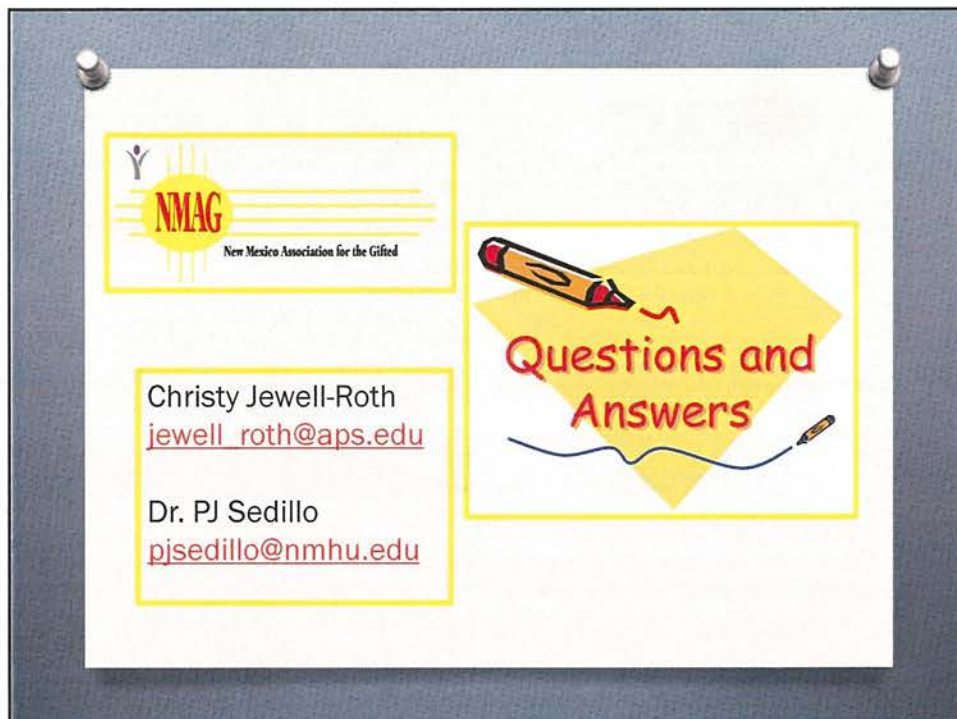
Proposed Legislation for 2017 Session


- o Identification of Twice-Exceptional Students
- o Whereas
- o Giftedness is recognized as an exceptionality in New Mexico;
- o Giftedness can co-exist with learning disabilities;
- o Giftedness and learning disabilities often mask the effects of each other, thus suppressing identification of as gifted, disabled, or twice-exceptional;
- o PED's TEAM manual prevents identification of learning disabilities in gifted students without significant discrepancy from average grade performance; and
- o Twice-exceptional students have need for services that arise both from their giftedness and from their disabilities. Current NM funding rules only allow reporting and caseload designation as either gifted or disabled.
- o PED shall
- o Revise the TEAM manual to support identification based on difference from cognitive level, not grade level and
- o Provide protections and services for students who have IDEA and section 504 disabilities through the IEP process.



 **Proposed Legislation for 2017 Session**


- o Fully Fund Individual Education for Gifted Students
- o Whereas
- o New Mexico rules require special education, including ancillary services and transportation as necessary to provide FAPE for gifted students;
- o The need for social work services, transportation, occupational therapy, and more extensive levels of gifted education services is higher in exceptionally gifted students than in the general student population;
- o The PED has refused to reimburse cost of ancillary services such as occupational therapy, social work, and transportation for gifted students who do not have an IDEA disability; and
- o Local educational authorities often restrain the level of service provision to the minimal level.
- o PED Shall
- o Fund ancillary services and transportation for gifted students without requiring IDEA disability identification.
- o Schools shall
- o Consider ancillary services and transportation when planning an individual education plan, and
- o Consider, and when appropriate, provide a range of services up to and including extensive levels of gifted education.





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Historical Perspective of Gifted Education in New Mexico

Since 1972, "gifted" has been included as one of the areas of exceptionality for special education in the state of New Mexico. As such, students receiving gifted services in the New Mexico are served under state rules for special education which outline the procedures and protections under the federal Individuals with Disabilities Education Act (IDEA) that apply to gifted education in New Mexico. State special education rules for gifted education do not apply to private schools, state supported schools, and home schools.

1972: "Gifted" included in the Educational Standards for New Mexico Schools (ESNMS) as one of the exceptionality categories of special education

- Required a 130 IQ
- Identified and served 33 students statewide

1981: Gifted education teacher certification begun

- New Mexico State Department of Education (NMSDE) established a special education K–12 teaching certification for "gifted" which required 15 credit hours of university coursework specifically focused on the education of gifted learners.

1982: Broadened the definition of "gifted"

- Based identification on outstanding performance in two of the following four areas:
 - Intelligence
 - Achievement
 - Creativity
 - Critical Thinking
- Identified additional students from minority groups.
- Increased total numbers of students receiving gifted services.

1986: Public School Reform Act (SB 106)

- Included definition of "gifted" in the Public School Reform Bill that mandated an IQ component at least two standard deviations above the mean, and outstanding achievement, creativity, or critical thinking
- Decreased the total number of students in gifted programs from 6,575 to 5,063 (25% decrease)
- Decreased the number of minority students in gifted programs from 1,369 to 815 (40% decrease)

Gifted Education in New Mexico Page 11 Technical Assistance Manual

1986 to 1990: Memorials passed each year through 1990 by the New Mexico Legislature requesting studies on issues related to gifted education

1987: Gifted education teacher certification requirements ended

- NMSDE eliminated certification in “gifted.” No longer were there any specific training or coursework requirements for gifted education teachers. The only requirement at that time to teach students who were gifted was the possession of a teaching license in special education, elementary education, or secondary education, whichever was appropriate for the level being served.

1991: Task Force on gifted education formed by NMSDE’s Special Education Office

- Focused on the identification of areas for improvement in gifted education
- Worked to bring about change in the documented under-representation of culturally-diverse students in gifted programs
- Worked to affect statutory change removing the definition of “gifted” from the law

1991: HB 36/HB 36a Introduced

- Amended the definition of a student who is identified as gifted
- Allowed the NMSDE to adopt standards pertaining to the determination of a student who is gifted
- Tabled in the House Education Committee

1993: HB 56 and SB 11A—Companion bills on “The Determination of Gifted Children”

- Returned authority to the NMSDE to develop regulations and standards pertaining to the determination of students who are gifted
- Eliminated the reliance on a test score as a sole determining factor for identification
- Included a delayed implementation date of July 1994 to enable the NMSDE and Local Educational Agencies (LEAs) to develop standards and procedures
- Passed the legislature, but not signed by governor

1994: HB 36 passed by the 1994 New Mexico Legislature and signed into law by Governor Gifted Education in New Mexico Page 12 Technical Assistance Manual

- Changed definition of a “gifted student” in statute, effective July 1, 1994
- Very superior performance on an IQ test paired with outstanding achievement, creativity, and/or critical thinking
- In cases where the team determining eligibility documented that a student’s IQ assessment was not accurate due to cultural or linguistic differences, socioeconomic status, or disabling conditions, other documentation was required.
- Returned authority to the NMSDE to determine criteria for giftedness

1994: State rules developed on gifted education

- At the request of the NMSDE, Task Force on Gifted Education drafted proposed state rules

- Draft rules disseminated statewide for input from the field with comments (May 2–June 1, 1994)
- Public hearings held in four locations throughout the state—Bloomfield, Albuquerque, Roswell, and Gadsden
- Required that each school providing a gifted program create an advisory committee for gifted education
- House Bill 2 included a \$1,400,000 appropriation for the implementation of the revised standards for gifted education

1994: Special education definitions pertaining to the “gifted child” were approved on June 24, 1994, at a meeting of the New Mexico State Board of Education (SBE Regulation 90-2). These revised standards included the following:

- Definition of “gifted” removed the required IQ score of two standard deviations above the mean and paired very superior performance on an individual IQ test (as defined by the test’s author) with outstanding achievement, creativity, or critical thinking.
- In cases where the multidisciplinary team believed a student’s test scores was depressed due to cultural or linguistic differences, disadvantaged socioeconomic status, or handicapping conditions, additional documentation required
- Multidisciplinary team decision-making process required for each student.
- Creation of an advisory committee required for each school.\

1994: Corollary change in the Standards for Excellence for New Mexico Schools (SENMS)—Compliance Manual (CM), Chapter 5 (November 1994)

1994: In November, two state-wide trainings held on implementation of new rule

1996: Dissemination by State Task Force on Gifted Education of statewide gifted survey regarding identification and programming for students

1999: Revision of state technical assistance document on gifted education

2005: Revision of state statutes regarding gifted advisory committees

- Gifted Advisory Committees required for each district
- There could be as many in a district as there were high schools
- Each Gifted Advisory Committee to have representation from each school that it represented
- Responsibilities of the committees remained the same

2005: Addition of alternative protocol for students with “factors”

- Allowed use of an approved alternative protocol for all students
- Required use of an alternative protocol for students who are determined to have “factors”

2007: Revision of New Mexico Administrative Code (NMAC) to align with certain requirements of the federal Individuals with Disabilities Education

Act (IDEA) 2004

2008: Completion of first version of *Technical Assistance Manual for Gifted Education in New Mexico*

2010: Gifted endorsement requirements and competencies incorporated into state licensure rule for teachers

2011: Update of *Technical Assistance Manual for Gifted Education in New Mexico*

2015: ESSA signed into law:

- Title I funds *may* be used to identify and serve gifted and an talented students from disadvantaged backgrounds
- Title II funds ***must*** be used for professional development around the education of gifted students.

**TITLE 6
CHAPTER 31
PART 2
CHILDREN**

**PRIMARY AND SECONDARY EDUCATION
SPECIAL EDUCATION
CHILDREN WITH DISABILITIES/GIFTED**

6.31.2.1 ISSUING AGENCY: Public Education Department
[6.31.2.1 NMAC - Rp, 6.31.2.1 NMAC, 6/29/07]

6.31.2.12 EDUCATIONAL SERVICES FOR GIFTED CHILDREN:

A. 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.

B. 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.

C. Evaluation procedures for gifted children.

(1) Each district must establish a child find procedure that includes a screening and referral process for students in public school who may be gifted.

(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. Under the standard method for identification, students will be evaluated in the areas of intellectual ability, subject matter aptitude/achievement, creativity/divergent thinking, and problem solving/critical thinking. A student who meets the criteria established in Subsection B of 6.31.2.12 for intellectual ability and also meets the criteria in one or more of the other areas will qualify for consideration of service. A properly constituted IEP team, including someone who has knowledge of gifted education, will determine if special education services are required to meet the child's educational needs.

E. Alternative method for identification.

(1) A district may apply to the public education department to utilize an alternative protocol for all students. Eligibility of a student will then be determined by a properly administered and collected, department-

approved alternative protocol designed to evaluate a student's intellectual ability, subject matter aptitude/achievement, creativity/divergent thinking, and problem solving /critical thinking.

(2) If an accurate assessment of a child's ability may be affected by factors including cultural background, linguistic background, socioeconomic status or disability condition(s), an alternative protocol as described in Paragraph (1) of Subsection E of 6.31.2.12 NMAC will be used in all districts to determine the student's eligibility. The impact of these factors shall be documented by the person(s) administering the alternative protocol.

(3) The student assistance team (SAT) process requirements will not apply to students who meet the criteria established by the alternative protocols. When a student's overall demonstrated abilities are very superior (as defined by the alternative protocol author), a properly constituted IEP team, including someone who has knowledge of gifted education, will determine if special education services are required to meet the child's educational needs.

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.

(3) Nothing in these rules shall preclude a school district or a charter school within a district from offering additional gifted programs for children who fail to meet the eligibility criteria. However, the state shall only provide funds under Section 22-8-21 NMSA 1978 for department approved gifted programs for those students who meet the established criteria.

G. Advisory committees.

(1) Each school district offering a gifted education program shall create one or more advisory committees of parents, community members, students and school staff members. The school district may create as many advisory committees as there are high schools in the district or may create a district-wide advisory committee.

(2) The membership of each advisory committee shall reflect the cultural diversity of the enrollment of the school district or the schools the committee advises. Representation from all schools the committee is advising is required.

(3) Purposes. The advisory committee shall:

(a) regularly review the goals and priorities of the gifted program, including the operational plans for student identification, evaluation, placement and service delivery;

(b) demonstrate support for the gifted program;

(c) provide information regarding the impact that cultural background, linguistic background, socioeconomic status and disability conditions within the community may have on the child referral, identification, evaluation and service delivery processes;

(d) advocate for children who have been under-represented in gifted services due to cultural or linguistic background, socioeconomic status, or disability conditions, in order to ensure that these children have equal opportunities to benefit from services for gifted students; and

(e) meet three or more times per year at regular intervals.

(4) Formal documentation of committee membership, activities and recommendations shall be maintained. If proposals are made by the committee to address any of the purposes as listed in Subsection G(3) of 6.31.2.12 NMAC, they shall be submitted in writing to the district administration. The administration shall respond in writing to any proposed actions before the next scheduled meeting of the advisory committee.

[6.31.2.12 NMAC - Rp, 6.31.2.12 NMAC, 6/29/07; A, 12/31/09]

New Mexico and Gifted Education

The Big Picture¹

Diversity of students receiving gifted education services	Caucasian: 51.04% Hispanic: 33.45% Asian: 3.03% African American: 2.04% Native American: 6.56% Disabled: 39.2%
Mandate gifted education (G/T)?	Yes, identification and services
Are there G/T indicators on the district report card?	No
Is G/T training required for all pre-service teachers?	No
Is G/T teacher credentialing required?	Yes
Does state have an acceleration policy?	No state policy, up to LEAs to determine
Does state policy allow proficiency-based promotion?	No state policy, up to LEAs to determine

The Excellence Gap in New Mexico

The "excellence gap" is the discrepancy in performance at the highest levels of achievement between racial and economic groups of children.²

The Gap in Grade 11 Reading (NM 2011) between White, Black, and Hispanic Students

17% of New Mexico's White 11th graders scored at the advanced level in Reading on the state exam, while 8% of Blacks and 7% of Hispanic students scored at the advanced level that year.

The Gap in Grade 8 Math (NAEP 2011) between White, Black, and Hispanic Students

8% of New Mexico's White students, 2% of the state's Hispanic students, and 2% of the state's Black students scored at the advanced level

In Grade 8 Math (NAEP 2011) between Economic Groups

8% of New Mexico's students not eligible for free or reduced price lunch scored at the advanced level. Of students eligible to receive a free or reduced price lunch, just 1% scored at the advanced level in mathematics.

How do New Mexico Students Stack Up in Math to Students Elsewhere?

Researchers compared advanced performance in math on the Program for International Student Assessment (PISA) exam and on the roughly equivalent math performance on the NAEP exam to establish a relative comparison of U.S. students, by state, to countries participating on the PISA exam.³

- 1.4 % of New Mexico's 8th graders performed at the advanced level on the 2005 NAEP math exam, which is below the U.S. average (6.0%).
- 47 states had a higher percentage of high performing students in math.
- 42 countries had a higher percentage of students performing at a comparable level on the 2006 PISA math exam.

¹ Unless noted otherwise, information in the table from NAGC & Nat'l Council of State Directors of Programs for the Gifted. (2011). *2010-2011 State of the states in gifted education*. Washington, DC: Author, except for diversity information, which comes from the Office of Civil Rights, *2009 National and state projections*.

² Center for Education Policy Analysis. (2013). *2012 Excellence gap state profile reports*. Retrieved from <http://cepa.uconn.edu/mindthegap/>

³ Hanushek, E. A., Peterson, P.E., & Woessmann, L. (2010). *U.S. math performance in global perspective*. Boston, MA: Harvard University, Harvard Kennedy School of Government.

Proposed Legislation for 2017 Session

Right to Appropriate Curriculum Placement.

Whereas

- Acceleration options such as early entry to kindergarten, grade skipping, single-subject acceleration, faster-paced courses, dual and concurrent credit courses, early entry to college and credit for demonstrated mastery are among the most effective and best-researched educational interventions;
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- Grouping of gifted students is recognized as the most common Least Restrictive Environment, because it exposes them to appropriately challenging curriculum and provides the opportunity for functional social interactions;
- Gifted students are often separated from their similarly able peers in order to heterogeneously populate general education classrooms;
- Acceleration is under-utilized in New Mexico schools;
- Not all NM districts have acceleration policies;
- Acceleration costs less than many other educational interventions;
- Existing district-level acceleration policies vary widely;
- Dual credit memoranda sometimes prevent students from taking available dual-credit courses;
- Giftedness is a priority in ESSA; and
- According to the National Association for Gifted Children definition, the population of gifted students is far larger than that allowed under the NM exceptionality.

The State Shall

- Allow early entry to Kindergarten;
- Allow credit for demonstrated mastery; and
- Establish needs and research-based interventions for gifted and high-ability learners as a priority for expending ESSA funds.

Schools Shall

- Adopt a policy for academic acceleration that:
 - Specifies a range of available options,
 - Specifies non-discrimination and inclusiveness of all students, including those with disabilities, language differences, and socio-economic disadvantages,
 - Empowers the IEP team (for identified gifted students and those with disabilities), and the SAT team (for all other students) to make acceleration decisions.
- Includes procedures for:
 - Appeal and due process,
 - Safe reversion of placement within a reasonable timeframe, if the acceleration is ineffective,
- Not infringe on the right of a student to accelerate through a dual-credit or concurrent credit course because their home school offers the course that would earn high school credit,
- Group and accelerate gifted and high ability students as appropriate for their individual needs,
- Provide special supports for disadvantaged and disabled students to participate in acceleration, and
- Accept accelerated credit or college credit toward graduation from all accredited schools.

Identification of Twice-Exceptional Students

Whereas

- Giftedness is recognized as an exceptionality in New Mexico;
- Giftedness can co-exist with learning disabilities;
- Giftedness and learning disabilities often mask the effects of each other, thus suppressing identification of as gifted, disabled, or twice-exceptional;
- PED's TEAM manual prevents identification of learning disabilities in gifted students without significant discrepancy from average grade performance; and
- Twice-exceptional students have need for services that arise both from their giftedness and from their disabilities. Current NM funding rules only allow reporting and caseload designation as either gifted or disabled.

PED shall

- Revise the TEAM manual to support identification based on difference from cognitive level, not grade level and
- Provide protections and services for students who have IDEA and section 504 disabilities through the IEP process.

Fully Fund Individual Education for Gifted Students

Whereas

- New Mexico rules require special education, including ancillary services and transportation as necessary to provide FAPE for gifted students;
- The need for social work services, transportation, occupational therapy, and more extensive levels of gifted education services is higher in exceptionally gifted students than in the general student population;
- The PED has refused to reimburse cost of ancillary services such as occupational therapy, social work, and transportation for gifted students who do not have an IDEA disability; and
- Local educational authorities often restrain the level of service provision to the minimal level.

PED Shall

- Fund ancillary services and transportation for gifted students without requiring IDEA disability identification.

Schools shall

- Consider ancillary services and transportation when planning an individual education plan, and
- Consider, and when appropriate, provide a range of services up to and including extensive levels of gifted education.