

**Wisconsin State Statutes and Administrative Rules Regarding
Gifted and Talented Education**

http://cal.dpi.wi.gov/cal_gift-law

STANDARD t LAW

(from Chapter 121, School Finance, Subchapter II, General Aid)

121.02(1)(t) [...each school board shall...]

(t) Provide access to an appropriate program for pupils identified as gifted or talented.

[Context: Standard t is one of 20 standards that are supposed to be met in order for districts to receive state aid. This is the standard under which aid may be withheld from districts that are found out of compliance with Standard t.]

GIFTED PROGRAMS LAW

(from Chapter 118, General School Operations)

118.35 Programs for gifted and talented pupils.

118.35(1)

(1) In this section, "gifted and talented pupils" means pupils enrolled in public schools who give evidence of high performance capability in intellectual, creative, artistic, leadership or specific academic areas and who need services or activities not ordinarily provided in a regular school program in order to fully develop such capabilities.

118.35(2)

(2) The state superintendent shall by rule establish guidelines for the identification of gifted and talented pupils [see below for current Administrative Rules].

118.35(3)

(3) Each school board shall ensure that all gifted and talented pupils enrolled in the school district have access to a program for gifted and talented pupils.

118.35(4)

(4) From the appropriation under s. 20.255 (2) (fy), the department shall award grants to nonprofit organizations, cooperative educational service agencies, and the school district operating under ch. 119 [Milwaukee Public Schools] for the purpose of providing advanced curriculum and assessments for gifted and talented pupils.

[Note: part (4) is new as of 2007.]

The following Administrative Rule was established by DPI to provide greater direction and guidance to school districts regarding what is required. Authority for these rules comes from 118.35(2).

Administrative Rule 8.01(2)(t)2.

Each school district shall establish a plan and designate a person to coordinate the gifted and talented program.

Gifted and talented pupils shall be identified as required in s. **118.35(1)**, Stats.

This identification shall occur in kindergarten through grade 12 in general intellectual, specific academic, leadership, creativity, and visual and performing arts.

A pupil may be identified as gifted or talented in one or more of the categories under s. **118.35(1)**, Stats.

The identification process shall result in a pupil profile based on multiple measures, including but not limited to standardized test data, nominations, rating scales or inventories, products, portfolios, and demonstrated performance. Identification tools shall be appropriate for the specific purpose for which they are being employed. The identification process and tools shall be responsive to factors such as, but not limited to, pupils' economic conditions, race, gender, culture, native language, developmental differences, and identified disabilities as described under subch. **V** of ch. 115, Stats.

The school district board shall provide access, without charge for tuition, to appropriate programming for pupils identified as gifted or talented as required under ss. **118.35(3)** and **121.02(1)(t)**, Stats.

The school district board shall provide an opportunity for parental participation in the identification and resultant programming.

Definitions of Terms

Access. An opportunity to study through school district course offerings, independent study, cooperative educational service agencies, or cooperative arrangements between school district boards under s. 66.30, Stats., and postsecondary education institutions (from PI 8.001, Wis. Admin. Code).

Appropriate program. A systematic and continuous set of instructional activities or learning experiences which expand the development of the pupils identified as gifted and talented (from PI 8.01(2)(t), Wis. Admin. Code).