

Appendix D: Example Language from State Acceleration Policies

In this appendix, we provide examples from state acceleration policies, state gifted education policies that specifically mention one of the types of acceleration, and state regulatory language. Our examples are not exhaustive; for example, language from school district policies is not included because it is unique to local needs. We attempted to provide broad, representative language for these guidelines so that they would have maximum applicability to states and districts. We provide representative language for as many elements of the policy guidelines as possible.*

Sample Policy Language and Implementation Information from Ohio

Ohio has been a national leader in legislating and regulating acceleration at the state level. The Ohio State Board of Education adopted “A Model Student Acceleration Policy for Advanced Learners” (<http://www.ode.state.oh.us/GD/Templates/Pages/ODE/ODEDetail.aspx?Page=3&TopicRelationID=964&Content=73076>). All districts were required beginning with the 2006-2007 school year to implement the model policy or a similar policy (subject to approval). Because Ohio has developed a comprehensive model policy and guidelines for implementing acceleration, we provide a link (<http://education.ohio.gov/gd/templates/pages/ODE/ODEPrinterFriendlyPage.aspx?Page=3&TopicRelationID=964&Content=73076>) to their toolkit of materials as examples of how to write a policy and develop policy documents.

Information that can be accessed from the link includes the following:

- Testing Rules for Subject-Accelerated Students
- Acceleration Update
- Model policy text and introductory information
- Form for submitting district acceleration policies for review
- State Board of Education Resolution on Acceleration and the Model Student Acceleration Policy for Advanced Learners
- Summary of an ODE-sponsored research study of Ohio school district policies and practices related to acceleration
- Acceleration Case Studies
- An Introduction to the *Iowa Acceleration Scale*
- Model Written Acceleration Plans and Templates for whole-grade acceleration, subject acceleration in math, subject acceleration in science, and early high school graduation
- Frequently Asked Questions about Acceleration and Ohio’s Model Student Acceleration Policy for Advanced Learners

* Technical note: Internet links have been included to facilitate access to the examples and were active at the time of publication. In some cases, the link goes directly to the section of law or regulation in which the example appears. In other cases, the link goes to the web site that contains the language. In the latter case, a user will need to search within the document for the precise location of the language. In some cases there will be apparent errors or editorial oversights in the language of the law or regulation provided here. Since the language was taken directly from the published law or regulation, the authors have chosen not to make any changes.

Sample Policy Language about the Forms and Types of Acceleration

Early entrance to kindergarten

■ Example 1: North Carolina

Policy Language:

“A child who has passed the fourth anniversary of the child’s birth on or before April 16 may enter kindergarten if the child is presented for enrollment no later than the end of the first month of the school year and if the principal of the school finds, based on information submitted by the child’s parent or guardian, that the child is gifted and that the child has the maturity to justify admission to the school. The State Board of Education shall establish guidelines for the principal to use in making this finding.

The guidelines for early entrance to kindergarten are presented in the North Carolina State Board of Education Policy Manual, Title 16 NCAC 6E.0105 Policy delineating the standards for early admission to kindergarten

.0105 EARLY ADMISSION TO KINDERGARTEN

(a) To determine the eligibility of a four-year-old child to enter kindergarten pursuant to the provisions of G.S. 115C-364(d), the principal shall confer with a committee of professional educators to consider for each child the following factors:

(1) Student Aptitude. The child shall be precocious in academic and social development and shall score at the 98th percentile on a standard individual test of intelligence such as the Stanford-Binet, The Wechsler Preschool and Primary Scale of Intelligence, the Kaufman Anderson, or any other comparable test administered by a licensed psychologist.

(2) Achievement. The child shall be functioning from two to three years beyond the child’s peers. The child shall score at the 98th percentile on either reading or mathematics on a standard test of achievement such as the Metropolitan Readiness Test, the Stanford Early School Achievement Test, The Mini Battery of Achievement, the Woodcock-Johnson, the Test of Early Mathematics Ability (TEMA), the Test of Early Reading Ability (TERA), or any other comparable test administered by a licensed psychologist, a member of the psychologist’s professional staff, or a professional educator who is trained in the use of the instrument and who has no conflict of interest in the outcome of the assessment.

(3) Performance. The child shall be able to perform tasks well above age peers as evidenced by behaviors in one or more areas such as independent reading, problem solving skills, advanced vocabulary, and some writing fluency. The parent shall submit a sample of the child’s work that shows outstanding examples of ability in any area including, but not limited to, art, mathematics, writing, dramatic play, creative productions, science, or social interactions. The principal may also require a teacher to complete an informal reading assessment of the child.

(4) Observable Student Behavior/Student Interest. The child shall demonstrate social and developmental maturity sufficient to participate in a structured setting for a full school day. The child shall be capable of following verbal instructions and functioning independently within a group. The parent shall provide two recommendation letters with specific documentation of physical and social maturity from preschool teachers, child care workers, pediatricians, or others who have direct knowledge of the child. Useful documentation checklists include the California Preschool Competency Scale, the Harrison Scale, or any other comparable scale of early social development.

(5) Motivation/Student Interest. The principal or principal’s designee shall conduct an informal interview with the child and a more structured interview with the parent to determine if the child displays a thirst for knowledge and seeks new and challenging learning situations.

(b) The parent shall present the information required by this Rule to the principal within the first 30 calendar days of the school's instructional year. All testing shall be administered after the April 16th that follows the child's fourth birthday. The principal shall decide whether to grant the parent's request for enrollment within three weeks after receiving this information. The principal may conditionally enroll the child for up to ninety days in order to observe whether the child is able to adjust to the school setting. If the principal determines that the child has not adjusted to the school setting, the principal shall deny the request for enrollment. However, before the child is exited from school, the principal shall invite the parent to assist in the development of intervention strategies for the child. If those strategies are not successful, the principal shall provide the parent at least 10 days notice before exiting the child from school so the parent may arrange child care, if needed.

(c) LEAs may require parents to supply information in addition to that required by this Rule. LEAs may also require specific tests or other measures to provide information relating to the factors listed in Paragraph (a) of this Rule.

(d) Early admission to kindergarten shall not automatically result in the placement of the child in the program for academically gifted students. By the time the child has been enrolled for 90 calendar days, or at any earlier time that school officials determine that the child has adjusted satisfactorily and shall be allowed to remain in school, the gifted identification team shall review the child's information to determine if the child shall receive gifted services. If the team determines that the child shall receive gifted services, it shall develop either a differentiated education plan or an individual differentiated education plan for the child.

Citation: 16 NCAC 6E.0105. Admission requirements. <http://sbepolicy.dpi.state.nc.us/policies/GCS-J-001.asp?pri=01&cat=J&pol=001&acr=GCS>

and

North Carolina State Board of Education Policy Manual, Title 16 NCAC 6E.0105 Policy delineating the standards for early admission to kindergarten <http://sbepolicy.dpi.state.nc.us/policies/GCS-J-001.asp?pri=01&cat=J&pol=001&acr=GCS>

■ Example 2: Maryland

Policy Language:

(3) Kindergarten.

(a) By the 2006—2007 school year and thereafter, a child shall be 5 years old on or before September 1 of a school year to be age-eligible for admission during that school year to a kindergarten program approved under this chapter.

(b) A school may develop a plan to meet the September 1, 2006 kindergarten age-of-eligibility date requirement.

(c) A school may adopt policies and procedures permitting a 4-year-old child to be admitted to kindergarten, upon request by the parent or guardian, if the school determines that the child demonstrates capabilities warranting early admission.

Citation: 13A.09.09.10 Administrative Practices

The Maryland State Department of Education's memo regarding the law: <http://www.marylandpublicschools.org/NR/rdonlyres/9C246C21-284B-4DB5-964B-BA778E78950E/10441/MemoWithAttachmentRegardingAgeofEligibilityforEntr.pdf>

A useful overview of relevant Maryland law and one school district's application of it:
<http://www.somerset.k12.md.us/BOE/School%20Board/Board%20Policies/Policies/600-18ap.pdf>

A legal opinion in response to litigation by a family wishing to enroll their four-year-old daughter in kindergarten (explains the law regarding early entrance to kindergarten in Maryland): <http://www.marylandpublicschools.org/NR/rdonlyres/0C56E1ED-B2BD-40BD-BCF8-21B4F88C4695/4328/BRIANMONTGOMERY.pdf>

■ Example 3: Ohio

Policy Language:

No child shall be admitted to a kindergarten or a first grade of a public school in a district in which all children are admitted to kindergarten and the first grade in August or September unless the child is five or six years of age, respectively, by the thirtieth day of September of the year of admittance, or by the first day of a term or semester other than one beginning in August or September in school districts granting admittance at the beginning of such term or semester, except that in those school districts using or obtaining educationally accepted standardized testing programs for determining entrance, as approved by the board of education of such districts, the board shall admit a child to kindergarten or the first grade who fails to meet the age requirement, provided the child meets necessary standards as determined by such standardized testing programs. If the board of education has not established a standardized testing program, the board shall designate the necessary standards and a testing program it will accept for the purpose of admitting a child to kindergarten or first grade who fails to meet the age requirement. Each child who will be the proper age for entrance to kindergarten or first grade by the first day of January of the school year for which admission is requested shall be so tested upon the request of the child's parent.

Citation: ORC 3321.02

<http://codes.ohio.gov/orc/3321.01>

Early entrance to first grade

■ Example 1: Ohio

Policy Language:

(C) Except as provided in division (D) of this section, no school district shall admit to the first grade any child who has not successfully completed kindergarten.

(D) Upon request of a parent, the requirement of division (C) of this section may be waived by the district's pupil personnel services committee in the case of a child who is at least six years of age by the thirtieth day of September of the year of admittance and who demonstrates to the satisfaction of the committee the possession of the social, emotional, and cognitive skills necessary for first grade.

Citation: 33 ORC 3321.01 Compulsory school age - requirements for admission to kindergarten or first grade

<http://codes.ohio.gov/orc/3321.01>

■ Example 2: Kentucky

Policy Language:

158.031 Primary school program — Authority for administrative regulations — Attributes — Part time attendance — Grouping — Advancement — Reporting requirements. (6) A school district may advance a student through the primary program when it is determined that it is in the best educational interest of the student. A student who is at least five (5) years of age, but less than six (6) years of age, and is advanced in the primary program may be classified as other than a kindergarten student for purposes of funding under KRS 157.310 to 157.440 if the student is determined to have acquired the academic and social skills taught in kindergarten as determined by local board policy in accordance with the process established by Kentucky Board of Education administrative regulation.

Citation: 158.031 Primary school program — Authority for administrative regulations — Attributes — Part time attendance — Grouping — Advancement — Reporting requirements.

<http://www.lrc.state.ky.us/krs/158-00/031.PDF>

Grade-based acceleration

■ Example 1: Alabama

Policy Language:

(6) Placement and Service Delivery Options. LEAs must utilize a variety of service delivery options that may include but are not limited to resource room pull-out, consultation, mentorships, advanced classes, and independent study. Gifted students' need for complexity and accelerated pacing must be accommodated for in the general education program. Accommodations may include strategies such as flexible skills grouping, cluster grouping with differentiation, curriculum compacting, subject and grade acceleration, dual enrollment, and advanced classes. Each LEA must establish and implement a procedure for considering any requests for subject or grade acceleration. The procedures must be approved by the State Department of Education and will be included in the LEA Plan for Gifted.

Citation: AAC 290-8-9-.12(6)

<ftp://ftp.alsde.edu/documents/65/Gifted%20AAC.pdf>

Content-based acceleration

■ Example 1: Alabama

Policy Language:

(6) *Placement and Service Delivery Options.* LEAs must utilize a variety of service delivery options that may include but are not limited to resource room pull-out, consultation, mentorships, advanced classes, and independent study. Gifted students' need for complexity and accelerated pacing must be accommodated for in the general education program. Accommodations may include strategies such as flexible skills grouping, cluster grouping with differentiation, curriculum compacting, subject and grade acceleration, dual enrollment, and advanced classes. Each LEA

must establish and implement a procedure for considering any requests for subject or grade acceleration. The procedures must be approved by the State Department of Education and will be included in the LEA Plan for Gifted.

Citation: AAC 290-8-9-.12(6)

<ftp://ftp.alsde.edu/documents/65/Gifted%20AAC.pdf>

■ Example 2: Ohio

Policy Language:

Students who can exceed the grade-level indicators and benchmarks set forth in the standards must be afforded the opportunity and be encouraged to do so. Students who are gifted may require special services or activities in order to fully develop their intellectual, creative, artistic and academic capabilities or to excel in a specific content area. Again, the point of departure is the standards-based curriculum.

...

Sections (D),(E), and (F) of OAC 3301-35-06 specify that instruction for students in grades K-12 shall be provided in curricular areas identified in sections 3301.07, 3313.60, 3313.602, and 3313.90 of the Revised Code that are *“appropriate for the student’s age and ability level... and that reflect the mission and strategic plan of the district and school.”*

...

Accelerated Placement

- a) The acceleration evaluation committee shall specify an appropriate transition period for accelerated placement for early entrants to kindergarten, grade-level accelerated students, and students accelerated in individual subject areas.
 - i) At any time during the transition period, a parent or legal guardian of the student may request in writing that the student be withdrawn from accelerated placement. In such cases, the principal shall remove the student without repercussions from the accelerated placement.
 - ii) At any time during the transition period, a parent or legal guardian of the student may request in writing an alternative accelerated placement. In such cases, the principal shall direct the acceleration committee to consider other accelerative options and issue a decision within 30 days of receiving the request from the parent or legal guardian. If the student will be placed in an accelerated setting different from that initially recommended by the acceleration evaluation committee, the student’s written acceleration plan shall be revised accordingly, and a new transition period shall be specified.
- b) At the end of the transition period, the accelerated placement shall become permanent. The student’s records shall be modified accordingly, and the acceleration implementation plan shall become part of the student’s permanent record to facilitate continuous progress through the curriculum.

Citation: Model Student Acceleration Policy for Advanced Learners (pp 1, 8, emphasis in original)

<http://www.ode.state.oh.us/GD/DocumentManagement/DocumentDownload.aspx?DocumentID=7584>

Dual enrollment

■ Example 1: Arkansas

Policy Language:

4.00 Enrollment Guidelines for Students Who Have Completed the Eighth Grade

4.01 Any student who is enrolled in grades 9-12 in an Arkansas public school shall be eligible to enroll in a publicly supported community college, technical college or four-year college or university in accordance with the rules and regulations adopted by the college or university.

4.02 Any public school student in grades 9-12 who enrolls in and successfully completes a course(s) offered by such a college, technical college or university or private institution shall be entitled to receive both high school and college grades and credit (credit earned by CLEP examination may not be counted as high school credit) toward graduation, as outlined in these regulations.

4.03 Students must comply with applicable enrollment or graduation requirements of the public high school.

4.04 Three semester hours of college credit taken by a student in grades 9-12 at a publicly supported community college, technical college or four-year college or university or private institution shall be the equivalent of one-half unit of high school credit.

4.05 College credit earned at a publicly supported community college, technical college or four-year college or university or private institution by an eligible student shall be counted by the high school toward graduation, including credit earned during summer terms.

4.06 All costs of higher education courses taken for concurrent college credit are the student's responsibility.

Citation: 6-18-223. Credit for college courses.

■ Example 2: Ohio

Policy Language:

Sec. 3365.02. There is hereby established the post-secondary enrollment options program under which a secondary grade student who is a resident of this state may enroll at a college, on a full- or part-time basis, and complete non-sectarian courses for high school and college credit. The purpose of the program is to provide enriched education opportunities to secondary grade students that are beyond the opportunities offered by the high school in which they are enrolled.

Secondary grade students in a nonpublic school may participate in the post-secondary enrollment options program if the chief administrator of such school notifies the department of education by the first day of April prior to the school year in which the school's students will participate.

The state board of education, after consulting with the board of regents, shall adopt rules governing the program. The rules shall include:

(A) Requirements for school districts, community schools, or participating nonpublic schools to provide information about the program prior to the first day of March of each year to all students enrolled in grades eight through eleven;

(B) A requirement that a student or the student's parent inform the district board of education, the governing authority of a community school, or the nonpublic school administrator by the thirtieth day of March of the student's intent to participate in the program during the following school year. The rule shall provide that any student who fails to no-

tify a district board, the governing authority of a community school, or the nonpublic school administrator by the required date may not participate in the program during the following school year without the written consent of the district superintendent, the governing authority of a community school, or the nonpublic school administrator.

(C) Requirements that school districts and community schools provide counseling services to students in grades eight through eleven and to their parents before the students participate in the program under this chapter to ensure that students and parents are fully aware of the possible risks and consequences of participation. Counseling information shall include without limitation:

- (1) Program eligibility;
- (2) The process for granting academic credits;
- (3) Financial arrangements for tuition, books, materials, and fees;
- (4) Criteria for any transportation aid;
- (5) Available support services;
- (6) Scheduling;
- (7) The consequences of failing or not completing a course in which the student enrolls and the effect of the grade attained in the course being included in the student's grade point average, if applicable;
- (8) The effect of program participation on the student's ability to complete the district's, community school's, or nonpublic school's graduation requirements;
- (9) The academic and social responsibilities of students and parents under the program;
- (10) Information about and encouragement to use the counseling services of the college in which the student intends to enroll.

(D) A requirement that the student and the student's parent sign a form, provided by the school district or school, stating that they have received the counseling required by division (C) of this section and that they understand the responsibilities they must assume in the program;

(E) The options required by section 3365.04 of the Revised Code;

(F) A requirement that a student may not enroll in any specific college course through the program if the student has taken high school courses in the same subject area as that college course and has failed to attain a cumulative grade point average of at least 3.0 on a 4.0 scale, or the equivalent, in such completed high school courses;

(G) A requirement that a student or the student's parent will reimburse the state for the amount of state funds paid to a college for a course in which the student is enrolled under this chapter if the student does not attain a passing final grade in that course.

Sec. 3365.04. The rules adopted under section 3365.02 of the Revised Code shall provide for students to enroll in courses under either of the following options:

(A) The student may elect at the time of enrollment to receive only college credit or be responsible for payment of all tuition and the cost of all textbooks, materials, and fees associated with the course. The college shall notify the student about payment of tuition and fees in the customary manner followed by the college, and the student shall be responsible for payment of all tuition and the cost of all textbooks, materials, and fees associated with the course. A student electing this option also shall elect, at the time of enrollment, whether to receive only college credit or high school credit and college credit for the course.

- (1) The student may elect to receive only college credit for the course. Except as provided in section 3365.041 of the Revised Code, if the student successfully completes the course, the college shall award the student full credit for the course, but the board of education, community school governing authority, or nonpublic participating school shall not award the high school credit.
- (2) The student may elect to receive both high school credit and college credit for the course. Except as provided in section 3365.041 of the Revised Code, if the student successfully completes the course, the college

shall award the student full credit for the course and the board of education, community school governing authority, or nonpublic school shall award the student high school credit.

(B) The student may elect at the time of enrollment for each course to receive both have the college credit and high school credit reimbursed under section 3365.07 of the Revised Code. Except as provided in section 3365.041 of the Revised Code, if the student successfully completes the course, the college shall award the student full credit for the course, the board of education, community school governing authority, or nonpublic school shall award the student high school credit, and the college shall be reimbursed in accordance with section 3365.07 of the Revised Code.

When determining a school district's formula ADM under section 3317.03 of the Revised Code, the time a participant is attending courses under division (A) of this section shall be considered as time the participant is not attending or enrolled in school anywhere, and the time a participant is attending courses under division (B) of this section shall be considered as time the participant is attending or enrolled in the district's schools.

Sec. 3365.05. High school credit awarded for courses successfully completed under this chapter shall count toward the graduation requirements and subject area requirements of the school district, community school, or nonpublic school. If a course comparable to one a student completed at a college is offered by the district, community school, or nonpublic school, the board or school shall award comparable credit for the course completed at the college. If no comparable course is offered by the district, community school, or nonpublic school, the board or school shall grant an appropriate number of credits in a similar subject area to the student.

If there is a dispute between a school district board or a community school governing authority and a student regarding high school credits granted for a course, the student may appeal the board's or governing authority's decision to the state board of education. The state board's decision regarding any high school credits granted under this division section is final.

Evidence of successful completion of each course and the high school credits awarded by the district, community school, or participating nonpublic school shall be included in the student's record. The record shall indicate that the credits were earned as a participant under this chapter and shall include the name of the college at which the credits were earned. The district board, community school governing authority, or nonpublic school shall determine whether and the manner in which the grade achieved in a course completed at a college under division (A)(2) or (B) of section 3365.04 of the Revised Code will be counted in any cumulative grade point average maintained for the student.

Sec. 3365.08.

(A) A college that expects to receive or receives reimbursement under section 3365.07 of the Revised Code shall furnish to a participant all textbooks and materials directly related to a course taken by the participant under division (B) of section 3365.04 of the Revised Code. No college shall charge such participant for tuition, textbooks, materials, or other fees directly related to any such course.

(B) No student enrolled under this chapter in a course for which credit toward high school graduation is awarded shall receive direct financial aid through any state or federal program.

(C) If a school district provides transportation for resident school students in grades eleven and twelve under section 3327.01 of the Revised Code, a parent of a pupil enrolled in a course under division (A)(2) or (B) of section 3365.04 of the Revised Code may apply to the board of education for full or partial reimbursement for the necessary costs of transporting the student between the secondary school the student attends and the college in which the student is enrolled. Reimbursement may be paid solely from funds received by the district under division (D) of section 3317.022 of the Revised Code. The state board of education shall establish guidelines, based on financial need, under which a district may provide such reimbursement.

(D) If a community school provides or arranges transportation for its pupils in grades nine through twelve under section 3314.091 of the Revised Code, a parent of a pupil of the community school who is enrolled in a course

under division (A)(2) or (B) of section 3365.04 of the Revised Code may apply to the governing authority of the community school for full or partial reimbursement of the necessary costs of transporting the student between the community school and the college. The governing authority may pay the reimbursement in accordance with the state board's rules adopted under division (C) of this section solely from funds paid to it under section 3314.091 of the Revised Code.

Citation: Sections 3365.02 – 3365.11 Post Secondary Enrollment Options Program

<http://regents.ohio.gov/legislative/OperatingBudget/PermanentLaw/postsecondary.php>

Advanced Placement opportunities

■ Example 1: Arkansas

Policy Language:

6-16-1201.Purpose. To ensure that each student has an adequate education, the General Assembly finds that each student should have access to a rigorous and substantially equal curriculum.

6-16-1202.Definitions. As used in this subchapter:

(1)“Advanced Placement course” means a high school level preparatory course for a college Advanced Placement test that:

- (A) Incorporates all topics specified by the College Board and Educational Testing Service on its standards syllabus for a given subject area; and
- (B) Is approved by the College Board and Educational Testing Service;

(2)“Endorsed concurrent enrollment course” means a college level course offered by an institution of higher education in this state that upon completion would qualify for academic credit in both the institution of higher education and a public high school that:

- (A) Is in one (1) of the four (4) core areas of math, English, science, and social studies;
- (B) Meets the requirements of § 6-16-1204(b); and
- (C) Is listed in the Arkansas Course Transfer System of the Department of Higher Education;

(3)“Pre-Advanced Placement course” means a middle school, junior high school, or high school level course that specifically prepares students to enroll and to participate in an advanced course; and

(4)“Vertical team” means a group of educators from different grade levels in a given discipline who work cooperatively to develop and implement a vertically aligned program aimed at helping students from diverse backgrounds acquire the academic skills necessary for success in the Advanced Placement program and other challenging coursework.

6-16-1203.Teacher skills and training.

- (a) (1) A teacher of an Advanced Placement course must obtain appropriate training.
- (2) The State Board of Education shall establish clear, specific, and challenging training guidelines that require teachers of College Board advanced placement courses and teachers of pre-Advanced Placement courses to obtain College Board sponsored or endorsed training.
- (3) The training may include vertical team training.
- (b)An instructor of an endorsed concurrent enrollment course shall have:
 - (1) (A)No less than a master's degree that includes at least eighteen (18) hours of completed course work in the subject area of the endorsed concurrent enrollment course.
 - (B)The instructor's credentials shall be approved by the academic unit or chief academic officer of the institution of higher education offering the endorsed concurrent enrollment course; and

(2) The relevant credentials and experience necessary to teach from the syllabus approved by the institution of higher education granting the course credit.

6-16-1204. Implementation.

- (a) (1) In order to prepare students for the rigor inherent in Advanced Placement courses, school districts shall offer pre-Advanced Placement courses to prepare students for the demands of Advanced Placement coursework.
- (2) The Department of Education shall approve all classes designated as pre-Advanced Placement courses.
- (b) An endorsed concurrent enrollment course must meet the following requirements:
 - (1) The course must be a course offered by an institution of higher learning in this state that is:
 - (A) Approved through the institution of higher learning's normal process; and
 - (B) Listed in the institution of higher learning's catalog;
 - (2) The course content and instruction must meet the same standards and adopt the same learning outcomes as those developed for a course taught on the campus of the institution of higher education, including without limitation:
 - (A) The administration of any departmental exams applicable to the course; and
 - (B) The use of substantially the same book and syllabus as is used at the college level;
 - (3) The course must be taught by an instructor with the qualifications required under § 6-16-1203(b);
 - (4) The institution of higher education offering the course must:
 - (A) Provide to the course instructor staff development, supervision, and evaluation; and
 - (B) (i) Provide the students enrolled in the course with:
 - (a) Academic guidance counseling; and
 - (b) The opportunity to utilize the on-campus library or other academic resources of the institution of higher education.
 - (ii) Nothing in this subdivision (b)(4) shall preclude institutions of higher education from collaborating to meet the requirements of this subdivision (b)(4);
 - (5) To be eligible to enroll in an endorsed concurrent enrollment course, the student must:
 - (A) Be admitted by the institution of higher education as a non-degree or non-certificate seeking student; and
 - (B) Meet all of the prerequisites for the course in which he or she is enrolled; and
 - (6) (A) Credit for the endorsed concurrent enrollment course may only be awarded by the institution of higher education offering the course.
- (c) Beginning with the 2008-2009 school year, all school districts shall offer one (1) College Board Advanced Placement course in each of the four (4) core areas of math, English, science, and social studies for a total of four (4) courses.
- (d) (1) The requirement under subsection (c) of this section shall be phased in over a period of four (4) years beginning with the 2005-2006 school year.
- (2) Beginning with the 2008-2009 school year, all high schools in Arkansas shall offer a minimum of four (4) Advanced Placement courses by adding at least one (1) core course each year to the list of courses available to high school students.

6-16-1206. Exemption. Any high school offering the International Baccalaureate Diploma Program shall be exempt from the provisions of this subchapter.

Citation:

Arkansas Code sections 6-16-1201 through 6-16-1204; 6-16-1206

http://arkansased.org/rules/pdf/current/ade_260_apcore_0807_current.pdf

■ Example 2: Florida

Policy Language:

- (1) This section may be referred to by the popular name the “Florida Partnership for Minority and Underrepresented Student Achievement Act.”
- (6) The partnership shall:
 - (a) Provide teacher training and professional development to enable teachers of AP or other advanced courses to have the necessary content knowledge and instructional skills to prepare students for success on AP or other advanced course examinations and mastery of postsecondary course content.
 - (b) Provide to middle school teachers and administrators professional development that will enable them to educate middle school students at the level necessary to prepare the students to enter high school ready to participate in advanced courses.
 - (c) Provide teacher training and materials that are aligned with the Sunshine State Standards and are consistent with best theory and practice regarding multiple learning styles and research on learning, instructional strategies, instructional design, and classroom assessment. Curriculum materials must be based on current, accepted, and essential academic knowledge. Materials for prerequisite courses should, at a minimum, address the skills assessed on the Florida Comprehensive Assessment Test (FCAT).
 - (d) Provide assessment of individual strengths and weaknesses as related to potential success in AP or other advanced courses and readiness for college.
 - (e) Provide college entrance exam preparation through a variety of means that may include, but are not limited to, training teachers to provide courses at schools; training community organizations to provide courses at community centers, faith-based organizations, and businesses; and providing online courses.
 - (f) Consider ways to incorporate community colleges in the mission of preparing all students for postsecondary success.
 - (g) Provide a plan for communication and coordination of efforts with the Florida Virtual School’s provision of online AP or other advanced courses.
 - (h) Work with school districts to identify minority and underrepresented students for participation in AP or other advanced courses.
 - (i) Work with school districts to provide information to students and parents that explains available opportunities for students to take AP and other advanced courses and that explains enrollment procedures that students must follow to enroll in such courses. Such information must also explain the value of such courses as they relate to:
 1. Preparing the student for postsecondary level coursework.
 2. Enabling the student to gain access to postsecondary education opportunities.
 3. Qualifying for scholarships and other financial aid opportunities.

Citation: 1007.35 Florida Partnership for Minority and Underrepresented Student Achievement.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=Ch1007/SEC35.HTM&Title=-%3e2004-%3eCh1007-%3eSection%2035

Early high school graduation/early entrance to college

■ Example 1: North Carolina

Policy Language:

Duty to encourage early entry of motivated students into four-year college programs. – The State Board of Education, in cooperation with the Education Cabinet, shall work with local school administrative units, the constituent institutions of The University of North Carolina, local community colleges, and private colleges and universities to (i) encourage early entry of motivated students into four-year college programs and to (ii) ensure that there are opportunities at four-year institutions for academically talented high school students to get an early start on college coursework, either at nearby institutions or through distance learning.

The State Board of Education shall also adopt policies directing school guidance counselors to make ninth grade students aware of the potential to complete high school courses required for college entry in a three-year period.

Citation: North Carolina Statute §115C-12(32) Powers and duties of the Board generally.

http://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_115C/GS_115C-12.html

■ Example 2: Florida

Policy Language:

(1) Students who enter grade 9 in the 2006-2007 school year and thereafter may select, upon receipt of each consent required by this section, one of the following three high school graduation options:

- (a) Completion of the general requirements for high school graduation pursuant to sec. 1003.43;
- (b) Completion of a 3-year standard college preparatory program requiring successful completion of a minimum of 18 academic credits in grades 9 through 12. At least 6 of the 18 credits required for completion of this program must be received in classes that are offered pursuant to the International Baccalaureate Program, the Advanced Placement Program, dual enrollment, Advanced International Certificate of Education, or specifically listed or identified by the Department of Education as rigorous pursuant to s. 1009.531(3). The 18 credits required for completion of this program shall be primary requirements and shall be distributed as follows:
 1. Four credits in English, with major concentration in composition and literature;
 2. Three credits in mathematics at the Algebra I level or higher from the list of courses that qualify for state university admission;
 3. Three credits in natural science, two of which must have a laboratory component;
 4. Three credits in social sciences, which must include one credit in American history, one credit in world history, one-half credit in American government, and one-half credit in economics;
 5. Two credits in the same second language unless the student is a native speaker of or can otherwise demonstrate competency in a language other than English. If the student demonstrates competency in another language, the student may replace the language requirement with two credits in other academic courses; and
 6. Three credits in electives; or
- (c) Completion of a 3-year career preparatory program requiring successful completion of a minimum of 18 academic credits in grades 9 through 12. The 18 credits shall be primary requirements and shall be distributed as follows:
 1. Four credits in English, with major concentration in composition and literature;
 2. Three credits in mathematics, one of which must be Algebra I;
 3. Three credits in natural science, two of which must have a laboratory component;
 4. Three credits in social sciences, which must include one credit in American history, one credit in world history, one-half credit in American government, and one-half credit in economics;

5. Three credits in a single vocational or career education program, three credits in career and technical certificate dual enrollment courses, or five credits in vocational or career education courses; and
6. Two credits in electives unless five credits are earned pursuant to subparagraph 5.

Any student who selected an accelerated graduation program before July 1, 2004, may continue that program, and all statutory program requirements that were applicable when the student made the program choice shall remain applicable to the student as long as the student continues that program.

- (2) Prior to selecting a program described in paragraph (1)(b) or paragraph (1)(c), a student and the student's parent must meet with designated school personnel to receive an explanation of the relative requirements, advantages, and disadvantages of each program option, and the student must also receive the written consent of the student's parent.
- (3) Beginning with the 2006-2007 school year, each district school board shall provide each student in grades 6 through 9 and their parents with information concerning the 3-year and 4-year high school graduation options listed in subsection (1), including the respective curriculum requirements for those options, so that the students and their parents may select the program that best fits their needs. The information must include a timeframe for achieving each graduation option.
- (4) Selection of one of the graduation options listed in subsection (1) must be completed by the student prior to the end of grade 9 and is exclusively up to the student and parent, subject to the requirements in subsection (2). Each district school board shall establish policies for extending this deadline to the end of a student's first semester of grade 10 for a student who entered a Florida public school after grade 9 upon transfer from a private school or another state or who was prevented from choosing a graduation option due to illness during grade 9. If the student and parent fail to select a graduation option, the student shall be considered to have selected the general requirements for high school graduation pursuant to paragraph (1)(a).
- (5) District school boards may not establish requirements for accelerated 3-year high school graduation options in excess of the requirements in paragraphs (1)(b) and (c).
- (6) Students pursuing accelerated 3-year high school graduation options pursuant to paragraph (1)(b) or paragraph (1)(c) are required to:
 - (a) Earn passing scores on the FCAT as defined in s. 1008.22(3)(c) or scores on a standardized test that are concordant with passing scores on the FCAT as defined in s. 1008.22(10).
 - (b) 1. Achieve a cumulative weighted grade point average of 3.5 on a 4.0 scale, or its equivalent, in the courses required for the college preparatory accelerated 3-year high school graduation option pursuant to paragraph (1)(b); or
2. Achieve a cumulative weighted grade point average of 3.0 on a 4.0 scale, or its equivalent, in the courses required for the career preparatory accelerated 3-year high school graduation option pursuant to paragraph (1)(c).
 - (c) Receive a weighted or unweighted grade that earns at least 3.0 points, or its equivalent, to earn course credit toward the 18 credits required for the college preparatory accelerated 3-year high school graduation option pursuant to paragraph (1)(b).
 - (d) Receive a weighted or unweighted grade that earns at least 2.0 points, or its equivalent, to earn course credit toward the 18 credits required for the career preparatory accelerated 3-year high school graduation option pursuant to paragraph (1)(c).Weighted grades referred to in paragraphs (b), (c), and (d) shall be applied to those courses specifically listed or identified by the department as rigorous pursuant to s. 1009.531(3) or weighted by the district school board for class ranking purposes.
- (7) If, at the end of grade 10, a student is not on track to meet the credit, assessment, or grade-point-average requirements of the accelerated graduation option selected, the school shall notify the student and parent of the following:
 - (a) The requirements that the student is not currently meeting.

- (b) The specific performance necessary in grade 11 for the student to meet the accelerated graduation requirements.
- (c) The right of the student to change to the 4-year program set forth in s. 1003.43.
- (8) A student who selected one of the accelerated 3-year graduation options shall automatically move to the 4-year program set forth in s. 1003.43 if the student:
 - (a) Exercises his or her right to change to the 4-year program;
 - (b) Fails to earn 5 credits by the end of grade 9 or fails to earn 11 credits by the end of grade 10;
 - (c) Does not achieve a score of 3 or higher on the grade 10 FCAT Writing assessment; or
 - (d) By the end of grade 11 does not meet the requirements of subsections (1) and (6).
- (9) A student who meets all requirements prescribed in subsections (1) and (6) shall be awarded a standard diploma in a form prescribed by the State Board of Education.

Citation: 1003.429 Accelerated high school graduation options.

http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=Ch1003/ch1003.htm

Sample Policy Language Related to Developing an Academic Acceleration Policy

Regulations that specify desirable program options for high-ability learners

■ Example 1: Washington

Policy Language:

WAC 392-170-037: Learning opportunities shown by research and practice to be especially effective with highly capable students include, but are not limited to:

- (1) Accelerated learning opportunities;
- (2) Grouping arrangements that provide intellectual and interest peer group interactions;
- (3) Cooperative agreements between K-12 schools and institutions of higher education providing for concurrent enrollment, dual credit, and other advance and/or postsecondary options;
- (4) Programs designed to coordinate, combine and/or share resources, people and facilities within a district or building in order to maximize access to and utilization of available resources for supporting students' learning;
- (5) Mentorships and career exploration opportunities.

WAC 392-170-078: Education program plans for each identified highly capable student or plans for a group of students with similar academic abilities shall be developed based on the results of the assessed academic need of that student or group of students. A variety of appropriate program services shall be made available. Once services are started, a continuum of services shall be provided and may include kindergarten through twelfth grade.

Citation: Washington Administrative Code (WAC) sections 392-170-037; 392-170-078

<http://apps.leg.wa.gov/RCW/default.aspx?cite=28A.185>

and

<http://apps.leg.wa.gov/wac/default.aspx?cite=392-170&full=true>

■ Example 2: Alabama

Policy Language:

Placement and Service Delivery Options. LEAs must utilize a variety of service delivery options that may include but are not limited to resource room pull-out, consultation, mentorships, advanced classes, and independent study. Gifted students' need for complexity and accelerated pacing must be accommodated for in the general education program. Accommodations may include strategies such as flexible skills grouping, cluster grouping with differentiation, curriculum compacting, subject and grade acceleration, dual enrollment, and advanced classes. Each LEA must establish and implement a procedure for considering any requests for subject or grade acceleration. The procedures must be approved by the State Department of Education and will be included in the LEA Plan for Gifted.

(a) Modes of service delivery may vary by grade and/or grade level cluster but must be consistent from school to school. In addition, services must be comparable in quality and duration from school to school within an LEA.

(b) Modes of service delivery to each grade level or grade level cluster or the intent to utilize general education staff to teach advanced classes must be approved by the State Department of Education in the *LEA Plan for Gifted*. In the event that general education staff are utilized, they must be knowledgeable of gifted learners, trained in differentiation, and demonstrate a willingness to address the needs of diverse learners. Exceptions to the modes of service delivery for any grade or grade level cluster require prior state approval.

(c) The recommended modes for services are as follows:

1. Grades K-2—regular classroom accommodations with consultation from a gifted specialist as needed. The general education teacher should be knowledgeable of gifted learners, trained in differentiation, and demonstrate a willingness to address the needs of diverse learners.
2. Grades 3-5/6—resource room pull-out for 3-5 hours a week,
3. Grades 6/7-8—pull-out services including electives and enrichment clusters, and/or, advanced classes in the core content areas.
4. Grades 9-12—advanced classes (including Advanced Placement and International Baccalaureate), electives, dual enrollment (where available), career/college counseling, mentorships, seminars, and independent studies.

Citation: AAC 290-8-9-.12(6)

<ftp://ftp.alsde.edu/documents/65/Gifted%20AAC.pdf>

Regulations that reference special populations of gifted students

■ Example 1: Maine (addresses highly gifted students)

Policy Language:

104.04 ~ General Principles for Gifted and Talented Educational Programs
Gifted and talented programs in the State are to be based on the following educational principles:...

5. Highly gifted and talented children may need further modifications to their educational programs; therefore, appropriate adjustments or alternatives to their gifted and talented programs must be made.

Citation: Chapter 104 Educational Programs for Gifted and Talented Children

http://www.link75.org/sad75new/pages/services/gifted_talented/images/New%20Website/Identification/Chapter104.pdf

■ **Example 2: Pennsylvania** (addresses twice-exceptional students)

Policy Language:

(a) Nothing in this chapter [which outlines guidelines for gifted education] is intended to reduce the protections afforded to students who are eligible for special education as provided for under Chapters 14 and 342 (relating to special education services and programs) and the Individuals with Disabilities Education Act (20 U.S.C.A. §§ 1400—1485).

(b) If a student is determined to be both gifted and eligible for special education, the procedures in Chapter 14 and 342 shall take precedence. For these students identified with dual exceptionalities, the needs established under gifted status in this chapter shall be fully addressed in the procedures required in Chapters 14 and 342.

(c) For students who are gifted and eligible for special education, it is not necessary for school districts to conduct separate screening and evaluations, develop separate IEPs, or use separate procedural safeguards processes to provide for a student's needs as both a gifted and an eligible student.

Citation: Title 22, Chapter 16.7 Special education

<http://www.pabulletin.com/secure/data/vol30/30-50/2124.html>

Regulation related to promotion based on proficiency

■ **Example 1: Oklahoma**

Policy Language:

I. Proficiency Based Promotion

A. Upon the request of a student, parent, guardian, or educator, a student will be given the opportunity to demonstrate proficiency in one or more areas of the core curriculum.

1. Proficiency will be demonstrated by assessment or evaluation appropriate to the curriculum area, for example: portfolios, criterion-referenced test, thesis, project, product or performance. Proficiency in all laboratory sciences will require that students are able to perform relevant laboratory techniques.

2. Students shall have the opportunity to demonstrate proficiency in the core areas as identified in 70 O.S. 11-103.6:

- a. Social Studies
- b. Language Arts
- c. the Arts
- d. Languages
- e. Mathematics
- f. Science

3. Proficiency for advancing to the next level will be demonstrated by a score of 90 percent or comparable performance on an assessment or demonstration.
 4. The opportunity for proficiency assessment will be provided at least once each school year for the 1993-94 and 1994-95 school years. Beginning with the 1995-96 year, the opportunity will be provided at least twice each year.
 5. Qualifying students are those who are legally enrolled in the local school district.
 6. The district may not require registration for the proficiency assessment more than one month in advance of the assessment date.
 7. Students will be allowed to take the proficiency assessments in multiple subject areas.
 8. Students not demonstrating proficiency will be allowed to try again during the next assessment period.
 9. Exceptions to standard assessment may be approved by a local district for those students with disabling conditions.
- B. Students demonstrating proficiency in a core curriculum area will be given credit for their learning and will be given the opportunity to advance to the next level of study in the appropriate curriculum area.
1. The school will confer with parents in making such promotion/acceleration decisions. Such factors as social and mental growth should be considered.
 2. If the parent or guardian requests promotion/acceleration contrary to the recommendation of school personnel, the parent or guardian shall sign a written statement to that effect. This statement shall be included in the permanent record of the student.
 3. Failure to demonstrate proficiency will not be noted on the transcript.
 4. Students must progress through a curriculum area in a sequential manner. Elementary, middle level, or high school students may demonstrate proficiency and advance to the next level in a curriculum area.
 5. If proficiency is demonstrated in a 9-12 curriculum area, appropriate notation will be placed on the high school transcript. The unit shall count toward meeting the requirements for the high school diploma.
 6. Units earned through proficiency assessment will be transferable with students among school districts within the state of Oklahoma.
- C. Proficiency assessment will measure mastery of the priority academic student skills in the same way that curriculum and instruction are focused on the priority academic student skills. In other words, assessment will be aligned with curriculum and instruction.
- D. Options for accommodating student needs for advancement after they have demonstrated proficiency may include, but are not limited to, the following:
1. Individualized Instruction
 2. Correspondence Courses
 3. Independent Study
 4. Concurrent Enrollment
 5. Cross-Grade Grouping
 6. Cluster Grouping
 7. Grade/Course Advancement
 8. Individualized Education Programs
- E. Each school district will disseminate materials explaining the opportunities of Proficiency Based Promotion to students and parents in the district each year. *Priority Student Skills (PASS)* and type of assessment or evaluation for each core curriculum area will be made available upon request.

II. Appropriate notation for core curriculum area completed

Appropriate notation will be made for elementary, middle level or high school level students satisfactorily completing a 9-12 high school curriculum area. Completion may be recorded with a grade or pass. This unit will count toward meeting the requirements for the high school diploma.

Citation: Oklahoma State Department of Education, Regulations for Proficiency Based Promotion.

<http://sde.state.ok.us/Curriculum/GiftTalent/proficiency.html>

Regulation specifying criteria to award credit based on demonstrated proficiency; procedures to place student

■ Example 1: Texas

Policy Language:

§74.24. Credit by Examination.

(a) General provisions.

(1) A school district must provide at least three days between January 1 and June 30 and three days between July 1 and December 31 annually when examinations for acceleration for each primary school grade level and for credit for secondary school academic subjects required under Texas Education Code, §28.023, shall be administered in Grades 1-12. The days do not need to be consecutive but must be designed to meet the needs of all students. The dates must be publicized in the community.

(2) A school district shall not charge for an exam for acceleration for each primary school grade level or for credit for secondary school academic subjects. If a parent requests an alternative examination, the district may administer and recognize results of a test purchased by the parent or student from Texas Tech University or The University of Texas at Austin.

(3) A school district must have the approval of the district board of trustees to develop its own tests or to purchase examinations that thoroughly test the essential knowledge and skills in the applicable grade level or subject area.

(4) A school district may allow a student to accelerate at a time other than one required in paragraph (1) of this subsection by developing a cost-free option approved by the district board of trustees that allows students to demonstrate academic achievement or proficiency in a subject or grade level.

(b) Assessment for acceleration in kindergarten through Grade 5.

(1) A school district must develop procedures for kindergarten acceleration that are approved by the district board of trustees.

(2) A student in any of Grades 1-5 must be accelerated one grade if he or she meets the following requirements:

(A) the student scores 90% on a criterion-referenced test for the grade level he or she wants to skip in each of the following areas: language arts, mathematics, science, and social studies;

(B) a school district representative recommends that the student be accelerated; and

(C) the student's parent or guardian gives written approval for the acceleration.

(c) Assessment for course credit in Grades 6-12.

(1) A student in any of Grades 6-12 must be given credit for an academic subject in which he or she has had no prior instruction if the student scores 90% on a criterion-referenced test for the applicable course.

(2) If a student is given credit in a subject on the basis of an examination, the school district must enter the examination score on the student's transcript.

(3) In accordance with local school district policy, a student in any of Grades 6-12 may be given credit for an academic subject in which he or she had some prior instruction, if the student scores 70% on a criterion-referenced test for the applicable course

Citation: 19 TAC §74.24, Credit by Examination

http://cistexas.org/sboe/schedule/2007/february/instruction/attachment/03_cbe_a2.pdf