



# Portability

## Exceptional Children's Education Act (ECEA) 1 CCR 301-8

### Definition

"Portability" means that a student's state-approved identification in one or more categories of giftedness transfers to any district in the state. Gifted programming must continue according to the receiving district's programming options. Portability of identification is a part of the student's permanent record and advanced learning plan. C.C.R. 12.01(21) Portability applies to in-state transfers. Transfers into state must meet provisions of Colorado law as determined by the receiving administrative unit.

### Frequently Asked Questions

#### Who is responsible for sending the gifted student records to a receiving school?

The sending school/district is responsible for a procedure that transfers student records to the receiving school/district, including all sections of the Advanced Learning Plan/ALP (student profile in a body of evidence and working document). The ALP is a document of the student's cumulative records and transfers to a new district or school according to local policy and procedures.

#### If the original body of evidence does not comply with statewide identification policy but the student is in the student's district gifted program, is this identification portable?

No. The district will need to speak with the parents and student about collecting a body of evidence to make a determination of the area(s) of giftedness and programming recommendations prior to a transfer to a new school/district. If the re-evaluation is not completed prior to the transfer, professional ethics suggests communication with the receiving school/district about sharing of information and the need to evaluate.

#### What should district/school personnel do if a transfer student has no advanced learning plan with the cumulative records and parents are saying that the student was identified as a gifted student in the former district?

Investigate. Connect with the sending school and the child's former teacher and gifted education director/coordinator to determine status of exceptionality and to request transfer of the ALP, if the student is identified. The district's or BOCES gifted education staff might also be personnel with information about students with ALPs and management of the ALP for transfer purposes.

### 12.02(2)(e) Identification Portability

*Administrative units shall implement procedures for statewide portability of identification that include, but may not be limited to:*

- *A requirement that the sending school/district transfer the body of evidence for identification and the ALP with student records when the student moves from one district to another;*
- *Review of the transferred student's ALP within 45 school days of start date to determine programming options and services that serve the identified area(s) according to the district and community resources of the receiving district;*
- *If the receiving districts finds the body of evidence to be incomplete, the receiving district shall consult with, as practical, the former district, parents, and student, and re-evaluate the identification determination;*
- *Communication to parents within 60 school days of start date about how the new district will meet the needs outlined in the student's ALP.*

**What does portability mean in terms of assessment tools?**

Statewide portability requires assessment ethics and implementation fidelity. Portability supports assessment tools that meet reliability and validity standards for normed referenced tests, qualitative tools, and/or performance assessment.

**May a district have higher criteria than the state for identification preventing a transfer student from gifted programming in the new district?**

No. ECEA regulations articulate criteria for identification and portability. There are also varied pathways for identification - not all data relies on quantitative assessments. An administrative unit may have higher criteria for "admission" into specialized gifted programming options. This, however, does not exclude transfer students from gifted programming under state criteria.

**What happens if a transferred gifted student has an ALP without sufficient evidence of exceptionality?**

The receiving administrative unit personnel (director/coordinator, resource person) will need to explain the situation and need for additional data to parents. The receiving school shall seek information from the former school/district, as is practical. Without sufficient evidence for determining programming/ ALP goals, the receiving school/district is required to re-evaluate the student for exceptional potential.

**In what ways may we prepare families for a transfer to a new district and school?**

Districts may have protocols and procedures for students transferring into and outside the district. It is recommended that the gifted education staff access the local guidelines if available. In general, transfers to new districts are successful when:

- The student is a part of the transfer conversation.
- A school visitation is arranged prior to the start date for building comfort, initial rapport, and connection.
- A staff member explains what is the same and different from one district/school to the next.
- Staff at the sending and receiving schools connects about identification needs and ALP planning for the student.
- Advanced learning plan documents transfer successfully with the student's educational records.

**Does a gifted student transferring as a military family have portability from state to state?**

The Interstate Commission on Educational Opportunity for Military Children is a compact signed by all 50 states that details provisions for the educational transfer of military children across states ([www.mic3.net](http://www.mic3.net)). (<http://www.mic3.net/documents/MIC3CommissionRules-Final-amendedNov2012v2.pdf>). The transfer process is similar to in-state portability considerations. Specifically detailed in Section 5 of the Rules for administering the Military Compact: SEC. 5.102 *Educational program placement - The receiving state school shall initially honor placement of the student in educational programs based on current educational assessments conducted at the school in the sending state or participation/placement in like programs in the sending state. Such programs include, but are not limited to: 1) gifted and talented programs; and 2) English as a second language (ESL). The receiving school may perform subsequent evaluations to ensure appropriate placement and continued enrollment of the student in the course(s). The receiving school may allow the student to attend similar educational courses in other schools within the LEA if the receiving school does not offer such programs.* (The receiving school may re-evaluate for appropriate identification and programming.)

**How might a school prevent “missing” or “not recognizing” a transferred gifted student when the ALP is delayed or missing?**

It is recommended that schools/districts include on admission paperwork, a statement or question about prior participation in gifted programming. Office staff and administration should be aware of potential gifted student transfers and have a process to notify gifted education personnel about transfers in and out of the school/district.

**What happens if a student is identified and received gifted programming in the sending district, but whose files indicate “does not qualify for portability”?**

Investigate. Speak with the child’s former teacher(s) and gifted education director/coordinator about the student’s identification assessment and body of evidence. Was the student in a talent pool? Were parents notified about statewide provisions for identification portability? If sufficient data is not available, re-evaluate. (Note: It is professional preference that the sending school re-evaluates and conference with the family prior to the transfer.)

**What does the receiving school do when parents are unaware of lack of identification evidence or that their child’s ALP is insufficient when the student transfers to a new school/district?**

This potentially sensitive situation demands care and understanding. It is essential for staff to be honest and transparent with parents about the situation and ethics of portability. A description of the re-evaluation process and tools should be shared with a focus on its positive benefits to the student: assessment of current strengths, interests, and needs; relevant data to inform best instruction; understanding of programming options matched to the student strengths; and building connections with the student and family.

**If a re-evaluation is necessary, does it fall within the 60-day limit?**

Yes. Assessment data, qualitative and quantitative, will need to be collected in a body of evidence, so that needs, goals, and programming may be stated in the student’s ALP and communicated to parents.

**Is the administrative unit (AU), district or Board of Cooperative Education Services (BOCES), responsible for the 45 day provision for review of the ALP and the 60 day provision for communication to the parents about how the district will meet needs in the ALP?**

Yes. The AU as administrator of the Comprehensive Program Plan has implementation and monitoring procedures for schools and districts to implement provisions of portability. It is recommended that procedures are developed collaboratively with member districts.

**Is there a formal process to tell the parents how the administrative unit will meet the needs of their student outlined in the ALP?**

There is a “portability” regulation that requires AUs to communicate with the parent within 60 school days of start date about how the new district will meet the needs outlined in the student’s ALP. It is recommended that staff meet with parents and the student during a face-to-face rapport building conference to discuss identified areas of giftedness, delivery of services, progress monitoring, and connections to standards and student outcomes. This requirement means that the student has an active ALP. The ALP was: reviewed for goals; verified with sufficient evidence; adjusted with programming options available in the AU and matched to the student’s strengths and needs.

Note: Refer to the administrative unit’s formal procedures for family engagement in ALP development and review.

**Who should be informed about portability of gifted student identification?**

Parents, students, the child's teacher(s) and district personnel concerned with student records. The sending school is responsible for the transfer of the gifted student's advanced learning plan (ALP) containing the student profile and working section of ALP goals and progress reporting. The ALP is a part of the student's cumulative record as per ECEA regulations. The receiving school is responsible for review and implementation of the student's ALP.

**What does an administrative unit do if a sending district continuously transfers students without a sufficient body of evidence according to the State's identification pathways?**

There are options for response: 1) Talk with the receiving administrative unit's director or coordinator in good faith as a colleague in the community of gifted education learners offering personal assistance or network support for change; 2) Share this information with the regional consultant who can offer support to the sending AU; 3) Report the case to the State's Office of Gifted Education who will consult with the sending administrative unit gifted education leads.

**Where can I learn more?**

- Local administrative unit – district or Board of Cooperative Services – procedures for transferring students
- Local administrative unit – district or Board of Cooperative Services – gifted education director/coordinator
- Gifted Education Identification Guidelines – [www.cde.state.co.us/gt/resources](http://www.cde.state.co.us/gt/resources)