

STATE DEFINITIONS OF GIFTEDNESS
(as of 8-1-13)

State	Definition	Location
Alabama	Intellectually gifted children and youth are those who perform or who have demonstrated the potential to perform at high levels in academic or creative fields when compared with others of their age, experience, or environment. These children and youth require services not ordinarily provided by the regular school program. Children and youth possessing these abilities can be found in all populations, across all economic strata, and in all areas of human endeavor.	https://docs.alsde.edu/documents/65/AAC%20Gifted%20Code_5-14-2009.pdf
Alaska	"[G]ifted' means exhibiting outstanding intellect, ability, or creative talent." (4 Alaska Admin. Code §52.890)	http://www.touchngo.com/lglcntr/akstats/aac/title04/chapter052/section890.htm
Arizona	In this article, unless the context otherwise requires: "Gifted pupil" means a child who is of lawful school age, who due to superior intellect or advanced learning ability, or both, is not afforded an opportunity for otherwise attainable progress and development in regular classroom instruction and who needs appropriate gifted education services, to achieve at levels commensurate with the child's intellect and ability.	http://www.azleg.gov/form/atdocument.asp?indoc=ars/15/00779.htm&title=15&doctype=ars
Arkansas	Gifted and talented children and youth are those of high potential or ability whose learning characteristics and educational needs require qualitatively differentiated educational experiences and/or services. Possession of these talents and gifts, or the potential for their development, will be evidenced through an interaction of above average intellectual ability, task commitment and /or motivation, and creative ability.	http://www.arkansased.org/divisions/learning-services/gifted-and-talented-and-advanced-placement and http://www.arkansased.org/public/userfiles/Learning_Services/Gifted%20and%20Talented/2009_GT_Revise_Program_Approval_Standards.pdf
California	Students who are enrolled in a public elementary or secondary school and are identified as possessing demonstrated or potential abilities that give evidence of high performance capability, are enrolled in Gifted and Talented Education (GATE). High performance capability is defined by each school district governing board. Each district shall use one or more of the following categories in defining the capability: intellectual, creative, specific academic, leadership, high achievement, performing and visual arts talent, or any other criterion proposed by the district and approved by the State Board of Education in the district's GATE application. (CBEDS-CDIF)	http://www.cde.ca.gov/ds/sd/cb/glossary.asp#gate
Colorado	Gifted children means those persons between the ages of five and twenty-one whose abilities, talents, and potential for accomplishment are so exceptional or developmentally advanced that they require special provisions to meet their educational programming needs. Gifted and talented children are hereafter referred to as gifted students. Children under five who are gifted may also be provided with early childhood special educational services. Gifted students include gifted students with disabilities (i.e., twice-exceptional) and students with exceptional abilities or potential from all socio-economic and ethnic, cultural populations. Gifted students are capable of high performance, exceptional production, or exceptional learning behavior by virtue of any or a combination of these areas of giftedness: <ul style="list-style-type: none"> • General or specific intellectual ability • Specific academic aptitude • Creative or productive thinking • Leadership abilities • Visual arts, performing arts, musical or psychomotor abilities 	http://www.cde.state.co.us/index_special.htm
Connecticut	"Gifted and talented" means a child identified by the planning and placement team as (1) possessing demonstrated or potential abilities that give evidence of very superior intellectual, creative or specific academic capability and (2) needing differentiated instruction or services beyond those being provided in the regular school program in order to realize their intellectual, creative or specific academic potential. The term shall include children with extraordinary learning ability and children with outstanding talent in the creative arts as defined by these regulations. Conn General Statutes 10-76a(5)	http://www.lawserver.com/law/state/connecticut/ct-laws/connecticut_statutes_10-76a
Delaware	Gifted and talented children are those identified by professionally qualified persons who, by virtue of outstanding abilities, are capable of high performance. These are children who require differentiated educational programs and/or services beyond those normally provided by the regular school program in order to realize their contribution to self and society. Children capable of high performance include those with demonstrated achievement and/or	http://www.doe.k12.de.us/infosuites/students_family/gifted/definition.shtml

	potential ability in any of the following areas, singly or in combination: general intellectual ability; specific academic aptitude; creative productive thinking; leadership ability; visual and performing arts; psychomotor ability	
Florida	6A-6.03019 Special Instructional Programs for Students who are Gifted. (1) Gifted. One who has superior intellectual development and is capable of high performance. (2) Criteria for eligibility. A student is eligible for special instructional programs for the gifted if the student meets the criteria under paragraph (2)(a) or (b) of this rule. (a) The student demonstrates: 1. Need for a special program. 2. A majority of characteristics of gifted students according to a standard scale or checklist, and 3. Superior intellectual development as measured by an intelligence quotient of two (2) standard deviations or more above the mean on an individually administered standardized test of intelligence. (b) The student is a member of an under-represented group and meets the criteria specified in an approved school district plan for increasing the participation of under-represented groups in programs for gifted students. 1. For the purpose of this rule, under-represented groups are defined as groups: a. Who are limited English proficient, or b. Who are from a low socio-economic status family.	https://www.flrules.org/gateway/ruleno.asp?id=6A-6.03019
Georgia	Gifted Student - a student who demonstrates a high degree of intellectual and/or creative ability(ies), exhibits an exceptionally high degree of motivation, and/or excels in specific academic fields, and who needs special instruction and/or special ancillary services to achieve at levels commensurate with his or her abilities. (SBOE Rule 160-4-2-38, and as defined in the state resource manual for gifted education services (p. 23 of 34))	http://www.doe.k12.ga.us/Curriculum-Instruction-and-Assessment/Curriculum-and-Instruction/Documents/2012%202013%20GA%20Gifted%20%20Resource%20Manual.pdf
Hawaii	“Gifted and talented children’ means students residing in the State who are of compulsory school age and are enrolled in, and attending, a public school, and whose superior performance or potential ability or talent may occur singly in or in combination with any of the following areas: intellectual, creative or specific academic abilities, leadership capabilities, psychomotor abilities, or abilities in the performing or visual arts.” (Hawaii Rev. Stat. § 302A-101)	http://www.lawserver.com/law/state/hawaii/hi-statutes/hawaii_statutes_302a-101
Idaho	"Gifted and talented children" mean those students who are identified as possessing demonstrated or potential abilities that give evidence of high performing capabilities in intellectual, creative, specific academic or leadership areas, or ability in the performing or visual arts and who require services or activities not ordinarily provided by the school in order to fully develop such capabilities (Idaho Code 33-2001).	http://www.sde.idaho.gov/site/gifted_talented/
Illinois	Sec. 14A-20. Gifted and talented children. For purposes of this Article, "gifted and talented children" means children and youth with outstanding talent who perform or show the potential for performing at remarkably high levels of accomplishment when compared with other children and youth of their age, experience, and environment. A child shall be considered gifted and talented in any area of aptitude, and, specifically, in language arts and mathematics, by scoring in the top 5% locally in that area of aptitude.	http://www.ilga.gov/legislation/publicacts/fulltext.asp?Name=094-0410&print=true
Indiana	The Indiana Code defines a student with high abilities as one who: (1) performs at, or shows the potential for performing at, an outstanding level of accomplishment in at least one domain when compared to other students of the same age, experience, or environment; and (2) is characterized by exceptional gifts, talents, motivation, or interests (IC 20-36-1-3).	http://www.doe.in.gov/exceptional/gt/welcome.html
Iowa	"Gifted and talented children" are those identified as possessing outstanding abilities who are capable of high performance. Gifted and talented children are children who require appropriate instruction and educational services commensurate with their abilities and needs beyond those provided by the regular school program. Gifted and talented children include those children with demonstrated achievement or potential ability, or both, in any of the following areas or in combination: 1. General intellectual ability. 2. Creative thinking. 3. Leadership ability. 4. Visual and performing arts ability. 5. Specific ability aptitude. (Iowa Code 257.44)	http://coolice.legis.iowa.gov/Cool-ICE/default.asp?category=billinfo&service=IowaCode&input=257.44
Kansas	"Gifted" as defined in K.A.R. 91-40-1(cc) means performing or demonstrating the potential for performing at significantly higher levels of accomplishment in one or more academic fields due to intellectual ability, when compared to others of similar age, experience and environment.	https://svapp15586.ksde.org/regs_statutes/Stat_Reg_Results.aspx?Statute=0&Regulation=91-40-1
Kentucky	“Gifted and talented student’ means a pupil identified as possessing demonstrated or potential ability to perform at an exceptionally high level in general intellectual aptitude, specific	http://www.lrc.ky.gov/krs/157-00/200.PDF

	academic aptitude, creative or divergent thinking, psychosocial or leadership skills, or in the visual or performing arts." (Kentucky Rev. Stat. Ann. § 157.200)	
Louisiana	"Gifted children and youth" are students who demonstrate abilities that give evidence of high performance in academic and intellectual aptitude." (Louisiana Admin. Code title 28 § 901) "Talented" means possession of measurable abilities that give clear evidence of unique talent in visual or performing arts or both. (Title 28 § 903)	http://www.doa.louisiana.gov/osr/lac/28v101/28v101.doc
Maine	"Gifted and talented children" shall mean those children in grades K-12 who excel, or have the potential to excel, beyond their age peers, in the regular school program, to the extent that they need and can benefit from programs for the gifted and talented. Gifted and talented children shall receive specialized instruction through these programs if they have exceptional ability, aptitude, skill, or creativity in one or more of the following categories: 1. General Intellectual Ability as shown by demonstrated significant achievement or potential for significant accomplishment above their age peers in all academic areas 2. Specific Academic Aptitude as shown by demonstrated significant achievement or potential for significant accomplishment above their age peers in one or more academic area(s) 3. Artistic Ability as shown by demonstrated significant achievement or potential for significant accomplishment above their age peers in the literary, performing, and/or visual arts (Maine Education Rules, Chap. 104)	http://www.maine.gov/sos/cec/rules/05/chaps05.htm
Maryland	In this subtitle, "gifted and talented student" means an elementary or secondary student who is identified by professionally qualified individuals as: (1) Having outstanding talent and performing, or showing the potential for performing, at remarkably high levels of accomplishment when compared with other students of a similar age, experience, or environment; (2) Exhibiting high performance capability in intellectual, creative, or artistic areas; (3) Possessing an unusual leadership capacity; or (4) Excelling in specific academic fields. (Annotated Code of Maryland Title 8 § 201)	http://www.marylandpublicschools.org/MSDE/programs/giftedtalented/statute.htm
Massachusetts	No Definition	
Michigan	(a) The "gifted and/or academically talented" means elementary and/or secondary school students who may be considered to be (1) intellectually gifted, (2) outstanding in school achievement, and/or (3) those who have outstanding abilities in particular areas of human endeavor, including the arts and humanities. (Mich. Compiled Laws § 388.1092(2))	http://www.legislature.mi.gov/(S(b03daa552d1neb45rnc2y045))/mleg.aspx?page=getObject&objectName=mcl-388-1092
Minnesota	"Gifted and talented children and youth" are those students with outstanding abilities, identified at preschool, elementary and secondary levels. These students are capable of high performance when compared to others of similar age, experience and environment, and represent the diverse populations of our communities. These are students whose potential requires differentiated and challenging educational programs and/or services beyond those provided in the general school program. Students capable of high performance include those with demonstrated achievement or potential ability in any one or more of the following areas: general intellectual, specific academic subjects, creativity, leadership and visual and performing arts.	http://education.state.mn.us/MDE/StuSuc/GiftEd/
Mississippi	"Gifted children" shall mean children who are found to have an exceptionally high degree of intellect, and/or academic, creative or artistic ability.	http://www.mscode.com/free/statutes/37/023/0175.htm
Missouri	"Gifted children," children who exhibit precocious development of mental capacity and learning potential as determined by competent professional evaluation to the extent that continued educational growth and stimulation could best be served by an academic environment beyond that offered through a standard grade-level curriculum. (Missouri Rev. Stat. § 162.675)	http://www.moga.mo.gov/statutes/C100-199/1620000675.HTM
Montana	"Gifted and talented children" means children of outstanding abilities who are capable of high performance and require differentiated educational programs beyond those normally offered in public schools in order to fully achieve their potential contribution to self and society. The children so identified include those with demonstrated achievement or potential ability in a variety of worthwhile human endeavors. (Montana Code Ann. § 20-7-901)	http://data.opi.mt.gov/legbills/mca/20/7/20-7-901.htm
Nebraska	"Learner with high ability" means a student who gives evidence of high performance capability in such areas as intellectual, creative, or artistic capacity or in specific academic fields and who requires accelerated or differentiated curriculum programs in order to develop those capabilities fully. (Nebraska Rev. Stat. § 79-1107)	http://nebraskalegisature.gov/laws/statutes.php?statute=79-1107
Nevada	"Gifted and talented pupil" means a person under the age of 18 years who demonstrates such outstanding academic skills or aptitudes that the person cannot progress effectively in a regular	http://www.leg.state.nv.us/nrs/NRS-388.html#NRS388Sec440

	school program and therefore needs special instruction or special services. (Nevada Rev. Stat. § 388.440)	
New Hampshire	No Definition	
New Jersey	"Gifted and talented students" means those students who possess or demonstrate high levels of ability, in one or more content areas, when compared to their chronological peers in the local school district and who require modifications of their educational program if they are to achieve in accordance with their capabilities.	http://www.state.nj.us/education/code/current/title6a/chap8.pdf
New Mexico	1. "Gifted child" means a school-age person as defined in Sec. 22-1-2U NMSA 1978 whose intellectual ability paired with subject matter aptitude/achievement, creativity/divergent thinking, or problem-solving/critical thinking is so outstanding that a properly constituted IEP team decides special education services are required to meet the child's educational needs. 2. 'Intellectual ability' means performance in the very superior range as defined by the test author on a properly administered intelligence measure. 3. '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... 4. '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... 5. '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..." (New Mexico Admin. Code title 6 § 31.2.7(D))	http://www.nmcpr.state.nm.us/nmac/parts/title06/06.031.0002.htm
New York	"Gifted pupils are those who show evidence of high performances capability and exceptional potential in area such as general intellectual ability, special academic aptitude and outstanding ability in visual and performing arts. Such definition shall include those pupils who require educational programs or services beyond those normally provided by the regular school program in order to realize their full potential.	http://www.p12.nysed.gov/cia/qt/define.html
North Carolina	"Academically or intellectually gifted students" exhibit high performance capability in intellectual areas, specific academic fields, or in both intellectual areas and specific academic fields. Academically or intellectually gifted students require differentiated educational services beyond those ordinarily provided by the regular educational program. Outstanding abilities are present in students from all cultural groups, across all economic strata, and in all areas of human endeavor. (North Carolina. Gen. Stat. § 115C-150.5)	http://www.ncleg.net/EnactedLegislation/Statutes/HTML/ByArticle/Chapter_115C/Article_9B.html
North Dakota	"Student who is gifted" means an individual who is identified by qualified professionals as being capable of high performance and who needs educational programs and services beyond those normally provided in a regular education program." (North Dakota Cent. Code § 15.1-32-01)	http://www.legis.nd.gov/cencode/t15-1c32.pdf
Ohio	"Gifted" means students who perform or show potential for performing at remarkably high levels of accomplishment when compared to others of their age, experience or environment and who are identified under division (A), (B), (C), or (D) of section 3324.03 of the Revised Code.	http://education.ohio.gov/GD/Templates/Pages/ODE/ODEDetail.aspx?page=3&TopicRelationID=503&ContentID=7642&Content=83619
Oklahoma	"Gifted and talented children" means those children identified at the preschool, elementary and secondary level as having demonstrated potential abilities of high performance capability and needing differentiated or accelerated education or services. For the purpose of this definition, "demonstrated abilities of high performance capability" means those identified students who score in the top three percent (3%) on any national standardized test of intellectual ability. Said definition may also include students who excel in one or more of the following areas: creative thinking ability; leadership ability visual performing arts ability, and specific academic ability. A school district shall identify children in capability areas by means of a multicriteria evaluation. Provided, with first and second grade level children, a local school district may utilize other evaluation mechanisms such as, but not limited to, teacher referrals in lieu of standardized testing measures (Oklahoma Statutes Title 70 § 1210.301-307)	http://www.ok.gov/sde/school-laws-oklahoma-64
Oregon	"Talented and gifted children" means those children who require special educational programs or services, or both, beyond those normally provided by the regular school program in order to realize their contribution to self and society and who demonstrate outstanding ability or potential in one or more of the following areas: (a) General intellectual ability as commonly measured by measures of intelligence and aptitude. (b) Unusual academic ability in one or more academic areas. (c) Creative ability in using original or nontraditional methods of thinking and producing.	http://www.oregonlaws.org/ors/343.395

	(d) Leadership ability in motivating the performance of others either in educational or noneducational settings. (e) Ability in the visual or performing arts, such as dance, music or art.” (Oregon Rev. Stat. § 343.395)	
Pennsylvania	“Gifted students” (i) A student who is exceptional under section 1371 of the School Code (24 P. S. § 13-1371) because the student meets the definition of “mentally gifted” in this section, and needs specially designed instruction beyond that required in Chapter 4 (relating to academic standards and assessment).; (ii) The term applies only to students who are of “school age” as defined under § 11.12 (relating to school age). “Mentally gifted” Outstanding intellectual and creative ability the development of which requires specially designed programs or support services, or both, not ordinarily provided in the regular education program. (Pennsylvania Code § 16.1)	http://www.pacode.com/secure/data/022/chapter16/s16.1.html
Rhode Island	“Gifted and Talented students” 1. possess superior capabilities in one or more of the following categories of gifts and talents: a. General intelligence. b. Specific academic aptitude, c. Creative thinking, d. Visual, literary or performing arts; and 2. require an educational program and/or services which is different from that normally provided in the standard school program and which is educationally, personally, and socially beneficial.	http://www.ride.ri.gov/Commissioner/edpolicy/Documents/Old_BEP_309_383.pdf
South Carolina	“Gifted and talented students” are those who are identified in grades 1-12 as demonstrating high performance ability or potential in academic and/or artistic areas. These students require an educational program beyond that normally provided by the general school program in order to achieve their potential. Gifted and talented abilities for these regulations include (a) Academic and Intellectual Ability: Students who have the academic and/or intellectual potential to function at a high level in one or more academic areas. (b) Visual and Performing Arts: Students who have the artistic potential to function at a high performance level in one or more of the fine arts. (SC State Board of Education Regulation 43:220)	http://www.ed.sc.gov/agency/stateboard/documents/220.pdf
South Dakota	No Definition	
Tennessee	“Intellectually Gifted” means a child whose intellectual abilities and potential for achievement are so outstanding the child’s educational performance is adversely affected. “Adverse affect” means the general curriculum alone is inadequate to appropriately meet the student’s educational needs.	http://www.tn.gov/education/speced/doc/92707IntellectGift.pdf
Texas	“Gifted and talented student” means a child or youth who performs at or shows the potential for performing at a remarkably high level of accomplishment when compared to others of the same age, experience, or environment and who: (1) exhibits high performance capability in an intellectual, creative, or artistic area; (2) possesses an unusual capacity for leadership; or (3) excels in a specific academic field. (Texas Education Code 29.121)	http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.29.htm#29.121
Utah	B. “Accelerated students” means children and youth whose superior academic performance or potential for accomplishment requires a differentiated and challenging instructional model that may include the following: (1) Advanced placement courses: rigorous courses developed by College Board. Each course is developed by a committee composed of college faculty and AP teachers, and covers the breadth of information, skills, and assignments found in the corresponding college course. Students who perform well on the AP exam may be granted credit and/or advanced standing at participating colleges or universities. (2) Gifted and talented programs: programs to assist individual students to develop their high potential and enhance their academic growth and identify students with outstanding abilities who are capable of high performance in the following areas: (a) general intellectual ability; (b) specific academic aptitude; and (c) creative or productive thinking (Utah Admin. Code Rule R277-707)	http://www.rules.utah.gov/publicat/code/r277/r277-707.htm
Vermont	“Gifted and talented children” means children identified by professionally qualified persons who, when compared to others of their age, experience and environment, exhibit capability of high performance in intellectual, creative or artistic areas, possess an unusual capacity for leadership or excel in specific academic fields.” (Vermont Stat. Ann. title 16, § 13)	http://www.leg.state.vt.us/statutes/fullsection.cfm?Title=16&Chapter=001&Section=00013
Virginia	“Gifted students” means those students in public elementary, middle, and secondary schools	http://leg1.state.va.us/cgi-

	<p>beginning with kindergarten through twelfth grade who demonstrate high levels of accomplishment or who show the potential for higher levels of accomplishment when compared to others of the same age, experience, or environment. Their aptitudes and potential for accomplishment are so outstanding that they require special programs to meet their educational needs. These students will be identified by professionally qualified persons through the use of multiple criteria as having potential or demonstrated aptitudes in one or more of the following areas:</p> <ol style="list-style-type: none"> 1. General intellectual aptitude. Such students demonstrate or have the potential to demonstrate superior reasoning; persistent intellectual curiosity; advanced use of language; exceptional problem solving; rapid acquisition and mastery of facts, concepts, and principles; and creative and imaginative expression across a broad range of intellectual disciplines beyond their age-level peers. 2. Specific academic aptitude. Such students demonstrate or have the potential to demonstrate superior reasoning; persistent intellectual curiosity; advanced use of language; exceptional problem solving; rapid acquisition and mastery of facts, concepts, and principles; and creative and imaginative expression beyond their age-level peers in selected academic areas that include English, history and social science, mathematics, or science. 3. Career and technical aptitude. Such students demonstrate or have the potential to demonstrate superior reasoning; persistent technical curiosity; advanced use of technical language; exceptional problem solving; rapid acquisition and mastery of facts, concepts, and principles; and creative and imaginative expression beyond their age-level peers in career and technical fields. 4. Visual or performing arts aptitude. Such students demonstrate or have the potential to demonstrate superior creative reasoning and imaginative expression; persistent artistic curiosity; and advanced acquisition and mastery of techniques, perspectives, concepts, and principles beyond their age-level peers in visual or performing arts. <p>(Virginia Administrative Code Title 8 § 20-40-20)</p>	bin/legp504.exe?000+reg+8VAC20-40-20
Washington	<p>“Highly capable student” shall mean a student who has been assessed to have superior intellectual ability as demonstrated by one or more of the multiple criteria specified in WAC 392-170-040.</p> <p>These students exhibit high capability in intellectual and/or creative areas, possess an unusual leadership capacity, or excel in specific academic fields, thereby requiring services beyond the basic programs provided by schools. Outstanding abilities are present in students from all cultural groups, across all economic strata, and in all areas of human endeavor.</p>	http://apps.leg.wa.gov/WAC/default.aspx?cite=392-170-035
West Virginia	<p>Giftedness is exceptional intellectual abilities and potential for achievement that requires specially designed instruction and/or services beyond those normally provided in the general classroom instruction.</p>	<p>See page 25 in http://wvde.state.wv.us/osp/Policy2419-Effective-July2012.pdf</p>
Wisconsin	<p>“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.</p> <p>(Wisconsin Statutes § 118.35)</p>	https://docs.legis.wisconsin.gov/statutes/statutes/118/35
Wyoming	<p>Gifted and talented students identified by professionals and other qualified individuals as having outstanding abilities, who are capable of high performance and whose abilities, talents and potential require qualitatively differentiated educational programs and services beyond those normally provided by the regular school program in order to realize their contribution to self and society.</p> <p>(Wyoming Stat. Ann. 21-9-101(c)(ii))</p>	http://legisweb.state.wy.us/statutes/statutes.aspx?file=titles/Title21/T21CH9AR1.htm