

PAGE Handbook Series

The Gifted Advocacy Handbook: Working with Your Legislators



www.giftedpage.org

Gifted children have needs that require special support as they grow, develop, and reach for their personal best. These children need advocates working in homes, schools, and communities to ensure their needs are met. In addition to advocating for day-to-day programming, it is important to advocate for laws and policies that create a supportive learning environment for gifted children. PAGE's parent organization, the National Association for Gifted Children (NAGC), organizes advocacy efforts at the federal, state, and local levels, but needs advocates on the ground to create positive and lasting change for gifted students.

Advocate for Quality Programming for Your Gifted Child

Parents often wonder when and how to approach their child's teacher if their child seems unhappy or not challenged in the classroom. Even though there is no single recipe for how parents should work with their child's teacher and school, there are some effective success strategies that work. We encourage you to join PAGE to connect with other parents and experts for support along the journey of raising gifted children.

Advocate for Effective Laws & Policies

Gifted children often face an uneven and often dizzying playing field in our nation's education system. Leaders and members of NAGC and PAGE advocate for the adoption of policies that promote programs and services in which gifted children thrive. Our goal is to ensure that gifted children across the Commonwealth of Pennsylvania and the United States have access to quality learning options and that this access is equitable for all children regardless of their background.

We hope that you find this handbook informative and a good starting point for your entry into advocacy for gifted children within your local area and across Pennsylvania. Together we can effect positive change!



Advocating for Students' Needs & Education

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ADVOCATING FOR GIFTED EDUCATION SINCE 1952

The Handbook for Understanding and Challenging the Gifted: An Introduction for Teachers

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Chapter 16: Special Education for the Gifted

In December 2000, the State Board of Education created a separate chapter of the school code, Chapter 16: Special Education for Gifted Students. In accordance with the regulatory review process, the Board reviewed Chapter 16 during 2008, updating provisions and making procedural changes.

- Chapter 16 of the Pennsylvania School Code can be found at the following link:
<https://www.pacode.com/secure/data/022/chapter16/chap16toc.html>

In Chapter 16, educators, administrators, and parents of gifted children will find all state regulations as they apply to gifted education in Pennsylvania. Familiarity with Chapter 16 assures that districts remain in compliance with Pennsylvania School Code.

Who are the gifted?

Mentally Gifted

- Mentally gifted is defined as “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” (22 Pa. Code §16.1).

Twice Exceptional or Dual Exceptionality

- “If a student is determined to be both gifted and eligible for special education, the procedures in Chapter 14 take precedence. For these students identified with dual exceptionalities, the needs established under gifted status in this chapter must be fully addressed in the procedures required in Chapter 14” (22 Pa. Code §16.7(b)).
- “For students who are gifted and eligible for special education, it is not necessary for school districts to conduct separate screening and evaluations or use separate procedural safeguard processes to provide for a student’s needs as both a gifted and an eligible student (22 Pa. Code §16.7c).
- For students who are thought to be both gifted and disabled, care must be taken by the school district to assure that both giftedness and the disability are fully addressed as part of the student’s public education.

Levels of Advocacy

Advocacy for gifted education occurs at multiple levels. It is important to understand the differences in these levels and how you can get involved to help. The three types of advocacy are Federal, State, and Local advocacy. On the following pages you will find brief summaries of each type of advocacy, along with specific advocacy tips.

Federal Level Advocacy

Although the role of the federal government in gifted education is minimal, PAGE works with our parent organization, NAGC, to develop working relationships with state and local advocates to pursue opportunities in Congress and at the U.S. Department of Education to increase federal support of gifted and talented learners. One way PAGE gets involved is attending an annual national training and advocacy conference in Washington, D.C. every March. During our time at this conference, we make various appointments to meet directly with our state representatives, congressmen, and senators to discuss the concerns of our membership in Pennsylvania. In 2017 and 2018, Senator Bob Casey was instrumental in acquiring signatures from others to help support the Senate Javits Dear Colleague letter for federal funding.

How Can You Help Advocate at the Federal Level?

- You can become a member of PAGE.
 - Numbers Matter!
 - If you are not already, become a registered voter.
 - When PAGE board members are arranging these meetings, we are required to disclose the number of members that we have in the state that also support what we have to say concerning the state of gifted education in Pennsylvania.
 - Prior to departing on these federal advocacy trips, we ask our members and affiliate groups for the top ‘asks’ and ‘needs’ for our state.
- You can contact your local legislators by mail, email, or phone. You can also arrange a time to meet with them in person.
 - Who are your legislators?
 - Visit <https://www.house.gov/representatives/find-your-representative>
 - Text 50409
- Meeting or Speaking with a Legislator?
 - See *Advocacy Tips* on page 10
 - See *Meeting with Legislators* on page 11

Advocating at the State Level

Most of the important decisions about gifted education are formed at the state level, making your state legislature an important place to begin your advocacy efforts. In many cases, state legislative initiatives are coordinated by the state gifted education association with support from individuals and local parent groups.

How Can You Help Advocate at the State Level?

- Know your state's definition of gifted
 - See definition on the following pages.
- Create a personal advocacy plan
 - Advocacy is a long-term commitment. We have found it to be helpful to organize your main reasons for wanting to advocate beyond the local level to the state level.
- You can become a member of PAGE.
 - Numbers Matter!
 - If you are not already, become a registered voter.
 - When PAGE board members are arranging meetings, we are required to disclose the number of members that we have in the state that also support what we have to say concerning the state of gifted education in Pennsylvania.
 - Attend PAGE regional events and yearly conference to network with other parents, teachers, and administrators.
 - Get more involved and join a PAGE committee. Contact our Administrative Director for more information on these opportunities via email to kpowell@giftedpage.org
- You can contact your local legislators by mail, email, or phone. You can also arrange a time to meet with them in person.
 - Who are your legislators?
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Defining Giftedness in Pennsylvania

Multiple Criteria

- Districts in Pennsylvania utilize an individualized identification matrix to determine eligibility for gifted education services. Other than IQ score, criteria which can indicate gifted ability include but are not limited to achievement, rate of acquisition/retention, demonstrated achievement, early skill development, and intervening factors masking giftedness. These are described in Chapter 22 of the Pennsylvania School Code as follows:

Achievement

- “A year or more above grade achievement level for the normal age group in one or more subjects as measured by nationally normed and validated achievement testable to accurately reflect gifted performance. Subject results shall yield academic instruction levels in all academic subject areas” (22 Pa. Code §16.21e1).

Rate of Acquisition and Retention

- “An observed or measured rate of acquisition/retention of new academic content or skills that reflect gifted ability” (22 Pa. Code §16.21e2).
- Rate of acquisition is the speed at which the student can acquire, understand, and demonstrate competency or mastery of new learning. This data can be obtained by simple procedures such as Curriculum Based Assessment (CBA); direct observation; and reporting from parents, teachers, or supervisors.
- An example of acquisition/retention: the gifted student, after approximately one to three repetitions of new knowledge/skills, can achieve mastery; other students may require four to eight repetitions. Rate of acquisition/retention is used to adjust the pace of learning for the gifted student.

Demonstrated Achievement

- Chapter 16 defines this as: “Demonstrated achievement, performance or expertise in one or more academic areas as evidenced by excellence of products, portfolio or research, as well as criterion-referenced team judgment” (22 Pa. Code §16.21e3).
- A child who is gifted might display expertise that shows a high level of accomplishment and indicate exceptional interest and motivation in specific areas. These may be documented in permanent products, portfolios, demonstration of skills, awards, community involvements, or others. For example, a student is a member of the high school debate team and has qualified for the state finals in grades 9, 10, and 11; a student loves to write poetry and has a folder of unpublished works.
- The assessment instruments should have high enough ceilings to accurately reflect academic performance in the gifted range. Assessment should yield performance and achievement data beyond basic skills and should be used for appropriate instructional placement. This data forms the basis for decisions as to where, in specific content areas and specific courses or curriculum, a student should begin the learning experiences for the year. The results of the testing must provide instructional levels in all academic subject areas for use in determining educational placement.

Early Skill Development

- Chapter 16 defines this as: “Early and measured use of high level thinking skills, academic creativity, leadership skills, intense academic interest areas, communications skills, foreign language aptitude, or technology expertise” (22 Pa. Code §16.21e4).
- Assessment of early and measured use of high level thinking skills could include checklists or inventories such as Guilford or Bloom’s Taxonomy. It could also include anecdotal notes that document developmental milestones reached earlier than average students, or skills mastered beyond that child’s age level.

Intervening Factors Masking Giftedness

- “Documented, observed, validated or assessed evidence that intervening factors such as English as a second language, learning disability, physical impairment, emotional disability, gender or race bias, or socio/cultural deprivation are masking gifted abilities” (22 Pa. Code §16.21e5).
- Some students’ gifted abilities may be hidden by factors such as ethnicity, socio-economic status, or disability. Data specifically tied to the student’s learning environment is used to make decisions on remedial/coping strategies and specially designed instruction. For example: An economically disadvantaged household where educational resources and opportunities are lacking or a household experiencing problems such as alcoholism, divorce, spouse/child abuse, or incarceration may mask the student’s identification as gifted.

Advocating at the Local Level

After discovering your child needs something different in school, your child’s teacher is your first contact. Though the thought of approaching the teacher can be daunting, there are several actions you can take to increase the chances of a successful outcome:

- Talk with your child about exactly what happens in the classroom and what she might like to see change.
- Collect information about the options in your state, district, and school. Contact your state’s gifted association or go to the state pages of the NAGC website to see what the education policy is in your state. Talk with the district curriculum coordinator or gifted coordinator, if there is one, about options for advanced learners in your district and school.
- Develop a description of what you would like to see happen. Would you like to request testing for admission to a gifted program, or for more challenging work in one or more disciplines? Try to narrow down the exact skills your child is ready to tackle and how he might do that. Be specific.
- Think about how you can be a partner with your child's teacher. Differentiating for many types of learners is difficult. Are you able to spend some time in the classroom? Can you bring in mentors?
- Approach the teacher as an ally in your child’s education, not a roadblock. Be open to what he says, acknowledge the limitations in the system, but be firm in moving towards your goals.
- Make sure you walk out of your meeting with clearly defined “next steps” and a timetable.

If the teacher does not have the ability to help, you will be ready to talk with the principal, superintendent, and, if necessary, the school board. You might find you need a bigger voice. Parent Groups can be more effective in creating change than individual parents.

Remember to speak positively at home about your child's teacher and school. Complaining about the teacher or school allows your child to blame the teacher for his own lack of effort.¹

How Can You Help Advocate at the Local Level?

- Know your state's definition of gifted
 - See definition on pages 6-7
- Create a personal advocacy plan
 - Advocacy is a long-term commitment. We have found it to be helpful to organize your main reasons for wanting to advocate beyond the local level to the state level.
- You can become a member of PAGE.
 - Personalized Advocacy help is available to our members.
 - Attend PAGE regional events and yearly conference to network with other parents, teachers, and administrators.
 - Get more involved and join a PAGE committee. Contact our Administrative Director for more information on these opportunities via email to kpowell@giftedpage.org
 - Join one of our local affiliate chapters
 - Meet other parents and teachers
 - Attend local events, trainings, speakers, etc.
- Reach out to the community and network, network, network.
 - There are many other groups of people in your school and community that would be willing to lend support for high-ability students, but they need to understand the issue and what role they can play. There are many positive, active ways to meet like-minded individuals and begin an open dialogue in your community. You can:
 - Become an active participant in local school groups like the PTO or booster club.
 - Offer to provide a speaker for local service organizations (e.g., Lions Club, Chamber of Commerce, etc.) about your gifted program and its ties to the community.
 - Volunteer to serve on school committees involved with strategic planning, accountability, or program evaluation and planning.
 - Get to know the education reporters for your local media outlet.²

¹ Source: NAGC. (2018). *Advocating for your child*. <http://www.nagc.org/get-involved/advocate-high-ability-learners/advocate-your-child>

² Source: NAGC. (2018). *Advocating for gifted programs in your local schools*. <http://www.nagc.org/get-involved/advocate-high-ability-learners/advocating-gifted-programs-your-local-schools>

Advocacy Tips

“All Politics is Local”

- Elected officials champion the interests of their constituents. They need to know that gifted education is an issue of importance to their constituents.
- Remember that Gifted Education is a bi-partisan issue. Give them local reasons to support gifted students.

Nothing Moves Unless it is Pushed

- If you do not ask for what you want, your legislators will not know the issue is important to you and other constituents
- Bring a friend – Numbers matter and mean so much

Make Gifted Education a Priority

- Get your friends and families to let your legislators know that acceleration and appropriate enrichment for our most advanced learners is important.

To Change Public Policy, Take the Long View

- The process of working with legislatures on the State and Federal level is slow.
- Keep working - Remember that even slow progress is still progress and it is making a difference for gifted education and our students.

Politicians are People, Too

- They have families, hobbies, and causes that they champion...just like you
- Be a friend - try to find common ground upon which you can build a relationship. This makes your visit memorable.
- Don't be abrasive.

Tell the Truth

- Do not make up answers. Give them the facts and maintain your credibility as a trusted source of information.
- If you do not know an answer, find it and get back to them. Go to www.giftedpage.org and www.nagc.org

Treat the Staff with Respect

- The staff member working for elected officials is a valuable part of the team that works to keep the legislator informed on issues.
- Build relationships. File their name with the legislator information.

Make Advocacy a Habit

- Keep in touch with legislators not just when you want something.
- Find creative ways to send the message that gifted students are important.
- Invite them to events and conferences that are part of your gifted community.
- Share your successes with them.

Reward Good Work

- If your legislator does something good to benefit education, tell everyone and thank him/her.

Get Others to Help Make a Difference

- “Never doubt that a small group of thoughtful, committed, citizens can change the world. Indeed, it is the only thing that ever has.” Margaret Mead
- Compile positive anecdotal evidence for gifted education.
- Get teachers to showcase gifted student work and publicize accomplishments.

Meeting with a Legislator

- **Begin by Thanking Them for Meeting with You.**
 - Legislators have very busy schedules and their time is often very limited. So, the fact that you are in the door meeting with them is a BIG deal. Acknowledging this will go a long way during and after your meeting.
 - Do not be discouraged if you end up meeting with their Aide/Assistant. They are an extremely important part of this process. Be respectful and kind, just as if they were your legislator.

- **Introduce Yourself**
 - Let them know who you are, and more importantly, why you are visiting.
 - They are used to speaking ‘politics’ but believe it or not, are very interested to hear personal stories from their constituents.
 - Not sure what to say? Try this: *I am here today to educate and introduce you to the significant impact gifted education has on PA students and ultimately the PA economy.*

- **Have No More Than ‘Two Asks’ Prepared**
 - Again, their time is very limited, so you are likely to get further and see more results with fewer requests.
 - Not sure what to ask for? Try some of these:
 - A full-time position in PDE’s Bureau of Curriculum & Instruction/Special Education for a Gifted Education Specialist
 - Providing regular training regarding best practice in gifted education via a robust Gifted Liaison Network
 - Statewide consistent language and criterion standards for identification and eligibility of gifted services.
 - A Gifted Education Teaching Certification (beyond the current Gifted Endorsement.)
 - Required training in gifted education for pre-service teachers
 - Monitoring more than 10 of the 500 school districts annually for compliance to Chapter 16 with training for non-compliant districts (per HR 139 Recommendations)

- **Connect Your ‘Asks’ With a Supporting Personal Issue or Story.**
 - Share a story with your legislator. Contrast a challenging experience with a more positive example.

- **Remind them that PAGE is always available as a resource for more information about gifted children and education.**

- **Provide a one-page handout of supporting information or a list of your ‘Asks’ discussed in the meeting for review later.**
 - This is helpful because they will give it to their Aides/Assistants. These individuals are very powerful because they help to compile important information to “brief” the legislators when preparing for upcoming meetings and/or summits.

- **Follow-up with a thank you note (in the mail) and/or email**
 - In your note, once again thank them for their time and reiterate the main topics of discussion from the meeting. Include your contact information, in case they would like to reach out to you.

What Legislators Can Do & What They Can't

Keep in mind that legislators create regulations and provide funding. Try to focus your conversation on ways they *can* help.

- They **Can't**: Make a child's GIEP better
 - They **Can**: Work to provide funding for a Gifted Specialist at PDE to coordinate and improve the provision of gifted services across the Commonwealth.
 - They **Can**: Recognize the importance of addressing the needs of gifted learners through the Chapter 16 regulations and favor its continued reauthorization.
- They **Can't**: Change the thinking of educators and school districts regarding acceleration
 - They **Can**: Require meaningful training for current and pre-service teachers in accordance with NAGC's Professional Standards.
 - They **Can**: Provide for Compliance Monitoring on a regular cycle—once every 10 years at a minimum.
- They **Can't**: Get the district to provide a teacher of the gifted
 - They **Can**: Require certification or endorsement for gifted education specialists based on the National Council for Accreditation of Teacher Education (NCATE)-approved Teacher Preparation Standards in Gifted Education.
- They **Can't**: Eliminate myths regarding gifted education
 - They **Can**: Expect their staff to be well-informed on issues affecting gifted learners including the impact of standards-based curriculum and assessment on the delivery of gifted services.
 - They **Can**: Vote with confidence in favor of Chapter 16, which clearly states the need for identification and a continuum of best practice services to meet the needs of gifted learners in PA.
 - They **Can**: Support the federal TALENT Act—To Aid Gifted and High-Ability Learners by Empowering the Nation's Teachers Act S.857 and H.R. 1674.

Why Legislators Should Care About Gifted and Talented Students

Currently approximately **68,000 gifted students (2014-15)** in Pennsylvania are not receiving funding for the programs needed to ensure their success because both state and district resources focus on meeting proficiency.

The growth of innovation and a strong economy relies on highly skilled workers, yet **PA invests no funding** in programming for, or enhancing the education of, our high ability students.

Data ³	PA	OH	DE	VA	IN
Total Student Numbers in Millions	1.74	1.72	133,369	1.28	1.03
Gifted Students	68,000	265,555	NA	164,289	144,024
Funding for Gifted Education	\$0	\$40.7M	\$450,000	\$44.5M	\$12.5M
Funding / Gifted Student	\$0	\$160	NA	\$271	\$87

³ Source: NAGC State of the States Report. (2014-2015). <http://www.nagc.org/resources-publications/gifted-state/2014-2015-state-states-gifted-education>