

Gifted Education through the Lens of Legislation

Karen Carey, Northeastern State University, OK
Lauren York, Northeastern State University, OK

Carey, Karen is an EdD Professor of Education, Honors Program Director, and teaches Educational Research at the graduate level

York, Lauren is an honors graduate, teaches high school English at Broken Arrow Public Schools and a University of Virginia graduate student

Abstract

The purpose of this action research study was to evaluate enrichment and gifted education programs in an Oklahoma public school district in comparison to Oklahoma State Department of Education guidelines. The research question which led the study was “Is the current gifted education legislation in Oklahoma effective in compelling Oklahoma public schools to provide the necessary level of academic enrichment for identified gifted and talented students?” The results of the survey demonstrated the perceived necessity of prioritizing pre-college gifted education programs in elementary, middle, and high schools. Gifted students and school officials may consider this study suitable for program reform who might otherwise receive marginalized enrichment prior to college from their current schools.

Introduction

The study focused on gifted education in the state of Oklahoma and how gifted programs and opportunities aligned with the state legislation and National Association for Gifted Children’s Programming Standards. The Oklahoma *Education of Gifted and Talented Children Act* in Title 70 O.S. Sections 1210.301-307 states that “It shall be the duty of each school district to provide gifted child educational programs and to serve those children...who reside in that school district.”

The purpose of the study was to ascertain what type of gifted education programs and/or enrichment three northeastern Oklahoma public school districts provide in compliance with the Oklahoma Department of Education’s guidelines and the state government of Oklahoma’s standards related to gifted education.

Eighteen administrators from three northeastern Oklahoma public schools responded to a thirty six question -survey with closed and open ended questions regarding the status of gifted

education at their respective school site on February 16, 2021. After analyzing the results of the survey, one dominant theme emerged. Thirty-five percent of administrators either disagreed or were undecided as to whether funds for their school district were being properly utilized to provide programs and academic enrichment for their district's gifted students.

Background and Related Research

Research indicated concerns that Oklahoma is lacking depth in the amount of legislation necessary in relation to gifted education. In addition “a few states have no or negligible laws specific to gifted education” and a “still limited group of states [have] laws that approach the strength and specificity of the primary federal legislation for students with disabilities” (Zirkel, 2005). According to this study on Gifted Education through the Lens of Legislation, concern exists that Oklahoma may be among the states with negligible laws; the only mention of mandated gifted education programming is in the *Education of Gifted and Talented Children Act*, which states: “It shall be the duty of each school district to provide gifted child educational programs and to serve those children...who reside in that school district.”

Administrators shared concerns regarding the amount of energy and time actually spent on providing meaningful learning experiences for gifted students. Multiple participants in this study by Carey and York agreed that time was a consistent factor in the struggles they face when creating programs or enrichment for their gifted students. One participant stated that they do not have enough time to create an extensive program, while another reported that they did not have enough time to produce master schedule flexibility. While time is an issue, Nicholas Colangelo clearly conveys that programs should demand more and enrich more.

According to Baker and McIntire from the *Roeper Review*, “There is no guarantee that funds brought in through pupil weights will actually be spent on gifted programs, unless specified in state accounting requirements” (2003). At the district level, funding is one of the most challenging issues facing gifted programs today. The Oklahoma State Department of Education states that “Oklahoma’s funding comes through the state aid formula and is a weight of .34 for each student identified and served in gifted and talented education” (2021). According to the National Association for Gifted Children, in Texas the funding per pupil was approximately \$981 in the 2018-2019 school year, whereas it was only \$572 per pupil in Oklahoma. That is an almost 42% deficit in funding for Oklahoma gifted children. In fact, 13% of administrators surveyed were not even aware that they receive funding for each identified gifted student in their school. If school principals are not aware of this, it is fair to assume the small amount of funding they do receive is not being properly utilized.

While special needs programs are funded at both the state and federal level, gifted programs are only funded at the state level. If gifted education is funded only at the state level, it can only be

as good as the state deems necessary. According to the Davidson Institute (2021) there were approximately 3.2 million students in public schools in gifted and talented programs. Thus, it is concerning that federal funding is not a priority for gifted students, even though gifted education is a subdivision of special education. Gargiulo and Bouck, authors of *Special Education in Contemporary Society: An Introduction to Exceptionality*, states that gifted and talented children have “abilities and talents that can be demonstrated or have the potential for being developed at exceptional levels. These children have needs that differ in some degree from those of other children” (2018, p. 540). The majority of students with special needs are required to have an individualized education plan (IEP). Is it a disservice to gifted students to not provide them with an IEP as well? “At both the high school and college levels, teachers often assume that gifted students need no special attention, that we can simply get out of their way and focus our attention on students who struggle academically” (Colangelo, 2018, p. 3). Expending resources to go above and beyond requires local support from school boards, district leaders, campus administrators and other stakeholders including parents, as well as students (Zirkel, 2005). However, it is evident that “Gifted children need to be prepared for what lies ahead of them as adults, not only in their academic and career pursuits but also in their social and personal experiences” (Miller, 2018, p. 42).

The data suggests that the future of the state and nation is dependent on society supporting gifted students because leadership is a key characteristic of honors program students. The Jacob K. Javits’ gifted and talented education program makes it a priority to support initiatives through discretionary funds to serve students who are underrepresented. (2022) According to Callahan et al. (2017), “The formulation of new policies in an underfunded and vulnerable field such as gifted education is one that may be approached with hesitation as advocates worry that opening the discussion around existing policies may put existing programs or funding at risk.” The policies that exist in Oklahoma are so slight that advocates truly are concerned to fight for change at the state level. However, “To do nothing is to put generations of gifted students at risk for not realizing their full potential...we are at a time when national conversations are needed” (Callahan et al., 2017, p. 42).

Another challenge is the requirements for gifted teacher education and training. Moore Public School made plans in 2019 to eliminate gifted classes, there is a concern this could become a trend (May 3, 2019). When gifted teachers are ill prepared or untrained, the threat to eliminate gifted classes could become a reality. Callahan et al. states that “the absence of curricular materials to guide teachers combined with lack of professional development may leave a major gap in the provision of high-quality curriculum and instruction for gifted students” (2017, p. 40). Oklahoma does not require a degree in gifted education or specific training to teach gifted students, however the Oklahoma State Department of Education standard 15-23-7 addresses qualifications of gifted coordinators and teachers and states that they “shall participate in

inservice training or college training designed to educate and assist them in the area of gifted education.” This essentially means that an emergency certified teacher could be responsible for the education and enrichment of gifted students at any school in Oklahoma.

According to Zirkel, “Texas' law is unusually strong, requiring districts to assure thirty hours of staff development in gifted education prior to or within one semester of teaching in the local program, an additional 6 hours on an annual in-service basis for the teachers, and a total of at least 6 hours for administrators and counselors who have authority for program decisions” (2005). Implementing a gifted training requirement for Oklahoma teachers, counselors, and administrators could be a necessary action.

Discussion

Researchers used a mixed method approach to this study. The action research design included the procurement of qualitative and quantitative data. The principal investigators contacted administrators at three school districts in northeastern Oklahoma with a personal email that included a summary of the research project and a link to an electronic survey. Due to the impact of COVID-19, all participants were asked to complete all communication online; there were no face-to-face interviews.

Fifty-nine percent of administrators surveyed responded “yes” to the question “Do you personally believe your district is serving gifted students to the best of their ability?” Forty-one percent of respondents did not believe or were undecided whether their district was serving its gifted students to the best of their ability. Thirty-five percent of the administrators either disagreed or were undecided as to whether funds for their school district were being properly utilized to provide programs and academic enrichment for their district’s gifted students. According to the results, twenty-three percent of administrators believed that their school district were not serving gifted students to the best of their ability. Thirteen percent of respondents did not even know their school received funding every year for each identified gifted student in their school.

Among the group of participants in this study was a mixture of 18 people: principals, vice principals, and school counselors from three northeastern Oklahoma public school districts. Of the participants who answered the demographic questions, one of them had been working in education for 6-10 years, three of them had been working in education for 16-20 years, and five of them have been working in education for 21+ years. Seven of them are females and one is a male; the others chose not to respond. School District A’s student population is 19,436, School District B’s student population is 3,364, and School District C’s student population is 9,225. School District A has 31 schools, including their Virtual Academy. School District B has eight schools, and School District C has 14 schools.

Researchers used the following methods in order to conduct a purposive sampling survey. The survey was created using Checkbox software. There were closed-ended and open-ended questions included in the survey in order for the investigators to obtain a full understanding of the function of gifted education in each school district. The open-ended questions allowed for research participants to express any opinions they were not able to in the closed-ended section, which resulted in qualitative data the research effectively utilized in her research. The closed-ended questions allowed for the securing of new data related to gifted education in the state of Oklahoma.

Through this mixed method study researchers sought to gain insight regarding gifted education and how state policy was effecting each one. Thoughts and opinions and statistical data were gleaned. The survey link was sent through the Checkbox program from the primary campus of Northeastern State University. There were no perceived risks associated with participation and no use of deception, although it was anticipated that administrators may not be willing to participate for fear of reprisal. The nature of this study allowed administrators to answer questions in their own words.

The first five questions of the survey were identification and demographic questions. However, participants could elect not to answer those questions if they preferred to remain anonymous. The next twenty-five questions were quantitative, closed-ended questions. These included multiple choice and checkbox software questions. The last six questions were open-ended, qualitative questions that asked participants about their personal experience with gifted programs at their school site. They were asked to respond about a particular model that was working for their school, and if they believe their district's choices for gifted education are the best possible model to serve their gifted students.

It is relevant to note that the majority of administrators surveyed responded "yes" to the question "Do you personally believe your district is serving its gifted students to the best of their ability?" Forty one percent of the participants did not believe or were undecided as to whether their district is serving its gifted students to the best of their ability. It is important to note that administrators were not highly confident in regard to the programs they were providing for their gifted students.

Another question was posed to participants: "According to the National Association for Gifted Children's Programming Standard 5.4., 'Students with gifts and talents [should be] able to continuously advance their talent development and achieve their learning goals through regular collaboration among families, community members, advocates, and the school.' Do you believe your school provides the necessary resources for students to do this?" Sixty six percent of the

respondents did not believe or were undecided as to whether their school provided these resources for their gifted students

It is important to note that there is a small variety of programming options offered among school districts in Oklahoma. Gifted students have the characteristic of learning more difficult material at a much faster pace than on-level students, but most curriculum is not capable of being customized as such, and teachers do not have time to customize it (Colangelo, 2018, p. 4). Because of this, one of the most popular and well-proven options used in elementary schools is known as a resource room. This option is defined as “a class for students released from their regular classroom on a scheduled basis to work with a teacher trained in the education of the gifted” (Oklahoma State Department of Education, 2021). Of the schools surveyed in this study, there are seven elementary schools, three middle schools, and zero high schools that utilize resource rooms.

Based on the data, it seems that resource rooms, better known as pull out programs, are not valued in the high school setting. This is unfortunate because the “purpose of any viable gifted or honors program is not to replicate what is already available but to provide a unique and intensive program tailored to the students’ high motivations and unique learning needs. The programs should demand more and enrich more” (Colangelo, 2018, p. 5). The Oklahoma State Department of Education defines “Special Classes,” such as Honors classes and Advanced Placement courses as gifted programming options, and these are by far the most prevalent in high schools across the state (2021). However, Honors and AP courses are not considered true gifted education because those classes do not have to be limited to identified gifted students, as the OSDE states.

It was significant to find that Oklahoma is lacking depth in the amount of legislation necessary in relation to gifted education. Well documented research argues that “a few states have negligible or no laws specific to gifted education” and a “still limited group of states [have] laws that approach the strength and specificity of the primary federal legislation for students with disabilities” (Zirkel, 2005). According to this study, Oklahoma seems to be among these states.

Oklahoma does have an *Education of Gifted and Talented Children Act*, however gifted programming could be more rigorous and better funded. According to Rinn et al., “Several states noted that federal policy and regulated funding for gifted identification and services could improve accountability for states as well as provide more equitable access for students from traditionally underrepresented backgrounds” (2020). The implementation of a federal policy that includes better funding regarding the provision of enriching gifted programming in public schools is a recommendation.

Looking to the future, one would expect that students who are identified as gifted would go on to

apply to university honors programs after they graduate high school. However, when gifted students receive marginalized enrichment as younger students, they tend to not believe they are capable of succeeding in university honors programs. According to Gargiulo and Bouck, “Children who are gifted and talented are gifted all day, all week; they need ongoing instruction that will remove the learning ceiling and allow for continuous progress” (2018, p. 564). This is yet another reason why it is necessary to pull gifted students out of their regular classrooms to provide enrichment. Schools must look to the future for all of their students, not just on-level or below-level students.

Research led to three major themes. First, administrators are not confident in the programs they provide for gifted education. Second, administrators have a strong concern over energy and time spent to create meaningful learning experiences. Third, Oklahoma legislators need to offer direction for public schools through stronger gifted legislation, and funding should be greater and allocated exclusively to schools who have data indicating they are complying with more rigorous gifted education laws.

Conclusion

By creating and sustaining gifted programs supported by strong legislation, increased funding, and highly trained teachers the State can better serve gifted students who will eventually serve society through their future careers. The benefits of this study outweighed the risks and the researchers presented data indicating that schools fall short in providing educational resources for gifted students. A theme insinuated inconsistency exists in offering adequate services to all groups of students.

End Note

The terms Checkbox software and Checkbox program are used interchangeably
<https://www.checkbox.com>

References

- Baker, B. D., & McIntire, J. (2003). Evaluating state funding for gifted education programs. *Roepers Review*, 25(4), 173.
<https://doi.org.ezproxy.nsuok.edu/10.1080/02783190309554225>
- Callahan, C. M., Moon, T. R., & Oh, S. (2017). Describing the status of programs for the gifted: a call for action. *Journal for the Education of the Gifted*, 40(1), 20–49.
- Colangelo, N. (2018). Gifted education to honors education: A curious history, a vibrant future. *Journal of the National Collegiate Honors Council --Online Archive*. 583.
<http://digitalcommons.unl.edu/nhcjournal/583>
- Davidson Institute. (2021, March 15) Gifted Education in the US – Policy & Legislation.

www.davidsongifted.org

Education of Gifted and Talented Children Act. (Okla. 1994). H. B. 2041, 1994 Reg. Sess.

<https://sde.ok.gov/sites/ok.gov.sde/files/Education%20of%20Gifted%20and%20Talented%20Children%20Act.pdf>

Gargiulo, R. M., & Bouck, E. C. (2018). *Special education in contemporary society: An introduction to exceptionality* (6th ed.). Sage Publications.

Jacob K. Javits Gifted and Talented Students Education Discretionary Grants. (2022)

<https://oese.ed.gov>

Miller, A. L. (2018). Ways we can do better: bridging the gap between gifted education and honors colleges. *Journal of the National Collegiate Honors Council*, 19(2), 39–44.

National Association of Gifted Children State of the States (2018-2019). *Journal of the National Association for Gifted Children*. Title 70 O.S. Sections 1210.301-307.

Oklahoma State Department of Education. (2021, September 22). Gifted and talented education.

<http://sde.ok.gov/gifted-and-talented-education>

Oklahoma State Department of Education. Title 70 Oklahoma State Sections 1210.301-307.

Oklahoma Watch (2019, May 10) Moore schools plans to eliminate gifted classes. Is it a Trend?

<https://oklahomawatch.org>

Rinn, A. N., Mun, R. U., & Hodges, J. (2020). 2018-2019 state of the states in gifted education.

National Association for Gifted Children and the Council of State Directors of Programs for the Gifted. <https://www.nagc.org/2018-2019-state-states-gifted-education>

Zirkel, P. A. (2005). State laws for gifted education: An overview of the legislation and regulations. *Roeper Review*, 27(4), 228–232. [https://doi-](https://doi-org.ezproxy.nsuok.edu/10.1080/02783190509554323)

[org.ezproxy.nsuok.edu/10.1080/02783190509554323](https://doi-org.ezproxy.nsuok.edu/10.1080/02783190509554323)