



T.I.G.E.R. Newsletter

Tennessee Initiative for Gifted Education Reform

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The Maddox-Herron Bill

Representative Mark Maddox introduced a bill that removes “intellectually gifted” from the definition of “disability” in state law and requires the state board of education to develop a plan for educating gifted students in the regular classroom.

Maddox introduced HB2934 on January 31 at the request of Steve Ramsey, a special education administrator in Weakley County. Ramsey wrote the original version of the bill. Senator Roy Herron introduced the companion bill, SB3144, as a courtesy to Maddox. (*See page 2 for the text of the bill.*)

TIGER opposes the Maddox-Herron bill for several reasons.

1. Gifted students would lose significant legal rights and protections in the transition from special education to general education. These rights include the right to a free and appropriate education, the right to an individualized education plan if needed, the right to identification and services, and due process rights.
2. Gifted education policy and funding would be limited to instruction in the regular classroom. If “regular classroom” is interpreted as the author intends, then the bill excludes beneficial educational alternatives such as pullouts, special classes, dual enrollment, resource rooms, tutors, and mentor experiences. This limitation would undercut any future gifted policy and could lead to the termination of established gifted programs in many districts. The bill would be a setback for all gifted students, but it would “deal a fatal blow” to the most at-risk categories of gifted students -- e.g., the twice exceptional, the profoundly gifted, and underachieving gifted children -- who are in greatest need of special services or radically individualized instruction
3. Most districts are unprepared to handle all gifted children in the regular classroom without special education support because few teachers have training in gifted education. It would take several years to create educational opportunities for teachers and to make sure that teachers receive the necessary training in gifted education. The bill does not provide for the long-term funding of gifted education or teacher training, and in the current budget crisis the necessary funding will not be available. (The bill transfers about \$3M to general education for gifted education only during the transition year.)
4. As a practical matter, regular classroom teachers do not have time to create and implement alternate lesson plans

for gifted students. Under current law teachers consult with gifted specialists in special education. The bill would eliminate special education consultation. Therefore, many more gifted students would not receive an appropriate education if this bill passes.

Parents are urged to contact their state legislators asking them to vote against the Maddox-Herron gifted legislation. Parents and children should write or call their own legislators and members of the education committees in both houses of the Tennessee General Assembly, with special focus on the K-12 subcommittee. If possible, ALL members of the Assembly should be contacted.

Updates on the legislation, legislator addresses, and advocacy tips are available on the TIGER site: www.giftedtn.go.to.

Chattanooga parents to meet

Parents of gifted children in the Chattanooga area will meet Tuesday night at 6:30, February 5, at the Teacher's Place (County Center), 1161 West 40th Street, Chattanooga. For more information, contact

Alan Clark – (423) 894-9714
aclark176@home.com

Shelby County parents to meet

Parents of gifted children in Shelby County and Memphis will meet Tuesday night at 7:00, February 5, in the White Station Middle School Cafeteria, 5465 Mason Road (Between White Station and Yates Roads) in Memphis.

For more information, contact

Mike Arcamuzi -- (901) 210-0701
Melissa Johnson – (901) 382-1666
Sally Endler – sasendler@hotmail.com

200+ parents pack the January Memphis TIGER meeting

More than 200 parents packed the Marian Hale Community Center in Memphis on January 22nd to discuss improving gifted education and the current legislative threat to gifted programs. The speakers included the director of the Memphis CLUE program as well as lobbyists, parents, and TIGER board members.

To learn more about TIGER or to receive the newsletter, send a blank email to TigerAdvocate-subscribe@yahoogroups.com or visit www.giftedtn.go.to

Rationale for Special Programs for Gifted and Talented Students

http://www.ctgifted.org/advocacy_rationale.cfm

Gifted and talented individuals have special characteristics which are often ignored or even penalized within the regular classroom setting:

- divergent thinking and an ability to perceive unusual and broad relationships when solving problems
- different time/space perspective
- variety of valid alternatives to solve a problem
- divergent modes of responses to problems
- persistence and a need to delve deeply into problems of interest
- questioning, often critical, attitude

Gifted and talented individuals need to:

- interact within a program structure designed for their special characteristics
- have the opportunity to assess their unique talents and interests
- develop, use and understand higher mental processes
- work with materials, information and resources which challenge their abilities
- have the time, space and staff necessary to assist in the development of their outstanding abilities and advanced technical skills without curricular-imposed limitations
- interact and dialogue with their intellectual and artistic peers (those with similar interests, talents, etc.)
- understand, appreciate, study and accept the diversity among individuals
- have access to specialized counseling

We have an obligation to offer learning experiences which provide a challenge to the gifted and talented -- too often the materials and instruction are far below the capabilities of these students -- neither granting high grades nor commenting that the individual is not performing up to potential provides a solution.

When gifted and talented pupils sometimes fail to complete even the assignments that are far below their capabilities, the teacher may see the solution to this situation as enforcing the completion of the work assigned before granting any special accommodations for such pupils. The potential of these individuals will not be developed in this way, however, because the problem lies not with the required work but with the program itself. Since these pupils have, in many cases, already mastered the concepts and skills in the regular curriculum, they may see little value in going through the steps again. Consequently, they will not do all the work and

as a result may receive average or poor grades. The loss is not only the effect of poor grades on future academic experiences, but more importantly the retardation of learning.

Given a program which provides instruction commensurate with the learning and thinking styles, characteristics, and abilities, these individuals will reach far beyond the "regular" curriculum.

Online Discussion Groups

There are several online discussion groups for parents of gifted children. The Tennessee group is called GiftedTN and parents can sign up by sending a blank email to GiftedTN-subscribe@yahoogroups.com. Other groups are listed on the ERIC site: <http://ericec.org/gifted.html>.

Text of SB3144 and HB2934

AN ACT to amend Tennessee Code Annotated, Section 49-10-102(1)(B), relative to special education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-10-102(1)(B), is amended by deleting the existing language and substituting the following:

(B) "Child with disabilities" means a child with mental retardation, hearing impairments (including deafness), speech or language impairments, visual impairments (including blindness), emotional disturbance, orthopedic impairments, autism, traumatic brain injury, other health impairments, specific learning disability, developmental delay, and functional delay.

SECTION 2. Effective upon implementation of a state plan designed pursuant to Section 3, any state funds expended in the fiscal year in which the plan takes effect for the education of intellectually-gifted children through special education shall be transferred to a special account in the department of education budget to provide services for these children. Such services shall be available during school year 2003-2004.

SECTION 3. The commissioner of education, in conjunction with the state board of education, shall design a plan for accommodating the needs of intellectually-gifted students in the regular classroom by April 15, 2003.

SECTION 4. Section 1 of this act shall take effect August 3, 2003 and all other provisions of this act shall take effect upon becoming a law, the public welfare requiring it.

Background on gifted education in Tennessee

What laws govern gifted education in Tennessee today?

Since the mid-70's, Tennessee has included gifted students under the umbrella of special education. The state law mandating identification and services for special education students is Tennessee Code Annotated Title 49, Chapter 10. The federal law mandating services for special education students is known as the Individuals with Disabilities Education Act (IDEA).

Why did Tennessee include gifted students under the special education umbrella?

Children with learning disabilities are very different from gifted children. However, both groups are similar in one important respect: the regular classroom curriculum does not address their educational needs. Both groups of exceptional students at the extremes of the normal development curve need program and curriculum modifications because they learn differently and at different paces. The two ends of the spectrum require the presence of challenge --only at different levels.

Research shows that most regular classroom teachers do not modify the curriculum for gifted students, and as a result gifted students waste from half to all their time in the regular classroom. Many gifted children become bored and "mentally check out." Some gifted children develop more serious academic or emotional problems.

The public and many decision makers do not often understand the needs of gifted students. Sometimes accommodations for gifted students are seen as elitist. Gifted programs are usually the first programs eliminated during a budget crisis.

The original framers of special education law in Tennessee realized (1) that gifted and disabled students have "mirrored" educational needs that could be served by the same legal framework and (2) that gifted education needed a "safe haven" from ideological and budgetary swings.

How are gifted students identified and served in Tennessee?

Special education law mandates that potentially gifted students be given a comprehensive psycho-educational evaluation. Students that meet the criteria for special services receive an individualized education plan. Most gifted students receive differentiated instruction in the regular classroom. A few school districts use state and local money to fund gifted programs such as pullout or special classes. The mandate to serve gifted students in special education law provides an incentive for districts

to create gifted programs.

How many gifted students are identified in Tennessee?

There are about 19,000 gifted students in Tennessee. Gifted students comprise about ten percent of the special education population and about two percent of all K-12 students.

Does Tennessee receive federal funds for gifted education?

Tennessee receives no federal funds for gifted education. However, school districts in Tennessee receive a portion of the state's funds allocated for special education students, averaging about \$200 per gifted student. The average expenditure for all special education students is more than \$2000 per student

Bunch-Miller bill still a concern

Rep. Bunch and Sen. Miller introduced a bill (SB2438/HB2388) that might lead to the removal of gifted education from special education. According to Mr. Bunch, the bills do not specifically target gifted students. However, the bills turn the decision of how 'disability' is defined in state law over to the State Board of Education (SBE). The SBE is required by the legislation to reduce the number of students qualifying for special education by redefining special education and making it harder for students to qualify for services.

TIGER encourages parents, when writing legislators about the Maddox-Herron bill, to mention these bills and ask that legislators oppose them.

Text of SB2438 and HB2388

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 10, relative to special education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-10-101(c), is amended by redesignating the present subsection to be subdivision (c)(1), and by adding the following new subdivision:

(2) Within ninety (90) days of the effective date of this act, the state board shall act to limit the parameters of individuals qualifying for special education services by defining special education and requiring standards to be narrowed. Rules and regulations adopted to implement the provisions of this subdivision may vary, supercede, or alter the provisions of this chapter.

SECTION 2. This act shall take effect July 1, 2002, the public welfare requiring it.