

GIFTED EDUCATION: Our Legislative Past, Present, and Future

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Friday, October 29th, 2021

Panelists and Links

Kate Bachtel, SoulSpark Learning

- <https://soulsparlearning.org>
- <https://www.linkedin.com/in/dr-kate-bachtel-10826954>

Melissa Bilash and Jennifer Nance, Esq, Grayson School

- <https://thegraysonschool.org/team/melissa-bilash/>
- <https://thegraysonschool.org/team/jennifer-nance/>
- <https://www.linkedin.com/in/melissa-bilash-50475b12>
- <http://acfeinc.com>

Kathleen Casper, Attorney / Advocate

- <https://www.linkedin.com/in/kathleen-casper-9451a729>
- https://jaglaw.net/dt_team/kathleen-casper/

David Cutler, NAGC

- <https://www.nagc.org/bio/david-cutler>
- <https://www.linkedin.com/in/david-cutler-7b86162b>
- Advanced Coursework Equity Act:
<https://www.nagc.org/sites/default/files/Advocacy/Advanced%20Coursework%20Equity%20Act%20Request%20Background%203.21.pdf>
- Attendees can find their member of congress here: <https://www.congress.gov/members/find-your-member>

Margaret DeLacy, Oregon Association for Talented and Gifted

- www.oatag.org (Oregon gifted association)
- <https://www.oatag.org/board.html>
- <https://www.linkedin.com/in/margaret-delacy-389b0214>

Sam George, parent/advocate

Jennifer Nance, Esq, Grayson School

- <https://thegraysonschool.org/team/jennifer-nance/>

Webinar Chat Notes

The following chat notes have been edited for brevity and personal comments have been removed.

01:06:42 Cliff: 78259 (San Antonio, TX, USA)

01:06:48 Pamela: Madison, WI - 53711

01:07:07 Jennifer: 07739 Little Silver, NJ

01:07:08 Lynne: Morristown, NJ 07960

01:07:09 Roxana: Hello from Romania! 020861

01:07:14 Nancy: Eastern PA, 18018

01:07:19 Katharina: 02459 (Newton, MA)

01:07:25 Judy: 97224 Tigard, OR USA

01:07:49 Tim Kulikowski - The G Word: Welcome everyone! We're delighted you've joined us today.

01:07:53 Chequeria: Brooklyn, NY 11236

01:08:01 Paula: 97405 Eugene, Oregon

01:08:01 Pamela: Looking for federal update & model legislation ideas from other states!

01:08:24 john: 97304 Which states have laws that require identification of and services for gifted and talented students?

01:08:29 Tim Kulikowski - The G Word: Margaret DeLacy, Oregon Association for Talented and Gifted
<https://www.oatag.org/board.html>
<https://www.linkedin.com/in/margaret-delacy-389b0214>

01:09:22 Tim Kulikowski - The G Word: We'd love it if you could post your questions using the Q&A feature, thanks.

01:12:21 Tim Kulikowski - The G Word: Kate Bachtel, SoulSpark Learning
<https://soulsparklearning.org>
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01:16:56 Tim Kulikowski - The G Word: Melissa Bilash and Jennifer Nance, Esq, Grayson School
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<http://acfeinc.com>

01:17:58 Christal: Awesome!

01:21:35 Tim Kulikowski - The G Word: David Cutler, NAGC
<https://www.nagc.org/bio/david-cutler>
<https://www.linkedin.com/in/david-cutler-7b86162b>

01:28:45 Christal: Thank You! I took tons of notes!

01:30:16 David Cutler: <https://www.nagc.org/2018-2019-state-states-gifted-education>

01:33:17 Christal: Similar story... but in Pre-K

01:34:17 Christal: 3e

01:34:26 Margaret DeLacy: Sometimes called gifted cubed

01:34:41 Christal: Exactly.

01:39:18 Christal: So CRAZY!! This is why I homeschool and advocate for gifted kids!

01:39:38 David Cutler: NAGC put together this one pager last year. The reintroduced bill contains the same language.
<https://www.nagc.org/sites/default/files/Advocacy/Advanced%20Coursework%20Equity%20Act%20Request%20Background%203.21.pdf>

01:40:04 David Cutler: You can find your member of Congress here:
<https://www.congress.gov/members/find-your-member>

01:47:38 Christal: Yessss!

01:52:46 Tim Kulikowski - The G Word: Kathleen Casper, Attorney / Advocate
<https://www.linkedin.com/in/kathleen-casper-9451a729>
https://jaglaw.net/dt_team/kathleen-casper/

02:03:36 Margaret DeLacy: Endrew case
02:04:23 Kate Bachtel (she/her/ella): IEP - Individualized Education Program (special education services and supports)
02:04:42 Kate Bachtel (she/her/ella): 504 plan - accommodations to access general education classroom
02:05:13 Christal: Yep.
02:08:06 Kate Bachtel (she/her/ella): IDEA - Individuals with Disabilities Education Act
02:09:26 Pamela: Hear hear! We need to attract more policy wonks to gifted education.
02:10:10 Tim Kulikowski - The G Word: Every Student Succeeds Act (ESSA):
<https://www.ed.gov/essa?src=rn>
02:11:18 Christal: Thank You!
02:11:23 Shelagh: Agreed—long range goals (never give up!) are sometimes achieved in incremental steps.
02:12:06 Tim Kulikowski - The G Word: U.S. Department of Education’s Individuals with Disabilities Education Act (IDEA): <https://sites.ed.gov/idea/>
02:13:02 Marc Smolowitz: Reminder: Please put your questions in the Q&A box, and I will refer to those after Kate is finished.
02:16:55 Rene: Had a conversation yesterday with a fellow advocate who did not want to use the phrase "neurodiverse" for gifted students because it might be uncomfortable for parents of gifted students. We talked through how important the clarity of language is at all levels in order to be successful at advocacy, but we didn't find a middle ground. She remained convinced that using that phrase with parents was undesirable. I'm still thinking through that conversation and a productive way to address those kinds of road blocks.
02:17:31 Margaret DeLacy: Virtually no attorneys to represent parents of g/t students. The few who are in this field usually represent districts.
02:18:24 Tim Kulikowski - The G Word: Javits Grants: <https://www.nagc.org/blog/what-javits-grant>
02:20:26 Margaret DeLacy: Does everyone know the Wrightslaw website for SpEd?
02:21:03 Sam George: Perhaps we look at Do No Harm as an operational thinking framework.
02:21:38 Sam George: Implementing personalized education is one way to Do No Harm.
02:22:40 Sam George: Having robust RTI is another way to do no harm. 2e students have many learning asynchronies.
02:22:58 Margaret DeLacy: wrightslaw.com
02:23:32 gary: Sam yes! Unfortunately it typically relates to remediation. Mindset change needed
02:23:50 Kate Bachtel (she/her/ella): Questions we can ask to support advocacy and get data needed to illustrate need...
02:24:18 Melissa Bilash & Jenny Nance The Grayson School: Council of Parent Attorneys and Advocates <https://www.copaa.org>
02:24:44 gary: Kate inspired my research in makerspaces. Thank you Kate!
02:24:49 Kate Bachtel (she/her/ella): Questions

1. Data on percentage of gifted students opting out of public school to homeschool or attend private school or move to other districts?
2. Attrition data – What percent of identified gifted students who leave the school they start at (especially high schools)?
3. Data on gifted student mental health, including attendance data (each at the district and school levels), percent in MTSS process for behavior concerns, suicide ideation, suicides and competitions, etc.?
4. Can we collect data for subpopulations within gifted, including highly and profoundly gifted students? (including how many in this category leave their schools, whether for other schools or homeschooling)

02:25:44 Rene: We love 2e kids! They are part of our community!
02:26:17 gary: Kate my daughter has attended 6 schools
02:26:25 Rene: FAPE & Gifted go together!

02:26:45 Pamela: For David - what do you think might be good timing for us all to ask for cosponsors for S1305 and HR2765? If I'm correct (from a quick Google), right now each version has only three cosponsors.

02:26:47 Kate Bachtel (she/her/ella): SoulSpark Learning is contenting this conversation at NAGC in Denver at 8:30pm.

02:27:05 Rene: Thank you for sharing about Larry P. That was new information for me. Really important.

02:28:27 Tim Kulikowski - The G Word: FAPE: The Section 504 regulation requires a school district to provide a "free appropriate public education" (FAPE) to each qualified person with a disability who is in the school district's jurisdiction, regardless of the nature or severity of the person's disability. <https://www2.ed.gov/about/offices/list/ocr/docs/edlite-FAPE504.html>

02:29:36 Margaret DeLacy: fape does not apply to g/t students unless they are also SpED.

02:30:05 Margaret DeLacy: Endrew said tht SpED students have a right to a challenging education.

02:31:12 Melissa Bilash & Jenny Nance The Grayson School: Endrew F:
<https://www.scotusblog.com/case-files/cases/endrew-f-v-douglas-county-school-district/>

02:32:31 Kate Bachtel (she/her/ella): Would be wonderful to move from • IDEA => IEEA, Individuals with Exceptionalities Education Act – federal level legislation that includes gifted in exceptionality law (not just disabilities / different abilities) so it does not matter what zip code you live in and so there is adequate funding and accountability

02:32:49 Rene: @Margaret Thank you for clarifying that. They don't apply to gifted. In fact, gifted is often used to prevent FAPE access. I should have said they SHOULD go together. They naturally do...

02:34:04 Rene: @KateBachtel That's great. Agree. IEEA.

02:34:39 Tim Kulikowski - The G Word: Thank you to our panelists and attendees who joined us today. We're delighted you could be here. Find out more about The G Word documentary at www.theGwordfilm.com.

02:35:25 Jennifer: Yes! We have to work together!

02:39:16 Christal: Come see us in Alabama!

02:39:19 Rene: Thank you everyone!

02:40:06 Margaret DeLacy: WWW.oatag.org in Oregon

02:41:29 john: Yes, echoing Margaret here. Join your state gifted advocacy organization as your legislative representatives often ask how many individuals are members