



# GiftedNYS

*An inclusive community advocating for learners with gifted education needs, their families, and educators.*

## LEGISLATIVE PRIORITIES

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### 1. Update & Implement Article 90: Gifted Education (EDN §4451-4453)

*Gifted Education Statute*

#### **Issue:**

Article 90, written more than 40 years ago, does not reflect current understanding of the diversity of giftedness, neurodiversity, 21st-century learning skills such as creativity and problem solving, or principles of educational equity. The current law lacks mechanisms for oversight, family engagement, or expert guidance at the state level.

Although Article 90 authorizes an **Advisory Council on the Education of Gifted Pupils**, the council is not currently active.

#### **Impact:**

Without updated language and an active advisory council, New York State Education Department (NYSED) has no formal structure for supporting gifted learners or gifted programming. When families seek guidance, there is no designated office to assist them. When districts need clarity, there is no state-level contact or direction.

The absence of state leadership, standards, and coordination has left thousands of gifted and 2e learners without access to the appropriate academic instruction or services critical to helping them reach their potential.

#### **Policy Ask:**

Amend Article 90 to:

- **Update the statutory language** to reflect 21st understanding of giftedness and neurodiversity.
- **Establish and activate** the *Advisory Council on the Education of Gifted Pupils*, modeled after the Commissioner's Advisory Panel on Special Education.
- **Ensure** the council meets at least twice per year and includes parents, educators, and experts, who can advise NYSED and the Board of Regents.
- **Designate** a **Gifted Education liaison** within NYSED who may coordinate with the council, direct families to resources, and serve as a policy contact.

#### **Why Updating Article 90 Matters:**

Updating Article 90 is a low cost, high impact step that will:

- **Create** needed **infrastructure and accountability**.
- **Align** gifted education with NYSED's NY Inspires: New York State Portrait of a Graduate goals and Culturally Responsive-Sustaining Education Framework.
- **Ensure statewide consistency** so gifted education no longer depends solely on local capacity, awareness, or interpretation.



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## 2. Teacher Preparation: Adding Gifted Education Requirements

### Issue:

Most teachers who receive their degree and certification in New York State receive **little or no formal training** in identifying or supporting gifted and 2e learners. As a result, advanced potential, especially among students of color, low income students, English Language Learners, and students with disabilities often go unrecognized. Preparation gaps reinforce inequities, and limit New York’s ability to ensure all students receive instruction matched to their learning needs.

### Impact:

Coursework in gifted education is found in only **8.5% of teacher preparation programs in the United States** (National Association for Gifted Children, 2022-23). As a result, most teachers enter classrooms without training to recognize advanced learning needs or to distinguish them from behavioral or disability-related challenges. When instruction does not match a student’s ability level, frustration can manifest as disengagement, inattention, or non-compliance—behaviors often misinterpreted as defiance rather than symptoms of unmet academic needs. Teachers may also unintentionally make inappropriate placement decisions when “gifted services” are viewed as a **reward for ideal behavior** or work habits, rather than a **strength-based instructional necessity**. Without preparation in gifted education, teachers lack the tools to identify advanced learning potential and implement supports such as enrichment, differentiation, and acceleration.

### Policy Ask:

Require all teacher preparation programs in New York State to include coursework or modules addressing 21st century understanding of the neurodiversity of gifted and creative learners. Further, require all pre-service teachers and those completing master’s programs to complete a 3-credit course or integrated module on gifted education.

### Why Adding Gifted Education Requirements Matters:

Adding gifted education requirements for teacher preparation:

- **Prepares** teachers to recognize and meet the needs of **all** learners in their classrooms.
- **Builds** teacher confidence and improves classroom equity.
- **Reduces** behavioral and engagement issues rooted in lack of appropriate academic challenge.
- **Aligns** with NYSED’s DEI, Culturally Responsive-Sustaining Education Framework, and Whole Child Learning goals.
- **Supports** the NY Inspires vision by equipping teachers to nurture each student’s unique strengths and potential with a classroom environment that cultivates excellence and equity.

Every teacher will encounter gifted and 2e students. Ensuring they are prepared to recognize and support these learners is **essential for equity** and central to the goals of the *NY Inspires: Portrait of a Graduate* initiative.