

Copyright

by

Grace Lillian Hardwick

2021

**The Report Committee for Grace Lillian Hardwick  
Certifies that this is the approved version of the following Report:**

**Equity in Gifted Education: An Examination of Gifted Programs in  
Florida**

**APPROVED BY  
SUPERVISING COMMITTEE:**

Paul von Hippel, Supervisor

Cynthia Osborne

**Equity in Gifted Education: An Examination of Gifted Programs in  
Florida**

**by**

**Grace Lillian Hardwick**

**Report**

Presented to the Faculty of the Graduate School of

The University of Texas at Austin

in Partial Fulfillment

of the Requirements

for the Degree of

**Master of Public Affairs**

**The University of Texas at Austin**

**May 2021**

## **Dedication**

I would like to thank my parents, sister and friends for their encouragement and support in completing this report.

## **Acknowledgements**

I would like to thank Dr. Paul von Hippel for helping me complete my report and Dr. Cynthia Osborne for serving on my supervising committee . I would also like to thank all of the interview subjects who so generously gave their time and knowledge to this report. Finally, would like to thank Martin Martinez who wrote a version of the literature review with me for a previous class which is where the idea for this report began.

## **Abstract**

# **Equity in Gifted Education: An Examination of Gifted Programs in Florida**

Grace Lillian Hardwick, M.P.Aff.

The University of Texas at Austin, 2021

Supervisor: Paul von Hippel

Gifted and Talented programs are common throughout the United States and typically enroll a disproportional number of advantaged students. This report will examine that issue by using the gifted programs and policies in Florida and Broward County Public Schools as case studies. Through historical research, interviews and overview of existing studies of gifted programs in Florida and Broward County Public Schools this report will provide insight into the historical development of gifted education policies in Florida, current research in gifted education and existing gifted education programs. This report will also make specific recommendations for teachers, school administrators and state officials to improve access for underrepresented students in gifted programs.

## Table of Contents

|   |    |
|---|----|
| List of Figures.....  | ix |
| Chapter 1: Introduction.....  | 1  |
| Chapter 2: Background.....  | 3  |
| Underrepresentation in Gifted Programs.....   | 3  |
| Issues with Referrals.....  | 6  |
| Solutions in Practice.....  | 11 |
| Chapter 3: History of Gifted Education in Florida.....  | 14 |
| Early History.....  | 14 |
| Underrepresentation.....  | 15 |
| Creation of Plan B.....   | 17 |
| Discrimination Lawsuits.....  | 19 |
| How Florida Has Identified Students Since the Lawsuits.....                                       | 23 |
| Florida’s Current Plans for Identifying Underrepresented Students.....                            | 26 |
| Chapter 4: Universal Screening in Broward County Public Schools: A Case Study.....                | 30 |
| Broward County Public Schools Background.....   | 30 |
| BCPS Universal Screening in the News.....   | 32 |
| Interviews.....   | 33 |
| Methodology.....  | 33 |
| Origination of the Program.....   | 34 |
| The Cost of Universal Screening.....  | 35 |
| Changes to the Gifted Screener.....   | 36 |
| How BCPS Implements Plan B.....   | 38 |
| Private IQ Testing.....   | 39 |
| Perceptions of Plan A and Plan B.....   | 41 |
| Other Aspects of BCPS’s Gifted Identification.....  | 42 |
| Chapter 5: Recommendations.....   | 43 |
| Purpose.....  | 43 |
| Recommendation 1: Mandate and fund gifted education and identification at appropriate levels..... | 44 |
| Recommendation 2: Track demographic data in gifted programs.....                                  | 46 |
| Recommendation 3: Train teachers and staff to recognize bias in gifted referral.....              | 46 |

|  |    |
|--|----|
| Recommendation 4: Consider universal screening or broader ways to identify students.....       | 48 |
| Appendices: .....  | 50 |
| Appendix A: Key Informant Interview Questions for Administrators.....                          | 50 |
| Appendix B Key Informant Interview Questions for School Board Members.....                     | 51 |
| Appendix C: Key Informant Interview Questions for Advocacy Group Members.....                  | 51 |
| Appendix D: Key Informant Interview Questions for Private Psychologists .....                  | 52 |
| Appendix E: Key Informant Interview Questions for Individuals Familiar with the Lawsuits:..... | 52 |
| Bibliography .....   | 53 |



## **List of Figures**

|           |   |    |
|-----------|---|----|
| Figure 1: | Total U.S. Race and Ethnicity Demographics 2013-2014.....                                       | 4  |
| Figure 2: | NAEP Scores and Gifted Enrollment of Fourth Grade Students by Race and Ethnicity.....           | 10 |
| Figure 3: | Florida Student Demographics 1982-1983.....   | 16 |
| Figure 4: | Percentage of Students in Florida Gifted Programs 2004-2005 by Race and Ethnicity.....          | 24 |
| Figure 5: | Black Students as A Percentage of Florida Gifted Students 1990-2005.....                        | 25 |
| Figure 6: | Florida Student Demographics 2015-16.....   | 28 |
| Figure 7: | How Florida’s School Districts are Using Universal Screening 2017.....                          | 29 |
| Figure 8: | Broward County Public Schools Student Demographics by Race and Ethnicity by Race 2020-2021..... | 31 |
| Figure 9: | State Mandates for Gifted Education, Identification and Level of Funding in 2015-16.....        | 44 |

## **Chapter 1: Introduction**

I became interested in this topic because of my experience and my sister's experience being in gifted and talented magnet programs in Houston public schools (HISD). Our family feels that we benefited from the program, but I noticed while I was still in school that the demographics of our programs did not match the overall demographics of Houston or HISD. At the time most children entered the gifted magnet program by parent referral. In my case my preschool recommended that my parents have my sister and I tested for the program.

This process requires parents to be aware of the program before their child starts school and take them to a testing center on a Saturday months before the beginning of kindergarten. Entering the program after kindergarten was difficult because most spots were full. From my personal observations I believe this process was a significant reason why the program's demographics were much whiter and more affluent than the district as a whole. From my understanding HISD has made steps to improve the diversity in their gifted programs and the programs have become more diverse than when I entered HISD in the fall of 1999. But the demographics of HISD gifted programs still do not match the district as a whole which is a majority Hispanic and high poverty district.

I came across the Card and Giuliano study on universal screening in Broward County Public Schools (BCPS) in another class and found it very compelling. The only experience I have experience with and the only kind of gifted testing I have heard of relied

solely on parent or teacher referral. I wanted to explore this further to evaluate how such programs work and if they actually make gifted programs more equitable.

The purpose of this report is to report is to examine if universal screening is a more equitable way to identify children for gifted education programs. I evaluated the program in BCPS as a case study for universal screening. After researching that program, I determined that understanding the history and development of gifted education in Florida is essential to comprehending the development of the screening program in BCPS.

There is a lot of debate about if being in a gifted program has an effect on a student's education or long-term outcomes. While I think that discussion is important and should be studied further I also think it misses an important point. In many school districts being in a gifted program conveys a certain kind of status to children and families. Regardless of whether the programs do what they assert they do if the demographics of these programs do not match the school district as a whole I have seen that disparity send a message to all children that can be detrimental.

## Chapter 2: Background<sup>1</sup>

### UNDERREPRESENTATION IN GIFTED PROGRAMS

The demographics of gifted programs often do not match the demographics of the school districts they are in. Many school districts and states have made efforts to improve this in recent years. But these discrepancies have persisted even as the student population has become more diverse in recent years.<sup>2</sup> Groups that have consistently been underrepresented in these programs are students who are black, Hispanic, low-income and English language learners (ELLs). Recent data from the Office for Civil Rights at the U.S. Department of Education shows that gifted programs are disproportionately white and Asian and contain a lower number of ELL students when compared to the general population. As of the 2013-14 school ELL students made up just over ten percent (10.1%) of the total student population but were only around three percent (2.6%) of students enrolled in gifted programs (20.2%).<sup>3</sup> The same year white students were overrepresented in gifted programs by just over twenty percent and Asian students by almost double

---

<sup>1</sup> The existing research section of this paper is from a paper first written in collaboration with Martin Martinez for another work. He is thanked in the acknowledgment.

<sup>2</sup> Ramos, Emily. "Let us in: Latino underrepresentation in Gifted and Talented Programs." *Journal of Cultural Diversity* 17, no. 4 (2010): 151–153. Accessed January 31, 2021. <https://search-proquest-com.ezproxy.lib.utexas.edu/docview/818559227?accountid=7118&pq-origsite=primo>

<sup>3</sup> *Public school students overall and by race/ethnicity, students with disabilities served under IDEA and those served solely under Section 504, and students who are English language learners, by state: School Year 2013-14*, Distributed by the Office for Civil Rights at the U.S. Department of Education, <https://ocrdata.ed.gov/estimations/2013-2014>.

compared to their overall enrollment (98%).<sup>4</sup> Black students were enrolled in gifted programs at about half the rate of their overall enrollment (55%) and Hispanic students at around seventy percent (70.2%) of their overall enrollment.<sup>5</sup>

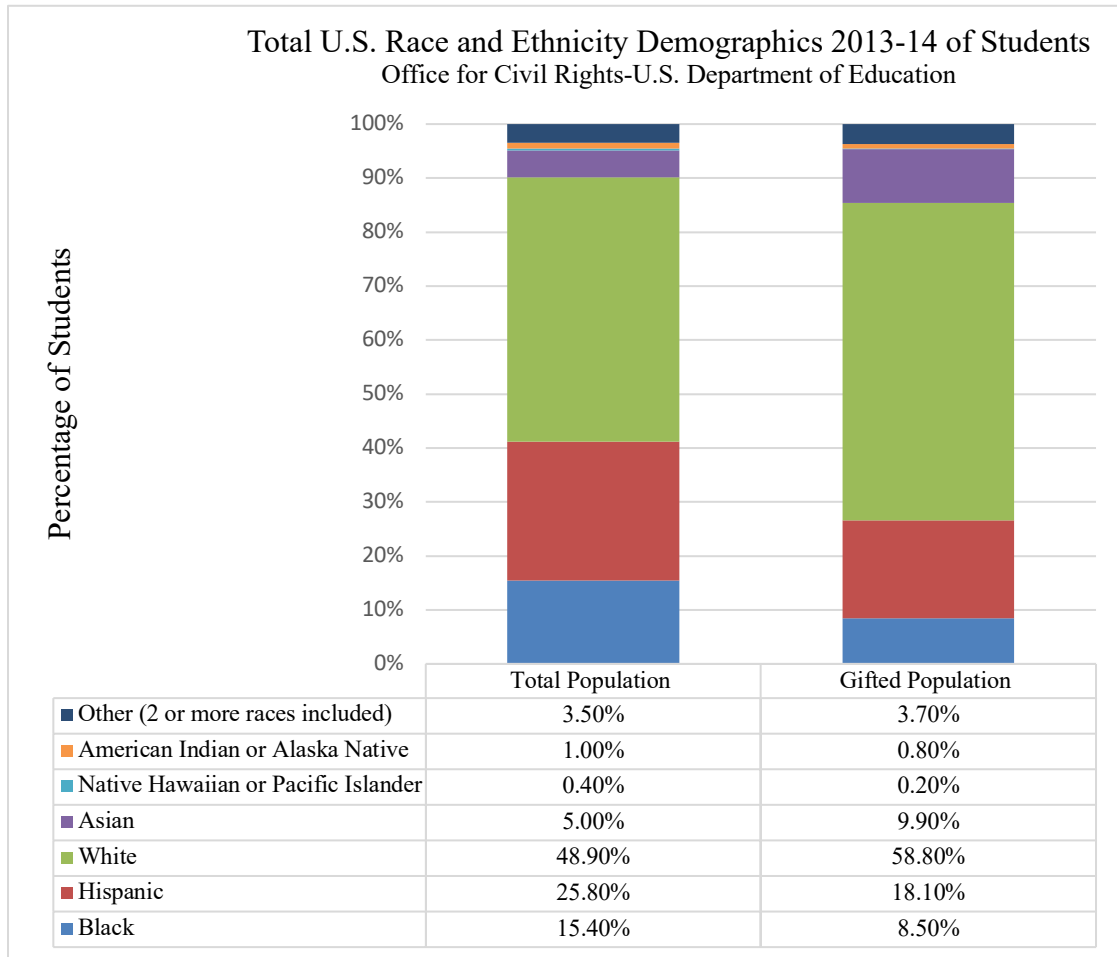


Figure 1: Total U.S. Race and Ethnicity Demographics 2013-14

<sup>4</sup> *Number and percentage of public school students enrolled in gifted/talented programs, by race/ethnicity and disability status by state: School Year 2013-14*, Distributed by the Office for Civil Rights at the U.S. Department of Education, <https://ocrdata.ed.gov/estimations/2013-2014>.

<sup>5</sup> *Number and percentage of public school students who are English*, Distributed by the Office of Civil Rights at the U.S. Department of Education.

As of the 2014-2015 school year around two-thirds (68.3%) of elementary schools have a gifted program<sup>6</sup> and about around nine percent (8.9%) of students in these schools participate in these programs.<sup>7</sup> Schools with a low proportion of students who qualify for free and reduced price lunch (FRL) are only slightly more likely to have gifted programs.<sup>8</sup> Although high poverty schools are nearly as likely to have gifted programs as low poverty schools, students in low poverty schools participate in these programs at half the rate of students in high poverty schools (12.4% vs. 6.1%).<sup>9</sup>

The racial demographics of gifted programs do not match those of school children as a whole. Compared to their relative populations<sup>10</sup> black and Hispanic students are enrolled in gifted programs at lower rates than their overall population.<sup>11</sup> White and Asian students are overrepresented in gifted programs but at varying rates depending on the poverty rate of the school. At high and middle poverty schools Asian and white students are overrepresented. But at low-poverty students only Asian students are overrepresented compared to their overall population.<sup>12</sup>

---

<sup>6</sup> Christopher B. Yaluma and Adam Tyner “*Is There a Gifted Gap? Gifted Education in High Poverty Schools,*” (Washington, D.C.: The Thomas Fordham Institute, 2018). Accessed April 15, <https://fordhaminstitute.org/sites/default/files/publication/pdfs/0131-there-gifted-gap-gifted-education-high-poverty-schools.pdf>.

<sup>7</sup> Yaluma and Tyner, “*Is There a Gifted Gap?*” (2018).

<sup>8</sup> Yaluma and Tyner, “*Is There a Gifted Gap?*” (2018).

<sup>9</sup> Yaluma and Tyner, “*Is There a Gifted Gap?*” (2018).

<sup>10</sup> *Public school students overall*, Distributed by the Office of Civil Rights at the U.S. Department of Education.

<sup>11</sup> *Number and percentage of public school students who are English*, Distributed by the Office of Civil Rights at the U.S. Department of Education.

<sup>12</sup> Yaluma and Tyner, “*Is There a Gifted Gap?*” (2018).

The reasons why demographics vary based on the poverty level of the school is not entirely known. One of the possible causes for this is the large amount of educational inequality in the United States. Not all educational opportunities are available to all children and certain groups tend to have more access than others. And in the United States poverty and lack of opportunity is often closely related to race, ethnicity, immigration status and limited English proficiency. This may affect gifted enrollment as educational opportunities are associated with greater achievement in school.<sup>13</sup>

### **ISSUES WITH REFERRALS**

Although most educators would agree that students from all backgrounds can be intellectually gifted, this is not represented in practice when we observe which students are enrolled in these special programs.<sup>14</sup> Black and Hispanic students are not well represented in gifted programs compared to white and Asian students. Little research has been done on the representation of other racial and ethnic groups likely because of their low population. As of the 2013-14 school year black students were around nine percent (8.5%) of gifted students but were around fifteen percent (15.4%) of total students and Hispanic students were a little more than eighteen percent (18.1%) of gifted students despite being almost

---

<sup>13</sup> Peters, Scott J, Marcia Gentry, Gilman W Whiting, and Matthew T McBee. "Who Gets Served in Gifted Education? Demographic Representation and a Call for Action." *The Gifted child quarterly* 63, no. 4 (2019): 273–287. Accessed April 7, 2021. <https://doi-org.ezproxy.lib.utexas.edu/10.1177/0016986219833738>

<sup>14</sup> Elhoweris, Hala, Kagendo Mutua, Nغمeldin Alsheikh, and Pauline Holloway. "Effect of Children's Ethnicity on Teachers' Referral and Recommendation Decisions in Gifted and Talented Programs." *Remedial and Special Education* 26, no. 1 (2005): 25–31. Accessed February 1, 2021. <https://doi-org.ezproxy.lib.utexas.edu/10.1177/07419325050260010401>

twenty-six percent (25.8%) of students as a whole.<sup>15</sup> The reasons for this are often debated and may include a variety of factors including school quality, parental education and involvement, bias in testing and if a child's school has a gifted program. Teacher referral may also play a role in this underrepresentation. Many gifted programs in the United States use teacher referral as a large part of gifted identification. Previous research has shown that teachers tend to hold lower expectations for black and Hispanic students and are less likely to recognize gifted characteristics in those students.

Investigations into teacher referral for gifted programs have shown that teachers perceive children differently based on their race when deciding if they display gifted characteristics. Something as simple as a child's name may influence how teachers determine if a child is gifted. One study used a stratified cluster sampling to gather 207 elementary school teachers from various regions of the Midwest to participate in their research.<sup>16</sup> Teachers were randomly assigned to one of three groups where they read the same vignette that described a student with the academic ability to participate in a GT program but with different names. One-third of the teachers read a vignette that had a name that signaled either a European-American student, an African-American student, or no name for the control group. Teachers were asked (using a 6-point Likert scale) to rate the likelihood of referring the student to a GT program and whether they would place the

---

<sup>15</sup> *Public school students overall*, Distributed by the Office of Civil Rights at the U.S. Department of Education.

<sup>16</sup> Elhoweris, Hala, "Effect of Children's," 26.



student in the program or not. Their responses were analyzed on SPSS using multivariate analysis to investigate how these two dependent variables were influenced by ethnicity.

The researchers found that teachers were influenced by changing the names associated with the student being described in the vignette. Teachers were significantly less likely to refer a student with an African-American signaling name to a GT program, while students with European-American names were just as likely to be referred to gifted programs as the control group where no name was given with the vignette.<sup>17</sup> There was no statistically significant difference when it came to deciding if a student should be placed in the program or not.

Other studies have shown that teachers perceive children differently based on their own race or ethnicity. A 2015 found that assignment of a student to a teacher of the same race significantly increases a child's chance of being referred to a gifted program. This increase was the largest for black students who are often the least represented in gifted programs.<sup>18</sup> This research spotlights the weakness of gifted programs that primarily rely on a referral process from teachers for student selection. This is even more important when, as the paper notes, most teachers in the United States are white, even though the percentage of students of color has rapidly increased<sup>19</sup> Any school district that uses teacher referral as

---

<sup>17</sup> Elhoweris, Hala, "Effect of Children's," 28.

<sup>18</sup> Grissom and Redding, "Discretion and Disproportionality," 16.

<sup>19</sup> A.W. Geigner, "America's Public School Teachers are Far less Racially and Ethnically Diverse than their Students," *Pew Research Center*, August 27, 2018. Accessed April 15, 2021.

<https://www.pewresearch.org/fact-tank/2018/08/27/americas-public-school-teachers-are-far-less-racially-and-ethnically-diverse-than-their-students/>.

a part of their gifted student identification needs to be aware of issues related to cross-race referral for these programs and should consider protocols to address this issue.

It is important to note that while referral and other issues with the process may impact the demographics of gifted programs there are also consistent differences in achievement between racial and ethnic groups. On many measures of achievement that schools use, including those they use to place children in gifted programs, white and Asian students as a whole score higher than black and Hispanic students. Historically this has often been called the Achievement Gap and has been studied for many years. Most of this research has focused and still focuses on the achievement differences between black and white students. Although the number of Hispanic and Asian students has increased in the past few decades less research has been done on their achievement compared to students of other races and ethnicities. One place differences in achievement can be seen is the National Assessment of Educational Progress or NAEP. The NAEP is a congressionally mandated test has been given every year since 1969 to a nationally representative group of students to assess how American students are performing academically.<sup>20</sup> The results of the 2015 fourth grade math assessment showed that more Asian and white students scored advanced on the NAEP math section.<sup>21</sup> Black, Hispanic and white students were also more likely to be enrolled in a gifted program than they were to receive an advanced NAEP math

---

<sup>20</sup> “About NAEP: A Common Measure of Student Achievement,” National Center for Educational Statistics, November 4, 2020. Accessed April 20, 2021. <https://nces.ed.gov/nationsreportcard/about/>

<sup>21</sup> Yaluma and Tyner, “*Is There a Gifted Gap?*” (2018).

score. Asian students were the only group who were less likely to be enrolled in a gifted program than they were to achieve an advanced NAEP math score.<sup>22</sup>

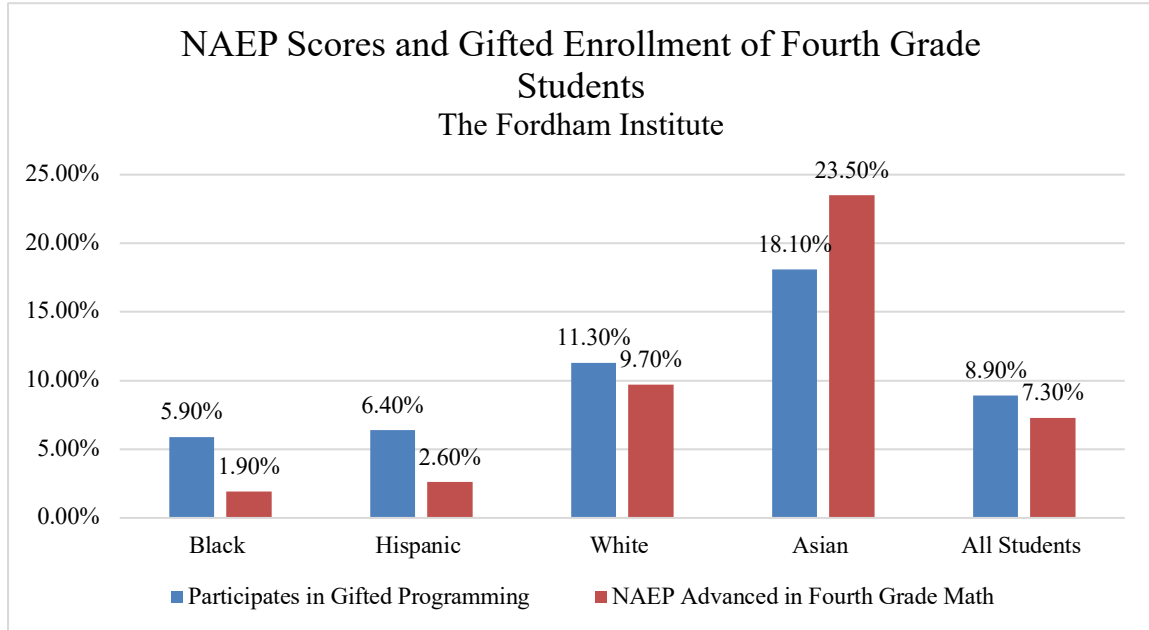


Figure 2: NAEP Scores and Gifted Enrollment of Fourth Grade Students by Race and Ethnicity

This is only one assessment for one grade in one subject. And because it takes place in the fourth grade when children have already spent five years in school it is possible that students’ scores may be affected by the quality of the schools they have attended. But this trend is consistent across many measures and can be seen when children enter school in kindergarten.<sup>23</sup> It does appear that bias does play a role in some of the difference in gifted

<sup>22</sup> Yaluma and Tyner, “*Is There a Gifted Gap?*” (2018).

<sup>23</sup> Reardon, Sean F, and Ximena A Portilla. “Recent Trends in Income, Racial, and Ethnic School Readiness Gaps at Kindergarten Entry.” *AERA open* 2, no. 3 (2016): 1-18. Accessed April 12, 2012. <https://doi-org.ezproxy.lib.utexas.edu/10.1177/2332858416657343>

enrollment. And black and Hispanic students consistently perform lower than white and Asian students on many academic metrics. Regardless of whether or not those metrics are appropriate metrics of academic achievement or intelligence they are used by schools to access students, including for entrance into many gifted programs.

## **SOLUTIONS IN PRACTICE**

Across the United States large groups of students including those who are black and Hispanic, immigrants, low-income and ELLs have often been underrepresented in gifted education programs.<sup>24</sup> Research suggests that how schools select students for these programs may contribute to a large part of this discrepancy. Traditionally gifted programs have relied heavily on parent and teacher referrals for gifted testing. One recent method that has emerged to address the problems with referrals is universal screening. Universal screening gives all children an assessment at least once in while they are in school. That assessment is then used to see if the child should be further evaluated for a gifted program using additional measures which could include things like teacher evaluation, further testing and grades.

One of the most well publicized uses of universal screening is in Broward County Public Schools (BCPS) in Florida. This large urban district implemented a universal screening program for all second graders in the spring of 2005.<sup>25</sup> This new policy required

---

<sup>24</sup> Card, David and Laura Giuliano. "Can Universal Screening Increase the Representation of Low Income and Minority Students in Gifted Education?" *National Bureau of Economic Research*, (2015): 1-23. Accessed January 31, 2021. <https://www-nber-org.ezproxy.lib.utexas.edu/papers/w21519>.

<sup>25</sup> Card and Giuliano, "Can Universal Screening," 1.

all second graders to take the Naglieri Non-Verbal Ability Test (NNAT), a non-verbal test that is often used in academic and gifted assessment. Most students were required to score at least 130 on the test to be eligible for further gifted evaluation, while ELLs and children who received FRL were required to score 115 for further evaluation. Students who met the required score were then given a full IQ test by the district psychologists and evaluated by their parents and teachers for “gifted indicators.”<sup>26</sup> Florida has strict standards for entrance to gifted programs. These evaluations determined if the child was placed in the gifted program. As the standards to place children in the gifted program did not change, any increases in gifted enrollment could reasonably be attributed to the universal screening program.

After the universal screening program was implemented, enrollment in the gifted program increased overall, and there were higher increases among underrepresented groups.<sup>27</sup> A similar change was not seen in adjacent districts with similar demographics. This change suggested that most of the differences in student enrollment were the result of the universal screening program and not the result in changes in the population as a whole or new gifted eligibility standards. The IQ score distribution of newly identified students was similar to students who had been identified under the previous screening program.<sup>28</sup> Both of these findings highlight that lack of identification, not lack of gifted ability, prevent many qualified underrepresented students from participating in gifted programs.

---

<sup>26</sup> Card and Giuliano, “Can Universal Screening,” 4.

<sup>27</sup> Card and Giuliano, “Can Universal Screening,” 3.

<sup>28</sup> Card and Giuliano, “Can Universal Screening,” 3.

While universal screening can be more equitable than traditional referral programs in identifying underrepresented students, such programs can still under identify underrepresented students. Further research has found that disadvantaged students who met the lower score cutoff were actually placed in the gifted program at a lower rate than non-disadvantaged students who met the higher cutoff.<sup>29</sup> This discrepancy may be caused by another aspect of the screening program. Specifically, students who meet the cutoff score are then evaluated for gifted characteristics by their teachers and parents which determines if they will be IQ tested by the school. It is possible that even when universal screening is used, underrepresented students may still be excluded because many programs still use subjective evaluation of giftedness of part of the process.

These programs can also have tradeoffs. Referral is fast and cost effective but misses many children, while universal screenings can identify a larger and more diverse group of children but require more time and money.<sup>30</sup> These screenings may still allow families with more resources to have access to gifted programs. For example, in BCPS, parents are allowed to use a private IQ test to meet the gifted entrance requirements.<sup>31</sup> This option is not available to all families and may give them an advantage or at least a perceived advantage when accessing these programs.

---

<sup>29</sup> Lakin, Joni M. "Universal Screening and the Representation of Historically Underrepresented Minority Students in Gifted Education: Minding the Gaps in Card and Giuliano's Research." *Journal of advanced academics* 27, no. 2 (2016): 139–149. Accessed January 31, 2021. <https://doi-org.ezproxy.lib.utexas.edu/10.1177/1932202X16630348>.

<sup>30</sup> Lakin, "Universal Screening," 144.

<sup>31</sup> Lakin, "Universal Screening," 145.

## Chapter 3: History of Gifted Education in Florida

This section documents the general history of gifted education in Florida from 1956 to the present. It is important to note that unlike many states Florida funds gifted education and mandates many aspects of identification and programming statewide. The most important events are noted in the paragraphs below.

### EARLY HISTORY

In 1956 Florida adopted a rule that created a provision for state and local funds to pay for gifted education programs.<sup>32</sup> Twelve years later in 1968 the state added gifted to the definition of exceptional student education (ESE).<sup>33</sup> In Florida ESE includes gifted education as well as special education.<sup>34</sup> In 1975 gifted education was mandated under ESE.<sup>35</sup> In 1977 the Florida Department of Education (FDOE) adopted rule 6A.603019, F.A.C., Specialized Instructional Programs for Students Who Are Gifted.<sup>36</sup> This rule established statewide criteria for entering a gifted program in Florida. The standards required students to demonstrate<sup>37</sup>

1. Need for a special program
2. A majority of characteristics of gifted students according to a standard scale or checklist: and,

---

<sup>32</sup> Florida Department of Education, *Florida Plan for K-12 Gifted Education*, (Florida Department of Education, 2017) 1-28.

<sup>33</sup> Florida Department of Education, *Florida Plan 2017*, 6.

<sup>34</sup> “ESE Eligibility,” Florida Department of Education. April 11, <http://www.fldoe.org/academics/exceptional-student-edu/ese-eligibility/>.

<sup>35</sup> Florida Department of Education, *Florida Plan 2017*, 6.

<sup>36</sup> Florida Department of Education, *Education of Gifted 2013*, 102.

<sup>37</sup> Fla. Admin. Code. 6A-6.03019. (7-1-77).

3. Superior intellectual development as measured by an intelligence quotient of (2) standard deviations or more above the mean of an individually administered test of intelligence.

## **UNDERREPRESENTATION**

In the early 1980s the Office for Civil Rights (OCR) gave notice to Florida because the demographics of their gifted programs did not reflect the racial and ethnic demographics of students in Florida.<sup>38</sup> The OCR also gave Florida notice about the high number of black students in special education.<sup>39</sup> In 1983 pilot programs were launched to address the issue of underrepresented groups in gifted programs.<sup>40</sup> Underrepresentation of Hispanic and particularly black students was significant in Florida at the time. In the 1982-83 school year 34,309 students or just over two percent (2.3%) of students in Florida's public schools were enrolled in gifted programs.<sup>41</sup> In that school year white students were overrepresented in gifted programs by about forty percent (39%). There were almost six times fewer black students (5.95) and almost five times fewer Hispanic students (4.85) in Florida's gifted programs compared to students in the state.

---

<sup>38</sup> Florida Department of Education, *Education of Gifted 2013*, 102.

<sup>39</sup> Andrew Froman, "Schools pioneer programs to find 'gifted' blacks," *South Florida Sun-Sentinel*, June 14, 1980, accessed March 14, 2021, <https://www.newspapers.com/image/234345128/?terms=gifted%20program%20black%20IQ&match=1>.

<sup>40</sup> Florida Department of Education, *Education of Gifted 2013*, 102.

<sup>41</sup> Mark Silva, "Gifted Minority Students Often Left Out," *The Miami Herald*, February 15, 1984. Accessed March 20, 2021. <https://www.newspapers.com/image/630402892>



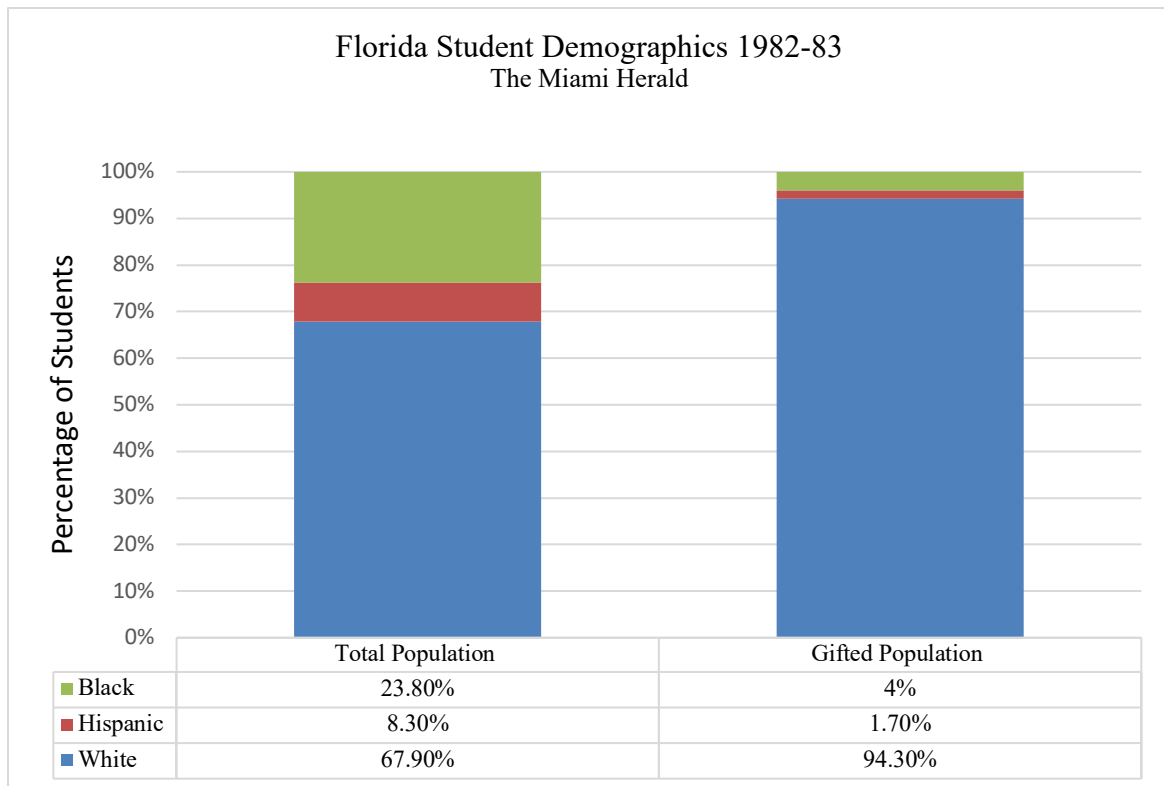


Figure 3: Florida Student Demographics 1982-83

The Florida State Legislature commissioned a study on the issue of underrepresentation in gifted programs the same year.<sup>42</sup> A panel of experts was convened by the FDOE to investigate issues in gifted education including underrepresentation. One of the issues discussed in underrepresentation was the almost exclusive use of IQ tests in Florida in gifted program eligibility standards. IQ tests were questioned for because black and Hispanic students score on average lower on these tests than white students.<sup>43</sup> Several pilot programs were launched to investigate potential solutions to this problem. One of the

<sup>42</sup> Silva, "Gifted Minority Students," *The Miami Herald*, February 15, 1984.

<sup>43</sup> Silva, "Gifted Minority Students," *The Miami Herald*, February 15, 1984.

pilot programs in BCPS combined a student's IQ score from a traditional intelligence test with information about the student's cultural, social and economic background.<sup>44</sup> This was called a student's "estimated learning potential" or ELP. The ELP was higher than the student's IQ score and gave more of a boost to children from more disadvantaged backgrounds.<sup>45</sup>

### **CREATION OF PLAN B**

In 1991 the FDOE revised Rule 6A-6.03019, F.A.C., Special Instructional Programs for Students who Are Gifted.<sup>46</sup> This revision added a second way for students to qualify for gifted programs. Specifically, now school districts could use a different eligibility standard if<sup>47</sup>

(b) The student is a member of an under-represented group and meets the criteria specified in an approved school district plan for increasing the participation of under-represented groups.

This different eligibility standard for certain students became known as Plan B and the original standards became known as Plan A. Both of those terms are still used today. In 1991 underrepresented groups included students who were classified by the state as having limited English proficiency, who were from low socio-economic families, or

---

<sup>44</sup> Froman, "Schools pioneer programs," *South Florida Sun-Sentinel*, June 14, 1980.

<sup>45</sup> Froman, "Schools pioneer programs," *South Florida Sun-Sentinel*, June 14, 1980.

<sup>46</sup> Florida Department of Education, *Education of Gifted 2013*, 102.

<sup>47</sup> Fla. Admin. Code. 6A-6.03019. (10-10-91).

students who were from traditionally underrepresented racial and ethnic groups.<sup>48</sup> For districts that met that criteria<sup>49</sup>

2. The Department of Education is authorized to approve school district plan for increasing the participation of students from under-represented groups in special instructional programs for the gifted, provided these plans including the following.

a. A district goal to increase the percent of students from under-represented groups in programs for the gifted and the current status of the district in regard to the goal.

b. Criteria for determining eligibility based on the student's demonstrated ability or potential in specific areas of leadership, motivation, academic performance, and creativity.

c. Criteria for determining eligibility based on the student' demonstrated ability or potential in specific areas of leadership, motivation, academic performance, and creativity;

d. Student evaluation procedures, including the identification of the measured instruments to be used;

e. Instructional program modifications or adaptations to ensure successful and continued participation of students from under-represented groups in the existing instructional program for gifted students; and,

f. An evaluation design which addresses evaluation of progress toward the district's goal for increasing participation from under-represented groups.

Following the adoption of the Plan B standards the percentage of underrepresented students did not improve in all districts as much as expected. In 1994 the Palm Beach County School District was notified by the OCR that it received a complaint that the district discriminated against black students in gifted program selection.<sup>50</sup> At the time black students made up twenty-eight percent of the school district but only six percent of the

---

<sup>48</sup> B.C. Manion, "Plan Opens New Door," *The Tampa Tribune*, October 3, 1993.

<sup>49</sup> Fla. Admin. Code. 6A-6.03019. (10-10-91).

<sup>50</sup> Viola Geigner, "Federal Complaint Claims Bias in Schools' Gifted Programs: Palm Beach County's Classes for Children with High IQs are Said to be Overflowing with Whites," *The Palm Beach Post*, October 15, 1994. Accessed March 19, 2021, [https://www.newspapers.com/image/?clipping\\_id=74435026&fcfToken=eyJhbGciOiJIUzI1NiIsInR5cCI6IkpXVCJ9.eyJmcmVILXZpZXctaWQiOiJlZzEwOTU2Vj0Rxf8pXdbX9hchE8APpieB6duHM](https://www.newspapers.com/image/?clipping_id=74435026&fcfToken=eyJhbGciOiJIUzI1NiIsInR5cCI6IkpXVCJ9.eyJmcmVILXZpZXctaWQiOiJlZzEwOTU2Vj0Rxf8pXdbX9hchE8APpieB6duHM)

gifted program. This was two years after the district implemented the Plan B standards for underrepresented students. It is unclear how this complaint was resolved.

In 1995 the Florida State Legislature requested a report entitled “Review of Florida’s K-12 Gifted Program.”<sup>51</sup> Published in 1996 it investigated various issues in gifted education including different eligibility standards for Plan B students.<sup>52</sup> It concluded that districts that used an alternative plan to identify underrepresented gifted students increased their enrollment of underrepresented students by nine percent since 1991 while districts that had not developed an alternative plan had seen those numbers increase by only one percent. However, the report could not determine if this was as a result of the change in policy.<sup>53</sup> It also determined that districts were implementing more culturally sensitive strategies to increase underrepresented students’ participation in gifted programs.<sup>54</sup>

## **DISCRIMINATION LAWSUITS**

Students who were ELL, who were from low socio-economic families, or students who were from traditionally underrepresented racial and ethnic groups continued to qualify for Plan B eligibility standards throughout the 1990’s. On October 7, 1999 a civil lawsuit was filed in Florida State Court by Raylene Worley<sup>55</sup> after her daughter Stephanie who is

---

<sup>51</sup> Florida Department of Education, *Education of Gifted 2013*, 102.

<sup>52</sup> Office of Program Policy Analysis and Governmental Accountability, *Information Brief of Florida’s K-12 Gifted Program*, (Tallahassee, Florida: OPPAGA, 1996), 1-28.

<sup>53</sup> Office of Program Policy Analysis and Governmental Accountability, *Information Brief*, (1996), 15-18.

<sup>54</sup> Office of Program Policy Analysis and Government Accountability, *Review of Florida’s K-12 Gifted Program Part II*, (Tallahassee, Florida: OPPAGA, 1996), 1-54.

<sup>55</sup> Stephen Hegarty, “Mother’s Lawsuit Challenges Dual Standards for Gifted Programs: The Tampa Woman Says her Daughter was Kept Out of a Program Because of Race. The Child is White,” *The Tampa Bay Times*, October 8, 1999. Accessed March 21, 2021.

[https://www.newspapers.com/image/?clipping\\_id=74430264&fcfToken=eyJhbGciOiJIUzI1NiIsInR5cCI6I](https://www.newspapers.com/image/?clipping_id=74430264&fcfToken=eyJhbGciOiJIUzI1NiIsInR5cCI6I)

white, was not admitted to the gifted program at her Hillsborough County Schools (HCS) school. Stephanie was denied entrance under Plan A standards but would have been admitted if she had been classified as a Plan B student. In the state case, Worley alleged that the FDOE policy violated the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution on the grounds that white and Asian/Pacific Islander children were treated differently under gifted eligibility standards than children of other races.<sup>56</sup> The lawsuit also alleged that the policy violated the Florida Educational Equity Act, Section 228.2001, which the plaintiff interpreted as disallowing the Plan B program. The case was combined with other parents in HCS and was also filed in Federal District Court.<sup>57</sup> The plaintiffs sued the State of Florida, HCS and HCS' then superintendent. It is unclear if the state case was ever resolved after the federal court case was filed.

By March of 2000, the HCS case was also filed in Federal District Court and by May of 2000 this case was combined with a similar case out of Pinellas County Schools (PCS). The main plaintiff in this case, Kevin Curp, a child attending Maximo Elementary in PCS is white and was rejected under Plan A standards but would have been admitted under Plan B standards.<sup>58</sup> The plaintiffs sued the State of Florida, the then Florida Commissioner of Education Tom Gallagher, the School District PCS, and the then

---

kpXVCJ9.eyJmcmVILXZpZXctaWQiOjMyNzI1OTAzNiwiiaWF0IjoxNjE4MjQ2MTU4LCJleHAiOjE2MTgzMzI1NTh9.fQbmDVMK-LDzddAxVLbOpSSst-hxsLGvxiq1GC4x7eg.

<sup>56</sup> Curp, et al v. State of Florida, et al, 8:00-cv-00482-SDM (M.D.F.L. 2000)

<sup>57</sup> Stephen Hegarty, "Pinellas Gifted Program Faces Legal Challenge: The Same Firm Suing the State Over Race-Based Admissions is Taking Aim at Pinellas Schools," *The Tampa Bay Times*, March 9, 2000. Accessed March 22, 2021.

<https://www.newspapers.com/image/327279913/?terms=raylene%20worley&match=1>.

<sup>58</sup> Curp, et al v. State of Florida, et al, 8:00-cv-00482-SDM (M.D.F.L. 2000)

superintendent of PCS. This case known as *Curp, et al v. State of Florida et al* challenged the inclusion of race and ethnicity in Plan B under the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution. The lawsuit also challenged the policy under Title IV of the Civil Rights Act of 1964 42 U.S.C, 2000d specifically on the grounds that the State of Florida received federal funds and could not make distinctions on the basis of race under Title IV of the Civil Rights Act of 1964.<sup>59</sup>

After the federal lawsuits were filed, the Florida Commissioner of Education Tom Gallagher stated he was unsure Florida could defend the race-based policy in court, even though the policy had been supported by the federal government in 1994.<sup>60</sup> Gallagher confirmed that he supported diversity in gifted classes without using race specifically as a factor. He appeared to approach the situation similarly to how Florida Governor Jeb Bush's effort to remove race as a factor in Florida university admissions while still seeking to maintain diversity in Florida higher education.<sup>61</sup>

In March 2002 another lawsuit was filed in the United States District Court for the Southern District of Florida in Miami by two parents on behalf of their children who were not admitted into the gifted program in Miami-Dade County Public Schools (MDCPS).<sup>62</sup> This case known as *Miller et al v. State of Florida et al* also challenged the inclusion of race and ethnicity in Plan B under the Fourteenth Amendment of the United States Constitution and Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d. The defendants

---

<sup>59</sup> *Curp, et al v. State of Florida, et al*, 8:00-cv-00482-SDM (M.D.F.L. 2000)

<sup>60</sup> Stephen Hegarty, "Race-Based Admissions for Gifted," *Tampa Bay Times*, November 17, 1999.

<sup>61</sup> Hegarty, "Race-Based Admissions for Gifted," *Tampa Bay Times*, November 17, 1999.

<sup>62</sup> *Miller v. Miami Dade County et al*, 1:02-cv-20943-KMM (S.D.F.L. 2002)

in this case were MDCPS and the then superintendent of MDCPS. The first plaintiff in this case, John Miller, an elementary school student was originally rejected from MDCPS' gifted program after meeting the Plan B standard but not meeting Plan A standards. After taking an outside assessment at personal expense, he tested high enough to meet Plan A standards and was admitted.<sup>63</sup> The other two plaintiffs, Megan Miller and Rachael Kardys were denied admission to the gifted program at their school although Megan Miller was later admitted after her mother filed this lawsuit. All of the children in this case were white.

In 2001 the Pinellas lawsuit was settled with the state.<sup>64</sup> The state agreed to pay the plaintiffs \$95,000 and the Hillsborough lawsuit was dropped. The state also agreed to remove consideration of race and ethnicity in gifted eligibility standards. In 2002 the Florida cabinet approved new standards for gifted eligibility that removed race and ethnicity from Plan B but maintained special consideration for ELLs and low-income students.<sup>65</sup> The new criteria met the deadline for a settlement for the lawsuit filed in Miami-Dade County, where the state agreed to pay \$10,000 dollars to the plaintiffs and change its gifted eligibility policies by May 31, 2002. While Florida officials, including the then

---

<sup>63</sup> Miller v. Miami Dade County et al, 1:02-cv-20943-KMM (S.D.F.L. 2002)

<sup>64</sup> Stephen Hegarty, "State Must Revise Admissions Policy for Gifted: The Challenge is to Craft a Policy that Does not Mention Race or Ethnicity While Assuring Inclusion in Classes for Talented Youngsters," *Tampa Bay Times*, September 20, 2000. Accessed March 20, 2021.  
[https://www.newspapers.com/image/?clipping\\_id=74430825&fcfToken=eyJhbGciOiJIUzI1NiIsInR5cCI6IkpXVCJ9.eyJmcmVILXZpZXctaWQiOiJyNzg4NTQ2MywiaWF0IjoxNjE4MjM5MzgzLCJleHAiOiJlE2MTgzMjU3ODR9.7zv0O3q3V0BtcfzWbhW3\\_L8qteBAg7hUT2P8ivdojsM](https://www.newspapers.com/image/?clipping_id=74430825&fcfToken=eyJhbGciOiJIUzI1NiIsInR5cCI6IkpXVCJ9.eyJmcmVILXZpZXctaWQiOiJyNzg4NTQ2MywiaWF0IjoxNjE4MjM5MzgzLCJleHAiOiJlE2MTgzMjU3ODR9.7zv0O3q3V0BtcfzWbhW3_L8qteBAg7hUT2P8ivdojsM)

<sup>65</sup> Stephen Hegarty, "State Drops Race as Factor in Gifted Classes: The Cabinet Approves New Criteria for Identifying Gifted Children as Party of the Settlement of a Lawsuit," *Tampa Bay Times*, May 22, 2002. Accessed March 20, 2021.  
[https://www.newspapers.com/image/?clipping\\_id=74431566&fcfToken=eyJhbGciOiJIUzI1NiIsInR5cCI6IkpXVCJ9.eyJmcmVILXZpZXctaWQiOiJyODc2NDkyMCwiaWF0IjoxNjE4MjM5MjgzLCJleHAiOiJlE2MTgzMjYwOTN9.pEYWgg30mzfNay2lULmwUBgzMGsWADddPEHlPjJingU](https://www.newspapers.com/image/?clipping_id=74431566&fcfToken=eyJhbGciOiJIUzI1NiIsInR5cCI6IkpXVCJ9.eyJmcmVILXZpZXctaWQiOiJyODc2NDkyMCwiaWF0IjoxNjE4MjM5MjgzLCJleHAiOiJlE2MTgzMjYwOTN9.pEYWgg30mzfNay2lULmwUBgzMGsWADddPEHlPjJingU)

Florida Education Commissioner Charlie Christ, were enthusiastic about the program, others were not as supportive. The then director of litigation at the NAACP did not agree with the state's decision to settle and expressed concern that the number of minority children in gifted programs in Florida would decrease.

### **HOW FLORIDA HAS IDENTIFIED STUDENTS SINCE THE LAWSUITS**

After Florida settled the lawsuits FDOE revised rule 6A-.03019, F.A.C., Special Instructional Programs for Students Who Are Gifted in 2002. This revision established that underrepresented students only include low SES and ELL students.<sup>66</sup> Any consideration of a student's race or ethnicity was removed.<sup>67</sup> Although the first lawsuit challenging the consideration of a student's race and ethnicity was not filed until 1999 a 2013 report from the FDOE on gifted education reports that this rule change was made following multiple workshops and meetings from 1990-2002.<sup>68</sup>

In 2005 the OCR questioned the changes to Plan B eligibility after the percentage of underrepresented students dropped. A 2005 article from the Miami Herald reported that black and Hispanic students were still less likely to be enrolled in a gifted program than

---

<sup>66</sup> Florida Department of Education, *Education of Gifted 2013*, 102.

<sup>67</sup> Stephen Hegarty, "Race-based Admissions for Gifted Targeted: Education Commissioner Tom Gallagher Wants to Preserve Diversity in Such Programs, But He Doesn't Know How He'll Do it," *Tampa Bay Times*, November 17, 1999. Accessed March 19, 2021.

<sup>68</sup> Florida Department of Education, *Education of Gifted 2013*, 102.



white students. By this time Asian students had become a sizable demographics in Florida and were even more likely than white students to be enrolled in a gifted program.<sup>69</sup>

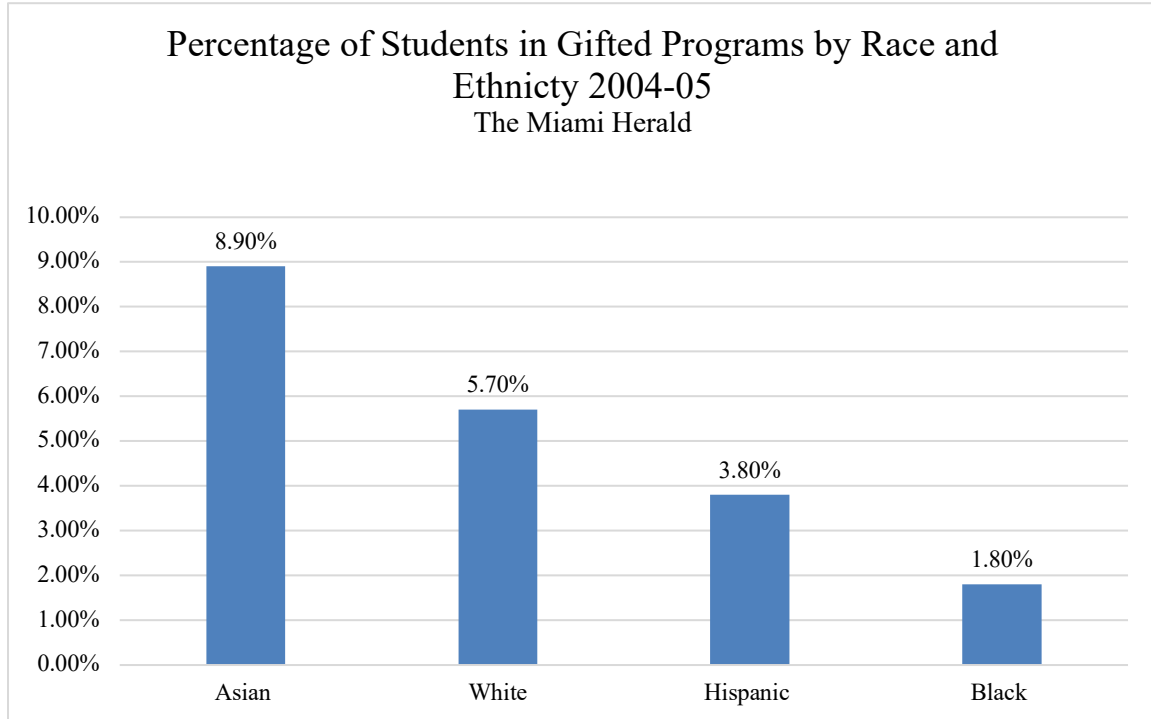


Figure 4: Percentage of Students in Gifted Programs 2004-05 by Race and Ethnicity

The percentage of black students enrolled in gifted programs had also started to drop following the change to Plan B eligibility standards. It had more than doubled from 1992-2002 following the rule change in 1992.<sup>70</sup>

---

<sup>69</sup> Steve Harrison, "The Gifted Gap: Since Florida Scaled Back Affirmative Action For School Gifted Programs, Black Enrollment Has Dropped," *The Miami Herald*, February 12, 2005. Accessed April 2, 2021. <https://www.newspapers.com/image/651966886>.

<sup>70</sup> Harrison, "The Gifted Gap," *The Miami Herald*, February 12, 2005.

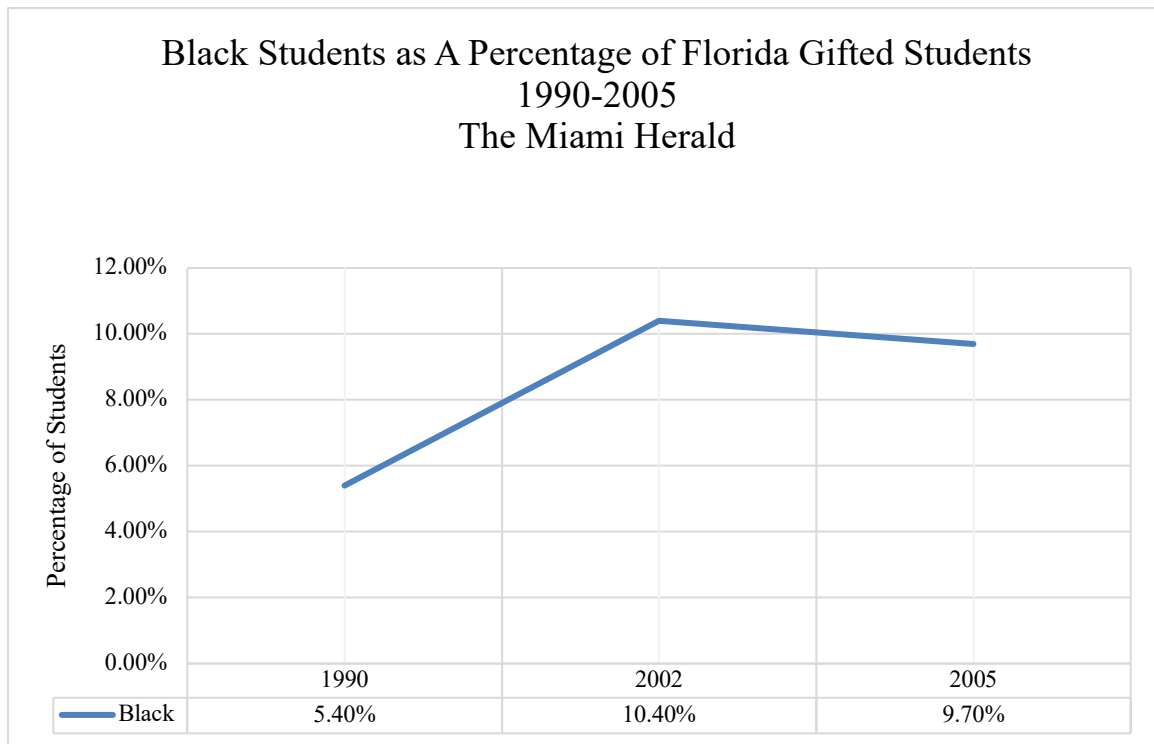


Figure 5: Black Students as A Percentage of Florida Gifted Students 1990-2005

The FDOE told the OCR that the state required all districts to evaluate all eligible students under Plan A standards. They also said that FDOE permits all districts to implement alternative standards through Plan B if the student meets criteria that is determined by the district.<sup>71</sup> It is unclear if OCR ever responded to this answer. And while Florida school districts may have had some flexibility in implementing Plan B standards, following the lawsuit settlements and subsequent policy changes it does not appear that race or ethnicity alone could qualify a student for Plan B eligibility.<sup>72</sup> In 2006 the FDOE

<sup>71</sup> Florida Department of Education, *Education of Gifted 2013*, 102.

<sup>72</sup> Florida Department of Education, *Education of Gifted 2013*, 102.

began a series of rule development workshops for Rule 6A-.03019, F.A.C., Special Instructional Programs for Students Who are Gifted. The Plan B eligibility standards adopted in 2002 were never changed and still exist today.<sup>73</sup>

### **Florida’s Current Plans for Identifying Underrepresented Students**

The 2017 report on the Florida Plan for K-12 Gifted Education laid out the seven main goals for Florida’s Gifted Programs. They were:<sup>74</sup>

- I: Identification of Gifted Learners
- II: Program Design/Service Delivery
- III: Curriculum and Instruction
- IV: Guidance and Counseling
- V: Program Administration and Management
- VI: Professional Development
- VII: Program Evaluation

Goal I stated that

“The state will identify methods for district-wide screening intended to increase appropriate identification of students from all populations beginning at an early age.

The state will provide support to districts as they increase access to students of diverse backgrounds across the state.”<sup>75</sup>

The report then lists several indicators that Florida will use to reach this goal. These included a goal to have the tracked subgroups in gifted programs match the state student population within twenty percent. In the 2015-2016 school year around six percent (5.92%) of the students in Florida were identified as gifted. Nearly ten percent (9.8%) of Florida

---

<sup>73</sup> Florida Department of Education, *Florida Plan 2017*, 6.

<sup>74</sup> Florida Department of Education, *Florida Plan 2017*, 7-8.

<sup>75</sup> Florida Department of Education, *Florida Plan 2017*, 9.

students were ELLs while ELLs students only made up less than one percent (0.5%) of gifted students. Nearly sixty percent (59%) of students received FRL while just over thirty percent (31%) of identified gifted students received FRL.<sup>76</sup> Race and ethnicity were also not representative in gifted programs in the 2015-16 school year as can be seen in the graph below.<sup>77</sup> White students were overrepresented by just over thirty percent (32%) and Asian students were overrepresented by nearly two and half times their population (138%). Black students were underrepresented by about sixty percent. All other racial and ethnic groups were within ten percent of their state population demographics in the gifted programs' demographics.

---

<sup>76</sup> Florida Department of Education, *Florida Plan 2017*, 9-13.

<sup>77</sup> Florida Department of Education, *Florida Plan 2017*, 13.

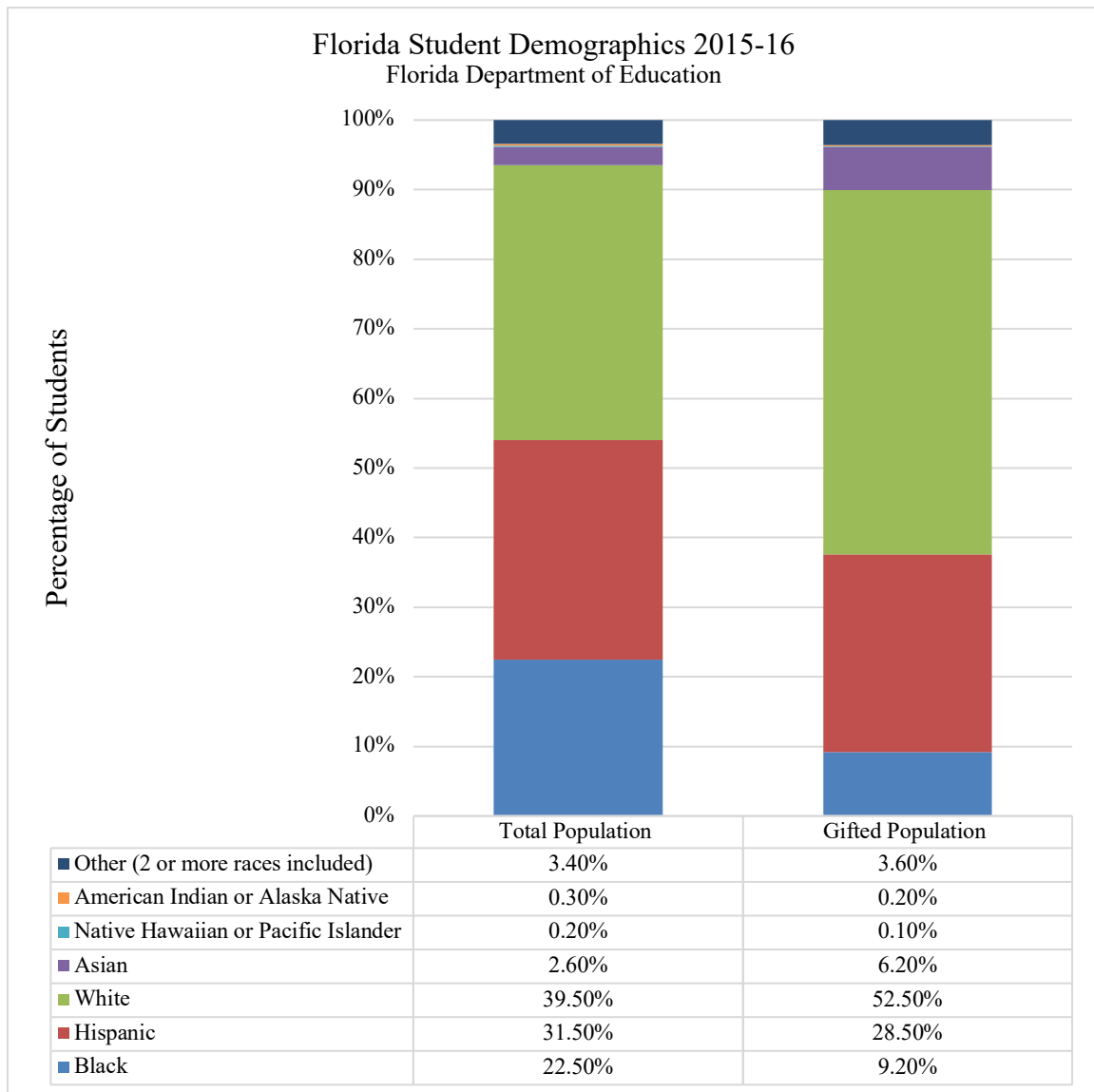


Figure 6: Florida Student Demographics 2015-16

The last indicator of the state’s identification plan to improve the enrollment of underrepresented groups under Goal I was increase the number of districts reporting the use of district wide screening strategies. This includes two strategies. First, the FDOE will ask districts to report current screening strategies and use that information to determine

how those screening methods impact identification, especially related to underrepresented groups.<sup>78</sup> Second FDOE will review the grade levels in which these screenings are implemented to determine how they impact gifted identification. The current ways districts are implementing gifted screening practices in Florida is shown in Figure 7 below.<sup>79</sup>

|      | Districts Indicating Screening Implemented | District-wide Screening | District Report of Instruments Used for Screening  |
|------|--|-------------------------|--|
| 2015 | 40   | 16 of 27                | KBIT-2, CogAT, NNAT2, teacher/parent rating scales or checklists, OLSAT, Ravens matrix, RIST or PAR, SAGES-2, WASI, achievement tests, Renzuli scales, Slosson, RIAS, WISC-IV, recommendations, grades |

Figure 7: How Florida’s School Districts are Using Universal Screening 2017

<sup>78</sup> Florida Department of Education, *Florida Plan 2017*, 14.

<sup>79</sup> Florida Department of Education, *Florida Plan 2017*, 14.

## **Chapter 4: Universal Screening in Broward County Public Schools: A Case Study**

Broward County Public Schools (BCPS) was selected as a case study for further research following the literature review because of its universal screening program for its gifted program. It is the school district cited in the Card and Giuliano research paper. BCPS is a large school district that conducts universal screening for all students in second grade to increase the number of underrepresented students who are referred for further IQ testing and then for the gifted program as a whole. It was selected for further qualitative research to better understand why this program was selected by the district and the dynamics of how it is currently implemented and perceived.

### **BROWARD COUNTY PUBLIC SCHOOLS BACKGROUND**

BCPS is a public school district located in south eastern Florida. Its largest communities are Fort Lauderdale, Coral Springs, and Hollywood Florida. The district was founded in 1916 and is currently the second largest school system in Florida and the sixth largest in the nation.<sup>80</sup> In the 2020-2021 school year BCPS enrolled 260,715 students. The

---

<sup>80</sup> “About Us / About Us,” Broward County Public Schools (Broward County Public Schools , February 8, 2021), <https://www.browardschools.com/about-us>.

district currently employs 33,022 employees with 14,329 of those being instructional staff.

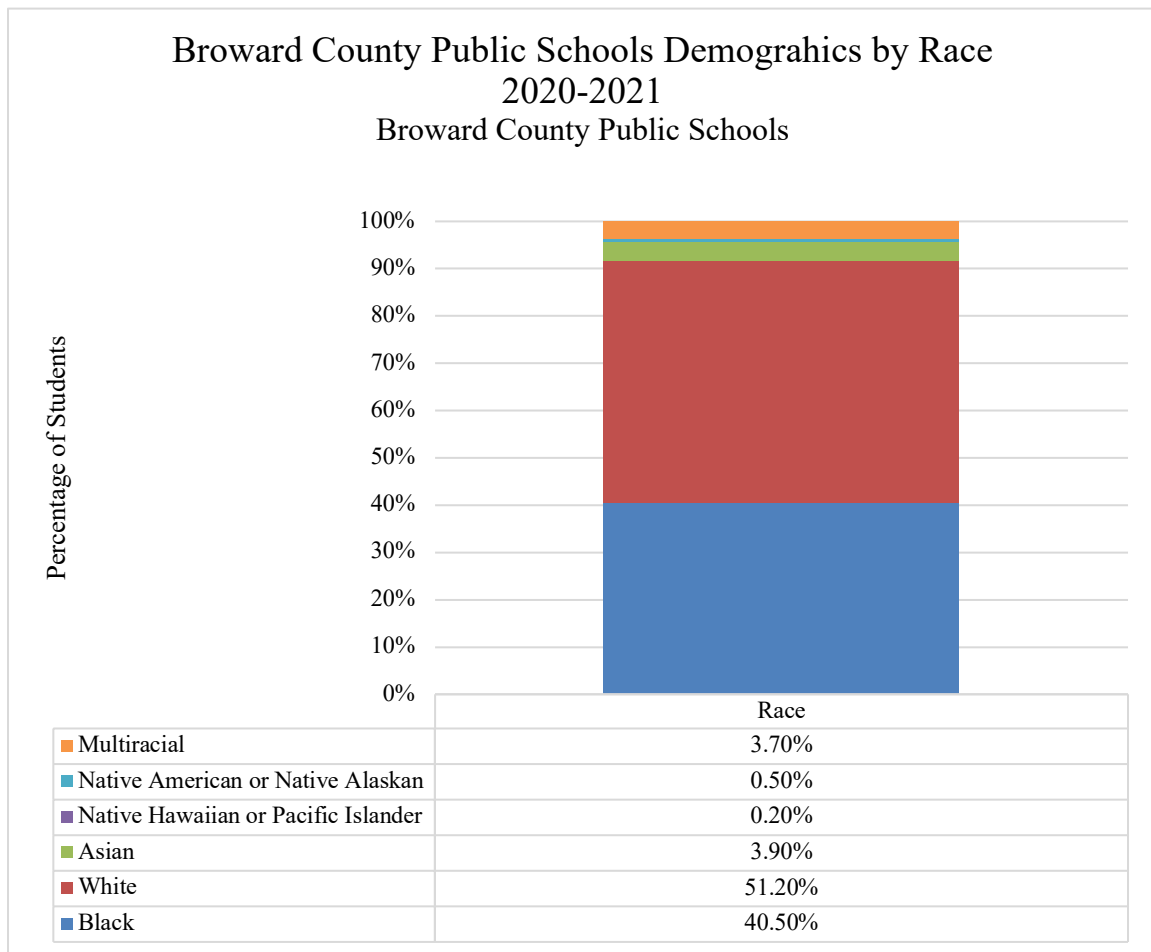


Figure 8: Broward County Public Schools Student Demographics by Race 2020-2021

Just over a third (36.1%) of students were Hispanic and around two thirds (63.9%) were Non-Hispanic.<sup>81</sup> In BCPS Hispanic is classified as an ethnicity and any student can be Hispanic regardless of their race. About twelve percent (12.2%) of students were classified

<sup>81</sup> “About Us / About Us,” Broward County Public Schools (Broward County Public Schools , February 8, 2021), <https://www.browardschools.com/about-us>.



as ELLs<sup>82</sup> and fourteen percent (14.4%) of students received Exceptional Student Education (ESE) services. In Florida ESE serves students who are identified as disabled and students who are identified as gifted. Almost five percent (4.9%) of students received gifted services.<sup>83</sup>

## **BCPS UNIVERSAL SCREENING IN THE NEWS**

BCPS's universal screening program has been featured in many local and national news outlets in following the publication of the research paper in the National Bureau of Economic Research. News outlets where the program has been featured include The Miami Herald,<sup>84</sup> The South Florida Sun-Sentinel,<sup>85</sup> The New York Times,<sup>86</sup> The Atlantic,<sup>87</sup> Education Week,<sup>88</sup> and The Palm Beach Post.<sup>89</sup> In several of these articles, officials from BCPS are interviewed and express their believe that the program has boosted the numbers

---

<sup>82</sup> Broward County Public Schools also uses the term English for Speakers of Other Languages (ESOL) to refer to its ELL population in this paper all of those students are referred to as ELL students

<sup>83</sup> Interview with a Broward County Public Schools Administrator, March 30, 2021.

<sup>84</sup> Nirvi Shah, "Broward Struggling to Identify Gifted Students," *The Miami Herald*, March 27, 2007. Accessed February 14, 2021. <https://www.miamiherald.com/news/local/education/article1927814.html>.

<sup>85</sup> Brittany Shammass, "Broward's Gifted Programs Getting More Diverse," *The South Florida Sun-Sentinel*, October 17, 2015. Accessed February 10, 2021. <https://www.sun-sentinel.com/local/broward/fl-broward-gifted-universal-test-20151015-story.html>.

<sup>86</sup> Susan Dyranski, "Why Talented Black and Hispanic Students Can Go Undiscovered," *The New York Times*, April 8, 2016. Accessed January 12, 2021. <https://www.nytimes.com/2016/04/10/upshot/why-talented-black-and-hispanic-students-can-go-undiscovered.html>.

<sup>87</sup> Max Nisen, "Tackling Inequality in Gifted-and-Talented Programs: Using Testing to Place Students in the Advanced Learning Programs Can Actually Help Level the Playing Field," *The Atlantic*, September 15, 2015. Accessed January 12, 2021. <https://www.theatlantic.com/education/archive/2015/09/inequality-gifted-programs-schools-testing/405013/>.

<sup>88</sup> Harold O. Levy, "Discrimination in Gifted Programs Must End," *Education Week*, January 4, 2017. Accessed March 3, 2021. <https://www.edweek.org/leadership/opinion-discrimination-in-gifted-education-must-end/2017/01>.

<sup>89</sup> Sonja Isgar, "School District Seeks More Minority Gifted Students," *The Palm Beach Post*, August 3, 2018. Accessed February 20, 2021. <https://www.palmbeachpost.com/news/local-education/school-district-seeks-more-minority-gifted-students/eNSv4dBrPsdKQ82LzuOJ/>.

of underrepresented students in BCPS' gifted programs, although the program had not fixed all inequities. The coverage by these outlets was largely positive towards BCPS and the program.

## **INTERVIEWS**

### **Methodology**

Before beginning the interview process, I conducted extensive research into the history of gifted education in Florida, in BCPS and into BCPS as a whole. This was done through an examination of the original academic article, news articles, and state reports. I then interviewed individuals familiar with gifted education in BCPS. Interview participants were selected from BCPS employees, BCPS school board members, and relevant community members involved with BCPS and Florida gifted education. As I was conducting these interviews I became aware of the lawsuits that changed the gifted eligibility standards in Florida in the early 2000's. As a result, I did further research on this topic and interviewed another individual familiar with this matter. Seven interviews were conducted in total. These were semi-structured interviews. All interviews took place over the phone or via Zoom or Microsoft Teams. Three interviews were recorded, and transcribed and detailed notes were taken for the other four. The interviews were supplemented with additional research material that was provided by the interviewees.

### ***Origination of the Program***

In 2003 The South Florida Sun Sentinel reported that BCPS had identified racial and ethnic disparities in its gifted programs, with particularly low enrollment among black children.<sup>90</sup> In 2003 black students made up fifteen of students in gifted programs while being a third of all students in the district. At the same time Hispanic students were slightly underrepresented while white and Asian students were overrepresented. According to Ms. Smith<sup>91</sup>, an administrator employed in the Gifted and Talented Office at that time BCPS conducted an audit of all their advanced academic programs.<sup>92</sup> They examined honors programs and AP and IB programs in addition to the gifted program. BCPS found large inequities in all of these programs including the gifted program. Those inequalities were related to race, ethnicity, class, income and English language proficiency. Those programs all enrolled more white, Asian, high income, and non-ELL children than were proportional to the district's demographics. Ms. Smith also noted that BCPS used to consider race and ethnicity as part of their Plan B eligibility prior to the state disallowing that standard in the early 2000's following a lawsuit.

Ms. Smith stated that BCPS investigated several ways to increase enrollment of underrepresented groups within the gifted program. At the time in BCPS students were

---

<sup>90</sup> Jamie Marernee, "County Weighs Testing All Students for Gifted Programs," *The South Florida Sun-Sentinel*, February 26, 2003. Accessed January 15, 2021. <https://www.sun-sentinel.com/news/fl-xpm-2003-02-26-0302260101-story.html>.

<sup>91</sup> All interviews were conducted in confidentiality, and the names of interviewees are withheld by mutual agreement. All names used in this section as pseudonyms

<sup>92</sup> Interview with a Broward County Public Schools Administrator, March 23, 2021.

sent for the IQ test to determine gifted eligibility based on teacher or parent referral.<sup>93</sup> While BCPS did increase teacher training and parent awareness of the gifted program and how to identify gifted children, BCPS felt that the size and diversity of the district made this an impractical way to identify large numbers of underrepresented students. Today BCPS enrolls more than 260,000 students and is a very diverse district where over 80 languages are spoken, and many families frequently move in and out of the district.<sup>94</sup> Ms. Smith indicated that this was one of the main reasons universal screening was eventually selected by BCPS as it was the most practical way to reach the most students. After conducting a pilot program in seven elementary schools, the universal screening program was expanded to all elementary schools the next year.

### ***The Cost of Universal Screening***

Universal screening is very costly to BCPS. According to Ms. Smith, every year the district spends between \$250,000 and \$300,000 on the program.<sup>95</sup> A 2020 request to the BCPS School Board supports this. This request was to approve a three-year contract with Riverside Assessments, LLC the company that produces the CogAT test. The three year contract cost \$240,850 a year for a total of \$722,000 for the three year contract.<sup>96</sup> This does not include the cost of the IQ testing, only the cost of administering the CogAT test, the test BCPS uses as its gifted screener.

---

<sup>93</sup> Card and Giuliano, “Can Universal Screening,” 2.

<sup>94</sup> Interview with a Broward County Public Schools Administrator, March 23, 2021.

<sup>95</sup> Interview with a Broward County Public Schools Administrator, March 23, 2021.

<sup>96</sup> Broward County Public School Board, *Recommendation of \$500,000 or Less FY20-24-Universal Screening Instrumental for Gifted*. (Broward County Public Schools, 2020), 1-3.

### *Changes to the Gifted Screener*

The original article by Card and Giuliano indicated that the universal screening program was scaled back in 2007 before being eliminated in 2011 due to budget cuts.<sup>97</sup> Ms. Smith stated that was not her recollection. She explained that at the time the district was experiencing problems with the Nagleri (NNAT) test they were currently using. The NNAT test was originally selected because it is a non-verbal test that can be better for students with language challenges. It is often recommended as a better measure of intelligence for disadvantaged students because it is a non-verbal test and students from disadvantaged backgrounds, particularly ELL students can struggle with language.<sup>98</sup> There were a number of studies in the early 2000's that supported the NNAT for use in ELLs populations.<sup>99</sup> But Ms. Smith stated that after a few years BCPS found that the NNAT overidentified students for further IQ testing. As many as 20-30% of students who took the NNAT were referred for the further testing and many of those students did not pass the IQ test. Less than 45% of the students who were identified for further testing under the NNAT passed the further IQ test.<sup>100</sup> The IQ portion of gifted identification is costly for the district, so they decided to seek out another assessment. According to Ms. Smith it took some time to find a test that better met their needs. During this time, they did not implement any

---

<sup>97</sup> Card and Giuliano, "Can Universal Screening," 5.

<sup>98</sup> Effective Practices for Identifying and Servicing English Learners in Gifted Education: A Systematic Review of the Literature. (Storrs, CT: National Center for Research on the Gifted). 1-40. Accessed April 4, 2020. [https://ncrge.uconn.edu/wp-content/uploads/sites/982/2016/01/NCRGE\\_EL\\_Lit-Review.pdf](https://ncrge.uconn.edu/wp-content/uploads/sites/982/2016/01/NCRGE_EL_Lit-Review.pdf).

<sup>99</sup> Effective Practices for Identifying and Servicing English Learners in Gifted Education: A Systematic Review of the Literature. (Storrs, CT: National Center for Research on the Gifted). 19. Accessed April 4, 2020. [https://ncrge.uconn.edu/wp-content/uploads/sites/982/2016/01/NCRGE\\_EL\\_Lit-Review.pdf](https://ncrge.uconn.edu/wp-content/uploads/sites/982/2016/01/NCRGE_EL_Lit-Review.pdf).

<sup>100</sup> Broward County Public School Board, *Recommendation of \$500,000 or Less*. 1.

universal screening. Eventually they identified the CogAT test as a more appropriate measure and went back and screened students in grades that were missed when the program was not active. Ms. Smith stated that CogAT does not have the same problem with over identification. She reported that 2-5% of students who take it are referred for further IQ testing and 75% of those students pass that assessment and are then placed in the gifted program.<sup>101</sup>

Ms. Anderson, a school board member, indicated that there was discussion of eliminating the program around 2010 due to the budget issue. After discussion with the school board, the superintendent and other members of the school community, the program was not eliminated, and Ms. Anderson stated that the program has been automatically included in the budget since then and there has been no further discussion of eliminating it.<sup>102</sup>

Both Ms. Smith and Mr. Jones, a second administrator in the district, indicated that the CogAT provides other benefits to BCPS besides gifted identification. It provides a profile of how each student learns.<sup>103</sup> That report is given to each student's third grade teacher<sup>104</sup> and is also a good indicator of which students are at risk of not passing the Florida Standards Assessment, (FSA) the year-end state test in third grade.<sup>105</sup> In Florida

---

<sup>101</sup> Interview with a Broward County Public Schools Administrator, March 23, 2021.

<sup>102</sup> Interview with a Broward County Public Schools School Board Member, April 5, 2021.

<sup>103</sup> Insights, Riverside. CogAT - The Cognitive Abilities Test. Riverside Insights . Accessed April 12, 2021. <https://info.riversideinsights.com/cogat>.

<sup>104</sup> [http://bcpsagenda.browardschools.com/agenda/01717/Item%20EE-19%20\(68294\)/SUPP\\_DOCS/Exhibits/Doc2.pdf](http://bcpsagenda.browardschools.com/agenda/01717/Item%20EE-19%20(68294)/SUPP_DOCS/Exhibits/Doc2.pdf)

<sup>105</sup> Interview with a Broward County Public Schools Administrator, March 30, 2021.

third graders must pass the English Language Arts Reading Assessment of the FSA to be promoted to fourth grade.<sup>106</sup> Parents also receive a copy of their child’s learning profile and can use that to support their child’s education at home.<sup>107</sup>

### ***How BCPS Implements Plan B***

In BCPS all 20,000 second graders take the CogAT test in March.<sup>108</sup> It consists of three 30-minute sections that test a student’s verbal, quantitative and non-verbal ability.<sup>109</sup> Plan A students are required to score in the 97<sup>th</sup> percentile on all three sections of the CogAT in order to qualify for additional IQ testing. Plan B students are required to score in the 81<sup>st</sup> percentile in any two sections of the CogAT to be eligible for the additional screening.<sup>110</sup> Mr. Jones informed me that when BCPS first implemented the CogAT test they only considered the quantitative and non-verbal scores for the Plan B eligible students. This decision was made because many of these students have more difficulty with language because English is their second language or because they have been exposed to less language at home. However, after discovering that this policy eliminated some Plan B students from being eligible for the IQ testing they changed their policy to consider their two highest subtest scores so Plan B eligible students with stronger language abilities would not be penalized.

---

<sup>106</sup> <http://www.fl DOE.org/accountability/assessments/k-12-student-assessment/fsa.shtml>

<sup>107</sup> Broward County Public School Board, *Recommendation of \$500,000 or Less*. 2.

<sup>108</sup> Broward County Public School Board, *Recommendation of \$500,000 or Less*. 1.

<sup>109</sup> Insights, Riverside. CogAT - The Cognitive Abilities Test. Riverside Insights . Accessed April 12, 2021. <https://info.riversideinsights.com/cogat>.

<sup>110</sup> Interview with a Broward County Public Schools Administrator, March 30, 2021.

Mr. Jones stated that BCPS has considered making changes around their Plan B eligibility because they are concerned they may be missing some students. Under Florida regulations, Plan A standards are very strict, but districts have a great deal of flexibility around their Plan B standards. Mr. Jones indicated that BCPS has considered using local norms in each school as some districts in Florida currently do, but there is some concern if students move between schools as not all schools in the district have the same norms.<sup>111</sup>

### ***Private IQ Testing***

Ms. Smith and Mr. Jones indicated that many parents opt to go to a private psychologist to have their child IQ tested instead of waiting for the district to conduct their own assessment. This is for several reasons. Some parents do not seem happy with the score they received from BCPS, but many do not want to wait for the testing. Regulations require the testing to occur within 90 school days of parents approving the IQ testing which normally takes place shortly before the end of the school year. Because those 90 days only include school days a child may not be tested until they are nearly halfway through third grade. BCPS pays for Plan B students to be tested over the summer, after school, and on the weekends which incurs extra costs because school psychologists are paid overtime. This is not offered to Plan A students. As students are not moved into a gifted classroom if they are identified after October 1<sup>112</sup> some parents may choose to seek outside testing to ensure their child has access to gifted programming in third grade.

---

<sup>111</sup> Interview with a Broward County Public Schools Administrator, March 30, 2021.

<sup>112</sup> Broward County Public Schools: Innovative Learning Department, *Procedural Guide for Gifted Guide*, (Broward County Public Schools, August 2018) page 1-15.



I also conducted an interview with Mr. Garcia, a private child psychologist. He administers IQ tests to children for the purpose of entering gifted programs in BCPS and other school districts as a large part of his practice. He charges \$500 for a full assessment, a written evaluation and a consultation with the parents and the school district if required. This cost is not covered by insurance.<sup>113</sup> From his experience, he has found some variability in why parents seek outside testing. He described some parents as having almost no understanding of the gifted program or the testing process and seeking private testing because of the long backlog. These parents often do not have a strong feeling about their child qualifying for the program. Mr. Garcia informed me that other parents from more affluent parts of the area see gifted programs as a social phenomenon to the point that “you have to do gifted or...there’s something wrong with you.” These parents are much more invested in their child’s score.<sup>114</sup> And these tend to be the parents who seek another assessment or “shop around” if they do not get a high enough score from his assessment. In the area there are a number of psychologists that are known for giving the scores people want and Mr. Garcia stated that other psychologists and school districts are aware of these practitioners and are sometimes skeptical of their scores.

Mr. Garcia also explained to me that some parents do not view the districts’ score as objective. That they believe that the “school psychologists work for the school”<sup>115</sup> and may not always take the same amount of time or because the evaluation takes place at

---

<sup>113</sup> Interview with a private child psychologist, April 5, 2021.

<sup>114</sup> Interview with a private child psychologist, April 5, 2021.

<sup>115</sup> Interview with a private child psychologist, April 5, 2021.

school, the child may not see it as important or may be upset if they are removed from class. He said that in the past five years, the number of parents that have come to him because they do not feel the school is objective has increased.

### ***Perceptions of Plan A and Plan B***

All interviewed parties associated with BCPS or Florida gifted programs indicated that few parents seem upset by the different eligibility standards for Plan A and Plan B students. Most said they had heard of a few parents of Plan A students who did not qualify getting upset that other students were admitted under lower standards. But all of these parties stated that when it was explained to them that ELLs and FRL students come from backgrounds that make achievement more challenging, the vast majority of those parents seem to accept the different standards. Mr. Garcia, the psychologist, indicated a few experiences of parents saying that they need their child to be in the gifted program because they do not want them to be in a classroom with “those other kids.”<sup>116</sup> When asked what they mean those parents generally do not answer. Mr. Garcia estimated this to be about one in 50 parents whose child did not receive a high enough IQ score and that most parents seem to accept it if their child does not qualify.

---

<sup>116</sup> Interview with a private child psychologist, April 5, 2021.

### *Other Aspects of BCPS's Gifted Identification*

Ms. Smith and Mr. Jones gave examples of other strategies BCPS uses to identify underrepresented students outside of universal screening.<sup>117</sup> They informed me that BCPS does the following:<sup>118</sup>

- They implement gifted pilot programs in select schools every year.
- Each year they audit schools and do mass gifted screening at those that have less than 5% of students identified as gifted.
- BCPS has various programs to train teachers and staff to identify gifted students.
- Finally, they require every elementary school to have a gifted-endorsed teacher or class even if there is only one gifted student.

---

<sup>117</sup> Interview with a Broward County Public Schools Administrator, March 30, 2021.

<sup>118</sup> Interview with a Broward County Public Schools Administrator, March 23, 2021.

## **Chapter 5: Recommendations**

### **PURPOSE**

Traditionally Gifted and Talented Programs have not been equally accessible to all students. Students from less advantaged backgrounds are less likely to be placed in such programs. This report does not address the effectiveness of gifted programs. But when certain groups of students are less likely to be in gifted programs it can deny those groups of students of opportunities or perceived opportunities. When students who are not given those opportunities are from groups who are already disadvantaged it can perpetuate inequalities that already exist in schools.

The purpose of this chapter is to provide recommendations to schools, school districts and states on how to provide more access to traditionally underrepresented students in gifted programs. These recommendations give various ways that educators can address these programs depending on their position in a school, school administration, or state government.

**Recommendation 1: Mandate and fund gifted education and identification at appropriate levels.**

As of the 2015-16 school year Florida is one of only four states that mandate and fund gifted identification and services at the state level.<sup>119</sup> Most states do mandate some level of gifted identification or services, but that mandate is rarely fully funded.

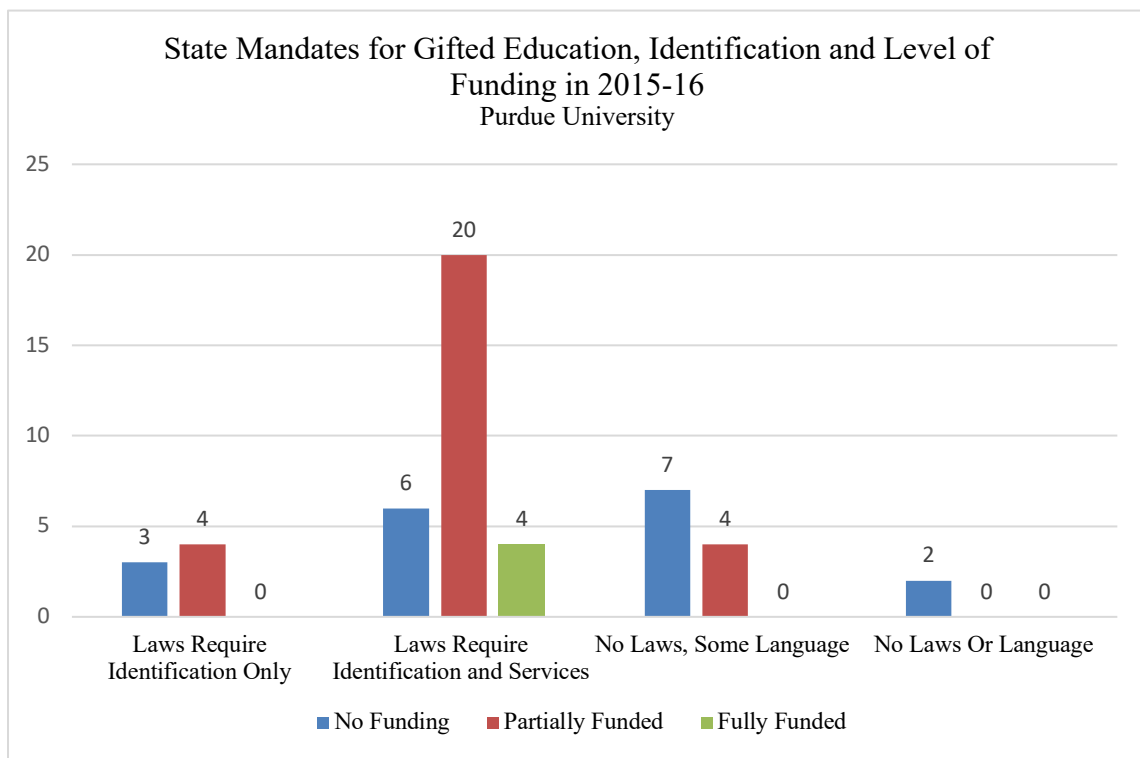


Figure 9: State Mandates for Gifted Education, Identification and Level of Funding in 2015-16

<sup>119</sup> Marica Gentry, Anne M. Gray, Gilman, W. Whiting, Yukiko Maeda and Nielsen Pereira, “*System Failure: Access Denied*,” (West Lafayette, IN: Purdue University, 2019). Accessed April 2. <https://www.dropbox.com/s/0lxzznnyh5u0jj1/Access%20Denied.pdf>.

When a program is mandated but not completely funded by the state school districts are forced to divert funding from other areas to pay for it. As is shown by the BCPS case study focusing on broadly identifying gifted students is expensive. This expense is one reason schools rely on parent and teacher referrals for identification which significantly under identifies low income, ELLs and black and Hispanic students. In recent years some school districts have moved to some form of universal screening in recent years such as Shelby County Schools in Tennessee,<sup>120</sup> Richardson Independent School District in Texas,<sup>121</sup> and Orange County Public Schools in Florida<sup>122</sup> all in an effort to increase diversity in their gifted programs. However, at least one school district, Metro Nashville Public Schools in Tennessee, began a universal screening program in 2017 and then eliminated it in 2018 because it was too expensive.<sup>123</sup> Without state support the kinds of identification programs that are the most likely to identify students that more closely match the demographic profiles of school districts are unlikely to happen in many districts. It is also important to note that although sources report that Florida fully funds gifted

---

<sup>120</sup> Sarah Gosner, "A Strategy for Overcoming Equity Issues in Gifted Programs: Universal Screening, Some Districts Say, Makes Access More Fair-But Costs Can Be High," *Edutopia*, January 30, 2020. Accessed April 10, 2020. <https://www.edutopia.org/article/strategy-overcoming-equity-issues-gifted-programs>.

<sup>121</sup> Talia Richman, "'Finally Finding Our Babies': How Richardson Schools are Making their Gifted Classes more Diverse," *The Dallas Morning News*, April 2, 2021. Accessed April 13, 2021. <https://www.dallasnews.com/news/education/2021/04/02/finally-finding-our-babies-how-richardson-schools-are-making-their-gifted-classes-more-diverse/>.

<sup>122</sup> Tara García Mathewson, "Schools Turn to Universal Screening to Increase Equity in Gifted Programs: Florida's Orange County Public Schools Started Screening All Second Graders in 2012," *K-12 Dive*, November 22, 2016. Accessed April 11, 2021. <https://www.k12dive.com/news/schools-turn-to-universal-screening-to-increase-equity-in-gifted-programs/430797/>.

<sup>123</sup> Meribah Knight, "New Study Finds Gifted Programs Favor Wealth Over Ability," *90.3 WPLN News Nashville Public Radio*, October 10, 2019. Accessed April 12, 2021. <https://wpln.org/post/new-study-finds-gifted-programs-favor-wealth-over-ability/>.

identification, several individuals<sup>124</sup> I interviewed<sup>125</sup> associated with BCPS<sup>126</sup> or Florida gifted education<sup>127</sup> reported that Florida either does not fund gifted identification at all or does not fund it fully.

### **Recommendation 2: Track demographic data in gifted programs.**

School districts and states cannot respond to inequities in gifted programs if they are not aware of them. To be aware of potential inequities school districts and states should track demographic data of children in these programs related to race and ethnicity, ELL status, low SES and any other factors that are relevant to their student population. School districts and states should expect the gifted population to match their student population within a certain percentage.<sup>128</sup> If it does not, they should take steps to investigate why this discrepancy exists and take steps to address it.

### **Recommendation 3: Train teachers and staff to recognize bias in gifted referral.**

Many districts will likely continue to use teacher referral as a component of selection for gifted programs. Evidence has shown that teachers often show bias towards traditionally underrepresented students in making gifted referrals.<sup>129</sup> One of the most important factors involved in a student's referral to a gifted program is their race and the

---

<sup>124</sup> Interview with a Broward County Public Schools Administrator, March 23, 2021.

<sup>125</sup> Interview with a Broward County Public Schools Administrator, March 30, 2021.

<sup>126</sup> Interview with a Broward County Public Schools School Board Member, April 1, 2021.

<sup>127</sup> Interview with a member of Florida gifted organization, March 29, 2021

<sup>128</sup> Florida Department of Education, *Florida Plan 2017*, 9.

<sup>129</sup> Elhoweris, Hala, "Effect of Children's," 28.

race of their teacher, with students assigned to teachers of the same race more likely to be referred.<sup>130</sup> Black students are the most negatively impacted if they are referred to a non-black teacher. Often teachers are not aware of this bias and do not believe they are treating students differently based on their race or ethnicity, income or language background.<sup>131</sup>

There are two broad solutions to this issue, teacher training and recruitment of teachers that reflect the backgrounds of students in a community. School districts should implement training programs to instruct teachers on what characteristics to look for when referring students to the gifted program. These programs should focus on traits that are seen in children with a variety of backgrounds. Districts should also train teachers to recognize any bias they may have against children from disadvantaged backgrounds either in gifted referral or in other aspects of their teaching. They should also focus on the school curriculum and if it is responsive to all children in the district based on their varied backgrounds.

The second way to address this problem is through increased hiring of teachers that reflect the demographics of students in the community. Although the number of children of color in the United States has increased rapidly in the past few decades, the teacher population has remained largely white. As of the 2015-16 school year almost just over fifty percent of public school students were student of color fifty percent. That same year eighty percent of public school teachers were white and only twenty were people of color.<sup>132</sup> Since

---

<sup>130</sup> Grissom and Redding, “Discretion and Disproportionality,” 14.

<sup>131</sup> Elhoweris, Hala, “Effect of Children’s,” 30.

<sup>132</sup> Geigner, “America’s Public School,” August 27, 2018.



children are less likely to be referred to a gifted program if assigned to a teacher of a different race, this puts white children at an advantage over children of other races and ethnicities. To address this and other issues, school districts should recruit more teachers of color and teachers from other traditionally disadvantaged backgrounds. They should focus specifically on teachers from groups that match the demographics of their community.

**Recommendation 4: Consider universal screening or broader ways to identify students.**

Universal screening has been shown to identify a broader array of traditionally underrepresented students for gifted programs.<sup>133</sup> Critics<sup>134</sup> have called these programs expensive. And as shown by the BCPS case study they can be. But there are ways school districts can mitigate these costs. In most schools students take many assessments every year. Many of these are to meet local, state and federal requirements and are highly studied and standardized. One of those assessments may be appropriate to use for a gifted screener. Or a school district could do what BCPS has done. Identify a test that works well for gifted identification that also provides other benefits. In their case the CogAT meets their needs as a gifted screener and provides them detailed information about how students learn and is a strong predictor of future student performance on a state test. The CogAT provides

---

<sup>133</sup> Card and Giuliano, “Can Universal Screening,” 3.

<sup>134</sup> Lakin, “Universal Screening,” 145.

multiple benefits making it a more cost effective tool beyond gifted identification and something that serves all students.

## Appendices

### APPENDIX A: KEY INFORMANT INTERVIEWS QUESTIONS FOR ADMINISTRATORS

1. Why did Broward County Schools examine the demographic breakdown of students in the districts gifted program?
  - a. Were any findings surprising? Or were they what the district expected to find?
2. Why was the current universal screening program selected to remedy the demographic inequity?
  - a. Where any other approaches considered? What were they?
  - b. If other approaches were considered, why was universal screening selected in the end?
3. Why was the NNAT (Naglieri Nonverbal Ability Test) selected as a screening mechanism?
  - a. Were any other tests or screening measures considered?
  - b. Did the non-verbal nature of the test play a role in its selection?
4. What outreach is given to parents about the gifted program in BCPS? Does BCPS provide different outreach to the families of traditionally underrepresented students?
5. What outreach is given to parents about the gifted program in BCPS? Does BCPS provide different outreach to the families of traditionally underrepresented students?

*All of the following is based on the understanding that the universal screening program was scaled back and then eliminated from 2007-2011 due to financial constraints related to the Great Recession*

1. One of the reasons the cost of the universal screening program was so high was due to school psychologists having to work overtime to accommodate testing newly identified students. How has the district dealt with this problem?
2. After reinstating the universal screening program why did BCPS switch the CogAT test instead of going back the NNAT test? Unlike the NNAT test the CogAT tests verbal and quantitative abilities in addition to nonverbal skills.
3. Children in the Type B group (ELL students and FRL students) must achieve a lower IQ score to be eligible for the gifted program than other children. Are parents in BCPS aware of this difference and does the district ever receive push back that this different standard is not fair. If so, how does the BCPS deal with such criticism?
4. Has BCPS's experience with the gifted program resulted in any other changes in the district?
5. Is there anything else you think I should know?

## **APPENDIX B: KEY INFORMANT INTERVIEW QUESTIONS FOR SCHOOL BOARD MEMBERS**

1. When did you become a school board member?
2. What are your main priorities and experience as a school board member?
3. What is your experience with gifted education in BCPS both before you became a school board member and after?
4. How well are parents/community members in your district aware of the gifted program?
  - a. How does the district connect with families about these programs?
  - b. How effective do you think they are?
5. Are gifted students/programs more common in certain parts of BCPS?
  - a. If so what are the demographics of those areas?
  - b. Based on your experience as a School Board member and community member why do you think this is?
6. What is your understanding of the gifted testing process in BCPS?
  - a. Have you heard parents of Plan A children complain that Plan B children can access the gifted program with lower scores? If so how prevalent is this?
7. Have you seen any changes in the gifted program in BCPS in your time on the school board/your time as a community member?
  - a. If so what were they?
8. Were you on the school board during the time the original gifted screener was scaled back and then eliminated? (2007-2011)?
  - a. If so what is your understanding of why that happened?
9. Is there anything else you think I should know?

## **APPENDIX C: KEY INFORMANT INTERVIEWS QUESTIONS FOR MEMBERS OF ADVOCACY**

### **GROUP**

1. What does your organization do?
  - a. What are its priorities?
2. What is your experience with gifted education in Florida and BCPS both personally and through this organization?
3. What are the general politics of gifted education in Florida?
4. How do you/your organization feel about the State of Florida's policies about gifted education?
  - a. Statewide standards for all districts? (That are quite high)
  - b. Is state funding adequate?
  - c. Do state politicians, especially those with the most power, really support gifted education?
  - d. Is there concern on the state level about underrepresentation?

- i. If so is there any action the state has/is taking to address that issue?
5. How does BCPS and its gifted policies compare to the average Florida school district?
  - a. Specifically, how do BCPS' gifted identification policies compare to other Florida school districts?
6. Do you know of any other Florida school districts with interesting or innovative gifted programs or gifted identification programs?
7. Is there anything else you think I should know?

#### **APPENDIX D: KEY INFORMANT INTERVIEWS QUESTIONS FOR PRIVATE**

##### **PSYCHOLOGISTS**

1. What is your background?
2. How much of your practice is gifted screening?
3. Do you work with districts other than BCPS?
4. How much do your services cost?
5. Why do parents come in for testing? What are the range of their reasons for seeking private testing and responses to results?
6. Are parents allowed to seek an outside assessment if they do not pass the school district IQ test?
7. Do parents' reactions/motivations for testing vary based on where they are from/demographics?
8. What are parents reactions to Plan A/Plan B standards, especially if their Plan A child is not admitted?
9. Is there anything else you think I should know?

#### **APPENDIX E: KEY INFORMANT INTERVIEW QUESTIONS FOR INDIVIDUALS FAMILIAR**

##### **WITH THE LAWSUITS**

1. What is your recollection of the lawsuits?
2. Where were they filed?
3. Under what laws did the plaintiffs sue?
4. What was the settlement process like with the state?
5. Is there anything else you think I should know?

## Bibliography

- “About Us / About Us.” Broward County Public Schools . Broward County Public Schools , February 8, 2021. <https://www.browardschools.com/about-us>.
- Broward County Public Schools: Innovative Learning Department. *Procedural Guide for Gifted Guide*. Broward County Public Schools, 2018.
- Broward County Public Schools. *Recommendation of \$500,000 or Less FY20-24- Universal Screening Instrument for Gifted*. Broward County Public Schools, 2020.
- Card, David. *Can Universal Screening Increase the Representation of Low Income and Minority Students in Gifted Education?* National Bureau of Economic Research, 2015. Accessed January 31, 2021. <https://www-nber-org.ezproxy.lib.utexas.edu/papers/w21519>.
- Coronado, Jennifer M, and Katie D Lewis. “The Disproportional Representation of English Language Learners in Gifted and Talented Programs in Texas.” *Gifted child today magazine* 40, no. 4 (2017): 238–244.
- Curp, et al v. State of Florida, et al, 8:00-cv-00482-SDM (M.D.F.L. 2000)
- Dyranski, Susan. “Why Talented Black and Hispanic Students Can Go Undiscovered. ” *The New York Times*, April 8, 2016. Accessed January 12, 2021. <https://www.nytimes.com/2016/04/10/upshot/why-talented-black-and-hispanic-students-can-go-undiscovered.html>.
- Effective Practices for Identifying and Servicing English Learners in Gifted Education: A Systematic Review of the Literature. (Storrs, CT: National Center for Research on the Gifted). 1-40. Accessed April 4, 2020. [https://ncrge.uconn.edu/wp-content/uploads/sites/982/2016/01/NCRGE\\_EL\\_Lit-Review.pdf](https://ncrge.uconn.edu/wp-content/uploads/sites/982/2016/01/NCRGE_EL_Lit-Review.pdf).
- Elhoweris, Hala, Kagendo Mutua, Negmeldin Alsheikh, and Pauline Holloway. “Effect of Children’s Ethnicity on Teachers’ Referral and Recommendation Decisions in Gifted and Talented Programs.” *Remedial and special education* 26, no. 1 (2005): 25–31.
- “ESE Eligibility,” Florida Department of Education. April 11, <http://www.fldoe.org/academics/exceptional-student-edu/ese-eligibility/>.
- Fla. Admin. Code. 6A-6.03019. (7-1-77).



- Grissom, Jason A, and Christopher Redding. "Discretion and Disproportionality: Explaining the Underrepresentation of High-Achieving Students of Color in Gifted Programs." *AERA open* 2, no. 1 (2015): 1-25. Accessed January 30, 2021. <https://doi-org.ezproxy.lib.utexas.edu/10.1177/2332858415622175>.
- Gosner, Sarah. "A Strategy for Overcoming Equity Issues in Gifted Programs: Universal Screening, Some Districts Say, Makes Access More Fair-But Costs Can Be High." *Edutopia*, January 30, 2020. Accessed April 10, 2020. <https://www.edutopia.org/article/strategy-overcoming-equity-issues-gifted-programs>.
- Harrison, Steve. "The Gifted Gap: Since Florida Scaled Back Affirmative Action For School Gifted Programs, Black Enrollment Has Dropped." *The Miami Herald*, February 12, 2005. Accessed April 2, 2021. <https://www.newspapers.com/image/651966886>.
- Hegarty, Stephen. "Mother's Lawsuit Challenges Dual Standards for Gifted Programs: The Tampa Woman Says her Daughter was Kept Out of a Program Because of Race. The Child is White." *The Tampa Bay Times*, October 8, 1999. Accessed March 21, 2021. [https://www.newspapers.com/image/?clipping\\_id=74430264&fcfToken=eyJhbGciOiJIUzI1NiIsInR5cCI6IkpXVCJ9.eyJmcmVlXzZpZXctaWQiOiJMyNzI1OTAzNiwiawWF0Ijox%09NjE4MjQ2MTU4LCJleHAiOiJlE2MTgzMzI1NTh9.fQbmDVMK-LDzddAxVLbOpSSt-%09hxsLGvxiq1GC4x7eghttps://www.newspapers.com/image/?clipping\\_id=74430264&fcfToken=eyJhbGciOiJIUzI1NiIsInR5cCI6IkpXVCJ9.eyJmcmVlXzZpZXctaWQiOiJMyNzI1OTAzNiwiawWF0Ijox%09NjE4MjQ2MTU4LCJleHAiOiJlE2MTgzMzI1NTh9.fQbmDVMK-LDzddAxVLbOpSSt-hxsLGvxiq1GC4x7eg](https://www.newspapers.com/image/?clipping_id=74430264&fcfToken=eyJhbGciOiJIUzI1NiIsInR5cCI6IkpXVCJ9.eyJmcmVlXzZpZXctaWQiOiJMyNzI1OTAzNiwiawWF0Ijox%09NjE4MjQ2MTU4LCJleHAiOiJlE2MTgzMzI1NTh9.fQbmDVMK-LDzddAxVLbOpSSt-%09hxsLGvxiq1GC4x7eghttps://www.newspapers.com/image/?clipping_id=74430264&fcfToken=eyJhbGciOiJIUzI1NiIsInR5cCI6IkpXVCJ9.eyJmcmVlXzZpZXctaWQiOiJMyNzI1OTAzNiwiawWF0Ijox%09NjE4MjQ2MTU4LCJleHAiOiJlE2MTgzMzI1NTh9.fQbmDVMK-LDzddAxVLbOpSSt-hxsLGvxiq1GC4x7eg)
- Hegarty, Stephen. "Pinellas Gifted Program Faces Legal Challenge: The Same Firm Suing the State Over Race-Based Admissions is Taking Aim at Pinellas Schools." *The Tampa Bay Times*, March 9, 2000. Accessed March 22, 2021. <https://www.newspapers.com/image/327279913/?terms=raylene%20worley&match=1>.
- Hegarty, Stephen. "Race-Based Admissions for Gifted Targeted: Education Commissioner Tom Gallagher Wants to Preserve Diversity in Such Programs, But he Doesn't Know how He'll Do it." *Tampa Bay Times*, November 17, 1999. Accessed March 19, 2021. [https://www.newspapers.com/image/?clipping\\_CwiaWF0Ijox%09xNjE4MjQ2MTU4LCJleHAiOiJlE2MTgzMjU0MTV9.84l\\_tO-%09I4R76l6NqbQ2l3edlvNAv22KESvRH7SnMQYo](https://www.newspapers.com/image/?clipping_CwiaWF0Ijox%09xNjE4MjQ2MTU4LCJleHAiOiJlE2MTgzMjU0MTV9.84l_tO-%09I4R76l6NqbQ2l3edlvNAv22KESvRH7SnMQYo)



[https://www.newspapers.com/image/?clipping\\_id=74434124&fcfToken=eyJhbGciOiJIUzI1NiIsInR5cCI6IkpXVCJ9.eyJmcmVlXZpZXctaWQiOiJMyNzI3OTYyNCwiaI4R76l6NqbQ2l3edlvNAv22KESvRH7SnMQYo.](https://www.newspapers.com/image/?clipping_id=74434124&fcfToken=eyJhbGciOiJIUzI1NiIsInR5cCI6IkpXVCJ9.eyJmcmVlXZpZXctaWQiOiJMyNzI3OTYyNCwiaI4R76l6NqbQ2l3edlvNAv22KESvRH7SnMQYo.)

Hegarty, Stephan and Alisa Ulferts. "State Drops Race as Factor in Gifted Classes: The Cabinet Approves New Criteria for Identifying Gifted Children as Party of the Settlement of a Lawsuit." *Tampa Bay Times*, May 22, 2002. Accessed March 20, 2021. [https://www.newspapers.com/image/?clipping\\_id=74431566&fcfToken=eyJhbGciOiJIUzI1NiIsInR5cCI6IkpXVCJ9.eyJmcmVlXZpZXctaWQiOiJMyNzI3OTYyNCwiaI4R76l6NqbQ2l3edlvNAv22KESvRH7SnMQYo.](https://www.newspapers.com/image/?clipping_id=74431566&fcfToken=eyJhbGciOiJIUzI1NiIsInR5cCI6IkpXVCJ9.eyJmcmVlXZpZXctaWQiOiJMyNzI3OTYyNCwiaI4R76l6NqbQ2l3edlvNAv22KESvRH7SnMQYo.)

Hegarty, Stephen. "State Must Revise Admissions Policy for Gifted: The Challenge is to Craft a Policy that Does not Mention Race or Ethnicity While Assuring Inclusion in Classes for Talented Youngsters." *Tampa Bay Times*, September 20, 2000. Accessed March 20, 2021. [https://www.newspapers.com/image/?clipping\\_id=74430825&fcfToken=eyJhbGciOiJIUzI1NiIsInR5cCI6IkpXVCJ9.eyJmcmVlXZpZXctaWQiOiJMyNzI3OTYyNCwiaI4R76l6NqbQ2l3edlvNAv22KESvRH7SnMQYo.](https://www.newspapers.com/image/?clipping_id=74430825&fcfToken=eyJhbGciOiJIUzI1NiIsInR5cCI6IkpXVCJ9.eyJmcmVlXZpZXctaWQiOiJMyNzI3OTYyNCwiaI4R76l6NqbQ2l3edlvNAv22KESvRH7SnMQYo.)

Insights, Riverside. CogAT - The Cognitive Abilities Test. Riverside Insights . Accessed April 12, 2021. <https://info.riversideinsights.com/cogat.>

Interview with a Broward County Public Schools Administrator, March 23, 2021.

Interview with a Broward County Public Schools Administrator, March 30, 2021.

Interview with a Broward County Public Schools School Board Member, April 1, 2021.

Interview with a Broward County Public Schools School Board Member, April 5, 2021.

Interview with a member of Florida gifted organization, March 29, 2021

Interview with member of the public, April 9, 2021.

Interview with a private child psychologist, April 5, 2021.

Isgar, Sonja. "School District Seeks More Minority Gifted Students." *The Palm Beach Post*, August, 3, 2018. Accessed February 20, 2021. [https://www.palmbeachpost.com/news/local-education/school-district-seeks-more-minority-gifted-students/eNSv4dBrPsdKQGB82LzuOJ/.](https://www.palmbeachpost.com/news/local-education/school-district-seeks-more-minority-gifted-students/eNSv4dBrPsdKQGB82LzuOJ/)

Lakin, Joni M. "Universal Screening and the Representation of Historically Underrepresented Minority Students in Gifted Education: Minding the Gaps in

- Card and Giuliano's Research." *Journal of advanced academics* 27, no. 2 (2016): 139–149. Accessed January 31, 2021. <https://doi-org.ezproxy.lib.utexas.edu/10.1177/1932202X16630348>.
- Levy, Harold O. "Discrimination in Gifted Programs Must End." *Education Week*, January 4, 2017. Accessed March 3, 2021. <https://www.edweek.org/leadership/opinion-discrimination-in-gifted-education-must-end/2017/01>.
- Manion, B.C. "Plan Opens New Door for Gifted: Hillsborough County Schools Seek to Diversity Enrollment in Special Learning Programs by Altering the Standards for Minority and Poor Children." *The Tampa Tribune*, October 3, 1993. Accessed March 21, 2021. <https://www.newspapers.com/image/339486805/?terms=gifted%20black%20hispanic%20%22Plan%20B%22&match=1>.
- Marernee, Jamie. "County Weighs Testing All Students for Gifted Programs." *The South Florida Sun-Sentinel*, February 26, 2003. Accessed January 15, 2021. <https://www.sun-sentinel.com/news/fl-xpm-2003-02-26-0302260101-story.html>
- Miller v. Miami Dade County et al, 1:02-cv-20943-KMM (S.D.F.L. 2002)
- National Center for Educational Statistics. "About NAEP: A Common Measure of Achievement." November 4, 2021. Accessed April 20, 2021. <https://nces.ed.gov/nationsreportcard/about/>.
- Nisen, Max and Quartz. "Tackling Inequality in Gifted-and-Talented Programs: Using Testing to Place Students in the Advanced Learning Programs Can Actually Help Level the Playing Field." *The Atlantic*, September 15, 2015. Accessed January 12, 2021. <https://www.theatlantic.com/education/archive/2015/09/inequality-gifted-programs-schools-testing/405013/>.
- Number and percentage of public school students enrolled in gifted/talented programs, by race/ethnicity and disability status by state: School Year 2013-14*, Distributed by the Office for Civil Rights at the U.S. Department of Education, <https://ocrdata.ed.gov/estimations/2013-2014>.
- Number and percentage of public school students who are English Language Learners enrolled in English Language instructional educational programs, by race/ethnicity and disability status by state: School Year 2013-14*, Distributed by the Office for Civil Rights at the U.S. Department of Education, <https://ocrdata.ed.gov/estimations/2013-2014>.

- Office of Program Policy Analysis and Governmental Accountability. *Florida's Gifted Student Population Grew Faster Than the Overall School Enrollment*. Tallahassee, Florida: OPPAGA, 2008.
- Office of Program Policy Analysis and Governmental Accountability. *Information Brief of Florida's K-12 Gifted Program*. (Tallahassee, Florida: OPPAGA, 1996), 1-28.
- Office of Program Policy Analysis and Government Accountability. *Review of Florida's K-12 Gifted Program Part II*. (Tallahassee, Florida: OPPAGA, 1996), 1-54.
- Office of Program Policy Analysis and Governmental Accountability. *Some Progress Made in Monitoring Services for Gifted Students; Additional Steps Needed*. Tallahassee, Florida: OPPAGA, 2010.
- Peters, Scott J, Marcia Gentry, Gilman W Whiting, and Matthew T McBee. "Who Gets Served in Gifted Education? Demographic Representation and a Call for Action." *The Gifted child quarterly* 63, no. 4 (2019): 273–287.
- Public school students overall and by race/ethnicity, students with disabilities served under IDEA and those served solely under Section 504, and students who are English language learners, by state: School Year 2013-14*, Distributed by the Office for Civil Rights at the U.S. Department of Education, <https://ocrdata.ed.gov/estimations/2013-2014>
- Ramos, Emily. "Let Us in: Latino Underrepresentation in Gifted and Talented Programs." *Journal of cultural diversity* 17, no. 4 (2010): 151–153. Accessed January 31, 2021. <https://search-proquest.com.ezproxy.lib.utexas.edu/docview/818559227?accountid=7118&pq-origsite=primo>
- Richman, Talia. " 'Finally Finding Our Babies': How Richardson Schools are Making their Gifted Classes more Diverse." *The Dallas Morning News*, April 2, 2021. Accessed April 13, 2021. <https://www.dallasnews.com/news/education/2021/04/02/finally-finding-our-babies-how-richardson-schools-are-making-their-gifted-classes-more-diverse/>.
- Reardon, Sean F, and Ximena A Portilla. "Recent Trends in Income, Racial, and Ethnic School Readiness Gaps at Kindergarten Entry." *AERA open* 2, no. 3 (2016): 1-18. Accessed April 12, 2012. <https://doi-org.ezproxy.lib.utexas.edu/10.1177/2332858416657343>

Shah, Nirvi. "Broward Struggling to Identify Gifted Students." *The Miami Herald*, March 27, 2007. Accessed February 14, 2021.  
<https://www.miamiherald.com/news/local/education/article1927814.html>.

Shammas, Brittany. "Broward's Gifted Programs Getting More Diverse." *The South Florida Sun-Sentinel*, October 17, 2015. Accessed February 10, 2021.  
<https://www.sun-sentinel.com/local/broward/fl-broward-gifted-universal-test-20151015-story.html>.

Silva, Mark. "Gifted Minority Students Often Left Out." February 15, 1984. Accessed March 20, 2021. <https://www.newspapers.com/image/630402892>

Yaluma , Christopher B., and Adam Tyner. "*Is There a Gifted Gap? Gifted Education in High Poverty School .*" *Fordham Institute*, The Thomas B. Fordham Institute , Jan. 2018, [fordhaminstitute.org/about](http://fordhaminstitute.org/about).