

**OPERATING STANDARDS FOR
IDENTIFYING AND SERVING
GIFTED STUDENTS**

**Ohio Administrative
Code 3301-51-15**

**DRAFT as approved by SBOE Achievement
Committee on 11-11-2013**

3301-51-15 Operating standards for identifying and serving gifted students.

Services to gifted students may only be reported to parents and the department of education when compliant with the Operating Standards for Identifying and Serving Gifted Students.

(A) Definitions

(1) "Day" means calendar day unless otherwise indicated as school day.

(a) "School day" means any day, including a partial day that students are in attendance at school for instructional purposes.

~~(2)~~ (2) "Gifted" means students who perform or show potential for performing at remarkably high levels of accomplishment when compared to others of their age, experience, or environment and who are identified under division (A), (B), (C), or (D) of section 3324.03 of the Revised Code.

~~(3)~~ (3) "School district" ~~does not include a joint vocational school district.~~ means a city, local, exempted village school district and does not include a joint vocational school district.

~~(4)~~ (4) "Specific academic ability field" means one or more of the following areas of instruction:

(a) Mathematics;

(b) Science;

(c) Reading, writing, or a combination of these skills; and/or

(d) Social studies.

~~(5)~~ (5) "Trained individual" means a person who by training or experience is qualified to perform the prescribed activity, e.g., educator, private teacher, higher education faculty member, working professional in the field of visual or performing arts or a person trained to administer assessments/checklists to identify gifted ability in creative, visual or performing arts.

~~(6)~~ (6) "Visual or performing arts ability" means ability in areas such as drawing, painting, sculpting, music, dance and drama.

(B) General

(1) All minimum standards for elementary and secondary schools shall be followed for ~~children~~ students who are gifted.

- (2) The district may incorporate any or all identification and service plans for students who are gifted into the district's comprehensive or continuous improvement plan.

(C) Identification

(1) Definition

The board of education of each district shall identify gifted students enrolled in that district in grades kindergarten through twelve as follows:

- (a) A ~~child~~ student shall be identified as exhibiting "superior cognitive ability" if the ~~child~~ student did either of the following within the preceding twenty-four months:
- (i) Scored two standard deviations above the mean, minus the standard error of measurement, on an approved individual standardized intelligence test administered by a licensed or certified school psychologist or licensed psychologist; or
 - (ii) Accomplished any one of the following:
 - (a) Scored at least two standard deviations above the mean, minus the standard error of measurement, on an approved standardized group intelligence test;
 - (b) Performed at or above the ninety-fifth percentile on an approved individual or group standardized basic or composite battery of a nationally normed achievement test or;
 - (c) Attained an approved score on one or more above grade-level standardized, nationally normed approved tests.
- (b) A ~~child~~ student shall be identified as exhibiting "specific academic ability" superior to that of ~~children~~ students of similar age in a specific academic ability field, if, within the preceding twenty-four months the ~~child~~ student performs at or above the ninety-fifth percentile at the national level on an approved individual or group standardized achievement test of specific academic ability in that field. A ~~child~~ student may be identified as gifted in more than one specific academic ability field.
- (c) A ~~child~~ student shall be identified as exhibiting "creative thinking ability" superior to ~~children~~ students of a similar age, if within the previous twenty-four months, the ~~child~~ student scored one standard deviation above the mean, minus the standard error of measurement, on an approved individual or group intelligence test and also did either of the following:
- (i) Attained a sufficient score, as established by the department of education, on an approved individual or group test of creative ability; or

- (ii) Exhibited sufficient performance, as established by the department of education, on an approved checklist by a trained individual of creative behaviors.
- (d) A ~~child~~ student shall be identified as exhibiting "visual or performing arts ability" superior to that of ~~children~~ students of similar age if the ~~child~~ student has done both of the following:
 - (i) Demonstrated to a trained individual through a display of work, an audition, or other performance or exhibition, superior ability in a visual or performing arts area; and
 - (ii) Exhibited to a trained individual sufficient performance, as established by the department of education, on an approved checklist of behaviors related to a specific arts area.

(2) District identification plan

The board of education of each district shall adopt a district identification plan as specified in section 3324.04 of the Revised Code for identifying ~~children~~ students who are gifted.

- (a) The district identification plan, in accordance with department of education guidelines, shall be submitted to the department of education for approval immediately following district board of education approval.
- (b) The department of education shall approve the district identification plan within sixty days if it contains all of the following:
 - (i) A description of the assessment instruments from the list approved by the department that the district will use to screen and identify gifted ~~children~~ students;
 - (ii) Acceptable scheduling procedures for screening and for administering assessment instruments for identifying gifted ~~children~~ students. These procedures shall provide:
 - (a) In the case of ~~children~~ students who have requested assessment or who have been recommended for assessment by teachers, parents, or other ~~children~~ students, at least two opportunities a year for assessment. A student's initial assessment shall be completed within ninety days of referral;
 - (b) Assurance of inclusion in screening and assessment procedures for

minority and disadvantaged students, ~~children~~ students with disabilities, and ~~children~~ students for whom English is a second language; ~~and~~

- (c) Assurance that any ~~child~~ student transferring into the district will be assessed within ninety days of the transfer at the request of a parent; and

(iii) The provision of at least two whole grade screening opportunities as follows:

(a) For superior cognitive ability and specific academic ability in the areas of (1) mathematics; and (2) reading, writing or a combination of these skills once prior to the end of grade three.

(b) For superior cognitive ability and specific academic ability in the areas of (1) mathematics; (2) science; (3) reading, writing or a combination of these skills; and (4) social studies is required once in grades three, four, five or six.

~~(iii)~~ (iv) Procedures for notification of parents within thirty days of receipt of assessment results about:

(a) The results of any screening procedure or assessment instrument, ~~and~~

(b) A detailed list of the services likely to be provided to the student, based on the nature of the student's identification, and of all gifted services that are currently available or have been made available by the district during the previous three school years, and

(c) The provision of an opportunity for parents to appeal any decision about the results of any screening procedure or assessment, the scheduling of ~~children~~ students for assessment, or the placement of a ~~child~~ student in any program or for receipt of services; ~~and~~

~~(iv)~~ (v) A commitment that the district will accept scores on assessment instruments provided by other districts or trained personnel outside the district, provided the assessment instruments are on the list approved by the department of education under section 3324.02 of the Revised Code.

(a) The district's identification plan may provide for the district to contract with any qualified public or private service provider to provide screening or assessment services under the plan.

(b) The district shall accept assessment results from other districts or from trained personnel outside the district, as equivalent to district testing as set forth in paragraph (C)(1) of this rule (identification) and may not exclude a ~~child~~ student from service options due to reassessment, test scores from

other districts or test scores from trained personnel outside the district if the student meets the criteria specified in paragraph (C)(1) of this rule (identification). Districts shall not alter eligibility through any consideration or computation other than as set forth in paragraph (C)(1) of this rule (identification).

- (c) The district shall work with the department of education to amend the district identification plan and ensure the plan meets approval, and if the district changes the district identification plan such changes shall be submitted to the department of education immediately following district board of education approval.

(3) Screening/identification

The board of education of each district shall adopt a statement of its policy for the screening and identification of children students who are gifted and shall distribute the policy statement to parents. The policy statement shall specify:

- (a) The criteria and methods the district uses to screen children students and to select children students for further assessment who perform or show potential for performing at remarkably high levels of accomplishment in each of the gifted areas specified in this rule;
- (b) The sources of assessment data the district uses to select children students for further testing and an explanation for parents of the multiple assessment instruments required to identify gifted children students under section 3324.03 of the Revised Code;
- (c) An explanation for parents of the method the district uses to ensure equal access to screening and further assessment by all district children students, including minority or disadvantaged children students, children students with disabilities, and children students for whom English is a second language;
- (d) Provisions to ensure equal opportunity for all district children students identified as gifted to receive any services offered by the district;
- (e) Provisions for children students to withdraw from gifted programs and services, for reassessment of children students, and for assessment of children students transferring into the district;
- (f) Methods for resolving disagreements between parents and the district concerning identification and placement decisions; and
- (g) A copy of the district's policy adopted under this section shall accompany the district's identification plan submitted to the department of education under section 3324.04 of the Revised Code.

(4) Testing/assessment

- (a) Districts shall select screening and identification instruments from the department of education's approved lists for inclusion in their district's identification plan. Assessments must measure the specific area(s) of gifted ability. A list of the approved instruments and checklists will be established and published by the department of education that will include, as appropriate, the criteria for judging technical adequacy of assessments and instruments.
- (b) In addition to the assessments listed in the district's identification plan, districts shall recognize qualifying scores from any assessments on the list of assessments approved by the department of education. The district shall ensure that the use of evaluation instruments:
 - (i) Are provided and administered in the ~~child's~~ student's native language or other mode of communication, unless it is clearly not feasible to do so;
 - (ii) Have been validated for the specific purpose and populations for which they are used; and
 - (iii) Are administered by qualified personnel in conformance with the instructions provided by their producer.
- (c) The district shall select instruments, from the approved list, that will allow for appropriate screening and identification of minority or disadvantaged ~~children~~ students, ~~children~~ students with disabilities, and ~~children~~ students for whom English is a second language.
- (d) Tests are selected and administered so as to best ~~insure~~ ensure that when a test is administered to a ~~child~~ student with impaired sensory, manual or speaking skills, the test results accurately reflect the ~~child's~~ student's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the ~~child's~~ student's impaired sensory, manual or speaking skills except where those skills are factors which the test purports to measure. If the accommodations in a student's IEP or 504 plan interfere with the test's allowable accommodations a comparable test will be selected.
- (e) A list of the approved instruments and checklists will be established and published by the department of education that will include, as appropriate, the criteria for judging technical adequacy of assessments and instruments.

(D) Services

Gifted and talented students need differentiated curriculum, ~~and~~ instruction and support

services in order to fully develop their cognitive, academic, creative and artistic abilities or to excel in a specific content area, including opportunities to exceed grade level academic learning standards-indicators and benchmarks.

- (1) The district shall not indicate to parents or report to the department of education that a student is receiving gifted education services unless services are provided in conformance with this rule.
- (2) Placement procedures for district services shall be in conformance with the district's written criteria for determining eligibility for placement in those services.
 - (a) Written criteria for determining eligibility for placement in a gifted service shall be provided to any parent, district educator, or the department of education upon request.
 - (b) Written criteria provided by the district shall include an explanation of the methods used to ensure equal access to each gifted service for all eligible district students, including minority or disadvantaged students, students with disabilities and students for whom English is a second language.
 - (c) Services which students receive shall be consistent with their area(s) of identification and shall be differentiated to meet their needs.
 - (d) Subjective criteria such as grades or teacher recommendations shall not be used to exclude a student from service ~~in the superior cognitive and specific academic areas~~ who would otherwise be eligible.
 - (e) All district students who meet the written criteria for a gifted service shall be provided an equal opportunity to receive that service.
- ~~(3) A continuum of services provided by each district board of education may include such options as the following components:~~

(3) Written education plan (WEP)

Gifted services shall be based on the student's area(s) of identification and individual needs and be guided by a WEP. The district shall provide parents with periodic reports regarding the student progress pursuant to meeting the achievement and other goals of the WEP and the effectiveness of the services provided in accordance with the gifted student's WEP.

- (a) The Written Education Plan (WEP), developed in collaboration with an educator with gifted licensure or a coordinator of gifted services, shall provide a description of the services to be provided including:

- (i) Goals for the student in each service specified including, but not limited to, measurable academic goals;
- (ii) Methods and performance measurements for evaluating progress toward achieving the goals specified;
- (iii) Methods and schedule for reporting progress to students and parents;
- (iv) Specify staff members responsible for ensuring that specified services are delivered;
- (v) Specify policies regarding the waiver of assignments and the scheduling of tests missed while participating in any gifted services provided outside the general education classroom; and
- (vi) Specify a date by which the WEP will be reviewed for possible revision.

(b) Parents and all educators responsible for providing gifted education services to the student, including teachers providing differentiated instruction in general education settings, shall be provided:

(i) A copy of the WEP; and

(ii) Prior the start of each school year, information should be available in a user-friendly manner that includes an explanation of the student's performance on all measures during the previous year, and a comparison to the stated goals of the student's WEP. The district may also choose to provide this information electronically or otherwise as it becomes available.

(4) Instructional settings

(a) Instruction for gifted services shall be provided during the regular school day, and may be face-to-face, in a virtual learning environment (VLE), or a combination of the two. Settings may include magnet schools.

(b) Gifted services guided by a Written Education Plan (WEP) and taught by a gifted intervention specialist to students identified as gifted. The gifted intervention specialist shall provide students and parents periodic reports on student progress pursuant to meeting the goals of the WEP. Such instruction may be provided in large groups, small groups, and/or individually and may include the following:

- (i) Full-time self-contained classroom where the gifted intervention specialist is the teacher of record;

(ii) Single-subject self-contained classroom where the gifted intervention specialist is the teacher of record;

(iii) A resource room;

(iv) Co-teaching where the general education teacher is the teacher of record and lesson plans and teaching are coordinated with gifted intervention specialist. Services are provided through co-teaching with the gifted intervention specialist. The gifted intervention specialist and general education teacher shall be provided with regularly scheduled collaborative planning time;

(c) Additional general education settings with instruction guided by a Written Education Plan(WEP) taught by a general educator:

(v) Early entrance to kindergarten, whole grade acceleration, subject acceleration or early graduation from high school per district acceleration policy;

(vi) Magnet schools;

(vii) Internship and mentorship programs with businesses, nonprofit organizations, and arts organizations;

(viii) Above Grade Level Honors Classes. Specific subject area classes which are differentiated from a regular subject area class in terms of breadth, depth, and complexity;

(ix) Advanced Placement courses provided under the authorization of the College Board;

(x) A trained arts instructor may provide services to students who are identified as gifted in the visual/performing arts and who have such services specified on their WEPs;

(xi) Dual enrollment program opportunities including but not limited to post-secondary enrollment options program under Chapter 3365 of the Revised Code;

(xii) Post-Secondary Enrollment Option course(s) in which students may enroll in college level courses and receive credit toward graduation at the same time;

(xiii) Credit Flexibility in which students earn credits through: (1) the completion of courses; (2) testing out or otherwise demonstrating mastery of the course content; or (3) pursuit of one or more “educational options” (e.g., distance learning, educational travel, independent study, an internship, after

school/tutorial program, community service or engagement project and extracurricular activities); and

(xiv) Educational Option(s) as defined in rules 3301-35-01 and 3301-51-06 of the Administrative Code. Educational Options provide experiences for individual students who need services not available in the regular school setting. They may include independent study, mentoring, and distance learning.

(5) Instruction

The depth, breadth, and pace of instruction, based on the adopted course of study in appropriate content areas, shall be differentiated based on the student's area(s) of identification and individual needs. Differentiated instruction must be guided by a Written Education Plan (WEP).

(a) Differentiated instruction for gifted students shall be based on a student's readiness, knowledge and skills and including, the differentiated features of acceleration, complexity, depth, challenge, creativity and abstractness. Educators shall select, adapt or create a variety of differentiated curricula that incorporate advanced, conceptually challenging, in-depth, distinctive and complex content that:

(i) Provides access to appropriately advanced curriculum content, including replacement or extension of the regular curriculum;

(ii) Modifies the learning process to provide an appropriate level of challenge, including the use of strategies for curriculum compacting; and

(iii) Modifies or replaces assignments and projects with alternatives based on the student's needs and abilities.

(b) The differentiated instruction may be provided using instructional strategies including but not limited to:

(i) Questioning methods;

(ii) Problem-based learning;

(iii) Selection of challenging, exemplar materials using evidence-based gifted research;

(iv) Methods to stimulate high level thought, including critical thinking, divergent thinking, abstract thinking, logical reasoning and problem solving;

(v) Oral, written and artistic expression;

(vi) Independent study and research methods;

(vii) In depth study of a topic through:

(a) Open-ended tasks and

(b) Products that reflect complex abstract, creative and/or higher level thinking skills;

(viii) Readiness grouping;

(ix) Exploration of career options;

(x) Providing above-grade level content, including compacting curriculum;

(xi) Mentorships;

(xii) Early entrance to kindergarten, whole grade acceleration, subject acceleration or early graduation from high school per district acceleration policy as required by Section 3324.10 of the Revised Code; and

(xiii) Social/emotional supports.

~~(a) Instructional settings and services-~~

~~Instruction for gifted services shall be provided during the regular school day. Such instruction may be provided in large groups, small groups, and/or individually in a variety of settings, including:~~

~~(i) General education settings including:~~

~~(a) Grade acceleration;~~

~~(b) Early entrance;~~

~~(c) Cluster grouping in settings where curriculum provided is above grade-level or is delivered by a gifted intervention specialist;~~

~~(d) Early graduation; and~~

~~(e) Subject acceleration.~~

~~(ii) Resource rooms;~~

- ~~(iii) Self-contained classrooms;~~
- ~~(iv) Magnet schools;~~
- ~~(v) “Advanced Placement” courses provided under the authorization of the College Board;~~
- ~~(vi) Dual enrollment opportunities including but not limited to post secondary enrollment options program under Chapter 3365. of the Revised Code;~~
- ~~(vii) Honors courses, international baccalaureate courses, or other advanced courses;—~~
- ~~(viii) Educational options;~~
- ~~(ix) Advanced online courses and programs; and~~
- ~~(x) Internships with businesses, nonprofit organizations, and arts organizations.~~

(b) Instruction

~~The depth, breadth, and pace of instruction, based on the adopted course of study in appropriate content areas, shall be differentiated based on the student's area(s) of identification and individual needs.~~

~~Gifted services may include the following:~~

- ~~(i) Differentiated instruction in general education settings in which accelerated (above grade level) curriculum is provided or the teacher holds a license or endorsement in gifted education or receives professional development regarding teaching gifted students and ongoing assistance with curriculum development and instruction from an educator with a gifted intervention specialist license per paragraph (E)(2)(d). Curriculum is differentiated in one or more of the following ways:~~
 - ~~(a) Providing access to appropriately advanced curriculum content, including replacement or extension of the regular curriculum;~~
 - ~~(b) Modifying the learning process to provide an appropriate level of challenge, including the use of strategies for curriculum compacting; and,~~
 - ~~(c) Modifying or replacing assignments and projects with alternatives based on the student's needs and abilities.~~

~~(ii) Methods to stimulate high level thought, including critical thinking, divergent thinking, abstract thinking, logical reasoning, and problem solving;~~

~~(iii) Oral, written, and artistic expression;~~

~~(iv) Independent study and research methods;~~

~~(v) In depth study of a topic through:~~

~~(a) Open ended tasks, and~~

~~(b) Products that reflect complex abstract, and/or higher level thinking skills;~~

~~(vi) Exploration of career options;~~

~~(vii) Early admission to kindergarten or first grade, whole grade acceleration, subject acceleration, or other forms of acceleration provided in conformance with the district's acceleration policy approved by the district board of education and the department of education in accordance with section 3324.10 of the Revised Code;~~

~~(viii) Mentorships; and~~

~~(c) Guidance~~

~~Guidance services received from a guidance counselor and/or a guidance program specifically designed to meet the social and emotional needs of gifted students children, including making academic and career choices.~~

~~(4) Written education plan (WEP)~~

~~Gifted services shall be based on the student's area(s) of identification and individual needs and be guided by a WEP. The district shall provide parents with periodic reports regarding the effectiveness of the services provided in accordance with the gifted student's WEP.~~

~~(a) The WEP shall:~~

~~(i) Provide a description of the services to be provided including:~~

~~(a) Goals for the student in each service specified including, but not limited to, academic goals;~~

~~(b) Methods for evaluating progress toward achieving the goals specified; and~~

~~(c) Methods and schedule for reporting progress to students.~~

~~(ii) Specify staff members responsible for ensuring that specified services are delivered;~~

~~(iii) Specify policies regarding the waiver of assignments and the scheduling of tests missed while participating in any gifted services provided outside the general education classroom; and~~

~~(iv) Specify a date by which the WEP will be reviewed for possible revision;~~

~~(b) Parents and all educators responsible for providing gifted education services to the student, including teachers providing differentiated instruction in general education settings, shall be provided a copy of the WEP.~~

~~(5) The board of education of each district shall develop, in accordance with department of education guidelines, a plan for the service of gifted students enrolled in the district who are identified under section 3324.03 of the Revised Code.~~

~~(6) Each district board of education shall file the service plan developed under section 3324.07 of the Revised Code with the department of education by December 15, 2000.~~

~~(7) The district shall work with the department of education to ensure the service plan is adequate and provide funding estimates. If the district changes the plan, the revised plan shall be submitted to the department of education.~~

~~(8) Unless otherwise required by law, rule, or as a condition for receipt of funds, district boards of education may implement the plans developed under paragraph (D)(5) of this rule, but shall not be required to do so until further action by the general assembly or the state superintendent of public instruction.~~

(E) Personnel

(1) Personnel shall provide instruction and services that are consistent with gifted student's WEPs.

(2) Gifted Intervention Specialists. ~~An intervention specialist for gifted education shall provide instruction directly to gifted students for no less than seventy five per cent of the time.~~

(a) For Gifted Intervention Specialists assigned to more than one service setting, the maximum caseload for each setting must be reduced in proportion to the time assigned to each setting. Intervention specialists shall be provided sufficient time for designing their work, evaluating student progress, conferencing, and team

planning consistent with paragraph (A)(9) of rule 3301-35-05 of the Administrative Code. ~~The department of education, office for exceptional children, shall establish policies and procedures for granting temporary waivers to districts related to paragraphs (E)(2)(a) through (E)(2)(c) of this rule.~~ A gifted intervention specialist shall provide instruction to gifted students in one or more of the service settings specified in (E)(2)(a):

- (a) ~~In a resource room with a maximum of fifteen gifted students at any one time and a maximum caseload of sixty~~ seventy-five gifted students. Through June 30, 2015, each student served in this setting shall be provided instruction no less than two hundred twenty-five minutes per week throughout the school year at the elementary level (kindergarten through grade five) and no less than two hundred forty minutes per week throughout the school year at the secondary level (grades six through twelve);
- (b) ~~In a full-time self-contained classroom where the gifted intervention specialist is the teacher of record with a maximum of twenty gifted students at the elementary level (kindergarten through grade five) or a maximum of twenty-five gifted students at the secondary level (grades six through twelve);~~
- (c) ~~In a single subject course where the gifted intervention specialist is the teacher of record with a maximum twenty gifted students at any one time and a maximum caseload of eighty gifted students at the elementary level (kindergarten through grade five) or a maximum of twenty-five gifted students at any one time and a maximum caseload of one hundred twenty-five gifted students at the secondary level (grades six through twelve). Through June 30, 2015, each~~ student served in this setting shall be provided instruction no less than an average of two hundred twenty-five minutes per week throughout the course at the elementary level (kindergarten through grade five) and no less than an average of two hundred forty minutes per week throughout the course at the secondary level (grades six through twelve);
- (d) ~~In a course where the general education teacher is the teacher of record with a maximum of twenty gifted students at any one time and a maximum caseload of one hundred eighty~~ eighty gifted students at the elementary level (kindergarten through grade five) or a maximum of twenty-five gifted students at any one time and a maximum caseload of one hundred twenty-five gifted students ~~at the secondary level (grades six through twelve). Each student served in this setting shall be provided instruction by the intervention specialist no less than an average of two hundred twenty-five minutes per week throughout the course at the elementary level (kindergarten through grade five) and no less than an average of two hundred forty minutes per week throughout the course at the secondary level (grades six through twelve).~~ ~~—services are provided through collaboration or team teaching with the general education teacher. The general education teacher is provided with professional development in differentiating instruction for~~

gifted students and is designated as a provider of differentiated instruction on students' WEPs. The gifted intervention specialist and general education teacher shall be provided with regularly scheduled collaborative planning time. Through June 30, 2015 students served in this setting shall be provided instruction by the intervention specialist no less than an average of two hundred twenty-five minutes per week throughout the course at the elementary level (kindergarten through grade five) and no less than an average of two hundred forty minutes per week throughout the course at the secondary level (grades six through twelve);

(~~e~~v) In virtual learning environments where the total student caseload does not exceed one hundred twenty-five gifted students; and

(~~f~~vi) In designing and/or supervising educational options, internships and mentorships specified on gifted students' WEPs where the total student caseload does not exceed one hundred twenty-five students.

(3c) The intervention specialist shall hold an intervention specialist license, valid for teaching gifted students ages five through twenty-one.

(i) Gifted intervention specialists shall be provided sufficient time for designing their work, evaluating student progress, conferencing, and team planning consistent with paragraph (A)(9) of rule 3301-35-05 of the Administrative Code.

(ii) Gifted intervention specialists shall participate each school year in high quality professional development related to teaching gifted students.

(43) Coordinators of Gifted Education. For districts choosing to utilize coordinators of gifted education:

(a) Coordinators of gifted education shall provide the following services for school districts:

(~~a~~i) Assist in the identification of gifted students;

(~~b~~ii) Assist in the placement of gifted students in appropriate educational services and settings;

(~~c~~iii) Assist school personnel in the design of gifted education services;

(~~d~~iv) Consult with school personnel regarding gifted education issues in district strategic planning processes and the development of school improvement plans;

(~~e~~v) Assist school personnel in the on-going evaluation of the effectiveness of gifted education services, including input from parents of students who are gifted;

- (~~f~~vi) Assist school personnel in ensuring that documents required in this rule regarding gifted identification procedures and written criteria for placement in gifted services are accurate and accessible to parents and other stakeholders;
 - (~~g~~vii) Assist school personnel in the development, appropriate dissemination, evaluation and revision of written education plans for gifted students as required in paragraph (D) of this rule and
 - (~~h~~viii) Assist school personnel in ensuring district compliance with accountability requirements described in paragraph (D) of this rule.
- (~~5~~b) Coordinators of gifted education may provide the following services for school districts:
- (~~a~~i) Communicate with parents and others about the characteristics and educational needs of gifted students;
 - (~~b~~ii) Consult with school personnel about ways to develop and adapt curriculum, materials, and teaching strategies;
 - (~~e~~iii) Coordinate services such as: mentorship, advanced coursework, special seminars, independent studies, interdisciplinary curricular experiences, internships, career explorations, visual and/or performing arts experiences, distance learning, and supervising and evaluating educational options for gifted students provided in accordance with paragraph (G) of rule 3301-35-06 of the Administrative Code;
 - (~~d~~iv) Develop curriculum and staff development activities and provide teaching demonstrations to model appropriate teaching practices or classroom management strategies. However, coordinators shall not be assigned to regular scheduled teaching duties; and
 - (~~e~~v) Serve as a liaison among students who are gifted, school personnel, parents, community members, colleges and universities, industry, business and cultural institutions and other interested publics.
 - (vi) Evaluate gifted intervention specialists and general educators who serve gifted students for the portion of instruction that gifted students are served when the coordinator has appropriate licensure.
- (~~6~~c) Coordinators shall meet the following qualifications:
- (~~a~~i) Evidence of at least three years successful teaching experience;

~~(b) Master's degree;~~

~~(eii) Ohio administrative specialist license, if the coordinator is to supervise teachers; and~~

~~(diii) Ohio intervention specialist license for gifted education.~~

~~(7d) Coordinators of gifted education services shall be provided with appropriate space when conducting conferences with educators, parents, and students.~~

~~(e) Coordinators of gifted education shall participate each school year in high quality professional development related to identifying and serving gifted students.~~

~~(84) A trained arts instructor may provide services to a maximum of one hundred twenty-five students who are identified as gifted in the visual/performing arts and who have such services specified on their WEPs.~~

~~(F) Funding~~

~~(1) The department of education may approve and reimburse districts for the services of intervention specialist and coordinators for gifted education as follows:~~

~~(a) Unit funding for intervention specialists~~

~~(i) Units may be approved in a district or consortium of districts where coordinator services specified in paragraph (E)(4) of this rule are provided;~~

~~(ii) Units or fractional units may be approved to districts or a consortium of districts on the basis of one thousand average daily membership in kindergarten through grade twelve; and~~

~~(iii) One full intervention specialist unit may be approved in a district or a consortium of districts with fewer than one thousand average daily membership.~~

~~(b) Unit funding for coordinators~~

~~(i) Units or fractional units may be allocated to districts or a consortium of districts on the basis of two thousand five hundred average daily membership in kindergarten through grade twelve; and~~

~~(ii) One full coordinator unit may be allocated in a district or consortium of districts with fewer than two thousand five hundred average daily membership.~~

- ~~(c) Gifted personnel funded with state dollars shall be full time in that role; and if partially state funded, services must be equal to the level of funding.~~
- ~~(d) Units may be approved to fund gifted education services provided in virtual learning environments.~~
- ~~(e) A reduction in the 2007-2008 allocation of units to a particular district will occur only as a result of noncompliance, voluntary surrender, decline in district average daily membership or reduction in the total number of units available.~~

~~(G)~~(F) Local Accountability

- (1) Each district shall submit an annual report to the department of education specifying the number of children in each of grades kindergarten through twelve screened, the number assessed, and the number identified as gifted in each category specified in section 3324.03 of the Revised Code.
- (2) Each district shall participate in an audit of the district's gifted education data (including numbers screened, assessed, identified and served by grade, gender, race, disability, economic disadvantage and English language proficiency and appropriate assignment of gifted and general education staff) and/or operating standards procedures at least once every three years or more frequently if randomly selected, or based on complaints, or suspicion of non-compliance ~~by the department of education~~.
 - (a) Districts shall be provided an opportunity to validate the data used for the audit and to respond to the audit findings.
 - (b) The department of education shall provide technical assistance to any district found in noncompliance with this rule.
 - (c) Districts found to be noncompliant shall develop and implement a corrective action plan approved by the department of education.
- (3) The department of education may reduce funds received by the district under Chapter 3317 of the Revised Code by any amount if the district board of education continues to be noncompliant.
- (4) The district shall prepare an annual written report on the effectiveness of the identification of and services to students who are gifted. The report shall be submitted to the department of education by July fifteenth of each year. The report shall also include but not be limited to the following elements:
 - (a) The number of licensed gifted intervention specialists and coordinators providing gifted services in the district;

- (b) The number of general educators providing gifted services in the district;
- (c) State and local funding spent on identification, licensed gifted personnel, gifted professional development, gifted materials and supplies, gifted curricular materials, and transportation.
- (d) The professional development or coursework related to teaching gifted students received by general educators providing gifted services, gifted coordinators and gifted intervention specialist.

(G) State Accountability and Waivers

- (1) The department of education shall make the information available to the public in an easily readable format on the department's website.
- (2) The department of education shall issue an annual report on the condition of gifted education. The report shall include a review of performance indicators used for gifted students, performance measures used in the gifted education dashboard, and make recommendations for further improvements in systems for evaluating district and student performance that should be considered for adoption by the state board of education.

(3) Waivers.

- (a) The department may waive standards under sections (E)(2)(a)(i) through (vi) of this rule for a district that receives and maintains an "A" on its gifted performance indicator for two consecutive years. Districts wishing to operate under a waiver shall submit for approval by the department specific performance goals and measures beyond those included on the district report card for identified gifted students.
- (b) The department shall withdraw any waiver of standards under this section for a district that receives a "B" or "C" on its gifted performance indicator for two consecutive years after the waiver's issuance.
- (c) The department shall withdraw any waiver of standards under this section for a district that receives a "D" or "F" on its gifted performance indicator for the year following the waiver's issuance.

- (H) Provisions of this rule for the identification of gifted students shall not be exempted for "effective," "excellent," or "excellent with distinction" districts pursuant to rule 3301-15-02 of the Administrative Code.