

## State Board of Education Detailed Report for April, 2016

As always, this report is designed to provide the most detailed discussion of the events that occurred during the State Board of Education meetings. The discussion between board members, witnesses, and ODE staff is paraphrased as accurately as possible. Please excuse the inevitable typos. Links to the actual audio tapes of the discussions are provided throughout the document. Explanatory notes are also provided as needed. This document will be updated with audio tape links when available.

### Achievement Committee 4.11.2016

Committee members Rebecca Vazquez-Skillings, Todd Jones, Melanie Bolender, Pat Bruns, Stephanie Dodd, Joe Farmer, and Ron Rudduck were all present along with board president Tom Gunlock. ODE staff members Sue Zake and Aaron Rausch led the discussion. Aaron Rausch shared a new document with the committee based on a request from Ron Rudduck. The document broke out gifted expenditures by typology. The [document](#) provides details of each typology including the sum of ADM, the sum of expenditures, and the list of USAF (Uniform School Accounting Function) Codes used to track gifted expenditures. Based on this data, 48 districts reported spending zero funds on gifted expenditures. Aaron Rausch indicated that any funds spent on ESC gifted services would not be included in these funds. (Note from Ann: This may be true for some districts, but many districts code their ESC gifted services.) Achievement committee members asked the following questions:

Melanie Bolender: For the school districts spending zero, what is the process that ODE follows to determine why? Answer (Aaron Rausch) – There's no follow-up as there is no accountability requirement for gifted funding. (Note from Ann: OAGC disagrees with this. See ORC 3317.40.) ODE does not verify the funding. There is maintenance of effort (MOE) for special education dollars, and IDEA funds but not gifted. Sue Zake: There are distinct differences between MOE for students with disabilities that are not there for gifted dollars.

Rebecca Vazquez-Skillings – Are there any other methods that districts could be serving students without showing expenditures? Answer (Zake) – There are identification rates and service rates that we collect. But there is not distinct way that we link expenditures to those purposes.

Vazquez-Skillings – Is there any way to gather this information? Answer (Zake) – With investigation, we could get closer. (Note from Ann: OAGC has already compiled some of this information.)

Pat Bruns – I know that districts are all over the map in terms of how they are using these funds. I was intrigued by the district looking at gifted services as a way to increase achievement for all students (Note from Ann: She is referring to Groveport Madison). Maybe we could use this as a way to hallmark good services. Answer (Zake) This is a great idea. We have staff doing regional meetings and we are working on ideas for services for twice exceptional children. There is internal work being done in terms of looking at quality indicators of gifted services. What does a quality program look like? How do we best provide services?

Bolender – I appreciate and understand that there is a requirement for students with disabilities, but I don't think that just because there is no mandate that we shouldn't do something. In your professional opinion, do you think that gifted students should be treated the same as students with disabilities. Answer (Zake) – I don't like to distinguish services based on labels.

Todd Jones – I find the data enlightening. Forty eight districts aren't spending their funds only five of which have 2000 ADM or above. What strikes me is that it goes to the inherent limitations of using

money as a proxy for services. With different sized districts, the smaller districts may have individuals playing more than one role that we aren't tracking. The expenditures are not being tracked by the districts. Smaller districts by their idiosyncratic nature make it difficult to show expenditures are being used. How are we able to have tease those services that are being provided? Can professional development be effectively identified? Even how we are serving children? Answer (Zake) – Every served student has a WEP (written education plan) or a WAP (written acceleration plan) and this has to be in place for students to be reported as served.

Jones – Do districts attempt to qualify their services in quantifiable ways? Do districts seek information on standard performance? Answer (Zake) – How specific the WEPs are depending on the in terms of programming tied to the goals. It isn't like students with disabilities. It is not as definitive.

Ron Rudduck – It seems to me that we need to have consistent method of reporting pushed out to the districts in clear terms. It would help if there a menu of services. How many types of services are there? How do we know what counts in the financial codes? Answer (Rausch) – It depends on the individual plan. The services are not likely to be influenced by the account codes such as AP or CC+. Usually, it's an extra person or a specific service (for gifted students) that is counted in the financial codes. If a coordinator does provide other duties the costs might be reported differently.

Rudduck – Is there a menu of services that are outlined in the operating standards? It might be helpful to have definition of services. Then we can look as the list and it will give districts an idea of counts? (He spoke of a superintendent in Cedarville who takes all of his students to Cedarville University twice a month and would like to count that as service but can't.)

Stephanie Dodd - I agree that this is a great direction to move in. We have a need and a desire for more flexibility but it doesn't always count as service. We need better communication about what service is. Do we have a list of what districts have and what they report? Answer (Rausch) -- As a state, more dollars are spend by districts than allocated from the state. (Note from Ann: However, this is largely only true in suburban districts and a few large urban districts. Poor, rural districts are under-spending their gifted allocation.)

Vazquez-Skillings – What is the percentage of service vs. the percentage of identification? Answer (Zake) – I will get this information. (Note from Ann: This year the number of students served is 33% up dramatically from last year though the number of gifted staff has declined over the same period.)

Vazquez-Skillings – The menu idea sounds good, but why are we not initiating a conversation about enrichment? I wonder about the whole delivery model. We don't want to lost sight of the fact that gifted students need specialists trained in the field to accommodate their unique needs. You need a specific plan with someone who is trained. Service delivery models make it difficult to know if it's a real educational opportunity or if its' about amounts to a field trip or play.

Answer (Zake) –If it's a field trip, it isn't just the trip, but what happens as a result of it in the classroom.

Bolender – I support the suggestion that we identify what services look like. Some of the superintendents were referring to (in their March testimony) weren't services. A field trip to Cedarville might be fine for some but not for all students. We've watered down gifted services to the point where we are not meeting the individual needs of gifted students.

Vazquez-Skillings – So I am hearing the definitions and pedagogy are important and more information about expenditures and allocations are needed.

Rudduck – It is important to remember that Cedarville isn't getting a lot of funding. In fairness, they are trying to do what they can but need to be fair to them. It comes down to the dollars.

Sue Zake – The next steps are to review the feedback we've received.

Vazquez-Skillings – We need to balance things between getting a rule and getting appropriate input.

Boleder – I would like to see OAGC testify before the full board.

Jones – I would like to respond to that. We have heard four hours of public testimony about this. To pretend that we've shortchanged the gifted community is absurd. We can spend ten hours on this. I think we need to weigh the appropriate amount of time in public session.

Bolender – I disagree with Mr. Jones. Public testimony is not relevant unless all the board members get a chance to hear the testimony.

Jones – I held the gifted testimony at a time when all board members could participate. (Note from Ann: Not true. Another committee was being held at the same time.)

Vazquez-Skillings – We will see if there is additional relevant information needs to be shared (by OAGC). We will have to see who was here during the OAGC presentation.

Jones – Are we also going to count the 10 minutes that OAGC testified in September?

(Note from Ann: After a short discussion with board president, Tom Gunlock, OAGC will testify to the full board in June.)

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#### Testimony on Gifted Operating Standards from OFT, OEA, and OSBA – April 12, 2016

Ohio Federation of Teachers (OFT) – Deb Tully – I am approaching things from a different perspective. OFT wants all students to meet their needs. We think that the new standards are too loosely defined in certain areas – services, staffing, content, accountability. This is only true if all districts have access to funding to do so. Districts give priority to students who need to get up to speed. With limited resources, districts prioritize lower ability students even though all students deserve to be served. Gifted students are often underserved. Our accountability and funding system is set up so that districts pick and choose who they serve.

#### Questions

A.J. Wagner – It seems to me that Ohio strategized that a few years ago that Ohio put into place a report that would move gifted services. Answer from Melanie Bolender – I believe this is a report from 2005 – It is on the website and it is a comprehensive document. (Note from Ann: I think they are referring to the Gifted in the 21<sup>st</sup> Century strategic plan from 2002).

Frank Pettigrew – If there are appropriate funds available, with an increase in funding, are you more amenable to the thought that local districts could take care of services and funding on their own. Answer – Yes, but local control when not done well ends up with allocation by zip code. Each locality does their own thing. For example, a middle school curriculum question in a district that was obvious to me was turned down. The response “Our kids don't need that. They're farm kids.” We don't want that mindset in Ohio.

Vazquez-Skillings – Have you developed any definitions for gifted services and staffing requirements?  
Answer – We would look to Ann Sheldon’s organization for these type of things. But people should be properly certificated to teach gifted students.

Mary Rose Oakar -- Is your point that if we don’t give you the tools to districts, that things like special education etc. go by the wayside. Answer – We worry that decisions are made about not what is academically but by the best way you can serve kids based on the resources.

Oakar -- How are we doing now? Answer –It depends on the district.

Dodd – The current draft sitting in committee will not protect students in highly impoverished areas. We received information from districts in different typology and what districts are receiving. We received that information yesterday. If you included rural districts and small towns are spending millions of dollars less than what they are receiving. The way the draft the way is written will it encourage districts spend even less than what they are now. Answer – Yes, if districts are not accountable for the funding, districts will put it do other uses and districts will not provide services to gifted students, which is problematic.

Michael Collins – The chart that we received this morning inspired this question. This is not a unique situation. While I don’t blindly follow mandates at the local level, being a parent of one of these youngsters in a district with specific leadership, there were times when we these dollars would have been allocated elsewhere. We can track specifically how these dollars are spent, what are doing about this? (This question was directed to Lonnie Rivera.) Does this need to be done in stature? I’m not here to come up with a solution, but I would like you to come back to us by the conclusion of this school year. There is a way to get at this. This is really troublesome. Do we need to put more regulations in rule? If we take these away, does it get worse?

House Education Chair Andrew Brenner – Right now I’m arguing about financial literacy needs with a superintendent on Facebook. Senator Lehner and I are on the Education Oversight Committee. We all say we want local control. We haven’t had a broad discussion, but how do we operate this? I can argue with my friend online about financial literacy. We carved out specific money on gifted and talented students. But local districts then would cut money from something else. In Delaware, because funding was capped, they cut the local music program. If we want to have a Gifted and Talented program, we should fund these programs and those funds should go to gifted and talented students. We should see if these programs work. Some of these discussions at the state board are having also need to be had at the General Assembly. Do we want something more like Massachusetts or Texas? Texas is all local control. (Note from Ann: Texas does mandate gifted services and gifted training.) Having this discussion on other issues, I know that we need a broad discussion about this. I would like to see this committee and president to determine what we want in the bigger picture, and then look at what we need in the smaller areas such as gifted.

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Ohio Education Association (OEA) -- Patty Nyquist – She is a representative of OEA and a parent of a child who is gifted. OEA works to ensure that all students deserve. All students should have easily defined of services. Depth and breadth of services must be increased. Almost 256, 000 have been assessed as gifted. Only 23% have been served. (Note from Ann: This is 2014 information.) More must be done. We understand that locals need flexibility, but the draft standards fall short. The minimum should be our current standards. GISs are often pulled out to be substitute teachers. Students need to

be served by gifted intervention services. We need a holistic approach. Professional development is needed for all teachers including classroom teachers. Ohio Quality report has dropped from 5<sup>th</sup> to 26<sup>th</sup>. Ohio's leaders should proceed with caution. We should encourage gifted students. We have many underachieving gifted students. Gifted intervention specialist, Tricia Ebner also provided written testimony on behalf of OEA. Her concerns are the lack of training especially in social and emotional needs. The draft standards will ensure that gifted students are not provided with what they need.

### Questions

Jones – A brief preliminary question about the testimony. Are you aware that the drop of Ohio falls from 5<sup>th</sup> to 26<sup>th</sup> is bogus. Answer – I am aware there are changes, and I would be happy to answer that question after the discussion of these standards.

Jones -- The accountability measures we have are the utilization of teachers who have certain experience and qualifications and the second is a snapshot review of data and third, professional development. How do we know if these things are working if it is only by inference? How do we know if gifted students are actually benefiting from services? Answer – We do believe that some of the onsite audits need to be conducted to look at what the districts are doing and that districts are measuring that the progress and to look at the holistic process.

Jones -- Would you be supportive of publicizing the metrics that districts are using to measure success? Answer – We believe that we would be open to these conversations.

Jones -- Representatives of organizations (OAGC) have not offered up the metrics that should be used. We've been at this for three years. Moving forward could you return with what some of these metrics should be?

Oakar – I heard Representative Brenner that there is specific money for gifted and boards don't appropriate it that way. So what takes precedent the law or what local boards want to do? Answer – What takes precedence should be the students whether this is through law or through funding. We understand that districts are strapped. We do support the concept that if districts are given funds for gifted that districts should use these funds for gifted students.

Senate Education Chair Peggy Lehner – My reaction that there is a difference between the allocation and the expenditures is new to me. I need to look into this. We need to be clear what the gifted services mean. There is a definitional issue. If there is excess dollars, districts should be spending it.

Oakar – So districts should spend gifted money on gifted students. Lehner – Yes.

Bruns – By saying that we need to reinstate the GIS And coordinator definitions, do you mean from the current standards not the proposed standards? Answer: yes.

Bruns: I am in support of this. The report card shows some things. To Mr. Jones point, it should fall on us to develop questions for ODE to look at written education plans at the district level. Answer – Yes, I agree. We would be welcome an opportunity.

Vazquez-Skillings – I want to reflect that the chart of expenditures vs. spending. When you look at the typology, it is about the lowest wealth districts. There is definitely a correlation there. Once you get to higher wealth districts, the expenditures are increased. Funding is clearly an in issue. Looking at fiscal emergency districts, students are often not bussed. I wish they would have prioritized student safety. The local control issue - how do you help a district to make proper priorities?

Collins – We are now already capable of knowing who is getting report card points for gifted. If that is the case and we line that along with who gets gifted funding along with districts who aren't doing anything, there might be something here about is there are proof that something is working to answer Mr. Jones question. I am not entirely convinced that without certain requirements things won't happen a certain way depending on who sits in that chair (local superintendent) and the circumstances of the moment. Let's hold people accountable for the performance. Answer:(from Chris Woolard of ODE) There is a lot of the data on the report card especially at the building level. The gifted indicator drove the full indicator grade down. We could do some analysis about this.

Dodd – One of the things that I've heard over and over again, is the need for flexibility in what they can offer as service and what they can define as service. Do you think that this flexibility exists? Some supers want to provide something as service but don't think they can and then the gifted folks say that they can. Do we need to better educate our districts about what services can count and not count? Answer – That flexibility depends on the district. Going to the indicator, looking at districts who are identified, who is providing those services, and what do they services look like? In my last district, services have changed over the last five years. Are they better? For my son, yes. For more daughter, no. The classroom teacher is providing her services and she doesn't have the training to know what to do through no fault of her own. Does flexibility exist? Sure, but it depends on the district. My son has to retest to see if he will still get services based on what our district requires. Do we need to further define what services are? Absolutely, yes, not to restrict, but to allow properly trained teachers to serve students in a meaningful way.

Bruns – There are some districts that will keep their programs who can afford it. I am concerned about the gifted students who are in the lower 55 to 60 percent in low wealth districts who may not provide services. It is up to us to make sure this happen. We need to place guidelines for local districts. We need to give them clear guidelines, and the funding and the guidance from ODE staff.

Rudduck – I have to go back to the conclusion that it comes down to funding as a very big issue. I know that all districts want to serve gifted students. The report we got yesterday. I did the math. There is \$288 allocated per gifted student. We can talk all we want, but a lot of policy comes down to money. Whether its staff, sports, transportation, we keep losing sight that if the dollars aren't there we need to let districts be creative.

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Ohio School Boards Association (OSBA – Eric Germann who serves on the Lincolnview Local and Vantage Career Center board in Van Wert County – All students need equal access to a high quality opportunity. Overly prescriptive rules prohibit services. OSBA supports the current draft as providing flexibility. It recognizes that Ohio's districts are diverse with varied capacity across the state. The draft rule will allow board members, district administrators to engage in a collaborative process to tailor services to meet their gifted student needs.

We would like ODE to share best practice models. We would like to see accountability. I am sure we will see improvement in both the gifted value-added and gifted indicator. (Note from Ann: Actually the measures are only going up for suburban districts. Progress is going down for other districts.)

We understand that OAGC wants to see more specific rules, but we think that this is problematic. We think these decisions best are made at the local level with the collaboration and cooperation of staff and parents.

## Questions

Vazquez- Skillings —Your school district has no expenditures for gifted services, what services are you providing to your population. Answer – This is somewhat puzzling to me. I would caution you to drive policy based on these data. We received \$15,700 on gifted services. We actually spend \$71,000 on gifted. The report shows \$0. Our neighboring district also shows \$0. In the role-up process with services contracted to the ESC, there are some discrepancies. (Note from Ann: many districts using ESC services have figured out how to code those services. I don't know what the issue is for these districts.)

Vazquez-Skillings - Can you tell me what the gifted supervisor does? Answer - Supervise course offerings, testing. We also have a GIS provides services to classroom teachers.

Vazquez-Skillings – It seems like a lot of those dollars are spent on identification. Answer – 5K on testing. I don't know what is spent on supervision vs. teachers.

Pettgrew – In your written testimony, in a sense representing OSBA, what I don't see if mention levels of funding for gifted education. I am interested in whether your association would support increased funding. Why was there no mention of this? Answer – The overall position is that funding is not adequate to provide the services that we would like to provide. There are also federal constraints on time. We do a lot of differentiated learning already. The teachers would like to do more things. Districts would like to do more but funding is always an issue. I can't speak to what an appropriate level is.

Tom Gunlock – You get money from the state and local taxpayers, what percentage of that are you spending on gifted students. What percentage of your operating budget on gifted students. Answer – Our operating budget is \$8 million and \$71,000 is spent on gifted students, \$15,000 coming from the state. (Note from Ann: This is an interesting question. The district identifies x% of gifted students and spends x% on gifted.)

Lehner – Apropos to Ron Rudduck's comment, sometimes that doesn't tell us a lot. If there is a large enough district, there could be whole classrooms of gifted that wouldn't require any more money to be spent. We really need to look at some outcome based data as opposed to just spending.

Vazquez-Skillings– We need to look at both. Type 6 (large urban districts) expends more but performance is lower. Funding is a piece of it but not all.

Dodd – Which ESC do you use? Answer- Western Buckeye ESC.

Dodd – Is the current rule and the draft from the gifted community overly prescriptive? Answer – The problem we run into is that when we start putting too many restraints it limits our ability to be innovative. The current draft is okay. I haven't reviewed the OAGC rule.

Dodd – The current rule is not overly prescriptive? Answer – No.

Dodd – We had testimony from a mother and said that her child had been identified as gifted and the district didn't want to provide service or even by identification and the parent took the rule in and said you have to. The child was then identified and served as a result of that. How do you respond to that when a local district doesn't want to id or serve a gifted student when the student needs it? Answer – The identification if required. The law is the law. The challenge becomes providing the services. The difficulty is that if we don't have a lot of students identified, how do we serve both special needs kids and gifted kids? Districts without a lot of funding, they may need to make choices about what to do. It seems like a difficult situation.

Jones -- I wanted to ask you about existing gifted operating standards? By the way the proposed rule is not meant to be the final. It is to serve as a basis without any presumptions about what should be added to it so it can be scaffolded. The current rule is much more substantially prescriptive than the proposed draft. Ms. Dodd wanted to know if you believe the current standards are overly burdensome. Answer – I may have misunderstood the question. We support the draft rule to be less prescriptive.

Jones – Do you find the current rules to be overly burdensome? Answer – yes.

Dodd – So how is the current rule too prescriptive. Answer – I would have to consult with our team and get back to you with specific examples.

Public participation (which was held open by the board president to accommodate the witnesses.)

Angela Owens, parent and Clay Owens,

Angela Owens (parent) of the next witness – Some people believe gifted education only benefits the wealthy. It's not true. Her son benefitted from gifted since elementary. He comes from family with teenage pregnancy, welfare, unemployment. They were never experienced wealth and success. Gifted education from early age helped him succeed.

Clay Owens, Perry Local Schools High School Junior - He ranked in top ten in high school, top ten in Ohio Model United Nations out of 1,000 delegates. He is the state champion in extemporaneous speaking. All of this was possible only because of early gifted education. He desired to learn and progress as a child, but would misbehave when no outlet. He would speak out, and faked being sick. His first grade teacher nicknamed him "Ornery." The gifted specialist understood his behavior was related to gifted needs. He was in twice weekly classes by second grade which improved behavior. He learned how to channel desire knowledge. His struggle went beyond finances. He felt unworthy compared to other students. Gifted education allowed him to recognize potential and rise above his circumstances. Gifted education offers disadvantaged kids the opportunity to rise above economic class. Only trained gifted educators can properly educate gifted students.