

## **Gifted Provisions in House Bill 1**

### **Gifted Performance Indicator**

Sec. 3302.02. The Not later than one year after the adoption of rules under division (E) of section 3301.0712 of the Revised Code and at least every sixth year thereafter, upon recommendations of the superintendent of public instruction, the state board of education annually through 2007, and every six years thereafter, shall establish at least seventeen performance indicators for the report cards required by division (C) of section 3302.03 of the Revised Code. In establishing these indicators, the state board superintendent shall consider inclusion of student performance on any tests given assessments prescribed under section 3301.0710 or 3301.0712 of the Revised Code, rates of student improvement on such tests assessments, student attendance, the breadth of coursework available within the district, and other indicators of student success. The state board Not later than December 31, 2011, the state board, upon recommendation of the superintendent, shall establish a performance indicator reflecting the level of services provided to, and the performance of, students identified as gifted under Chapter 3324. of the Revised Code.

### **Definitions**

Sec. 3306.02. As used in this chapter:

(I) "Gifted coordinator" means a person who holds a valid educator license issued under section 3319.22 of the Revised Code, meets the qualifications for a gifted coordinator specified in the operating standards for identifying and serving gifted students prescribed in rules adopted by the state board of education, and provides coordination services for gifted students in accordance with those standards.

(J) "Gifted intervention specialist" means a person who holds a valid gifted intervention specialist license or endorsement issued under section 3319.22 of the Revised Code and serves gifted students in accordance with the operating standards for identifying and serving gifted students prescribed in rules adopted by the state board of education.

### **Gifted Support Component**

Sec. 3306.09. (A) The gifted education support component of the adequacy amount for each city, local, and exempted village school district is the sum of the following:

- (1) The gifted identification factor;
- (2) The gifted coordinator factor;
- (3) The gifted intervention specialist factor;
- (4) The gifted intervention specialist professional development factor.

(B)(1) The gifted identification factor shall be calculated by multiplying the district's formula ADM times \$5.

(2) The gifted coordinator factor shall be calculated by multiplying \$66,375 in fiscal year 2010 and \$67,660 in fiscal year 2011 times the quotient of the district's formula ADM divided by two thousand five hundred.

(3) The gifted intervention specialist factor shall be calculated by multiplying the number of the district's organizational units times the Ohio educational challenge factor specified for the district in section 3306.051 of the Revised Code times the statewide base teacher salary specified in section Am. Sub. H. B. No. 1 128th G.A. 1090 3306.05 of the Revised Code.

(4) The gifted intervention specialist professional development factor shall be calculated by multiplying the number of the district's organizational units times the per-teaching-position dollar amount specified for the professional development factor in division (A)(7) of section 3306.03 of the Revised Code.

(C) The gifted intervention specialist factor and the gifted intervention specialist professional development factor for each city, local, and exempted village school district, shall be adjusted by multiplying the calculated amount by 0.20 in fiscal year 2010, by 0.30 in fiscal year 2011, by 0.40 in fiscal years 2012 and 2013, by 0.60 in fiscal years 2014 and 2015, and by 0.80 in fiscal years 2016 and 2017.

(D) A school district that does not submit an annual report under section 3324.05 of the Revised Code, or that reports zero students identified as gifted, shall receive zero funding for the gifted coordinator factor, the gifted intervention specialist factor, and the gifted intervention specialist professional development factor.

(E) Each school district shall expend the funds calculated under the gifted education support component in accordance with rules adopted under section 3306.25 of the Revised Code. Those rules shall require that such funds be spent only for the employment of staff to serve students identified as gifted, in accordance with Chapter 3324. of the Revised Code, or for other services to such students. The rules shall be aligned with the operating standards for identifying and serving gifted students prescribed in rules adopted by the state board of education. Notwithstanding anything to the contrary in section 3306.25 of the Revised Code, the rules regarding the expenditure and reporting of funds for the gifted education support component adopted under that section shall take effect July 1, 2011. Subject to approval by the department of education, a school district may use up to fifteen per cent of the portion of the gifted intervention specialist factor attributable to the grade six through twelve formula ADM to support access to services provided by the district that are not services described in Chapter 3324. of the Revised Code but are specified in gifted students' written education plans prepared in accordance with the state board's operating standards for identifying and serving gifted students.

(F) Each school district shall account separately for expenditures of the amounts received for gifted identification, gifted coordinators, gifted intervention specialists, and gifted intervention specialist professional development under this section and report that information to the department of education.

(G)(1) Each city, local, and exempted village school district that received for fiscal year 2009 unit funding for gifted student services under division (L) of section 3317.024 and division (E) of section 3317.05 of the Revised Code, as those sections existed for that fiscal year, shall spend in each fiscal year thereafter for services to identified gifted students from the funds received under this chapter an amount not less than the aggregate amount received for such gifted unit funding for fiscal year 2009.

(2) Each city, local, and exempted village school district that, in fiscal year 2009, received gifted student services from an educational service center, which service center received for fiscal year 2009 unit funding for gifted student services, shall in each fiscal year thereafter do either of the following:

- (a) Obtain gifted student services from an educational service center that are comparable to the gifted student services provided to the district with gifted unit funding in fiscal year 2009 by an educational service center;
- (b) Spend for services to identified gifted students from the funds received under this chapter an amount not less than the amount of gifted unit funding expended by an educational service center in fiscal year 2009 for the district's students.

(3) No district to which division (G)(1) or (2) of this section applies shall apply for or receive a waiver under section 3306.40 of the Revised Code from the spending requirements prescribed in those divisions or under division (E) of this section.

(4) Each educational service center that received for fiscal year 2009 unit funding for gifted student services shall spend from its state funds in each fiscal year thereafter for services to identified gifted students an amount not less than the aggregate amount received for gifted unit funding for fiscal year 2009. No educational service center to which division (G)(4) of this section shall receive any waiver of this requirement.

(H) A city, local, or exempted village school district that did not receive for fiscal year 2009 unit funding for gifted student services under division (L) of section 3317.024 and division (E) of section 3317.05 of the Revised Code, as those sections existed for that fiscal year, may apply for a waiver under section 3306.40 of the Revised Code from any expenditure requirements prescribed under division (E) of this section. Notwithstanding anything to the contrary in section 3306.40 of the Revised Code, the first waiver granted to a district pursuant to this division shall not be effective for longer than two years, and any subsequent renewal of that waiver shall not be effective for longer than one year.

### **Enrichment Support Component**

Sec. 3306.091. (A) The enrichment support component of the adequacy Am. Sub. H. B. No. 1 128th G.A. amount for each city, local, and exempted village school district shall be calculated by multiplying the district's formula ADM times \$100 times the Ohio educational challenge factor.

(B) The enrichment support for each city, local, and exempted village school district shall be adjusted by multiplying the calculated amount by 0.20 in fiscal year 2010, by 0.30 in fiscal year 2011, by 0.40 in fiscal years 2012 and 2013, by 0.60 in fiscal years 2014 and 2015, and by 0.80 in fiscal years 2016 and 2017.

(C) The enrichment support component shall be used for purposes other than services for students identified as gifted delivered in accordance with Chapter 3324. of the Revised Code. A district may spend the enrichment support component to pay for enrichment activities that may encourage the intellectual and creative pursuits of all students, including the fine arts.

(D) Each school district shall account separately for expenditures of the amounts received for enrichment support under this section and report that information to the department of education.

### **Ohio School Funding Advisory Council**

Sec. 3306.29. (A) The Ohio school funding advisory council is hereby established. The council shall consist of the following members:

- (1) The governor, or the governor's designee;
- (2) The superintendent of public instruction, or the superintendent's designee;
- (3) The chancellor of the Ohio board of regents, or the chancellor's designee;
- (4) Two school district teachers, appointed by the governor;
- (5) Two nonteaching, nonadministrative school district employees, appointed by the governor;
- (6) One school district principal, appointed by the speaker of the house of representatives;
- (7) One school district superintendent, appointed by the president of the senate;
- (8) One school district treasurer, appointed by the speaker of the house of representatives;
- (9) One member of a school district board, appointed by the president of the senate;
- (10) One representative of a college of education, appointed by the speaker of the house of representatives;
- (11) One representative of the business community, appointed by the president of the senate;
- (12) One representative of a philanthropic organization, appointed by the speaker of the house of representatives;
- (13) One representative of the Ohio academy of science, appointed by the president of the senate;
- (14) One representative of the general public, appointed by the president of the senate;
- (15) One representative of educational service centers, appointed by the speaker of the house of representatives;
- (16) One parent of a student attending a school operated by a school district, appointed by the governor;
- (17) One representative of community school sponsors, appointed by the governor;
- (18) One representative of operators of community schools, appointed by the president of the senate;
- (19) One community school fiscal officer, appointed by the speaker of the house of representatives;
- (20) One parent of a student attending a community school, appointed by the president of the senate;
- (21) One representative of early childhood education providers, appointed by the governor;

- (22) One representative of chartered nonpublic schools, appointed by the speaker of the house of representatives;
- (23) Two persons appointed by the president of the senate, one of whom shall be recommended by the minority leader of the senate;
- (24) Two persons appointed by the speaker of the house of representatives, one of whom shall be recommended by the minority leader of the house of representatives.

The members shall serve without compensation.

(B) The superintendent of public instruction, or the superintendent's designee to the council, shall be the chairperson of the council. The department of education shall provide staffing assistance to the council.

(C) Not later than December 1, 2010, and the first day of July of each even-numbered year thereafter, the council shall present to the state board of education, the general assembly, in accordance with section 101.68 of the Revised Code, and the public recommendations for revisions to the educational adequacy components of the school funding model established under this chapter.

(1) The recommendations shall be based on current, high quality research, information provided by school districts, and best practices in operational efficiencies.

(2) In preparing its recommendations due December 1, 2010, the council's analyses shall include, but shall not be limited to, the adequacy of the model's financing for special education, gifted education services, career-technical education, arts education, services for limited English proficient students, and early college high schools. This analysis shall consider, for each area, current educational need, current educational practices, and best practices.