

What are the rights of a parent of a gifted child in Ohio?

Applies to my child	Doesn't apply to my child	Don't know	
			Parents of a gifted child have the right to:
			BE INFORMED
			Availability of the district's written policy, plan and procedures for identification of gifted children.
			Availability of a notice explaining the gifted identification system.
			REFERRAL FOR TESTING
			Referral of children on an on-going basis, by teacher recommendation or parent request; by a peer or by the child himself; or by others such as a psychologist, community member, principal, guidance counselor, gifted coordinator.
			ASSESSMENT / SCREENING AND IDENTIFICATION
			At least 2 opportunities a year for assessment for children referred by teachers, parents, self, or other children.
			Identification of children who are gifted in Superior Cognitive Ability, Mathematics Ability, Reading/Writing Ability, Science Ability, Social Studies Ability, Creative Thinking Ability, and Visual or Performing Arts Ability.
			Inclusion of all children in pre-assessment procedures, which include review of existing data and a referral process.
			Pre-assessment, which includes a variety of formal and informal strategies, standardized and non-standardized assessments, subjective and objective data, and quantitative and qualitative data.
			Parental consent for all assessment, unless the assessment involves all students.
			Provision of more than one opportunity for screening and administering assessment instruments, such as group tests, individually administered tests, checklists, display of work, and audition or other performance or exhibition.
			Assessments administered by qualified personnel, in compliance with instructions of the test publisher.
			Notification within 30 days of the results of a screening or assessment, and explanation of the appeal process if the child is not identified.
			Assessment of any child transferring into a district within 90 days, if the parent requests it.
			Acceptance of qualifying scores (provided by other school districts and qualified personnel outside the school district) on assessment instruments approved for use by the Ohio Department of Education.
			Inclusion of culturally and linguistically diverse populations in screening and pre-assessment activities.
			Assessment provided and administered in the child's native language or other mode of communication, unless it is clearly feasible not to do so.
			Use of assessment instruments validated for the specific purpose for which they are used.
			Tests selected and administered to a child with impaired sensory, manual or speaking skills, that will ensure an accurate reflection of the child's aptitude or achievement level, rather than reflecting the child's impaired skills.
			Selection of instruments, approved by the Ohio Department of Education, that allow for appropriate screening and identification of children who are culturally and linguistically diverse, from low socio-economic status, have disabilities, and for whom English is a second language.
			Use of only those assessment instruments approved for screening, assessment, and identification by the Ohio Department of Education.
			Equal opportunity for all children identified as gifted to receive any or all services provided by the district. Districts may set placement criteria, but it must be uniformly applied.
			SERVICE
			While there is no law that requires service, if the district does provide service, parents have a right to:
			Instruction based on the individual's needs.
			Service consistent with the gifted child's education plans.
			A Written Education Plan (WEP) to guide instruction.
			Availability of criteria for service (when requested).
			Subjective criteria, (such as teacher recommendation), <u>shall not be used to exclude</u> a child from service in any areas if the child is otherwise eligible for services.
			Service in the appropriate area of identification. For example, a student identified as gifted in math should not be provided with arts gifted services instead of math services.
			Periodic reports regarding the effectiveness of the services provided in the gifted child's educational plan.
			Provision for the child to be withdrawn from gifted service. The request must be in writing.
			A withdrawal process that includes contact from the superintendent or designee to discuss the withdrawal request.
			Input into the final decision in withdrawing their child from gifted service.

(Items Paraphrased from the Rule and the Law. See references below.)

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Identification requirements

Superior Cognitive Ability

Within the preceding 24 months, the child has

- a. scored 2 standard deviations above the mean (minus the standard error of measurement), on either an approved individual standardized intelligence test administered by a licensed psychologist or on an approved standardized group intelligence test
- b. performed at or above the 95th percentile on the composite battery of an approved, nationally normed achievement test or
- c. attained an approved score on one or more above-grade level standardized, nationally normed approved tests.

Creative Thinking Ability

Within the preceding 24 months, the child has

- a. scored 1 standard deviation above the mean (minus the standard error of measurement), on either an approved individual standardized intelligence test or on an approved standardized group intelligence test AND also did either of the following:
 1. attained a sufficient score, as established by the Ohio Department of Education, on an approved individual or group test of creative ability or
 2. exhibited sufficient performance, as established by the Ohio Department of Education, on an approved checklist of creative behaviors.

Specific Academic Ability

Within the preceding 24 months, the child has

- a. performed at or above the 95th percentile at the national level on an approved individual standardized achievement test of specific academic ability in that field (mathematics, science, reading, writing or a combination of both, or social studies.
- b. Performed at or above the 95th percentile at the national level on an approved group standardized achievement test of specific academic ability in that field.

Visual or Performing Arts Ability

The child has done both of the following:

- a. demonstrated through a display of work, audition, or other performance or exhibition, superior ability in an area of visual or performing arts

exhibited sufficient performance, as established by the Ohio Department of Education, on an approved checklist of behaviors related to a specific arts area. These areas are Drawing, Painting, Sculpting, Music, Dance, Drama.

NOTES:

1. In Ohio, once a child is identified as gifted, he or she is always identified as gifted. New areas of identification may be added with testing, but none are removed. The identification must be based on scores no older than 24 months. A child cannot be withdrawn from service unless the parent requests it.

2. Each district can set its own criteria for service. A child must be identified to be served, but districts can have requirements, in addition to identification scores, for service in their programs. They may also have different criteria for each kind of service.

References:

Columbus: Ohio Department of Education, Model Policies and Plan for the Identification of Children Who are Gifted, June 2000.

Columbus: Ohio Revised Code 3324.01-.07, June, 1999 ("The Law")

Columbus: Identification and services for Children Who Are Gifted, Ohio Administrative Code 3301-51-15, January, 2000. ("The Rule")