

Oregon Administrative Rules relating to Talented and Gifted Programs

TALENTED AND GIFTED CHILDREN

343.391 Purpose of ORS 343.391 to 343.413. The purpose of ORS 343.391 to 343.413 is to facilitate the identification and education of talented and gifted children. [1959 c.528 §1; 1963 c.570 §21; 1971 c.613 §1; 1979 c.385 §1]

343.393 [1959 c.528 §11; repealed by 1961 c.500 §2]

343.395 Definitions for ORS 343.391 to 343.413. As used in ORS 343.391 to 343.413, unless the context requires otherwise:

- (1) "Application" means a request by a school district for state funds to develop and operate programs for students under an approved, written plan as contained in ORS 343.397.
- (2) "Board" means the State Board of Education.
- (3) "Department" means the Department of Education.
- (4) "Identification" means the formal process of screening and selecting talented and gifted children according to administrative rules established by the board.
- (5) "School district" has the same meaning as in ORS 330.005 (2) and also includes, where appropriate, an education service district, state operated schools or programs or a consortium of school districts submitting a joint plan.
- (6) "Superintendent" means the Superintendent of Public Instruction.
- (7) "Talented and gifted children" means those children who require special educational programs or services, or both, beyond those normally provided by the regular school program in order to realize their contribution to self and society and who demonstrate outstanding ability or potential in one or more of the following areas:
 - (a) General intellectual ability as commonly measured by measures of intelligence and aptitude.
 - (b) Unusual academic ability in one or more academic areas.
 - (c) Creative ability in using original or nontraditional methods in thinking and producing.
 - (d) Leadership ability in motivating the performance of others either in educational or noneducational settings.
 - (e) Ability in the visual or performing arts, such as dance, music or art. [1959 c.528 §2; 1963 c.570 §22; 1965 c.100 §409; 1971 c.613 §2; 1979 c.385 §2; 1987 c.335 §1]

343.396 Nature of programs. It is legislative policy that, when talented and gifted programs are offered, the programs should be provided by common or union high school districts, combinations of such districts or education service districts, in accordance with ORS 334.175, and that the state will provide financial and technical support to the districts to implement the education programs within the limits of available funds. [1979 c.385 §8; 1981 c.833 §2]

Note: 343.396 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 343 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

343.397 Plan of instruction for talented and gifted children. Any school district may submit to the Superintendent of Public Instruction for approval a written plan of instruction for talented and gifted children. The plan shall include, but not be limited to:

- (1) A statement of school district policy on the education of talented and gifted children;
- (2) An assessment of current special programs and services provided by the district for talented and gifted children;
- (3) A statement of district goals for providing comprehensive special programs and services and over what span of time the goals will be achieved;
- (4) A description of the nature of the special programs and services which will be provided to accomplish the goals; and
- (5) A plan for evaluating progress on the district plan including each component program and service. [1959 c.528 §§5,6,7; 1963 c.570 §23; 1965 c.100 §410; 1971 c.613 §3; 1979 c.385 §3]

343.399 State aid to local districts; criteria. (1) Any school district may apply for state funds for special programs and services for talented and gifted children identified in the district.

(2) The Superintendent of Public Instruction shall annually establish a date after which no further applications shall be received for state funds under this section.

(3) The superintendent shall select applications from among those that comply with ORS 343.391 to 343.413 and rules adopted by the State Board of Education. Any criteria used by the superintendent to evaluate applications shall include, but not be limited to:

(a) A statement of the school district's present level of special educational programs and services for the talented and gifted and how the special educational programs and services contained in the application conform with the school district's written plan.

(b) Identification procedures that comply with rules adopted by the board.

(c) A detailed budget for the program expenditures.

(d) A description of the individual student assessment and evaluative procedures and tools.

(e) A justification of special educational services and programs for identified talented and gifted students in terms of the student assessment and evaluation.

(f) An evaluation design which meets standards set forth by the Department of Education. [1959 c.528 §8; 1963 c.570 §24; 1965 c.100 §411; 1971 c.613 §4; 1979 c.385 §4]

343.401 Use of funds appropriated for ORS 343.391 to 343.413. (1) Except as provided in ORS 343.404, the funds specifically appropriated for the program under ORS 343.391 to 343.413 shall be distributed to districts that have approved, written plans and have submitted an application to the Superintendent of Public Instruction that has been approved.

(2) State funds shall be allocated on an approved program cost basis, the amount of which shall be established by the State Board of Education annually.

(3) The superintendent may not approve an application unless the district agrees to expend district funds for special educational programs for talented and gifted children in an amount equal or greater than the amount of state funds approved by the superintendent.

(4) The districts shall account for the grant funds as expended for the identified pupils on a form acceptable to the Department of Education, as described in rules adopted by the board. [1959 c.528 §9; 1963 c.570 §24a; 1965 c.100 §412; 1971 c.613 §5; 1979 c.385 §5; 2008 c.39 §3]

343.403 [1959 c.528 §10; 1963 c.570 §25; repealed by 1965 c.100 §456]

343.404 Funding for program. (1) The Superintendent of Public Instruction may annually expend funds appropriated for the talented and gifted program to provide administration of and support for the development of talented and gifted education statewide.

(2) These services may include:

(a) Teacher training programs and workshops;

(b) Consultant and technical assistance to districts;

(c) Small grants to and contracts with school districts, education service districts, colleges and universities and private contractors to produce and disseminate curriculum and instruction materials to other school districts;

(d) Training and assistance for parents of the talented and gifted children in meeting the educational needs of their children; and

(e) Contracting for the creation and administration of regional talented and gifted centers to provide services related to talented and gifted programs. [1971 c.613 §6; 1979 c.385 §6; 1981 c.833 §1; 1987 c.335 §2; 2008 c.39 §4]

343.405 [1963 c.570 §22a; repealed by 1965 c.100 §456]

343.407 Identification of talented and gifted students. School districts shall identify talented and gifted students enrolled in public schools under rules adopted by the State Board of Education. [1987 c.337 §3; 1993 c.45 §225]

343.409 Talented and gifted programs required. School districts shall provide educational programs or services to talented and gifted students enrolled in public schools under rules adopted by the State Board of Education. [1987 c.337 §4; 1993 c.45 §226; 1993 c.749 §18]

343.410 [1955 c.658 §2; 1961 c.541 §1; 1965 c.100 §413; 1971 c.96 §1; repealed by 1975 c.621 §17]

343.411 When identification and programs for certain children required or optional; state guidelines. (1) ORS 343.407 and 343.409 shall apply to the identification of and provision of special educational programs and services for the talented and gifted as described in ORS 343.395 (7)(a) and (b) and rules adopted by the State Board of Education.

(2) School districts may identify and provide special educational programs and services for students who demonstrate creative abilities, leadership abilities or unusual abilities in the visual or performing arts as described in ORS 343.395 (7)(c), (d) and (e) and rules adopted by the board.

(3) The board shall adopt state guidelines for the identification and provision of special educational programs and services described in subsection (2) of this section. [1991 c.951 §2]

343.413 Short title. ORS 343.407 to 343.413 shall be known as the Oregon Talented and Gifted Education Act. [1987 c.337 §2]

343.415 [1975 c.455 §2; 1991 c.693 §19; 1993 c.45 §228; renumbered 329.215 in 1993]

343.420 [1955 c.658 §1; 1961 c.541 §2; 1965 c.100 §414; repealed by 1975 c.621 §17]

343.425 [1975 c.455 §3; 1993 c.45 §229; renumbered 329.225 in 1993]

343.430 [1955 c.658 §3; 1961 c.541 §3; repealed by 1965 c.100 §456]

343.435 [1975 c.455 §4; renumbered 329.235 in 1993]

343.440 [1955 c.658 §§6,7; 1957 c.219 §1; 1959 c.182 §1; 1961 c.541 §4; 1963 c.570 §25a; repealed by 1965 c.100 §417 (343.441 enacted in lieu of 343.440)]

343.441 [1965 c.100 §418 (enacted in lieu of 343.440); repealed by 1975 c.621 §17]

343.445 [1965 c.100 §416; repealed by 1975 c.621 §17]

343.450 [1955 c.658 §8; 1961 c.541 §5; 1963 c.570 §25b; 1965 c.100 §419; repealed by 1975 c.621 §17]