

By: Representatives Bennett, Stamps,
Mickens, Paden, Karriem

To: Education

HOUSE BILL NO. 1168

1 AN ACT TO AMEND SECTION 37-23-179, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE ALL SCHOOL DISTRICTS TO OFFER GIFTED EDUCATION FOR
3 INTELLECTUALLY GIFTED STUDENTS IN GRADES 7 AND 8 BEGINNING WITH
4 THE 2022-2023 SCHOOL YEAR; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** Section 37-23-179, Mississippi Code of 1972, is
7 amended as follows:

8 37-23-179. (1) The board shall specifically promulgate
9 rules, regulations and guidelines which establish model programs
10 of gifted education and also establish minimum criteria for gifted
11 education programs. In providing programs of gifted education,
12 the local district may use the model programs prepared by the
13 board or may itself develop programs of gifted education which,
14 prior to being implemented, shall be approved by the board,
15 provided, that no such plan or program shall be approved or
16 continued unless it meets the minimum criteria established by the
17 board.

18 (2) There is hereby created within the department an office
19 for gifted education which shall be staffed by such professional,



support and clerical personnel as may be necessary to implement the provisions of Sections 37-23-171 through 37-23-181.

(3) All local school districts may have programs of gifted education for intellectually, creatively and/or artistically gifted students in Grades 2 through 12 and for academically gifted students in Grades 9 through 12 approved by the board. Beginning with the * * * 2022-2023 school year, all local school districts shall have programs of gifted education for intellectually gifted students in Grade 2, subject to the approval of the State Board of Education and the availability of funds appropriated therefor by line-item. Beginning with the 1994-1995 school year, all local school districts shall have programs of gifted education for intellectually gifted students in Grades 2 and 3, subject to the approval of the State Board of Education. Beginning with the 1995-1996 school year, all local school districts shall have programs of gifted education for intellectually gifted students in Grades 2, 3 and 4 subject to the approval of the State Board of Education. Beginning with the 1996-1997 school year, all local school districts shall have programs of gifted education for intellectually gifted students in Grades 2, 3, 4 and 5, subject to the approval of the State Board of Education. Beginning with the * * * 2022-2023 school year, all local school districts shall have programs of gifted education for intellectually gifted students in Grades 2, 3, 4, 5, * * * 6, 7 and 8 subject to the approval of the State Board of Education. The programs shall be



45 funded as a part of the exceptional child programs in accordance
46 with Section 37-19-5(3). Each local school district shall include
47 as a part of its five-year plan a description of any proposed
48 gifted education programs of the district. State funded teacher
49 units for gifted education programs for fiscal year 1994 and
50 thereafter shall be at least the number funded for gifted
51 education programs for fiscal year 1993 and any additional numbers
52 that may be funded by appropriation of the Legislature for those
53 programs. Additional programs above the number authorized
54 statewide and expansion of programs using state funds shall be
55 allowed only in years in which the funding for gifted education
56 teacher units exceeds the number funded for fiscal year 1993. In
57 the * * * Adequate Education Program appropriation bill each year,
58 there shall be a line item specifying the number of special
59 education teacher units that are to be used for gifted education
60 programs.

61 **SECTION 2.** This act shall take effect and be in force from
62 and after July 1, 2022.

