

## **Senate Amendments to House Bill No. 1168**

**TO THE CLERK OF THE HOUSE:**

**THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:**

### **AMENDMENT NO. 1**

**Amend by striking all after the enacting clause and inserting in lieu thereof the following:**

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

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

20           (2) There is hereby created within the department an office  
21 for gifted education which shall be staffed by such professional,  
22 support and clerical personnel as may be necessary to implement  
23 the provisions of Sections 37-23-171 through 37-23-181.

24 (3) All local school districts may have programs of gifted  
25 education for intellectually, creatively and/or artistically  
26 gifted students in Grades 2 through 12 and for academically gifted  
27 students in Grades 9 through 12 approved by the board. Beginning  
28 with the 1993-1994 school year, all local school districts shall  
29 have programs of gifted education for intellectually gifted  
30 students in Grade 2, subject to the approval of the State Board of  
31 Education and the availability of funds appropriated therefor by  
32 line-item. Beginning with the 1994-1995 school year, all local  
33 school districts shall have programs of gifted education for  
34 intellectually gifted students in Grades 2 and 3, subject to the  
35 approval of the State Board of Education. Beginning with the  
36 1995-1996 school year, all local school districts shall have  
37 programs of gifted education for intellectually gifted students in  
38 Grades 2, 3 and 4 subject to the approval of the State Board of  
39 Education. Beginning with the 1996-1997 school year, all local  
40 school districts shall have programs of gifted education for  
41 intellectually gifted students in Grades 2, 3, 4 and 5, subject to  
42 the approval of the State Board of Education. Beginning with the  
43 1997-1998 school year, all local school districts shall have  
44 programs of gifted education for intellectually gifted students in  
45 Grades 2, 3, 4, 5 and 6, subject to the approval of the State  
46 Board of Education. Beginning with the 2022-2023 school year, all  
47 local school districts may have programs of gifted education for  
48 intellectually gifted students in Grades 7 and 8, subject to the  
49 approval of the State Board of Education. The programs shall be

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

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

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1       AN ACT TO AMEND SECTION 37-23-179, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE THAT BEGINNING WITH THE 2022-2023 SCHOOL YEAR, ALL  
3 LOCAL SCHOOL DISTRICTS MAY HAVE PROGRAMS OF GIFTED EDUCATION FOR  
4 INTELLECTUALLY GIFTED STUDENTS IN GRADES 7 AND 8, SUBJECT TO THE  
5 APPROVAL OF THE STATE BOARD OF EDUCATION; AND FOR RELATED  
6 PURPOSES.

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Eugene S. Clarke  
Secretary of the Senate