

**Adopted
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

House Bill No. 1168

BY: Committee

**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.

