

By: Senator(s) Simmons (13th), Thomas

To: Education;
Appropriations

SENATE BILL NO. 2778

1 AN ACT TO AMEND SECTION 37-23-179, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE ALL LOCAL SCHOOL DISTRICTS TO HAVE SPECIAL PROGRAMS FOR
3 ACADEMICALLY GIFTED STUDENTS IN GRADES 6 THROUGH 12 AS APPROVED BY
4 THE BOARD OF EDUCATION; 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,



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

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



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

61 **SECTION 2.** This act shall take effect and be in force from
62 and after July 1, 2023.

