

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 1421
AND
HOUSE BILL NO. 1371
99TH GENERAL ASSEMBLY

Reported from the Committee on Education, May 15, 2018, with recommendation that the Senate Committee Substitute do pass.

ADRIANE D. CROUSE, Secretary.

4455S.02C

AN ACT

To repeal section 162.720, RSMo, and to enact in lieu thereof two new sections relating to gifted education.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 162.720, RSMo, is repealed and two new sections
2 enacted in lieu thereof, to be known as sections 162.720 and 162.722, to read as
3 follows:

162.720. 1. Where a sufficient number of children are determined to be
2 gifted and their development requires programs or services beyond the level of
3 those ordinarily provided in regular public school programs, districts may
4 establish special programs for such gifted children.

5 2. The state board of education shall determine standards for such
6 programs. Approval of such programs shall be made by the state department of
7 elementary and secondary education based upon project applications submitted
8 by July fifteenth of each year.

9 3. No district shall make a determination as to whether a child is gifted
10 based on the child's participation in an advanced placement course or
11 international baccalaureate course. Districts shall determine a child is gifted
12 only if the child meets the definition of gifted children as provided in section
13 162.675.

14 4. **Any district with a gifted education program approved under**
15 **subsection 2 of this section shall have a policy, approved by the board**
16 **of education of the district, that establishes a process that outlines the**

17 **procedures and conditions under which parents or guardians may**
18 **request a review of the decision that determined that their child did**
19 **not qualify to receive services through the district's gifted education**
20 **program.**

21 **5. School districts and school district employees shall be immune**
22 **from liability for any and all acts or omissions relating to the decision**
23 **that a child did not qualify to receive services through the district's**
24 **gifted education program.**

162.722. 1. Each school district shall establish a policy, approved
2 **by the board of education of the district, that allows acceleration for**
3 **students who demonstrate:**

4 **(1) Advanced performance or potential for advanced**
5 **performance; and**

6 **(2) The social and emotional readiness for acceleration.**

7 **2. The policy shall allow, for students described in this section,**
8 **at least the following types of acceleration:**

9 **(1) Subject acceleration; and**

10 **(2) Whole grade acceleration.**

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