

SECOND REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR

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

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

ADRIANE D. CROUSE, Secretary.

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**AN ACT**

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

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*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Section A. Section 162.720, RSMo, is repealed and two new sections  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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