

SECOND REGULAR SESSION

SENATE BILL NO. 1600

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR NURRENBERN.

6926S.01I

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 162.720, RSMo, and to enact in lieu thereof one new section relating to testing of gifted students.

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

Section A. Section 162.720, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 162.720, to read as follows:

162.720. 1. (1) This subdivision shall apply to all school years ending before July 1, 2024. Where a sufficient number of children are identified as gifted and their development requires programs or services beyond the level of those ordinarily provided in regular public school programs, districts may establish special programs for such gifted children.

(2) For school year 2024-25 and all subsequent school years, if three percent or more of students enrolled in a school district are identified as gifted and their development requires programs or services beyond the level of those ordinarily provided in regular public school programs, the district shall establish a state-approved gifted program for gifted children.

2. For school year 2024-25 and all subsequent school years, any teacher providing gifted services to students in districts with an average daily attendance of more than

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

18 three hundred fifty students shall be certificated in gifted
19 education. In districts with an average daily attendance of
20 three hundred fifty students or fewer, any teacher providing
21 gifted services shall not be required to be certificated to
22 teach gifted education but such teacher shall annually
23 participate in at least six clock hours of professional
24 development focused on gifted services. The school district
25 shall pay for such professional development focused on
26 gifted services.

27 3. The state board of education shall determine
28 standards for such gifted programs and gifted services.
29 Approval of gifted programs shall be made by the state
30 department of elementary and secondary education based upon
31 project applications submitted at a time and in a form
32 determined by the department of elementary and secondary
33 education.

34 4. (1) **For the 2027-28 school year and all subsequent**
35 **school years, each school district shall provide universal**
36 **screenings for all students at least once before the**
37 **beginning of grade three for the purpose of screening for**
38 **gifted students. Such screenings shall:**

39 (a) **Provide a body of current, valid, and reliable**
40 **evidence from a minimum of two areas including, but not**
41 **limited to:**

42 a. **General mental ability testing;**
43 b. **Academic achievement;**
44 c. **Creativity;**
45 d. **Reasoning;**
46 e. **Problem solving;**
47 f. **Parent, teacher, student, or self-referrals; and**
48 g. **Other evidence of gifts and talents; and**

49 (b) Be reviewed by a minimum of three staff members
50 trained in gifted education, administration, or assessment,
51 or a combination of such areas for a referral for formal
52 gifted assessment.

53 **(2)** No district shall identify a child as gifted based
54 **solely** on the child's participation in an advanced placement
55 course or international baccalaureate course.

56 **(3)** Districts shall identify a child as gifted only if
57 the child meets the definition of gifted children as
58 provided in section 162.675.

59 (4) A child's failure to meet criteria on a single
60 screening or assessment tool shall not prevent further data
61 collection or consideration for gifted identification of
62 such child.

63 5. [Any district with a gifted education program
64 approved under subsection 3 of this section] **For the 2026-27**
65 **school year and all subsequent school years, each school**
66 **district** shall have a policy, approved by the board of
67 education of the district, that establishes a process:

68 (1) For the universal screening of students for gifted
69 program selection;

70 (2) For providing annual notification to parents and
71 guardians of such screening process;

80 **(4)** That outlines the procedures and conditions under
81 which parents or guardians may request a review of the
82 decision that their child did not qualify to receive
83 services through the district's gifted education program.

84 6. School districts and school district employees
85 shall be immune from liability for any and all acts or
86 omissions relating to the decision that a child did not
87 qualify to receive services through the district's gifted
88 education program.

89 7. The department of elementary and secondary
90 education may promulgate all necessary rules and regulations
91 for the implementation and administration of this section.
92 Any rule or portion of a rule, as that term is defined in
93 section 536.010, that is created under the authority
94 delegated in this section shall become effective only if it
95 complies with and is subject to all of the provisions of
96 chapter 536 and, if applicable, section 536.028. This
97 section and chapter 536 are nonseverable and if any of the
98 powers vested with the general assembly pursuant to chapter
99 536 to review, to delay the effective date, or to disapprove
100 and annul a rule are subsequently held unconstitutional,
101 then the grant of rulemaking authority and any rule proposed
102 or adopted after August 28, 2022, shall be invalid and void.

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