

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for House Bill No. 2376, Page 1, Section A, Line 2, by  
2 inserting after all of said section and line the following:

3  
4 "162.720. 1. (1) This subdivision shall apply to all school years ending before July 1, 2024.  
5 Where a sufficient number of children are ~~[determined to be]~~ identified as gifted and their  
6 development requires programs or services beyond the level of those ordinarily provided in regular  
7 public school programs, districts may establish special programs for such gifted children.

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

12 2. For school year 2024-25 and all subsequent school years, any teacher providing gifted  
13 services to students in districts with an average daily attendance of more than three hundred fifty  
14 students shall be certificated in gifted education. In districts with an average daily attendance of  
15 three hundred fifty students or fewer, any teacher providing gifted services shall not be required to  
16 be certificated to teach gifted education but such teacher shall annually participate in at least six  
17 clock hours of professional development focused on gifted services. The school district shall pay  
18 for such professional development focused on gifted services.

19 3. The state board of education shall determine standards for such gifted programs and  
20 gifted services. Approval of ~~[such]~~ gifted programs shall be made by the state department of  
21 elementary and secondary education based upon project applications submitted ~~[by July fifteenth of~~  
22 each year] at a time and in a form determined by the department of elementary and secondary  
23 education.

24 ~~[3.]~~ 4. No district shall ~~[make a determination as to whether]~~ identify a child ~~[is]~~ as gifted  
25 based on the child's participation in an advanced placement course or international baccalaureate  
26 course. Districts shall ~~[determine]~~ identify a child ~~[is]~~ as gifted only if the child meets the definition  
27 of gifted children as provided in section 162.675.

28 ~~[4.]~~ 5. Any district with a gifted education program approved under subsection ~~[2]~~ 3 of this  
29 section shall have a policy, approved by the board of education of the district, that establishes a  
30 process that outlines the procedures and conditions under which parents or guardians may request a

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 review of the decision [~~that determined~~] that their child did not qualify to receive services through  
2 the district's gifted education program.

3 ~~[5.]~~ 6. School districts and school district employees shall be immune from liability for any  
4 and all acts or omissions relating to the decision that a child did not qualify to receive services  
5 through the district's gifted education program.

6 7. The department of elementary and secondary education may promulgate all necessary  
7 rules and regulations for the implementation and administration of this section. Any rule or portion  
8 of a rule, as that term is defined in section 536.010, that is created under the authority delegated in  
9 this section shall become effective only if it complies with and is subject to all of the provisions of  
10 chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and  
11 if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the  
12 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the  
13 grant of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be  
14 invalid and void."; and

15  
16 Further amend said bill by amending the title, enacting clause, and intersectional references  
17 accordingly.