

House _____ Amendment NO. _____

Offered By

1 AMEND Senate Committee Substitute for Senate Bill No. 990, Page 2, Section 162.441, Line 41,
2 by inserting after all of said line the following:

3
4 "162.720. 1. ~~[Where a sufficient number of children]~~ If three percent or more of students
5 enrolled in a school district are determined to be gifted and their development requires programs or
6 services beyond the level of those ordinarily provided in regular public school programs, ~~[districts~~
7 ~~may establish special programs for such gifted children]~~ the district shall establish a state-approved
8 gifted program for gifted children.

9 2. If a school district has an average daily attendance of three hundred fifty students or less,
10 the district's gifted program shall not be required to provide gifted services by a teacher certificated
11 to teach gifted education. If any teacher who provides gifted services through such district's gifted
12 program is not certificated to teach gifted education, the teacher shall annually participate in at least
13 six clock hours of professional development focused on gifted services.

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

19 ~~[3-]~~ 4. No district shall make a determination as to whether a child is gifted based on the
20 child's participation in an advanced placement course or international baccalaureate course.
21 Districts shall determine a child is gifted only if the child meets the definition of gifted children as
22 provided in section 162.675.

23 5. The department of elementary and secondary education may promulgate rules to
24 implement the provisions of this section. Any rule or portion of a rule, as that term is defined in
25 section 536.010, that is created under the authority delegated in this section shall become effective
26 only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,
27 section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested
28 with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to
29 disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking
30 authority and any rule proposed or adopted after August 28, 2018, shall be invalid and void."; and

31
32 Further amend said bill by amending the title, enacting clause, and intersectional references
33 accordingly.

Action Taken _____ Date _____