

AMENDMENT NO. _____ Calendar No. _____

Purpose: To amend title II to include the Jacob K. Javits
Gifted and Talented Students Education Act of 2015.

IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.

S. _____

To reauthorize the Elementary and Secondary Education Act
of 1965 to ensure that every child achieves.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENTS intended to be proposed by Ms. MIKULSKI

Viz:

1 On page 225, between lines 6 and 7, insert the fol-
2 lowing:

3 (f) SUPPORTING HIGH-ABILITY LEARNERS AND
4 LEARNING.—For the purposes of carrying out part E,
5 there are authorized to be appropriated such sums as may
6 be necessary for each of fiscal years 2016 through 2021.

7 On page 314, between lines 2 and 3, insert the fol-
8 lowing:

1 **SEC. 2004A. GIFTED AND TALENTED STUDENTS EDU-**
2 **CATION.**

3 Title II (20 U.S.C. 6601 et seq.), as amended by sec-
4 tion 2004, is further amended by inserting after section
5 2406 the following:

6 **“PART E—SUPPORTING HIGH-ABILITY LEARNERS**
7 **AND LEARNING**

8 **“SEC. 2501. SHORT TITLE.**

9 ““This part may be cited as the ‘Jacob K. Javits
10 Gifted and Talented Students Education Act of 2015’.

11 **“SEC. 2502. PURPOSE.**

12 ““The purpose of this part is to initiate a coordinated
13 program of scientifically based research, demonstration
14 projects, innovative strategies, and similar activities de-
15 signed to build and enhance the ability of elementary
16 schools and secondary schools nationwide to meet the spe-
17 cial educational needs of gifted and talented students.

18 **“SEC. 2503. RULE OF CONSTRUCTION.**

19 “Nothing in this part shall be construed to prohibit
20 a recipient of funds under this part from serving gifted
21 and talented students simultaneously with students with
22 similar educational needs, in the same educational set-
23 tings, where appropriate.

24 **“SEC. 2504. AUTHORIZED PROGRAMS.**

25 “(a) ESTABLISHMENT OF PROGRAM.—

1 “(1) IN GENERAL.—The Secretary (after con-
2 sultation with experts in the field of the education
3 of gifted and talented students) is authorized to
4 make grants to, or enter into contracts with, State
5 educational agencies, local educational agencies, in-
6 stitutions of higher education, other public agencies,
7 and other private agencies and organizations to as-
8 sist such agencies, institutions, and organizations in
9 carrying out programs or projects authorized by this
10 part that are designed to meet the educational needs
11 of gifted and talented students, including the train-
12 ing of personnel in the education of gifted and tal-
13 ented students and in the use, where appropriate, of
14 gifted and talented services, materials, and methods
15 for all students.

16 “(2) APPLICATION.—Each entity seeking assist-
17 ance under this part shall submit an application to
18 the Secretary at such time, in such manner, and
19 containing such information as the Secretary may
20 reasonably require. Each such application shall de-
21 scribe how—

22 “(A) the proposed gifted and talented serv-
23 ices, materials, and methods can be adapted, if
24 appropriate, for use by all students; and

1 “(B) the proposed programs can be evalu-
2 ated.

3 “(b) USE OF FUNDS.—Programs and projects as-
4 sisted under this section may include each of the following:

5 “(1) Conducting scientifically based research on
6 methods and techniques for identifying and teaching
7 gifted and talented students and for using gifted and
8 talented programs and methods to serve all students.

9 “(2) Establishing and operating model projects
10 and exemplary programs for serving gifted and tal-
11 ented students, including innovative methods for
12 identifying and educating students who may not be
13 served by traditional gifted and talented programs
14 (such as summer programs, mentoring programs,
15 service learning programs, and cooperative programs
16 involving business, industry, and education).

17 “(3) Implementing innovative strategies, such
18 as cooperative learning, peer tutoring, and service
19 learning.

20 “(4) Carrying out programs of technical assist-
21 ance and information dissemination, including as-
22 sistance and information with respect to how gifted
23 and talented programs and methods, where appro-
24 priate, may be adapted for use by all students.

1 “(c) SPECIAL RULE.—To the extent that funds ap-
2 propriated to carry out this part for a fiscal year begin-
3 ning with fiscal year 2016 exceed such funds appropriated
4 for the program under subpart 6 of part D of title V, as
5 in effect for fiscal year 2010, the Secretary shall use such
6 excess funds to award grants, on a competitive basis, to
7 State educational agencies, local educational agencies, or
8 both, to implement activities described in subsection (b).

9 “(d) CENTER FOR RESEARCH AND DEVELOPMENT.—

10 “(1) IN GENERAL.—The Secretary (after con-
11 sultation with experts in the field of the education
12 of gifted and talented students) shall establish a Na-
13 tional Research Center for the Education of Gifted
14 and Talented Children and Youth through grants to,
15 or contracts with, one or more institutions of higher
16 education or State educational agencies, or a com-
17 bination or consortium of such institutions and
18 agencies and other public or private agencies and or-
19 ganizations, for the purpose of carrying out activities
20 described in subsection (b).

21 “(2) DIRECTOR.—The National Center shall be
22 headed by a Director. The Secretary may authorize
23 the Director to carry out such functions of the Na-
24 tional Center as may be agreed upon through ar-
25 rangements with institutions of higher education,

1 State educational agencies, local educational agen-
2 cies, or other public or private agencies and organi-
3 zations.

4 “(3) FUNDING.—The Secretary may use not
5 more than 30 percent of the funds made available
6 for fiscal year 2010 under subpart 6 of part D of
7 title V, as in effect for such fiscal year, to carry out
8 this subsection.

9 “(e) COORDINATION.—Scientifically based research
10 activities supported under this part—

11 “(1) shall be carried out in consultation with
12 the Institute of Education Sciences to ensure that
13 such activities are coordinated with and enhance the
14 research and development activities supported by the
15 Institute; and

16 “(2) may include collaborative scientifically
17 based research activities which are jointly funded
18 and carried out with such Institute.

19 **“SEC. 2505. PROGRAM PRIORITIES.**

20 “(a) GENERAL PRIORITY.—In carrying out this part,
21 the Secretary shall give highest priority to programs and
22 projects designed to develop new information that—

23 “(1) improves the capability of schools to plan,
24 conduct, and improve programs to identify and serve
25 gifted and talented students; and

1 “(2) assists schools in the identification of, and
2 provision of services to, gifted and talented students
3 (including economically disadvantaged individuals,
4 individuals who are English learners, and children
5 with disabilities) who may not be identified and
6 served through traditional assessment methods.

7 “(b) SERVICE PRIORITY.—The Secretary shall ensure
8 that not less than 50 percent of the applications approved
9 under section 2504(a)(2) in a fiscal year address the pri-
10 ority described in subsection (a)(2).

11 **“SEC. 2506. GENERAL PROVISIONS.**

12 “(a) PARTICIPATION OF PRIVATE SCHOOL CHILDREN
13 AND TEACHERS.—In making grants and entering into
14 contracts under this part, the Secretary shall ensure,
15 where appropriate, that provision is made for the equitable
16 participation of students and teachers in private nonprofit
17 elementary schools and secondary schools, including the
18 participation of teachers and other personnel in profes-
19 sional development programs serving such students.

20 “(b) REVIEW, DISSEMINATION, AND EVALUATION.—
21 The Secretary shall—

22 “(1) use a peer review process in reviewing ap-
23 plications under this part;

24 “(2) ensure that information on the activities
25 and results of programs and projects funded under

1 this part is disseminated to appropriate State edu-
2 cational agencies, local educational agencies, and
3 other appropriate organizations, including nonprofit
4 private organizations; and

5 “(3) evaluate the effectiveness of programs
6 under this part in accordance with section 9601, in
7 terms of the impact on students traditionally served
8 in separate gifted and talented programs and on
9 other students, and submit the results of such eval-
10 uation to Congress not later than 2 years after the
11 date of enactment of the Every Child Achieves Act
12 of 2015.

13 “(c) PROGRAM OPERATIONS.—The Secretary shall
14 ensure that the programs under this part are administered
15 within the Department by a person who has recognized
16 professional qualifications and experience in the field of
17 the education of gifted and talented students and who
18 shall—

19 “(1) administer and coordinate the programs
20 authorized under this part;

21 “(2) serve as a focal point of national leader-
22 ship and information on the educational needs of
23 gifted and talented students and the availability of
24 educational services and programs designed to meet
25 such needs;

1 “(3) assist the Director of the Institute of Edu-
2 cation Sciences in identifying research priorities that
3 reflect the needs of gifted and talented students; and
4 “(4) disseminate, and consult on, the informa-
5 tion developed under this part with other offices
6 within the Department.”.

7 On page 314, line 5, strike “section 2004” and insert
8 “sections 2004 and 2004A”.

9 On page 314, line 6, strike “2405” and insert
10 “2506”.

11 On page 314, line 7, strike “**PART E**” and insert
12 “**PART F**”.

13 On page 314, line 8, strike “**2504**” and insert “**2601**”.