

**Editorial Notes**

## REFERENCES IN TEXT

The Head Start Act, referred to in subsec. (a)(4)(B), is subchapter B (§ 635 et seq.) of chapter 8 of subtitle A of title VI of Pub. L. 97-35, Aug. 13, 1981, 95 Stat. 499, which is classified generally to subchapter II (§ 9831 et seq.) of chapter 105 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 9801 of Title 42 and Tables.

The Child Care and Development Block Grant Act of 1990, referred to in subsec. (a)(4)(B), is subchapter C (§ 658A et seq.) of chapter 8 of subtitle A of title VI of Pub. L. 97-35, as added by Pub. L. 101-508, title V, § 5082(2), Nov. 5, 1990, 104 Stat. 1388-236, which is classified generally to subchapter II-B (§ 9857 et seq.) of chapter 105 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see section 9857(a) of Title 42 and Tables.

**Statutory Notes and Related Subsidiaries**

## EFFECTIVE DATE

Section effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as an Effective Date of 2015 Amendment note under section 6301 of this title.

**§ 7294. Supporting high-ability learners and learning****(a) Purpose**

The purpose of this section is to promote and initiate a coordinated program, to be known as the “Jacob K. Javits Gifted and Talented Students Education Program”, of evidence-based research, demonstration projects, innovative strategies, and similar activities designed to build and enhance the ability of elementary schools and secondary schools nationwide to identify gifted and talented students and meet their special educational needs.

**(b) Program authorized****(1) In general**

The Secretary (after consultation with experts in the field of the education of gifted and talented students) shall make awards to, or enter into contracts with, State educational agencies, local educational agencies, the Bureau of Indian Education, institutions of higher education, other public agencies, and other private agencies and organizations to assist such agencies, institutions, or organizations, or the Bureau, in carrying out programs or projects to fulfill the purpose described in section 7291(a)(3) of this title, including the training of personnel in the identification and education of gifted and talented students and in the use, where appropriate, of gifted and talented services, materials, and methods for all students.

**(2) Application**

Each entity seeking assistance under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may reasonably require. Each application shall describe how—

(A) the proposed identification methods, as well as gifted and talented services, materials, and methods, can be adapted, if appropriate, for use by all students; and

(B) the proposed programs can be evaluated.

**(c) Uses of funds**

Programs and projects assisted under this section may include any of the following:

(1) Conducting evidence-based research on methods and techniques for identifying and teaching gifted and talented students and for using gifted and talented programs and methods to identify and provide the opportunity for all students to be served, particularly low-income and at-risk students.

(2) Establishing and operating programs and projects for identifying and serving gifted and talented students, including innovative methods and strategies (such as summer programs, mentoring programs, peer tutoring programs, service learning programs, and cooperative learning programs involving business, industry and education) for identifying and educating students who may not be served by traditional gifted and talented programs.

(3) Providing technical assistance and disseminating information, which may include how gifted and talented programs and methods may be adapted for use by all students, particularly low-income and at-risk students.

**(d) Center for research and development****(1) In general**

The Secretary (after consultation with experts in the field of the education of gifted and talented students) shall establish a National Research Center for the Education of Gifted and Talented Children and Youth through grants to, or contracts with, one or more institutions of higher education or State educational agencies, or a combination or consortium of such institutions and agencies and other public or private agencies and organizations, for the purpose of carrying out activities described in subsection (c).

**(2) Director**

The National Center shall be headed by a Director. The Secretary may authorize the Director to carry out such functions of the National Center as may be agreed upon through arrangements with institutions of higher education, State educational agencies, local educational agencies, or other public or private agencies and organizations.

**(e) Coordination**

Evidence-based activities supported under this section—

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

(2) may include collaborative evidence-based activities that are jointly funded and carried out with such Institute.

**(f) General priority**

In carrying out this section, the Secretary shall give highest priority to programs and projects designed to—

(1) develop new information that—

(A) improves the capability of schools to plan, conduct, and improve programs to

identify and serve gifted and talented students; or

(B) assists schools in the identification of, and provision of services to, gifted and talented students (including economically disadvantaged individuals, individuals who are English learners, and children with disabilities) who may not be identified and served through traditional assessment methods; or

(2) implement evidence-based activities, defined in this paragraph as activities meeting the requirements of section 7801(21)(A)(i) of this title.

**(g) Participation of private school children and teachers**

In making grants and entering into contracts under this section, the Secretary shall ensure, where appropriate, that provision is made for the equitable participation of students and teachers in private nonprofit elementary schools and secondary schools, including the participation of teachers and other personnel in professional development programs serving such students.

**(h) Review, dissemination, and evaluation**

The Secretary shall—

(1) use a peer-review process in reviewing applications under this section;

(2) ensure that information on the activities and results of programs and projects funded under this section is disseminated to appropriate State educational agencies, local educational agencies, and other appropriate organizations, including private nonprofit organizations; and

(3) evaluate the effectiveness of programs under this section in accordance with section 7981 of this title, in terms of the impact on students traditionally served in separate gifted and talented programs and on other students, and submit the results of such evaluation to Congress not later than 2 years after December 10, 2015.

**(i) Program operations**

The Secretary shall ensure that the programs under this section are administered within the Department by a person who has recognized professional qualifications and experience in the field of the education of gifted and talented students and who shall—

(1) administer and coordinate the programs authorized under this section;

(2) serve as a focal point of national leadership and information on the educational needs of gifted and talented students and the availability of educational services and programs designed to meet such needs;

(3) assist the Director of the Institute of Education Sciences in identifying research priorities that reflect the needs of gifted and talented students; and

(4) disseminate, and consult on, the information developed under this section with other offices within the Department.

(Pub. L. 89-10, title IV, §4644, as added Pub. L. 114-95, title IV, §4601, Dec. 10, 2015, 129 Stat. 2037.)

**Editorial Notes**

**PRIOR PROVISIONS**

Prior sections 7301 to 7301b were repealed by Pub. L. 114-95, §5, title V, §5001(b)(1), Dec. 10, 2015, 129 Stat. 1806, 2040, effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs.

Section 7301, Pub. L. 89-10, title V, §6111, formerly title VI, §6111, as added Pub. L. 107-110, title VI, §601, Jan. 8, 2002, 115 Stat. 1873; renumbered title V, §6111, Pub. L. 114-95, title V, §5001(a), Dec. 10, 2015, 129 Stat. 2039, related to grants for State assessments and related activities.

A prior section 7301, Pub. L. 89-10, title VI, §6001, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3707, set forth findings and purpose, prior to the general amendment of former subchapter VI of this chapter by Pub. L. 107-110.

Section 7301a, Pub. L. 89-10, title V, §6112, formerly title VI, §6112, as added Pub. L. 107-110, title VI, §601, Jan. 8, 2002, 115 Stat. 1874; renumbered title V, §6112, Pub. L. 114-95, title V, §5001(a), Dec. 10, 2015, 129 Stat. 2039, related to grants for enhanced assessment instruments.

Section 7301b, Pub. L. 89-10, title V, §6113, formerly title VI, §6113, as added Pub. L. 107-110, title VI, §601, Jan. 8, 2002, 115 Stat. 1875; renumbered title V, §6113, Pub. L. 114-95, title V, §5001(a), Dec. 10, 2015, 129 Stat. 2039, related to funding.

Prior sections 7302 and 7303 were omitted in the general amendment of former subchapter VI of this chapter by Pub. L. 107-110.

Section 7302, Pub. L. 89-10, title VI, §6002, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3707, related to authorization of appropriations and duration of assistance.

Section 7303, Pub. L. 89-10, title VI, §6003, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3707, defined “effective schools programs”.

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE**

Section effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as an Effective Date of 2015 Amendment note under section 6301 of this title.

**SUBCHAPTER V—FLEXIBILITY AND ACCOUNTABILITY**

**Editorial Notes**

**CODIFICATION**

Pub. L. 114-95, title V, §5001(a), Dec. 10, 2015, 129 Stat. 2039, redesignated subchapter VI (§7301 et seq.) of this chapter as this subchapter.

Title V of the Elementary and Secondary Education Act of 1965, comprising this subchapter, was originally enacted as part of Pub. L. 89-10, Apr. 11, 1965, 79 Stat. 27, and subsequently revised, restated, and amended by other public laws. Title V is shown, herein, as having been added as title VI of Pub. L. 89-10 by Pub. L. 107-110, title VI, §601, Jan. 8, 2002, 115 Stat. 1873, without reference to earlier amendments because of the extensive revision of the title’s provisions by Pub. L. 107-110. Title VI of Pub. L. 89-10 was subsequently redesignated title V by Pub. L. 114-95, title V, §5001(a), Dec. 10, 2015, 129 Stat. 2039, and transferred to this subchapter. See Codification note preceding section 6301 of this title.

**PRIOR PROVISIONS**

A prior title V of the Elementary and Secondary Education Act of 1965, comprising former subchapter V (§7201 et seq.) of this chapter, was originally enacted as