

106TH CONGRESS
1ST SESSION

S. 505

To give gifted and talented students the opportunity to develop their capabilities.

IN THE SENATE OF THE UNITED STATES

MARCH 2, 1999

Mr. GRASSLEY introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To give gifted and talented students the opportunity to develop their capabilities.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Gifted and Talented
5 Students Education Act of 1999”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—The Congress makes the following
8 findings:

9 (1) Gifted and talented students give evidence
10 of high performance capability in specific academic

1 fields, or in areas such as intellectual, creative, artistic,
2 tic, or leadership capacity, and require services or
3 activities not ordinarily provided by a school in order
4 to fully develop such capabilities. Gifted and talented
5 students are from all cultural, racial, and ethnic
6 backgrounds, and socioeconomic groups. Some such
7 students have disabilities and for some, English is
8 not their first language. Many students from such
9 diverse backgrounds have been historically underrep-
10 resented in gifted education programs.

11 (2) Because gifted and talented students generally
12 are more advanced academically, are able to
13 learn more quickly and study in more depth and
14 complexity than others their age, the students have
15 special educational needs that require opportunities
16 and experiences that are different from those generally
17 available in regular education programs.

18 (3) Parents and families are essential partners
19 to schools in developing appropriate educational
20 services for gifted and talented students. They need
21 access to information, research and support regarding
22 the characteristics of gifted children and their
23 educational and social and emotional needs, as well
24 as information on available strategies and resources
25 for education in State and local communities.

1 (4) There currently is no Federal requirement
2 to identify or serve the Nation's approximately
3 3,000,000 gifted and talented students.

4 (5) While some States and school districts allo-
5 cate resources to educate gifted and talented stu-
6 dents, others do not. Additionally, State laws and
7 State and local funding, identification, and account-
8 ability mechanisms vary widely, resulting in a vast
9 disparity of services for this special-needs popu-
10 lation.

11 (6) If the United States is to compete success-
12 fully in the global economy, it is important that
13 more students achieve to higher levels, and that
14 highly capable students receive an education that
15 prepares them to perform the most highly innovative
16 and creative work that is necessary in today's work-
17 place.

18 (7) The performance of twelfth-grade advanced
19 students in the United States on the Third Inter-
20 national Mathematics and Science Study (TIMSS)
21 was among the lowest in the world. In each of 5
22 physics content areas in the study and in each of 3
23 math content areas in the study, the performance of
24 physics and advanced mathematics students in the

1 United States was among the lowest of participating
2 countries.

3 (8) Elementary school students that are gifted
4 and talented have already mastered 35 to 50 percent
5 of the material covered in a school year in several
6 subject areas before the school year begins.

7 (9) In 1990, fewer than 2 cents out of every
8 \$100 spent on elementary and secondary education
9 in the United States was devoted to providing chal-
10 lenging programming for the Nation's gifted and tal-
11 ented students.

12 (b) PURPOSE.—The purpose of this Act is to provide
13 grants to States to support programs, classes, and other
14 services designed to meet the needs of the Nation's gifted
15 and talented students in elementary and secondary
16 schools.

17 **SEC. 3. PROGRAM AUTHORIZATION AND ACTIVITIES.**

18 (a) IN GENERAL.—The Secretary is authorized to
19 provide grants to States for use by public schools to de-
20 velop or expand gifted and talented education programs
21 and to provide direct educational services and materials
22 through 1 or more of the following activities:

23 (1) PROFESSIONAL DEVELOPMENT PRO-
24 GRAMS.—States may expend funds to develop and
25 implement programs to address State and local

1 needs for inservice training programs for general
2 educators, specialists in gifted and talented edu-
3 cation, administrators, school counselors, or other
4 personnel at the elementary and secondary levels.

5 (2) TECHNICAL ASSISTANCE.—A State may
6 make materials and services available through State
7 regional education service centers, universities, col-
8 leges, or other entities.

9 (3) PROGRAMS AND SERVICES.—

10 (A) DIRECT SERVICES AND MATERIALS.—

11 States may expend funds to provide direct edu-
12 cational services and materials to gifted and tal-
13 ented students. Strategies developed with such
14 funds may include curriculum compacting,
15 modified or adapted curriculum, acceleration,
16 independent study, and dual enrollment.

17 (B) INNOVATIVE APPROACHES.—States

18 may support innovative approaches and curric-
19 ula used by school districts, individual schools,
20 or consortia of schools or school districts.

21 (4) EMERGING TECHNOLOGIES.—States may

22 provide funds to provide challenging, high-level
23 course work to individual students or groups of stu-
24 dents in schools and school districts that do not have
25 the resources to otherwise provide the courses

1 through new and emerging technologies, including
 2 distance learning. Funds may be used to develop
 3 curriculum packages, compensate distance-learning
 4 educators, or for other relevant purposes, but may
 5 not be used for the purchase or upgrading of techno-
 6 logical hardware.

7 (b) STATE INFRASTRUCTURE COSTS.—

8 (1) ADMINISTRATIVE COSTS.—Not more than
 9 10 percent of the total amount received under this
 10 Act may be used for State educational agency ad-
 11 ministrative costs, such as—

12 (A) facilitating the coordination of gifted
 13 and talented education programs and services;

14 (B) disseminating information and mate-
 15 rials to teachers and parents;

16 (C) creating State gifted education advi-
 17 sory boards; and

18 (D) administering funds received under
 19 this Act.

20 (2) EDUCATION AND SUPPORT.—Not more than
 21 2 percent of the total amount received under this
 22 Act may be used by a State to provide information,
 23 education, and support to parents and caregivers of
 24 gifted and talented children to enhance their ability
 25 to participate in decisions regarding their children's

1 educational programs. Such education shall be devel-
2 oped and carried out by parents and caregivers or by
3 parents and caregivers in partnership with the State.

4 **SEC. 4. APPLICATION.**

5 (a) IN GENERAL.—To be eligible to receive a grant
6 under this Act, a State educational agency shall submit
7 an application to the Secretary at such time, in such man-
8 ner, and accompanied by such information as the Sec-
9 retary may reasonably require.

10 (b) CONTENTS.—The application described in sub-
11 section (a) shall include assurances that—

12 (1) funds received under this Act shall be used
13 to identify and support gifted and talented students,
14 including students from all economic, ethnic, and ra-
15 cial backgrounds, students of limited English pro-
16 ficiency, students with disabilities, and highly gifted
17 students;

18 (2) not less than 88 percent of the funds re-
19 ceived by the State will be distributed to public
20 schools within the State;

21 (3) funds received under this Act shall be used
22 only to supplement, but not supplant, the amount of
23 State and local funds expended for the specialized
24 education and related services provided for the edu-
25 cation of gifted and talented students; and

1 (4) the State shall develop and implement pro-
2 gram assessment models to evaluate educational ef-
3 fectiveness and ensure program accountability.

4 (c) APPROVAL.—The Secretary shall approve an ap-
5 plication of a State educational agency if such application
6 meets the requirements of this section.

7 **SEC. 5. ALLOTMENT TO STATES.**

8 (a) IN GENERAL.—Except as provided in subsection
9 (b), of the total amount made available to carry out this
10 Act for a fiscal year, the Secretary shall award to each
11 State an amount that bears the same relation to the total
12 amount as the number of children ages 5 through 18 in
13 the State for the preceding academic year bears to the
14 total number of all such children in all States for such
15 year.

16 (b) MINIMUM AWARD.—

17 (1) IN GENERAL.—Except as provided in para-
18 graph (2), each State that meets the requirements
19 of this Act shall receive not less than \$1,000,000 for
20 the fiscal year involved.

21 (2) RATABLE REDUCTION.—If the amount
22 made available to carry out this Act for a fiscal year
23 is insufficient to allocate the amount specified in
24 paragraph (1) to each State, the allocation shall be
25 ratably reduced for each State.

1 **SEC. 6. REPORTING.**

2 Not later than 1 year after the date of the enactment
3 of this Act and for each subsequent year thereafter, the
4 State educational agency shall submit an annual report
5 to the Secretary that describes the number of students
6 served and the activities supported with funds provided
7 under this Act. The report shall include a description of
8 the measures taken to comply with the accountability re-
9 quirements of section 4.

10 **SEC. 7. DEFINITIONS.**

11 In this Act:

12 (1) GIFTED AND TALENTED.—The term “gifted
13 and talented” has the meaning given such term
14 under applicable State law or as such term is de-
15 fined by the State or local educational agency in-
16 volved, or in the case of a State that does not have
17 a law that defines the term and the State or local
18 educational agency has not defined the term, the
19 term has the meaning given such term under section
20 14101(16) of the Elementary and Secondary Edu-
21 cation Act (20 U.S.C. 8801(16)).

22 (2) SECRETARY.—The term “Secretary” means
23 the Secretary of Education.

24 (3) STATE.—The term “State” means each of
25 the 50 States and the District of Columbia.

1 (4) STATE EDUCATIONAL AGENCY.—The term
2 “State educational agency” has the meaning given
3 the term under section 14101(28) of the Elementary
4 and Secondary Education Act (20 U.S.C. 8801(28)).

5 **SEC. 8. AUTHORIZATION OF APPROPRIATION.**

6 There is authorized to be appropriated \$160,000,000
7 for each of fiscal years 2000, 2001, 2002, 2003, and 2004
8 to carry out this Act.

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