



CRS Report for Congress

The Javits Gifted and Talented Students Education Program: Background and Funding

Susan Boren
Specialist in Social Legislation
Domestic Social Policy Division

Summary

The major federal source of support for education of gifted students is the program authorized under the Jacob K. Javits Gifted and Talented Students Education Act of 2001. The Javits Act provides grants to state educational agencies (SEAs) and local educational agencies (LEAs), institutions of higher education, and other public and private agencies for model projects, scientifically based research, demonstration and training activities designed to meet the special needs of gifted and talented students. The last ESEA reauthorization, the No Child Left Behind Act of 2001 (P.L. 107-110), maintained the Javits Act as a separate program. The 110th Congress is likely to actively consider reauthorization to amend and extend the ESEA, including any amendments to the Javits Gifted program. Although the federal funding level is not large, model projects developed by the Javits program have been used throughout the United States. In terms of the funding level, the FY2005 appropriation continued funding for the Javits Gifted program (\$11.0 million), slightly less than the FY2004 appropriation (\$11.1 million). As in FY2005, the FY2006 budget requested no funding for the Javits Gifted program, stating that the grants are not structured to easily assess program effectiveness. The House-passed Labor, Health and Human Services, Education and Related Agencies (L-HHS-ED) appropriations bill for FY2006 (H.R. 3010) provided no funding for the Javits Gifted program; however, the FY2006 Senate-passed bill would have restored \$11.0 million. The final FY2006 appropriation for the Gifted program was \$9.6 million. The Bush Administration's FY2007 budget proposed eliminating funding for the Javits Gifted program. The FY2007 House-reported L-HHS-ED appropriations bill (H.R. 5647 — H.Rept. 109-515) did not include funding for the Gifted program, whereas the Senate-reported appropriations bill (S. 3708 — S.Rept. 109-287) would have provided \$5.025 million. A continuing resolution for FY2007 (H.J.Res. 20) passed the House on January 31, 2007, by a vote of 286 to 140 to extend appropriations, including the Gifted program, for the remainder of FY2007, basically at the FY2006 level, with some adjustments and increases.

Legislative History in Brief

The current federal program for educating gifted and talented students was established by the Jacob K. Javits Gifted and Talented Students Education Act of 1988, as part of the Hawkins-Stafford Elementary and Secondary School Improvement Amendments of 1988, P.L. 100-297. A federal effort for the gifted existed prior to that time under various titles of ESEA. However, it was the Javits Act, ESEA Title IV-B, that restored separate categorical support, thereby increasing visibility and federal support for education of the gifted. The Javits program was reauthorized by the Improving America's Schools Act of 1994, P.L. 103-382, and became Title X-B of ESEA.¹ On January 8, 2002, the Jacob K. Javits Gifted and Talented Students Education Act of 2001 was enacted as part of the No Child Left Behind Act of 2001, under Title V, Part D, Subpart 6 (Innovative Programs: Fund for the Improvement of Education/Gifted and Talented Students), and was extended through FY2007. Although ESEA authorizations are under an automatic extension, legislation to amend and extend SEANCLBA, including amendments to the Javits Gifted program, is likely to be considered in the 110th Congress.

The Javits Gifted Program

The Jacob K. Javits Gifted and Talented Students Education Act requires, as its purpose, the provision of “a coordinated program of scientifically based research, demonstration projects, innovative strategies, and similar activities designed to build and enhance the ability of elementary schools and secondary schools nationwide to meet the special educational needs of gifted and talented students” (excerpt from the Jacob K. Javits Gifted and Talented Students Education Act of 2001).

Grants are provided to state education agencies (SEAs), local educational agencies (LEAs), institutions of higher education, and other public and private agencies to encourage the development of challenging curricula for *all* students through the appropriate application and adaptation of “materials” and instructional “methods” originally developed for the gifted.

According to the statute, Javits grants are provided for the following uses:

- scientifically based research on methods for identifying and teaching gifted children;
- professional development, including fellowships for personnel involved in educating gifted students;
- model projects and exemplary programs, including innovative methods for identifying and educating gifted students (the act stipulates that the Secretary of Education should give priority to projects for gifted students)

¹ The focus of this report is the federal program. However, most states also provide some support for education of K-12 gifted and talented students. The National Center for Education Statistics (NCES) indicates that 31 states plus Guam have state-mandated elementary and secondary education programs for gifted and talented students. *Digest of Education Statistics, 2002*, Table 54. (This appears to be the most recent *Digest* that includes this information.)

not identified and served through traditional methods, including economically disadvantaged, limited-English proficient (LEP) students, and individuals with disabilities; the statute requires that at least **half of the applications funded** contain a component designed to serve “special needs” children who are also gifted);

- innovative strategies, including summer programs, cooperative programs with business and industry, mentoring and peer tutoring, and service learning programs;
- making materials available through state regional educational service centers, and/or institutions of higher education;
- providing high-level course work through technologies, including distance learning for LEAs and groups that would not otherwise have the resources; and
- technical assistance, information dissemination, and evaluation.

The statute stipulates that not more than 30% of the funds for the Javits Gifted and Talented Education program be set aside for a grant to operate the National Center for Research and Development in the Education of Gifted and Talented Children and Youth. This Center was established in 1990 and is currently operated by a consortium led by the University of Connecticut at Storrs. At the present time other members of the core research consortium include the University of Virginia and Yale University. These institutions engage in applied research involving collaborative efforts with school districts. The Center publishes a periodical that highlights the most recent research available on gifted programs. For FY2005, the Research Center received approximately \$2.0 million, and for FY2006 the Center received an estimated \$1.74 million.

Federal Funding for the Javits Program

The FY2003, FY2004, FY2005 and FY2006, and the FY2007 Administration’s budget requests have not included funds for the Javits Gifted and Talented program. The current Bush Administration prefers that school districts use funds for the gifted that are provided through other broad noncategorical “priority” programs such as state grants for innovative programs. However, the FY2004 L-HHS-ED Appropriations provided \$11.111 million, and the FY2005 final appropriation (P.L. 108-447) provided a similar amount (\$11.022 million.) The FY2006 appropriation provided \$9.56 million for the Javits Gifted program. The **FY2007** budget would have eliminated the Javits program, stating in FY2007 ED budget summaries that the grants are not structured to assess program effectiveness or to identify successful intervention strategies that could have broad national impact, and that only research programs that can be held accountable to rigorous standards warrant further investment. The FY2007 House-reported Labor-HHS-ED appropriations bill (H.R. 5647 — H.Rept. 109-515) does not include funding for the Gifted program; whereas the FY2007 Senate-reported L-HHS-ED appropriations bill (S. 3708 — S.Rept. 109-287) would allow \$5.025 million. The third continuing resolution for FY2007 provided temporary appropriations for FY2007 through February 15, 2007. A Continuing Resolution for FY2007 (H.J.Res. 20) passed the House on January 31, 2007, to extend appropriations, including the Gifted program, for the remainder of FY2007, basically at the FY2006 level, with some adjustments and increases. **Table 1** shows funding for the Javits program.

Table 1. Javits Gifted and Talented Education Program Appropriations, FY1989-FY2007

Fiscal Year	Appropriation
1989	\$7,904,000
1990	9,888,000
1991	9,732,000
1992	9,732,000
1993	9,607,000
1994	9,607,000
1995	4,921,000
1996	3,000,000
1997	5,000,000
1998	6,500,000
1999	6,500,000
2000	\$6,500,000
2001	7,500,000
2002	11,250,000
2003	11,177,000
2004	11,111,000
2005 appropriation	11,022,000
2006 budget request	0
2006 House-passed	0
2006 Senate-passed	11,022,000
2006 appropriation	9,596,000
2007 budget request	0
2007 House-reported	0
2007 Senate-reported	5,025,000
2007 CR/H. J. Res.20	9,596,000

Source: Appropriations are from the Department of Education budget justifications and the House Appropriations Committee's tables.

Note: The FY2007 Appropriation's Continuing Resolution listed as H.J.Res. 20 may change the exact amount of the appropriation for gifted programs when passed.

Program Data

According to the *Digest of Education Statistics, 2005*, there were 2.9 million gifted students enrolled in public elementary and secondary schools in 2000.² This is the most recent data available. Program data indicate that the Javits Gifted program has funded more than 125 grants since 1989 that supported model programs for educating gifted students and aided more than 2 million gifted students. In FY2006, funding provided for 14 continuation SEA/LEA capacity-building grants (\$3.284 million) and 11 research and demonstration grants (\$4.571 million); \$1.74 million was provided to the National Research Center.³

The National Research Center on the Gifted and Talented conducted an evaluation of the Javits Gifted program published in 2001. According to the Center's evaluation, 91% of the teachers reported increased "independence on the part of students." Eighty-five percent of the respondents agreed that the Center's work improved understanding of gifted and talented education, and 86% of respondents thought that the Center's information was useful.

Another evaluation of the Javits program emphasized the positive impact of "gifted" education programs on parents and teachers, as well as improving self-perception and achievement test scores of gifted students in the program.⁴

Legislative Activity

ESEA Reauthorization (107th Congress)

The **No Child Left Behind Act** was enacted on January 8, 2002 as P.L. 107-110. It incorporated an authorization for the Javits Gifted and Talented Students Education Act of 2001. Although a separate program, the Javits program (Subpart 6, of Title V-D) shared an authorization of appropriations with other programs under Title V-Part D, Innovative Programs: Fund for the Improvement of Education (FIE). The No Child Left Behind Act added "scientifically based research" as a priority use of funds under the Gifted program. The current National Center for Research and Development in the Education of Gifted and Talented Children and Youth was retained. The grant to the National Research Center cannot constitute more than 30% of the total Javits program funding. A special rule was also added, such that if an appropriation exceeds the FY2001 level (i.e., \$7.5 million), then the Secretary of Education shall use the excess funding for competitive awards to SEAs and/or LEAs as long as the uses of the funds are nonduplicative. According to the ED's Budget Justifications for FY2005, \$1.5 million was used for SEA/LEA capacity-building grants.

² National Center for Education Statistics. *Digest of Education Statistics, 2005*. Table 53.

³ For more detailed descriptions of grants, see U.S. Department of Education, *FY2005 Project Abstracts: Javits Gifted and Talented Students Education Program* (2005); and U.S. Department of Education, *FY2007 Justifications of Appropriations Estimates to Congress* (2006).

⁴ Carolyn Callahan, *What Have We Accomplished with the Javits Gifted and Talented Students Education Act? Innovative Programs*, Draft, U.S. Department of Education (not dated).

Other Legislative Proposals

108th Congress:

H.R. 1191 (Gallegly)/**S. 501** (Grassley) Gifted and Talented Students Education Act of 2003 (introduced March 2003). Would have established a competitive state grant program for education of gifted and talented students, expanding on current law, and outlining uses for state grants. Proposed a trigger appropriation amount of \$7.5 million and /or less than \$57.5 million, whereby the excess could be used for state grants. When an appropriation reached or exceeded \$57.5 million, states would have been allotted funds to award grants directly to local educational agencies for expanding gifted programs and providing direct educational services and materials. Authorized appropriations of \$170 million for FY2004-FY2010. (No further action.)

109th Congress:

S. 493 (Grassley) (introduced March 2, 2005)/**H.R. 1156** (Gillmor) (Gifted and Talented Education Enhancement Act of 2005 — introduced March 8, 2005.) A bill to amend Title II of the Higher Education Act of 1965 to increase teacher familiarity with the educational needs of gifted and talented students. The bill would incorporate the learning needs of gifted and talented students, and expand new teacher mentoring to help them possess the knowledge of identifying learning differences of gifted students and accommodating such differences in the classroom. (No further action.)