

based educational programming, including online resources, in multiple arts disciplines; and

(C) community and national outreach activities that strengthen and expand partnerships among schools, local educational agencies, communities, or centers for the arts, including national centers for the arts.

**(b) Conditions**

As conditions of receiving assistance made available under this section, the Secretary shall require each eligible entity receiving such assistance—

(1) to coordinate, to the extent practicable, each project or program carried out with such assistance with appropriate activities of public or private cultural agencies, institutions, and organizations, including museums, arts education associations, libraries, and theaters; and

(2) to use such assistance only to supplement, and not to supplant, any other assistance or funds made available from non-Federal sources for the activities assisted under this subpart.

**(c) Consultation**

In carrying out this section, the Secretary shall consult with Federal agencies or institutions, arts educators (including professional arts education associations), and organizations representing the arts (including State and local arts agencies involved in arts education).

**(d) Priority**

In awarding grants under this section, the Secretary shall give priority to eligible entities that are eligible national nonprofit organizations.

**(e) Definitions**

In this section:

**(1) Eligible entity**

The term “eligible entity” means—

(A) a local educational agency in which 20 percent or more of the students served by the local educational agency are from families with an income below the poverty line;

(B) a consortium of such local educational agencies;

(C) a State educational agency;

(D) an institution of higher education;

(E) a museum or cultural institution;

(F) the Bureau of Indian Education;

(G) an eligible national nonprofit organization; or

(H) another private agency, institution, or organization.

**(2) Eligible national nonprofit organization**

The term “eligible national nonprofit organization” means an organization of national scope that—

(A) is supported by staff, which may include volunteers, or affiliates at the State and local levels; and

(B) demonstrates effectiveness or high-quality plans for addressing arts education activities for disadvantaged students or students who are children with disabilities.

(Pub. L. 89-10, title IV, §4642, as added Pub. L. 114-95, title IV, §4601, Dec. 10, 2015, 129 Stat. 2033.)

**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.

**§ 7293. Ready to learn programming**

**(a) Awards to promote school readiness through ready to learn programming**

**(1) In general**

Awards made to eligible entities described in paragraph (3) to fulfill the purpose described in section 7291(a)(2) of this title shall—

(A) be known as “Ready to Learn Programming awards”; and

(B) be used to—

(i) develop, produce, and distribute accessible educational and instructional video programming for preschool and elementary school children and their parents in order to facilitate student academic achievement;

(ii) facilitate the development, directly or through contracts with producers of children’s and family educational television programming, of educational programming for preschool and elementary school children, and the accompanying support materials and services that promote the effective use of such programming;

(iii) facilitate the development of programming and digital content containing Ready-to-Learn programming and resources for parents and caregivers that is specially designed for nationwide distribution over public television stations’ digital broadcasting channels and the Internet;

(iv) contract with entities (such as public telecommunications entities) so that programming developed under this section is disseminated and distributed to the widest possible audience appropriate to be served by the programming, and through the use of the most appropriate distribution technologies; and

(v) develop and disseminate education and training materials, including interactive programs and programs adaptable to distance learning technologies, that are designed—

(I) to promote school readiness; and

(II) to promote the effective use of materials developed under clauses (ii) and (iii) among parents, family members, teachers, principals and other school leaders, Head Start providers, providers of family literacy services, child care providers, early childhood educators, elementary school teachers, public libraries, and after-school program personnel caring for preschool and elementary school children.

**(2) Availability**

In awarding or entering into grants, contracts, or cooperative agreements under this section, the Secretary shall ensure that eligi-

ble entities described in paragraph (3) make programming widely available, with support materials as appropriate, to young children, parents, child care workers, Head Start providers, and providers of family literacy services to increase the effective use of such programming.

**(3) Eligible entities**

To be eligible to receive a grant, contract, or cooperative agreement under this section, an entity shall be a public telecommunications entity that is able to demonstrate each of the following:

(A) A capacity for the development and national distribution of educational and instructional television programming of high quality that is accessible by a large majority of disadvantaged preschool and elementary school children.

(B) A capacity to contract with the producers of children's television programming for the purpose of developing educational television programming of high quality.

(C) A capacity, consistent with the entity's mission and nonprofit nature, to negotiate such contracts in a manner that returns to the entity an appropriate share of any ancillary income from sales of any program-related products.

(D) A capacity to localize programming and materials to meet specific State and local needs and to provide educational outreach at the local level.

**(4) Coordination of activities**

An entity receiving a grant, contract, or cooperative agreement under this section shall consult with the Secretary and the Secretary of Health and Human Services—

(A) to maximize the use of high-quality educational programming by preschool and elementary school children, and make such programming widely available to Federally funded programs serving such populations; and

(B) to coordinate activities with Federal programs that have major training components for early childhood development, including programs under the Head Start Act (42 U.S.C. 9831 et seq.) and State training activities funded under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.) [42 U.S.C. 9857 et seq.], regarding the availability and utilization of materials developed under paragraph (1)(B)(v) to enhance parent and child care provider skills in early childhood development and education.

**(b) Applications**

To be eligible to receive a grant, contract, or cooperative agreement under subsection (a), an entity shall submit to the Secretary an application at such time and in such manner as the Secretary may reasonably require. The application shall include—

(1) a description of the activities to be carried out under this section;

(2) a list of the types of entities with which such entity will enter into contracts under subsection (a)(1)(B)(iv);

(3) a description of the activities the entity will undertake widely to disseminate the content developed under this section; and

(4) a description of how the entity will comply with subsection (a)(2).

**(c) Reports and evaluations**

**(1) Annual report to Secretary**

An entity receiving a grant, contract, or cooperative agreement under this section shall prepare and submit to the Secretary an annual report. The report shall describe the program activities undertaken with funds received under the grant, contract, or cooperative agreement, including each of the following:

(A) The programming that has been developed, directly or indirectly, by the eligible entity, and the target population of the programming.

(B) The support and training materials that have been developed to accompany the programming, and the method by which the materials are distributed to consumers and users of the programming.

(C) The means by which programming developed under this section has been distributed, including the distance learning technologies that have been utilized to make programming available, and the geographic distribution achieved through such technologies.

(D) The initiatives undertaken by the entity to develop public-private partnerships to secure non-Federal support for the development, distribution, and broadcast of educational and instructional programming.

**(2) Report to Congress**

The Secretary shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a biannual report that includes the following:

(A) A summary of the activities assisted under subsection (a).

(B) A description of the education and training materials made available under subsection (a)(1)(B)(v), the manner in which outreach has been conducted to inform parents and child care providers of the availability of such materials, and the manner in which such materials have been distributed in accordance with such subsection.

**(d) Administrative costs**

An entity that receives a grant, contract, or cooperative agreement under this section may use up to 5 percent of the amount received under the grant, contract, or agreement for the normal and customary expenses of administering the grant, contract, or agreement.

**(e) Funding rule**

Not less than 60 percent of the amount used by the Secretary to carry out this section for each fiscal year shall be used to carry out activities under clauses (ii) through (iv) of subsection (a)(1)(B).

(Pub. L. 89-10, title IV, §4643, as added Pub. L. 114-95, title IV, §4601, Dec. 10, 2015, 129 Stat. 2034.)

**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