



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

JUN - 3 2016

The Honorable Barbara A. Mikulski  
United States Senate  
Washington, DC 20510

Dear Senator Mikulski,

This is in response to your April 5, 2016 letter to Secretary of Education John King, Jr. Your letter was referred to the Office of Elementary and Secondary Education for review and I am pleased to respond to your letter on his behalf. Thank you for highlighting important provisions regarding high-ability children and the Jacob K. Javits Gifted and Talented Students Education (Javits) Program in the Every Student Succeeds Act (ESSA). The U. S. Department of Education (Department) is committed to supporting every child in achieving their maximum potential, including high-ability children, many of whom may not yet be high-achievers.

The challenges of educating gifted and talented students identified in the national survey of the states<sup>1</sup> that you've referenced, *e.g.*, lack of teacher training and lack of data, are critical. They must be addressed and the new authorizing language in ESSA provides the Department with an opportunity to do so. For example, in the new law, the opportunity to use Title I funds to identify and serve high-ability students will, in part, serve to dispel the notion that diverse and disadvantaged communities do not produce gifted and talented children. The new provisions in Title II permitting States to include gifted and talented students' needs in the state plan, will allow for innovation in the identification process as well as in the delivery of enriched curricula through more customized instruction. Further, like you, we are eager to know more about the findings of the National Center for Research on Gifted Education's study that examines district practices in three states. Their results and recommendations will inform the creation of effective strategies that enhance teaching and support student learning.

The new law provides time and authority for the Department to work with the public to ensure a smooth and orderly transition to the ESSA. As the Department continues to analyze the ESSA, we will provide additional information on the ESSA website at [www.ed.gov/essa](http://www.ed.gov/essa). We are conducting listening sessions across the country. To date, we have held over 200 meetings with stakeholders from across the education system and will continue to conduct listening sessions on guidance issues with diverse groups of

---

<sup>1</sup> *State of the States 2014 - 2015*, National Association for Gifted Children and the Council of State Directors of Programs for the Gifted, 2015.

[www.ed.gov](http://www.ed.gov)

400 MARYLAND AVE., SW, WASHINGTON, DC 20202

*The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.*

stakeholders, including those from rural areas, tribes, and those representing a variety of professional perspectives, in the coming months. These listening sessions provide an opportunity for the public to provide comment and feedback to the Department on implementation of the ESSA. Please also know that specific information about the Javits Program will be forthcoming as the Department continues to plan the implementation of the ESSA.

If you have additional questions or concerns, please contact the Department's Office of Legislation and Congressional Affairs at 202-401-0020. Please note that I am sending an identical response to Senator Grassley.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ann Whalen', with a long horizontal flourish extending to the right.

Ann Whalen  
Senior Advisor to the Secretary  
Delegated the Duties of Assistant Secretary for  
Elementary and Secondary Education