

106TH CONGRESS
1ST SESSION

S. 1823

To revise and extend the Safe and Drug-Free Schools and Communities
Act of 1994.

IN THE SENATE OF THE UNITED STATES

OCTOBER 28, 1999

Mr. DEWINE (for himself, Mrs. MURRAY, Mr. ABRAHAM, and Mr. DODD) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To revise and extend the Safe and Drug-Free Schools and
Communities Act of 1994.

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 “Safe and Drug-Free
5 Schools and Communities Reauthorization Act”.

6 **SEC. 2. AMENDMENT TO THE ELEMENTARY AND SEC-**
7 **ONDARY EDUCATION ACT OF 1965.**

8 Title IV of the Elementary and Secondary Education
9 Act of 1965 (20 U.S.C. 7101 et seq.) is amended to read
10 as follows:

1 **“TITLE IV—SAFE AND DRUG-**
2 **FREE SCHOOLS AND COMMU-**
3 **NITIES**

4 **“SEC. 4001. SHORT TITLE.**

5 “This title may be cited as the ‘Safe and Drug-Free
6 Schools and Communities Act of 1994’.

7 **“SEC. 4002. FINDINGS.**

8 “Congress makes the following findings:

9 “(1) Every student should attend a school in a
10 drug- and violence-free learning environment.

11 “(2) The widespread illegal use of alcohol and
12 drugs among the Nation’s secondary school stu-
13 dents, and increasingly by students in elementary
14 schools as well, constitutes a grave threat to such
15 students’ physical and mental well-being, and signifi-
16 cantly impedes the learning process. For example,
17 data show that students who drink tend to receive
18 lower grades and are more likely to miss school be-
19 cause of illness than students who do not drink.

20 “(3) Drug and violence prevention programs
21 are essential components of a comprehensive strat-
22 egy to promote school safety, youth development,
23 positive school outcomes, and to reduce the demand
24 for and illegal use of alcohol, tobacco and drugs
25 throughout the Nation. Schools, local organizations,

1 parents, students, and communities throughout the
 2 Nation have a special responsibility to work together
 3 to combat the continuing epidemic of violence and il-
 4 legal drug use and should measure the success of
 5 their programs against clearly defined goals and ob-
 6 jectives.

7 “(4) Drug and violence prevention programs
 8 are most effective when implemented within a re-
 9 search-based, drug and violence prevention frame-
 10 work of proven effectiveness.

11 “(5) Research clearly shows that community
 12 contexts contribute to substance abuse and violence.

13 “(6) Substance abuse and violence are intri-
 14 cately related and must be dealt with in a holistic
 15 manner.

16 “(7) Research has documented that parental
 17 behavior and environment directly influence a child’s
 18 inclination to use alcohol, tobacco or drugs.

19 **“SEC. 4003. PURPOSE.**

20 “The purpose of this title is to support programs that
 21 prevent violence in and around schools and prevent the
 22 illegal use of alcohol, tobacco, and drugs, involve parents,
 23 and are coordinated with related Federal, State, school,
 24 and community efforts and resources, through the provi-
 25 sion of Federal assistance to—

1 “(1) States for grants to local educational agen-
2 cies and educational service agencies and consortia
3 of such agencies to establish, operate, and improve
4 local programs of school drug and violence preven-
5 tion, early intervention, rehabilitation referral, and
6 education in elementary and secondary schools (in-
7 cluding intermediate and junior high schools);

8 “(2) States for grants to, and contracts with,
9 community-based organizations and other public and
10 private nonprofit agencies and organizations for pro-
11 grams of drug and violence prevention including
12 community mobilization, early intervention, rehabili-
13 tation referral, and education;

14 “(3) States for grants to local educational agen-
15 cies and educational service agencies and consortia
16 for the development and implementation of policies
17 that set clear and appropriate standards regarding
18 the illegal use of alcohol, tobacco and drugs, and for
19 violent behavior.

20 “(4) States for development, training, technical
21 assistance, and coordination activities;

22 “(5) public and private nonprofit organizations
23 to provide technical assistance, conduct training,
24 demonstrations, and evaluation, and to provide sup-
25 plementary services and community mobilization ac-

1 tivities for the prevention of drug use and violence
2 among students and youth; and

3 “(6) institutions of higher education to estab-
4 lish, operate, expand, and improve programs of
5 school drug and violence prevention, education, and
6 rehabilitation referral for students enrolled in col-
7 leges and universities.

8 **“SEC. 4004. FUNDING.**

9 “There are authorized to be appropriated—

10 “(1) \$700,000,000 for fiscal year 2001, and
11 such sums as may be necessary for each of the 4
12 succeeding fiscal years, for State grants under sub-
13 part 1 of part A;

14 “(2) \$100,000,000 for fiscal year 2001, and
15 such sums as may be necessary for each of the 4
16 succeeding fiscal years, for national programs under
17 subpart 2 of part A; and

18 “(3) \$75,000,000 for fiscal year 2001, and such
19 sums as may be necessary for each of the 4 suc-
20 ceeding fiscal years, for the National Coordinator
21 Initiative under section 4122.

1 **“PART A—STATE GRANTS FOR DRUG AND**
 2 **VIOLENCE PREVENTION PROGRAMS**
 3 **“Subpart 1—State Grants for Drug and Violence**
 4 **Prevention Programs**

5 **“SEC. 4011. RESERVATIONS AND ALLOTMENTS.**

6 “(a) RESERVATIONS.—From the amount made avail-
 7 able under section 4004(1) to carry out this subpart for
 8 each fiscal year, the Secretary—

9 “(1) shall reserve 1 percent of such amount for
 10 grants under this subpart to Guam, American
 11 Samoa, the Virgin Islands, and the Commonwealth
 12 of the Northern Mariana Islands, to be allotted in
 13 accordance with the Secretary’s determination of
 14 their respective needs;

15 “(2) shall reserve 1 percent of such amount for
 16 the Secretary of the Interior to carry out programs
 17 under this part for Indian youth;

18 “(3) may reserve not more than \$1,000,000 for
 19 the national impact evaluation required by section
 20 4117(a); and

21 “(4) shall reserve 0.2 percent of such amount
 22 for programs for Native Hawaiians under section
 23 4118.

24 “(b) STATE ALLOTMENTS.—

1 “(1) IN GENERAL.—Except as provided in para-
 2 graph (2), the Secretary shall, for each fiscal year,
 3 allocate among the States—

4 “(A) one-half of the remainder not re-
 5 served under subsection (a) according to the
 6 ratio between the school-aged population of
 7 each State and the school-aged population of all
 8 the States; and

9 “(B) one-half of such remainder according
 10 to the ratio between the amount each State re-
 11 ceived under part A of title I for the preceding
 12 year and the sum of such amounts received by
 13 all the States.

14 “(2) MINIMUM.—For any fiscal year, no State
 15 shall be allotted under this subsection an amount
 16 that is less than one-half of 1 percent of the total
 17 amount allotted to all the States under this sub-
 18 section.

19 “(3) REALLOTMENT.—The Secretary may
 20 reallot any amount of any allotment to a State if the
 21 Secretary determines that the State will be unable to
 22 use such amount within 2 years of such allotment.
 23 Such reallotments shall be made on the same basis
 24 as allotments are made under paragraph (1).

25 “(4) DEFINITIONS.—In this subsection:

1 “(A) STATE.—The term ‘State’ means
2 each of the 50 States, the District of Columbia,
3 and the Commonwealth of Puerto Rico.

4 “(B) LOCAL EDUCATIONAL AGENCY.—The
5 term ‘local educational agency’ includes edu-
6 cational service agencies and consortia of such
7 agencies.

8 “(c) LIMITATION.—Amounts appropriated under this
9 section for programs under this subpart shall not be used
10 to carry out national programs under subpart 2.

11 **“SEC. 4112. STATE APPLICATIONS.**

12 “(a) IN GENERAL.—In order to receive an allotment
13 under section 4111 for any fiscal year, a State shall sub-
14 mit to the Secretary, at such time as the Secretary may
15 require, an application that—

16 “(1) contains a comprehensive plan for the use
17 of funds by the State educational agency and the
18 chief executive officer to provide safe, orderly, and
19 drug-free schools and communities;

20 “(2) contains the results of the State’s needs
21 assessment for drug and violence prevention pro-
22 grams, which shall be based on the results of on-
23 going State evaluation activities, including data on
24 the incidence and prevalence, age of onset, percep-
25 tion of health risk, and perception of social dis-

1 approval of drug use and violence by youth in
2 schools and communities and the prevalence of risk
3 or protective factors, buffers or assets or other re-
4 search-based variables in the school and community;

5 “(3) contains assurances that the sections of
6 the application concerning the funds provided to the
7 chief executive officer and the State educational
8 agency were developed together, with each such offi-
9 cer or State representative, in consultation and co-
10 ordination with appropriate State officials and oth-
11 ers, including the chief State school officer, the chief
12 executive officer, the head of the State alcohol and
13 drug abuse agency, the heads of the State health
14 and mental health agencies, the head of the State
15 criminal justice planning agency, the head of the
16 State child welfare agency, the head of the State
17 board of education, or their designees, and rep-
18 resentatives of parents, students, and community-
19 based organizations;

20 “(4) contains an assurance that the State will
21 cooperate with, and assist, the Secretary in con-
22 ducting a national impact evaluation of programs re-
23 quired by section 4117(a);

24 “(5) contains assurances that the State edu-
25 cation agency and the Governor will develop their re-

1 spective applications in consultation with an advisory
2 council that includes, to the extent practicable, rep-
3 resentatives from school districts, businesses, parent
4 organizations, youth, teachers, administrators, pupil
5 services personnel, private schools, appropriate State
6 agencies, community-based organizations, the med-
7 ical profession, law enforcement, the faith commu-
8 nity and other groups with interest and expertise in
9 alcohol, tobacco, drug, and violence prevention;

10 “(6) contains assurances that the State edu-
11 cation agency and the Governor involve the rep-
12 resentatives described in paragraph (4), on an ongo-
13 ing basis, to review program evaluations and other
14 relevant material and make recommendations to the
15 State education agency and the Governor on how to
16 improve their respective alcohol, tobacco, drug, and
17 violence prevention programs;

18 “(7) contains a list of the State’s results-based
19 performance measures for drug and violence preven-
20 tion, that shall—

21 “(A) be focused on student behavior and
22 attitudes and be derived from the needs assess-
23 ment;

24 “(B) include targets and due dates for the
25 attainment of such performance measures; and

1 “(C) include a description of the proce-
2 dures that the State will use to inform local
3 educational agencies of such performance meas-
4 ures for assessing and publicly reporting
5 progress toward meeting such measures or re-
6 vising them as needed; and

7 “(8) includes any other information the Sec-
8 retary may require.

9 “(b) STATE EDUCATIONAL AGENCY FUNDS.—A
10 State’s application under this section shall also contain a
11 comprehensive plan for the use of funds under section
12 4113(a) by the State educational agency that includes—

13 “(1) a plan for monitoring the implementation
14 of, and providing technical assistance regarding, the
15 drug and violence prevention programs conducted by
16 local educational agencies in accordance with section
17 4116

18 “(2) a description of how the State educational
19 agency will use funds under section 4113(b);

20 “(3) a description of how the State educational
21 agency will coordinate such agency’s activities under
22 this subpart with the chief executive officer’s drug
23 and violence prevention programs under this subpart
24 and with the prevention efforts of other State agen-
25 cies; and

1 “(4) a description of the procedures the State
2 educational agency will use to review applications
3 from and allocate funding to local educational agen-
4 cies under section 4115.

5 “(c) GOVERNOR’S FUNDS.—A State’s application
6 under this section shall also contain a comprehensive plan
7 for the use of funds under section 4114(a) by the chief
8 executive officer that includes—

9 “(1) a description of how the chief executive of-
10 ficer will coordinate such officer’s activities under
11 this part with the State educational agency and
12 other State agencies and organizations involved with
13 drug and violence prevention efforts;

14 “(2) a description of how funds reserved under
15 section 4114(a) will be used so as not to duplicate
16 the efforts of the State educational agency and local
17 educational agencies with regard to the provision of
18 school-based prevention efforts and services and how
19 those funds will be used to serve populations not
20 normally served by the State educational agency,
21 such as school dropouts and youth in detention cen-
22 ters;

23 “(3) a description of how the chief executive of-
24 ficer will award funds under section 4114(a) and a
25 plan for monitoring the performance of, and pro-

1 viding technical assistance to, recipients of such
2 funds;

3 “(4) a description of the special outreach activi-
4 ties that will be carried out to maximize the partici-
5 pation of community-based organizations of dem-
6 onstrated effectiveness which provide services in low-
7 income communities; and

8 “(5) a description of how funds will be used to
9 support community-wide comprehensive drug and vi-
10 olence prevention planning and community mobiliza-
11 tion activities.

12 “(d) PEER REVIEW.—The Secretary shall use a peer
13 review process in reviewing State applications under this
14 section.

15 “(e) INTERIM APPLICATION.—Notwithstanding any
16 other provisions of this section, a State may submit for
17 fiscal year 2000 a 1-year interim application and plan for
18 the use of funds under this subpart that are consistent
19 with the requirements of this section and contain such in-
20 formation as the Secretary may specify in regulations. The
21 purpose of such interim application and plan shall be to
22 afford the State the opportunity to fully develop and re-
23 view such State’s application and comprehensive plan oth-
24 erwise required by this section. A State may not receive
25 a grant under this subpart for a fiscal year subsequent

1 to fiscal year 2000 unless the Secretary has approved such
 2 State’s application and comprehensive plan in accordance
 3 with this subpart.

4 **“SEC. 4113. STATE AND LOCAL EDUCATIONAL AGENCY PRO-**
 5 **GRAMS.**

6 “(a) USE OF FUNDS.—

7 “(1) IN GENERAL.—Except as provided in para-
 8 graph (2), an amount equal to 80 percent of the
 9 total amount allocated to a State under section 4111
 10 for each fiscal year shall be used by the State edu-
 11 cational agency and its local educational agencies for
 12 drug and violence prevention activities in accordance
 13 with this section.

14 “(2) EXCEPTION.—

15 “(A) IN GENERAL.—If a State has, on or
 16 before January 1, 1994, established an inde-
 17 pendent State agency for the purpose of admin-
 18 istering all of the funds described in section
 19 5121 of this Act (as such section was in effect
 20 on the day preceding the date of the enactment
 21 of the Improving America’s Schools Act of
 22 1994), then—

23 “(i) an amount equal to 80 percent of
 24 the total amount allocated to such State
 25 under section 4111 for each fiscal year

1 shall be used by the State educational
2 agency and its local educational agencies
3 for drug and violence prevention activities
4 in accordance with this section; and

5 “(ii) an amount equal to 20 percent of
6 such total amount shall be used by such
7 independent State agency for drug and vio-
8 lence prevention activities in accordance
9 with this section.

10 “(B) ADMINISTRATIVE COSTS.—Not more
11 than 5 percent of the amount reserved under
12 subparagraph (A)(ii) may be used for adminis-
13 trative costs of the independent State agency
14 incurred in carrying out the activities described
15 in such subparagraph.

16 “(C) DEFINITION.—For purposes of this para-
17 graph, the term ‘independent State agency’ means
18 an independent agency with a board of directors or
19 a cabinet level agency whose chief executive officer
20 is appointed by the chief executive officer of the
21 State and confirmed with the advice and consent of
22 the senate of such State.

23 “(b) STATE LEVEL PROGRAMS.—

24 “(1) IN GENERAL.—A State educational agency
25 shall use not more than 5 percent of the amount

1 available under subsection (a) for activities such
2 as—

3 “(A) training and technical assistance con-
4 cerning drug and violence prevention for local
5 educational agencies and educational service
6 agencies, including teachers, administrators,
7 coaches and athletic directors, other staff, par-
8 ents, students, community leaders, health serv-
9 ice providers, local law enforcement officials,
10 and judicial officials;

11 “(B) the development, identification, dis-
12 semination, and evaluation of the most readily
13 available, accurate, and up-to-date curriculum
14 materials (including videotapes, software, and
15 other technology-based learning resources), for
16 consideration by local educational agencies;

17 “(C) making available to local educational
18 agencies cost effective programs for youth vio-
19 lence and drug abuse prevention;

20 “(D) demonstration projects in drug and
21 violence prevention;

22 “(E) training, technical assistance, and
23 demonstration projects to address violence asso-
24 ciated with prejudice and intolerance;

1 “(F) financial assistance to enhance re-
 2 sources available for drug and violence preven-
 3 tion in areas serving large numbers of economi-
 4 cally disadvantaged children or sparsely popu-
 5 lated areas, or to meet other special needs con-
 6 sistent with the purposes of this subpart; and

7 “(G) the evaluation of activities carried out
 8 within the State under this part.

9 “(2) SPECIAL RULE.—A State educational
 10 agency may carry out activities under this subsection
 11 directly, or through grants or contracts.

12 “(c) STATE ADMINISTRATION.—

13 “(1) IN GENERAL.—A State educational agency
 14 may use not more than 4 percent of the amount re-
 15 served under subsection (a) for the administrative
 16 costs of carrying out its responsibilities under this
 17 part.

18 “(2) UNIFORM MANAGEMENT INFORMATION
 19 AND REPORTING SYSTEM.—In carrying out its re-
 20 sponsibilities under this part, a State shall imple-
 21 ment a uniform management information and re-
 22 porting system that includes information on the
 23 types of curricula, programs and services provided
 24 by the State, Governor, local education agencies, and
 25 other recipients of funds under this title.

1 “(d) LOCAL EDUCATIONAL AGENCY PROGRAMS.—

2 “(1) IN GENERAL.—A State educational agency
3 shall distribute not less than 91 percent of the
4 amount made available under subsection (a) for each
5 fiscal year to local educational agencies in accord-
6 ance with this subsection.

7 “(2) DISTRIBUTION.—A State educational
8 agency shall distribute amounts under paragraph (1)
9 in accordance with any one of the following subpara-
10 graphs:

11 “(A) ENROLLMENT AND BASELINE AP-
12 PROACH.—Of the amount distributed under
13 paragraph (1), a State educational agency shall
14 distribute—

15 “(i) at least 70 percent of such
16 amount to local educational agencies,
17 based on the relative enrollments in public
18 and private nonprofit elementary and sec-
19 ondary schools within the boundaries of
20 such agencies; and

21 “(ii) not to exceed 30 percent of any
22 amounts remaining after amounts are dis-
23 tributed under clause (i) to each local edu-
24 cational agency in an amount determined
25 appropriate by the State education agency.

1 “(B) ENROLLMENT AND NEED AP-
2 PROACH.—Of the amount distributed under
3 paragraph (1), a State educational agency shall
4 distribute—

5 “(i) at least 70 percent of such
6 amount in accordance with subparagraph
7 (A)(i); and

8 “(ii) not to exceed 30 percent of any
9 amounts remaining after amounts are dis-
10 tributed under clause (i) to local edu-
11 cational agencies that the State education
12 agency determines have the greatest need
13 for additional funds to carry out drug and
14 violence prevention programs authorized by
15 this subpart.

16 “(C) ENROLLMENT AND COMBINATION AP-
17 PROACH.—Of the amount distributed under
18 paragraph (1), a State educational agency shall
19 distribute

20 “(i) at least 70 percent of such
21 amount to local educational agencies,
22 based on the relative enrollments in public
23 and private nonprofit elementary and sec-
24 ondary schools within the boundaries of
25 such agencies; and

1 “(ii) not to exceed 30 percent of any
2 amounts remaining after amounts are dis-
3 tributed under clause (i)—

4 “(I) to each local educational
5 agency in an amount determined ap-
6 propriate by the State education agen-
7 cy; or

8 “(II) to local educational agen-
9 cies that the State education agency
10 determines have the greatest need for
11 additional funds to carry out drug
12 and violence prevention programs au-
13 thorized by this subpart.

14 “(D) COMPETITIVE AND NEED AP-
15 PROACH.—Of the amount distributed under
16 paragraph (1), a State educational agency shall
17 distribute

18 “(i) not to exceed 70 percent of such
19 amount to local educational agencies that
20 the State agency determines, through a
21 competitive process, have the greatest need
22 for funds to carry out drug and violence
23 prevention programs based on criteria es-
24 tablished by the State agency and author-
25 ized under this subpart; and

1 “(ii) at least 30 percent of any
2 amounts remaining after amounts are dis-
3 tributed under clause (i) to local education
4 agencies that the State agency determines
5 have a need for additional funds to carry
6 out the program authorized under this sub-
7 part.

8 “(3) CONSIDERATION OF OBJECTIVE DATA.—
9 For purposes of paragraph (2), in determining which
10 local educational agencies have the greatest need for
11 funds, the State educational agency shall consider
12 objective data which may include—

13 “(A) high rates of alcohol or drug use
14 among youth;

15 “(B) high rates of victimization of youth
16 by violence and crime;

17 “(C) high rates of arrests and convictions
18 of youth for violent or drug- or alcohol-related
19 crime;

20 “(D) the extent of illegal gang activity;

21 “(E) high incidence of violence associated
22 with prejudice and intolerance;

23 “(F) high rates of referrals of youths to
24 drug and alcohol abuse treatment and rehabili-
25 tation programs;

1 “(G) high rates of referrals of youths to
2 juvenile court;

3 “(H) high rates of expulsions and suspen-
4 sions of students from schools;

5 “(I) high rates of reported cases of child
6 abuse and domestic violence;

7 “(J) high rates of drug related emer-
8 gencies or deaths; and

9 “(K) local fiscal capacity to fund drug use
10 and violence prevention programs without Fed-
11 eral assistance.

12 “(e) REALLOCATION OF FUNDS.—If a local edu-
13 cational agency chooses not to apply to receive the amount
14 allocated to such agency under subsection (d), or if such
15 agency’s application under section 4115 is disapproved by
16 the State educational agency, the State educational agency
17 shall reallocate such amount to one or more of the local
18 educational agencies.

19 “(f) RETURN OF FUNDS TO STATE EDUCATIONAL
20 AGENCY; REALLOCATION.—

21 “(1) RETURN.—Except as provided in para-
22 graph (2), upon the expiration of the 1-year period
23 beginning on the date that a local educational agen-
24 cy or educational service agency under this title re-
25 ceives its allocation under this title—

1 “(A) such agency shall return to the State
2 educational agency any funds from such alloca-
3 tion that remain unobligated; and

4 “(B) the State educational agency shall re-
5 allocate any such amount to local educational
6 agencies or educational service agencies that
7 have plans for using such amount for programs
8 or activities on a timely basis.

9 “(2) REALLOCATION.—In any fiscal year, a
10 local educational agency, may retain for obligation in
11 the succeeding fiscal year—

12 “(A) an amount equal to not more than 25
13 percent of the allocation it receives under this
14 title for such fiscal year; or

15 “(B) upon a demonstration of good cause
16 by such agency or consortium, a greater
17 amount approved by the State educational
18 agency.

19 **“SEC. 4114. GOVERNOR’S PROGRAMS.**

20 “(a) USE OF FUNDS.—

21 “(1) IN GENERAL.—An amount equal to 20
22 percent of the total amount allocated to a State
23 under section 4111(1) for each fiscal year shall be
24 used by the chief executive officer of such State for

1 drug and violence prevention programs and activities
2 in accordance with this section.

3 “(2) ADMINISTRATIVE COSTS.—A chief execu-
4 tive officer may use not more than 5 percent of the
5 20 percent of the total amount described in para-
6 graph (1) for the administrative costs incurred in
7 carrying out the duties of such officer under this
8 section. The chief executive officer of a State may
9 use amounts under this paragraph to award grants
10 to State, county, or local law enforcement agencies,
11 including district attorneys, in consultation with
12 local education agencies or community-based agen-
13 cies, for the purposes of carrying out drug abuse
14 and violence prevention activities.

15 “(b) PROGRAMS AUTHORIZED.—

16 “(1) IN GENERAL.—A chief executive officer
17 shall use funds made available under subsection
18 (a)(1) for grants to or contracts with parent groups,
19 schools, community action and job training agencies,
20 community-based organizations, community anti-
21 drug coalitions, law enforcement education partner-
22 ships, and other public entities and private nonprofit
23 organizations and consortia thereof. In making such
24 grants and contracts, a chief executive officer shall

1 give priority to programs and activities described in
2 subsection (c) for—

3 “(A) children and youth who are not nor-
4 mally served by State or local educational agen-
5 cies; or

6 “(B) populations that need special services
7 or additional resources (such as preschoolers,
8 youth in juvenile detention facilities, runaway
9 or homeless children and youth, pregnant and
10 parenting teenagers, and school dropouts).

11 “(2) PEER REVIEW.—Grants or contracts
12 awarded under this subsection shall be subject to a
13 peer review process.

14 “(c) AUTHORIZED ACTIVITIES.—Grants and con-
15 tracts under subsection (b) shall be used to carry out the
16 comprehensive State plan as required under section
17 4112(a)(1) through programs and activities such as—

18 “(1) disseminating information about drug and
19 violence prevention;

20 “(2) training parents, law enforcement officials,
21 judicial officials, social service providers, health serv-
22 ice providers and community leaders about drug and
23 violence prevention, comprehensive health education,
24 early intervention, pupil services, or rehabilitation
25 referral;

1 “(3) developing and implementing comprehen-
2 sive, community-based drug and violence prevention
3 programs that link community resources with
4 schools and integrate services involving education,
5 vocational and job skills training and placement, law
6 enforcement, health, mental health, community serv-
7 ice, mentoring, and other appropriate services;

8 “(4) planning and implementing drug and vio-
9 lence prevention activities that coordinate the efforts
10 of State agencies with efforts of the State edu-
11 cational agency and its local educational agencies;

12 “(5) activities to protect students traveling to
13 and from school;

14 “(6) before-and-after school recreational, in-
15 structional, cultural, and artistic programs that en-
16 courage drug- and violence-free lifestyles;

17 “(7) activities that promote the awareness of
18 and sensitivity to alternatives to violence through
19 courses of study that include related issues of intol-
20 erance and hatred in history;

21 “(8) developing and implementing activities to
22 prevent and reduce violence associated with preju-
23 dice and intolerance;

24 “(9) developing and implementing strategies to
25 prevent illegal gang activity;

1 “(10) coordinating and conducting school and
2 community-wide violence and safety assessments and
3 surveys;

4 “(11) service-learning projects that encourage
5 drug- and violence-free lifestyles;

6 “(12) evaluating programs and activities as-
7 sisted under this section;

8 “(13) developing and implementing community
9 mobilization activities to undertake environmental
10 change strategies related to substance abuse and vio-
11 lence; and

12 “(14) partnerships between local law enforce-
13 ment agencies, including district attorneys, and local
14 education agencies or community-based agencies.

15 **“SEC. 4115. LOCAL APPLICATIONS.**

16 “(a) APPLICATION REQUIRED.—

17 “(1) IN GENERAL.—In order to be eligible to
18 receive a distribution under section 4113(d) for any
19 fiscal year, a local educational agency shall submit,
20 at such time as the State educational agency re-
21 quires, an application to the State educational agen-
22 cy for approval. Such an application shall be amend-
23 ed, as necessary, to reflect changes in the local edu-
24 cational agency’s program.

25 “(2) DEVELOPMENT.—

1 “(A) CONSULTATION.—A local educational
2 agency shall develop its application under sub-
3 section (a)(1) in consultation with a local or
4 substate regional advisory council that includes,
5 to the extent possible, representatives of local
6 government, business, parents, students, teach-
7 ers, pupil services personnel, appropriate State
8 agencies, private schools, the medical profes-
9 sion, law enforcement, community-based organi-
10 zations, and other groups with interest and ex-
11 pertise in drug and violence prevention.

12 “(B) DUTIES OF ADVISORY COUNCIL.—In
13 addition to assisting the local educational agen-
14 cy to develop an application under this section,
15 the advisory council established or designated
16 under subparagraph (A) shall, on an ongoing
17 basis—

18 “(i) disseminate information about
19 drug and violence prevention programs,
20 projects, and activities conducted within
21 the boundaries of the local educational
22 agency;

23 “(ii) advise the local educational agen-
24 cy regarding—

1 “(I) how best to coordinate such
2 agency’s activities under this subpart
3 with other related programs, projects,
4 and activities; and

5 “(II) the agencies that admin-
6 ister such programs, projects, and ac-
7 tivities; and

8 “(iii) review program evaluations and
9 other relevant material and make rec-
10 ommendations on an active and ongoing
11 basis to the local educational agency on
12 how to improve such agency’s drug and vi-
13 olence prevention programs.

14 “(b) CONTENTS OF APPLICATIONS.—An application
15 under this section shall contain—

16 “(1) an objective analysis of the current use
17 (and consequences of such use) of alcohol, tobacco,
18 and controlled, illegal, addictive or harmful sub-
19 stances as well as the violence, safety, and discipline
20 problems among students who attend the schools of
21 the applicant (including private school students who
22 participate in the applicant’s drug and violence pre-
23 vention program) that is based on ongoing local as-
24 sessment or evaluation activities;

1 “(2) an analysis, based on data reasonably
 2 available at the time, of the prevalence of risk or
 3 protective factors, buffers or assets or other re-
 4 search-based variables in the school and community;

5 “(3) a description of the research-based strate-
 6 gies and programs, which shall be used to prevent
 7 or reduce drug use, violence, or disruptive behavior,
 8 which shall include—

9 “(A) a specification of the objectively
 10 measurable goals, objectives, and activities for
 11 the program, which may include—

12 “(i) reductions in the use of alcohol,
 13 tobacco, and illicit drugs and violence by
 14 youth;

15 “(ii) specific reductions in the preva-
 16 lence of identified risk factors; or

17 “(iii) specific increases in the preva-
 18 lence of protective factors, buffers, or as-
 19 sets if any have been identified;

20 “(B) a specification for how risk factors, if
 21 any, which have been identified will be targeted
 22 through research-based programs; and

23 “(C) a specification for how protective fac-
 24 tors, buffers, or assets, if any, will be targeted
 25 through research-based programs;

1 “(4) a specification for the method or methods
2 by which measurements of program goals will be
3 achieved;

4 “(5) a specification for how the evaluation of
5 the effectiveness of the prevention program will be
6 assessed and how the results will be used to refine,
7 improve, and strengthen the program;

8 “(6) an assurance that the applicant has, or the
9 schools to be served have, a comprehensive safe and
10 drug-free schools plan that includes—

11 “(A) appropriate and effective discipline
12 policies that prohibit disorderly conduct, the
13 possession of firearms and other weapons, and
14 the illegal use, possession, distribution, and sale
15 of tobacco, alcohol, and other drugs by stu-
16 dents;

17 “(B) security procedures at school and
18 while students are on the way to and from
19 school;

20 “(C) prevention activities that are designed
21 to create and maintain safe, disciplined, and
22 drug-free environments; and

23 “(D) a crisis management plan for re-
24 sponding to violent or traumatic incidents on
25 school grounds; and

1 “(7) such other information and assurances as
 2 the State educational agency may reasonably re-
 3 quire.

4 “(c) REVIEW OF APPLICATION.—

5 “(1) IN GENERAL.—In reviewing local applica-
 6 tions under this section, a State educational agency
 7 shall use a peer review process or other methods of
 8 assuring the quality of such applications.

9 “(2) CONSIDERATIONS.—

10 “(A) IN GENERAL.—In determining wheth-
 11 er to approve the application of a local edu-
 12 cational agency under this section, a State edu-
 13 cational agency shall consider the quality of the
 14 local educational agency’s comprehensive plan
 15 under subsection (b)(6) and the extent to which
 16 the proposed plan provides a thorough assess-
 17 ment of the substance abuse and violence prob-
 18 lem, uses objective data and the knowledge of
 19 a wide range of community members, develops
 20 measurable goals and objectives, and imple-
 21 ments research-based programs that have been
 22 shown to be effective and meet identified needs.

23 “(B) DISAPPROVAL.—A State educational
 24 agency may disapprove a local educational
 25 agency application under this section in whole

or in part and may withhold, limit, or place restrictions on the use of funds allotted to such a local educational agency in a manner the State educational agency determines will best promote the purposes of this part, except that a local educational agency shall be afforded an opportunity to appeal any such disapproval.

“SEC. 4116. LOCAL DRUG AND VIOLENCE PREVENTION PROGRAMS.

“(a) PROGRAM REQUIREMENTS.—A local educational agency shall use funds received under this subpart to adopt and carry out a comprehensive drug and violence prevention program which shall—

“(1) be designed, for all students and employees, to—

“(A) prevent the use, possession, and distribution of tobacco, alcohol, and illegal drugs by students and to prevent the illegal use, possession, and distribution of such substances by employees;

“(B) prevent violence and promote school safety; and

“(C) create a disciplined environment conducive to learning;

1 “(2) include activities to promote the involve-
 2 ment of parents and coordination with community
 3 groups and agencies, including the distribution of in-
 4 formation about the local educational agency’s
 5 needs, goals, and programs under this subpart;

6 “(3) implement activities which include—

7 “(A) a thorough assessment of the sub-
 8 stance abuse violence problem, using objective
 9 data and the knowledge of a wide range of com-
 10 munity members;

11 “(B) the development of measurable goals
 12 and objectives; and

13 “(C) the implementation of research-based
 14 programs that have been shown to be effective
 15 and meet identified goals;

16 “(4) implement prevention programming activi-
 17 ties within the context of a research-based preven-
 18 tion framework; and

19 “(5) include a description of the applicant’s to-
 20 bacco, alcohol, and other drug policies.

21 “(b) AUTHORIZED ACTIVITIES.—A comprehensive
 22 drug and violence prevention program carried out under
 23 this subpart may include—

24 “(1) age-appropriate, developmentally based
 25 drug prevention and education programs for all stu-

dents, from the preschool level through grade 12, that address the legal, social, personal and health consequences of the use of illegal drugs, promote a sense of individual responsibility, and provide information about effective techniques for resisting peer pressure to use illegal drugs;

“(2) programs of drug prevention, comprehensive health education, early intervention, pupil services, mentoring, or rehabilitation referral, which emphasize students’ sense of individual responsibility and which may include—

“(A) the dissemination of information about drug prevention;

“(B) the professional development of school personnel, parents, students, law enforcement officials, judicial officials, health service providers and community leaders in prevention, education, early intervention, pupil services or rehabilitation referral; and

“(C) the implementation of strategies, including strategies to integrate the delivery of services from a variety of providers, to combat illegal alcohol, tobacco and drug use, such as—

“(i) family counseling;

1 “(ii) early intervention activities that
 2 prevent family dysfunction, enhance school
 3 performance, and boost attachment to
 4 school and family; and

5 “(iii) activities, such as community
 6 service and service-learning projects, that
 7 are designed to increase students’ sense of
 8 community;

9 “(3) age-appropriate, developmentally based vi-
 10 olence prevention and education programs for all
 11 students, from the preschool level through grade 12,
 12 that address the legal, health, personal, and social
 13 consequences of violent and disruptive behavior, in-
 14 cluding sexual harassment and abuse, and victimiza-
 15 tion associated with prejudice and intolerance, and
 16 that include activities designed to help students de-
 17 velop a sense of individual responsibility and respect
 18 for the rights of others, and to resolve conflicts with-
 19 out violence, or otherwise decrease the prevalence of
 20 risk factors or increase the prevalence of protective
 21 factors, buffers, or assets in the community;

22 “(4) violence prevention programs for school-
 23 aged youth, which emphasize students’ sense of indi-
 24 vidual responsibility and may include—

1 “(A) the dissemination of information
2 about school safety and discipline;

3 “(B) the professional development of
4 school personnel, parents, students, law enforce-
5 ment officials, judicial officials, and community
6 leaders in designing and implementing strate-
7 gies to prevent school violence;

8 “(C) the implementation of strategies, such
9 as conflict resolution and peer mediation, stu-
10 dent outreach efforts against violence, anti-
11 crime youth councils (which work with school
12 and community-based organizations to discuss
13 and develop crime prevention strategies), and
14 the use of mentoring programs, to combat
15 school violence and other forms of disruptive
16 behavior, such as sexual harassment and abuse;
17 and

18 “(D) the development and implementation
19 of character education programs, as a compo-
20 nent of a comprehensive drug or violence pre-
21 vention program, that are tailored by commu-
22 nities, parents and schools; and

23 “(E) comprehensive, community-wide
24 strategies to prevent or reduce illegal gang ac-
25 tivities and drug use;

1 “(5) supporting ‘safe zones of passage’ for stu-
 2 dents between home and school through such meas-
 3 ures as Drug- and Weapon-Free School Zones, en-
 4 hanced law enforcement, and neighborhood patrols;

5 “(6) acquiring and installing metal detectors
 6 and hiring security personnel;

7 “(7) professional development for teachers and
 8 other staff and curricula that promote the awareness
 9 of and sensitivity to alternatives to violence through
 10 courses of study that include related issues of intoler-
 11 erance and hatred in history;

12 “(8) the promotion of before-and-after school
 13 recreational, instructional, cultural, and artistic pro-
 14 grams in supervised community settings;

15 “(9) other research-based prevention program-
 16 ming that is—

17 “(A) effective in reducing the prevalence of
 18 alcohol, tobacco or drug use, and violence in
 19 youth;

20 “(B) effective in reducing the prevalence of
 21 risk factors predictive of increased alcohol, to-
 22 bacco or drug use, and violence; or

23 “(C) effective in increasing the prevalence
 24 of protective factors, buffers, and assets pre-

1 dictive of decreased alcohol, tobacco or drug use
 2 and violence among youth;

3 “(10) the collection of objective data used to as-
 4 sess program needs, program implementation, or
 5 program success in achieving program goals and ob-
 6 jectives;

7 “(11) community involvement activities includ-
 8 ing community rehabilitation;

9 “(12) parental involvement and training; and

10 “(13) the evaluation of any of the activities au-
 11 thorized under this subsection.

12 “(c) LIMITATIONS.—

13 “(1) IN GENERAL.—Not more than 20 percent
 14 of the funds made available to a local educational
 15 agency under this subpart may be used to carry out
 16 the activities described in paragraphs (5) and (6) of
 17 subsection (b).

18 “(2) SPECIAL RULE.—A local educational agen-
 19 cy shall only be able to use funds received under this
 20 subpart for activities described in paragraphs (5)
 21 and (6) of subsection (b) if funding for such activi-
 22 ties is not received from other Federal agencies.

23 “(d) ADMINISTRATIVE PROVISIONS.—Notwith-
 24 standing any other provisions of law, any funds expended
 25 prior to July 1, 1995, under part B of the Drug-Free

1 Schools and Communities Act of 1986 (as in effect prior
 2 to enactment of the Improving America’s Schools Act) for
 3 the support of a comprehensive school health program
 4 shall be deemed to have been authorized by part B of such
 5 Act.

6 **“SEC. 4117. EVALUATION AND REPORTING.**

7 “(a) NATIONAL IMPACT EVALUATION.—

8 “(1) BIENNIAL EVALUATION.—The Secretary,
 9 in consultation with the National Advisory Com-
 10 mittee, shall conduct an independent biennial evalua-
 11 tion of the national impact of programs assisted
 12 under this subpart and of other recent and new ini-
 13 tiatives to combat violence in schools. The evaluation
 14 shall report on—

15 “(A) whether funded community and local
 16 education agency programs—

17 “(i) provided a thorough assessment
 18 of the substance abuse and violence prob-
 19 lem;

20 “(ii) used objective data and the
 21 knowledge of a wide range of community
 22 members;

23 “(iii) developed measurable goals and
 24 objectives; and

1 “(iv) implemented a research-based
2 program that has been show to be effective
3 and meet identified needs;

4 “(B) whether funded community and local
5 education agency programs have been designed
6 and implemented in a manner that specifically
7 targets, if relevant to the program—

8 “(i) research-based variables that are
9 predictive of drug use or violence;

10 “(ii) risk factors that are predictive of
11 an increased likelihood that young people
12 will use drugs, alcohol or tobacco or en-
13 gage in violence or drop out of school; or

14 “(iii) protective factors, buffers, or as-
15 sets that are known to protect children and
16 youth from exposure to risk, either by re-
17 ducing the exposure to risk factors or by
18 changing the way the young person re-
19 sponds to risk, and to increase the likeli-
20 hood of positive youth development; and

21 “(C) whether funded community and local
22 education agency programs have appreciably re-
23 duced the level of drug, alcohol and tobacco use
24 and school violence and the presence of firearms
25 at schools.

1 “(2) DATA COLLECTION.—The National Center
 2 for Education Statistics shall collect data to deter-
 3 mine the frequency, seriousness, incidence and prev-
 4 alence, age of onset, perception of health risk, and
 5 perception of social disapproval of drug use and vio-
 6 lence in elementary and secondary schools in the
 7 States. The Secretary shall collect the data using,
 8 wherever appropriate, data submitted by the States
 9 pursuant to subsection (b)(2)(B).

10 “(3) BIENNIAL REPORT.—Not later than Janu-
 11 ary 1, 2002, and every 2 years thereafter, the Sec-
 12 retary shall submit to the President and Congress a
 13 report on the findings of the evaluation conducted
 14 under paragraph (1) together with the data collected
 15 under paragraph (2).

16 “(b) STATE REPORT.—

17 “(1) IN GENERAL.—By October 1, 2001, and
 18 every 2 years thereafter, the chief executive officer
 19 of the State, in cooperation with the State edu-
 20 cational agency, shall submit to the Secretary a
 21 report—

22 “(A) on the implementation and outcomes
 23 of State programs under section 4114 and sec-
 24 tion 4113(b) and local educational agency pro-

1 grams under section 4113(d), as well as an as-
 2 sessment of their effectiveness; and

3 “(B) on the State’s progress toward at-
 4 taining its goals for drug and violence preven-
 5 tion under subsections (b)(1) and (c)(1) of sec-
 6 tion 4112.

7 “(2) SPECIAL RULE.—The report required by
 8 this subsection shall be—

9 “(A) in the form specified by the Sec-
 10 retary;

11 “(B) based on the State’s ongoing evalua-
 12 tion activities, and shall include data on the in-
 13 cidence and prevalence, age of onset, perception
 14 of health risk, and perception of social dis-
 15 approval of drug use and violence by youth in
 16 schools and communities; and

17 “(C) made readily available to the public.

18 “(c) LOCAL EDUCATIONAL AGENCY REPORT.—

19 “(1) IN GENERAL.—Each local educational
 20 agency receiving funds under this subpart shall sub-
 21 mit to the State educational agency such informa-
 22 tion that the State requires to complete the State re-
 23 port required by subsection (b).

1 “(2) AVAILABILITY.—Information under para-
2 graph (1) shall be made readily available to the pub-
3 lic.

4 “(3) PROVISION OF DOCUMENTATION.—Not
5 later than January 1 of each year that a State is re-
6 quired to report under subsection (b), the Secretary
7 shall provide to the State education agency all of the
8 necessary documentation required for compliance
9 with this section.

10 **“SEC. 4118. PROGRAMS FOR NATIVE HAWAIIANS.**

11 “(a) GENERAL AUTHORITY.—From the funds made
12 available pursuant to section 4111(a)(4) to carry out this
13 section, the Secretary shall make grants to or enter into
14 cooperative agreements or contracts with organizations
15 primarily serving and representing Native Hawaiians
16 which are recognized by the Governor of the State of Ha-
17 waii to plan, conduct, and administer programs, or por-
18 tions thereof, which are authorized by and consistent with
19 the provisions of this title for the benefit of Native Hawai-
20 ians.

21 “(b) DEFINITION OF NATIVE HAWAIIAN.—For the
22 purposes of this section, the term ‘Native Hawaiian’
23 means any individual any of whose ancestors were natives,
24 prior to 1778, of the area which now comprises the State
25 of Hawaii.

“Subpart 2—National Programs**“SEC. 4121. FEDERAL ACTIVITIES.**

“(a) PROGRAM AUTHORIZED.—From funds made available to carry out this subpart under section 4004(2), the Secretary, in consultation with the Secretary of Health and Human Services, the Director of the Office of National Drug Control Policy, and the Attorney General, shall carry out programs to prevent the illegal use of drugs and violence among, and promote safety and discipline for, students at all educational levels from preschool through the postsecondary level. The Secretary shall carry out such programs directly, or through grants, contracts, or cooperative agreements with public and private nonprofit organizations and individuals, or through agreements with other Federal agencies, and shall coordinate such programs with other appropriate Federal activities. Such programs may include—

“(1) the development and demonstration of innovative strategies for training school personnel, parents, and members of the community, including the demonstration of model preservice training programs for prospective school personnel;

“(2) demonstrations and rigorous evaluations of innovative approaches to drug and violence prevention;

1 “(3) the provision of information on drug abuse
2 education and prevention to the Secretary of Health
3 and Human Services for dissemination by the clear-
4 inghouse for alcohol and drug abuse information es-
5 tablished under section 501(d)(16) of the Public
6 Health Service Act;

7 “(4) the development of curricula related to
8 child abuse prevention and education and the train-
9 ing of personnel to teach child abuse education and
10 prevention to elementary and secondary school-
11 children;

12 “(5) program evaluations in accordance with
13 section 14701 that address issues not addressed
14 under section 4117(a);

15 “(6) direct services to schools and school sys-
16 tems afflicted with especially severe drug and vio-
17 lence problems or to support crisis situations and
18 appropriate response efforts;

19 “(7) activities in communities designated as
20 empowerment zones or enterprise communities that
21 will connect schools to community-wide efforts to re-
22 duce drug and violence problems;

23 “(8) developing and disseminating drug and vi-
24 olence prevention materials, including video-based
25 projects and model curricula;

1 “(9) developing and implementing a comprehen-
2 sive violence prevention strategy for schools and
3 communities, that may include conflict resolution,
4 peer mediation, the teaching of law and legal con-
5 cepts, and other activities designed to stop violence;

6 “(10) the implementation of innovative activi-
7 ties, such as community service projects, designed to
8 rebuild safe and healthy neighborhoods and increase
9 students’ sense of individual responsibility;

10 “(11) grants to noncommercial telecommuni-
11 cations entities for the production and distribution
12 of national video-based projects that provide young
13 people with models for conflict resolution and re-
14 sponsible decisionmaking;

15 “(12) the development of education and train-
16 ing programs, curricula, instructional materials, and
17 professional training and development for preventing
18 and reducing the incidence of crimes and conflicts
19 motivated by hate in localities most directly affected
20 by hate crimes; and

21 “(13) other activities that meet unmet national
22 needs related to the purposes of this title.

23 “(b) PEER REVIEW.—The Secretary shall use a peer
24 review process in reviewing applications for funds under
25 this section.

1 **“SEC. 4122. NATIONAL COORDINATOR PROGRAM.**

2 “(a) IN GENERAL.—The Secretary shall provide for
3 the establishment of a National Coordinator Program
4 under which the Secretary shall award grants to local edu-
5 cation agencies for the hiring of drug prevention and
6 school safety program coordinators.

7 “(b) USE OF FUNDS.—Amounts received under a
8 grant under subsection (a) shall be used by local education
9 agencies to recruit, hire, and train individuals to serve as
10 drug prevention and school safety program coordinators
11 in schools with significant drug and school safety prob-
12 lems. Such coordinators shall be responsible for devel-
13 oping, conducting, and analyzing assessments of drug and
14 crime problems at their schools, and administering the
15 safe and drug free grant program at such schools.

16 **“SEC. 4123. SAFE AND DRUG FREE SCHOOLS AND COMMU-**
17 **NITIES ADVISORY COMMITTEE.**

18 “(a) ESTABLISHMENT.—

19 “(1) IN GENERAL.—There is hereby established
20 an advisory committee to be known as the ‘Safe and
21 Drug Free Schools and Communities Advisory Com-
22 mittee’ (referred to in this section as the ‘Advisory
23 Committee’) to—

24 “(A) consult with the Secretary under sub-
25 section (b);

1 “(B) coordinate Federal school- and com-
 2 munity-based substance abuse and violence pre-
 3 vention programs and reduce duplicative re-
 4 search or services;

5 “(C) develop core data sets and evaluation
 6 protocols for safe and drug free school- and
 7 community-based programs;

8 “(D) provide technical assistance and
 9 training for safe and drug free school- and com-
 10 munity-based programs;

11 “(E) provide for the diffusion of research-
 12 based safe and drug free school- and commu-
 13 nity-based programs; and

14 “(F) review other regulations and stand-
 15 ards developed under this title.

16 “(2) COMPOSITION.—The Advisory Committee
 17 shall be composed of representatives from—

18 “(A) the Department of Education,

19 “(B) the Centers for Disease Control and
 20 Prevention;

21 “(C) the National Institute on Drug
 22 Abuse;

23 “(D) the National Institute on Alcoholism
 24 and Alcohol Abuse;

1 “(E) the Center for Substance Abuse Pre-
2 vention;

3 “(F) the Center for Mental Health Serv-
4 ices;

5 “(G) the Office of Juvenile Justice and
6 Delinquency Prevention;

7 “(H) the Office of National Drug Control
8 Policy; and

9 “(I) State and local governments, including
10 education agencies.

11 “(3) CONSULTATION.—In carrying out its du-
12 ties under this section, the Advisory Committee shall
13 annually consult with interested State and local co-
14 ordinators of school- and community-based sub-
15 stance abuse and violence prevention programs and
16 other interested groups.

17 “(b) PROGRAMS.—

18 “(1) IN GENERAL.—From funds made available
19 to carry out this subpart, the Secretary, in consulta-
20 tion with the Advisory Committee, shall carry out re-
21 search-based programs to strengthen the account-
22 ability and effectiveness of the State, Governor’s,
23 and national programs under this title.

24 “(2) GRANTS, CONTRACTS OR COOPERATIVE
25 AGREEMENTS.—The Secretary shall carry out para-

graph (1) directly or through grants, contracts, or cooperative agreements with public and nonprofit private organizations and individuals or through agreements with other Federal agencies.

“(3) COORDINATION.—The Secretary shall coordinate programs under this section with other appropriate Federal activities.

“(4) ACTIVITIES.—Activities that may be carried out under programs funded under this section may include—

“(A) the provision of technical assistance and training, in collaboration with other Federal agencies utilizing their expertise and national and regional training systems, for Governors, State education agencies and local education agencies to support high quality, effective programs that—

“(i) provide a thorough assessment of the substance abuse and violence problem;

“(ii) utilize objective data and the knowledge of a wide range of community members;

“(iii) develop measurable goals and objectives; and

1 “(iv) implement research-based activi-
 2 ties that have been shown to be effective
 3 and that meet identified needs;

4 “(B) the provision of technical assistance
 5 and training to foster program accountability;

6 “(C) the diffusion and dissemination of
 7 best practices and programs;

8 “(D) the development of core data sets and
 9 evaluation tools;

10 “(E) program evaluations;

11 “(F) the provision of information on drug
 12 abuse education and prevention to the Secretary
 13 of Health and Human Services for dissemina-
 14 tion by the Clearinghouse for Alcohol and Drug
 15 Abuse Information established under section
 16 501(d)(16) of the Public Health Service Act;
 17 and

18 “(G) other activities that meet unmet
 19 needs related to the purposes of this title and
 20 that are undertaken in consultation with the
 21 Advisory Committee.

22 **“SEC. 4124. HATE CRIME PREVENTION.**

23 “(a) GRANT AUTHORIZATION.—From funds made
 24 available to carry out this subpart under section 4004(1)
 25 the Secretary may make grants to local educational agen-

1 cies and community-based organizations for the purpose
 2 of providing assistance to localities most directly affected
 3 by hate crimes.

4 “(b) USE OF FUNDS.—

5 “(1) PROGRAM DEVELOPMENT.—Grants under
 6 this section may be used to improve elementary and
 7 secondary educational efforts, including—

8 “(A) development of education and train-
 9 ing programs designed to prevent and to reduce
 10 the incidence of crimes and conflicts motivated
 11 by hate;

12 “(B) development of curricula for the pur-
 13 pose of improving conflict or dispute resolution
 14 skills of students, teachers, and administrators;

15 “(C) development and acquisition of equip-
 16 ment and instructional materials to meet the
 17 needs of, or otherwise be part of, hate crime or
 18 conflict programs; and

19 “(D) professional training and develop-
 20 ment for teachers and administrators on the
 21 causes, effects, and resolutions of hate crimes
 22 or hate-based conflicts.

23 “(2) IN GENERAL.—In order to be eligible to
 24 receive a grant under this section for any fiscal year,
 25 a local educational agency, or a local educational

1 agency in conjunction with a community-based orga-
2 nization, shall submit an application to the Secretary
3 in such form and containing such information as the
4 office may reasonably require.

5 “(3) REQUIREMENTS.—Each application under
6 paragraph (2) shall include—

7 “(A) a request for funds for the purposes
8 described in this section;

9 “(B) a description of the schools and com-
10 munities to be served by the grants; and

11 “(C) assurances that Federal funds re-
12 ceived under this section shall be used to sup-
13 plement, not supplant, non-Federal funds.

14 “(4) COMPREHENSIVE PLAN.—Each application
15 shall include a comprehensive plan that contains—

16 “(A) a description of the hate crime or
17 conflict problems within the schools or the com-
18 munity targeted for assistance;

19 “(B) a description of the program to be
20 developed or augmented by such Federal and
21 matching funds;

22 “(C) assurances that such program or ac-
23 tivity shall be administered by or under the su-
24 pervision of the applicant;

1 “(D) proper and efficient administration of
2 such program; and

3 “(E) fiscal control and fund accounting
4 procedures as may be necessary to ensure pru-
5 dent use, proper disbursement, and accurate ac-
6 counting of funds received under this section.

7 “(c) AWARD OF GRANTS.—

8 “(1) SELECTION OF RECIPIENTS.—The Sec-
9 retary shall consider the incidence of crimes and
10 conflicts motivated by bias in the targeted schools
11 and communities in awarding grants under this
12 section.

13 “(2) GEOGRAPHIC DISTRIBUTION.—The Sec-
14 retary shall attempt, to the extent practicable, to
15 achieve an equitable geographic distribution of grant
16 awards.

17 “(3) DISSEMINATION OF INFORMATION.—The
18 Secretary shall attempt, to the extent practicable, to
19 make available information regarding successful hate
20 crime prevention programs, including programs es-
21 tablished or expanded with grants under this section.

22 “(d) REPORTS.—The Secretary shall submit to the
23 Congress a report every two years which shall contain a
24 detailed statement regarding grants and awards, activities

1 of grant recipients, and an evaluation of programs estab-
 2 lished under this section.

3 **“Subpart 3—General Provisions**

4 **“SEC. 4131. DEFINITIONS.**

5 “In this part:

6 “(1) COMMUNITY-BASED ORGANIZATION.—The
 7 term ‘community-based organization’ means a pri-
 8 vate nonprofit organization which is representative
 9 of a community or significant segments of a commu-
 10 nity and which provides educational or related serv-
 11 ices to individuals in the community.

12 “(2) DRUG AND VIOLENCE PREVENTION.—The
 13 term ‘drug and violence prevention’ means—

14 “(A) with respect to drugs, prevention,
 15 early intervention, rehabilitation referral, or
 16 education related to the illegal use of alcohol
 17 and the use of controlled, illegal, addictive, or
 18 harmful substances, including inhalants and an-
 19 abolic steroids;

20 “(B) prevention, early intervention, smok-
 21 ing cessation activities, or education, related to
 22 the use of tobacco by children and youth eligible
 23 for services under this title; and

24 “(C) with respect to violence, the pro-
 25 motion of school safety, such that students and

1 school personnel are free from violent and dis-
 2 ruptive acts, including sexual harassment and
 3 abuse, and victimization associated with preju-
 4 dice and intolerance, on school premises, going
 5 to and from school, and at school-sponsored ac-
 6 tivities, through the creation and maintenance
 7 of a school environment that is free of weapons
 8 and fosters individual responsibility and respect
 9 for the rights of others.

10 “(3) HATE CRIME.—The term ‘hate crime’
 11 means a crime as described in section 1(b) of the
 12 Hate Crime Statistics Act of 1990.

13 “(4) NONPROFIT.—The term ‘nonprofit’, as ap-
 14 plied to a school, agency, organization, or institution
 15 means a school, agency, organization, or institution
 16 owned and operated by one or more nonprofit cor-
 17 porations or associations, no part of the net earnings
 18 of which inures, or may lawfully inure, to the benefit
 19 of any private shareholder or individual.

20 “(5) OBJECTIVELY MEASURABLE GOALS.—The
 21 term ‘objectively measurable goals’ means prevention
 22 programming goals defined through use of quan-
 23 titative epidemiological data measuring the preva-
 24 lence of alcohol, tobacco, and other drug use, vio-
 25 lence, and the prevalence of risk and protective fac-

1 tors predictive of these behaviors, collected through
 2 a variety of methods and sources known to provide
 3 high quality data.

4 “(6) PROTECTIVE FACTOR, BUFFER, OR
 5 ASSET.—The terms ‘protective factor’, ‘buffer’, and
 6 ‘asset’ mean any one of a number of the community,
 7 school, family, or peer-individual domains that are
 8 known, through prospective, longitudinal research ef-
 9 forts, or which are grounded in a well-established
 10 theoretical model of prevention, and have been
 11 shown to prevent alcohol, tobacco, or illicit drug use,
 12 as well as violent behavior, by youth in the commu-
 13 nity, and which promote positive youth development.

14 “(7) RISK FACTOR.—The term ‘risk factor’
 15 means any one of a number of characteristics of the
 16 community, school, family, or peer-individual do-
 17 mains that are known, through prospective, longitu-
 18 dinal research efforts, to be predictive of alcohol, to-
 19 bacco, and illicit drug use, as well as violent behav-
 20 ior, by youth in the school and community.

21 “(8) SCHOOL-AGED POPULATION.—The term
 22 ‘school-aged population’ means the population aged
 23 five through 17, as determined by the Secretary on
 24 the basis of the most recent satisfactory data avail-
 25 able from the Department of Commerce.

1 “(9) SCHOOL PERSONNEL.—The term ‘school
2 personnel’ includes teachers, administrators, guid-
3 ance counselors, social workers, psychologists,
4 nurses, librarians, and other support staff who are
5 employed by a school or who perform services for the
6 school on a contractual basis.

7 **“SEC. 4132. MATERIALS.**

8 “(a) ‘ILLEGAL AND HARMFUL’ MESSAGE.—Drug
9 prevention programs supported under this part shall con-
10 vey a clear and consistent message that the illegal use of
11 alcohol and other drugs is illegal and harmful.

12 “(b) CURRICULUM.—The Secretary shall not pre-
13 scribe the use of specific curricula for programs supported
14 under this part, but may evaluate the effectiveness of such
15 curricula and other strategies in drug and violence preven-
16 tion.

17 **“SEC. 4133. PROHIBITED USES OF FUNDS.**

18 “No funds under this part may be used for—

19 “(1) construction (except for minor remodeling
20 needed to accomplish the purposes of this part); and

21 “(2) medical services, drug treatment or reha-
22 bilitation, except for pupil services or referral to
23 treatment for students who are victims of or wit-
24 nesses to crime or who use alcohol, tobacco, or
25 drugs.

1 **“SEC. 4134. QUALITY RATING.**

2 “(a) IN GENERAL.—The chief executive officer of
3 each State, or in the case of a State in which the constitu-
4 tion or law of such State designates another individual,
5 entity, or agency in the State to be responsible for edu-
6 cation activities, such individual, entity, or agency, is au-
7 thorized and encouraged—

8 “(1) to establish a standard of quality for drug,
9 alcohol, and tobacco prevention programs imple-
10 mented in public elementary schools and secondary
11 schools in the State in accordance with subsection
12 (b); and

13 “(2) to identify and designate, upon application
14 by a public elementary school or secondary school,
15 any such school that achieves such standard as a
16 quality program school.

17 “(b) CRITERIA.—The standard referred to in sub-
18 section (a) shall address, at a minimum—

19 “(1) a comparison of the rate of illegal use of
20 drugs, alcohol, and tobacco by students enrolled in
21 the school for a period of time to be determined by
22 the chief executive officer of the State;

23 “(2) the rate of suspensions or expulsions of
24 students enrolled in the school for drug, alcohol, or
25 tobacco-related offenses;

1 “(3) the effectiveness of the drug, alcohol, or
2 tobacco prevention program as proven by research;

3 “(4) the involvement of parents and community
4 members in the design of the drug, alcohol, and to-
5 bacco prevention program; and

6 “(5) the extent of review of existing community
7 drug, alcohol, and tobacco prevention programs be-
8 fore implementation of the public school program.

9 “(c) REQUEST FOR QUALITY PROGRAM SCHOOL
10 DESIGNATION.—A school that wishes to receive a quality
11 program school designation shall submit a request and
12 documentation of compliance with this section to the chief
13 executive officer of the State or the individual, entity, or
14 agency described in subsection (a), as the case may be.

15 “(d) PUBLIC NOTIFICATION.—Not less than once a
16 year, the chief executive officer of each State or the indi-
17 vidual, entity, or agency described in subsection (a), as
18 the case may be, shall make available to the public a list
19 of the names of each public school in the State that has
20 received a quality program school designation in accord-
21 ance with this section.”.

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