

111TH CONGRESS
1ST SESSION

H. R. 1589

To amend the Safe and Drug-Free Schools and Communities Act to authorize the use of grant funds for gang prevention, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 18, 2009

Ms. LINDA T. SÁNCHEZ of California (for herself, Mr. EHLERS, Mrs. CAPPS, Mr. COHEN, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. HARE, Mr. HASTINGS of Florida, Mr. HINOJOSA, Mr. HOLT, Mr. HONDA, Ms. LEE of California, Mr. MEEKS of New York, Mrs. NAPOLITANO, Mr. REYES, Mr. SIRES, Ms. SUTTON, and Mr. DAVIS of Illinois) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend the Safe and Drug-Free Schools and Communities Act to authorize the use of grant funds for gang prevention, and for other purposes.

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 “Bullying and Gang
5 Reduction for Improved Education Act”.

1 **SEC. 2. AMENDMENTS TO SAFE AND DRUG-FREE SCHOOLS**
2 **AND COMMUNITIES ACT.**

3 (a) FINDINGS.—The Safe and Drug-Free Commu-
4 nities Act (part A of title IV of the Elementary and Sec-
5 ondary Education Act of 1965) is amended by inserting
6 after section 4001 (20 U.S.C. 7101) the following:

7 **“SEC. 4001A. FINDINGS.**

8 “Congress finds the following:

9 “(1) Bullying among children is aggressive be-
10 havior that is intentional, involves an imbalance of
11 social or physical power or strength, and is typically
12 repeated over time.

13 “(2) A child who is being bullied or harassed
14 often has a hard time defending himself or herself.

15 “(3) Bullying can take many forms, including
16 hitting or punching; teasing or name-calling; intimi-
17 dation through gestures or social exclusion; and
18 sending insulting, threatening, or offensive messages
19 via Internet sites, e-mail, instant messaging, SMS,
20 telephone, or any other electronic messaging system.

21 “(4) There is no single cause of bullying among
22 children; rather, individual, familial, peer, school,
23 and community factors may place a child or youth
24 at risk of bullying his or her peers.

1 “(5) A majority of parents, students, and edu-
2 cators report that bullying and harassment are
3 issues of major concern.

4 “(6) Research indicates that children and youth
5 with disabilities or special needs and children and
6 youth who are lesbian, gay, bisexual, or trans-gen-
7 der, or who are perceived to be so, face a higher risk
8 of being bullied than other children.

9 “(7) Children and youth who are overweight or
10 obese are at increased risk for bullying by peers.
11 Weight-based teasing is consistently associated with
12 high depressive symptoms, thinking about or at-
13 tempting suicide, and the development of binge eat-
14 ing and bulimia nervosa later in life. As young as
15 the third grade, girls who experience harassment re-
16 port lower self-esteem and satisfaction with their
17 weight and shape.

18 “(8) The degree to which a child is teased is
19 positively related to weight concerns, loneliness,
20 lower confidence in physical appearance, and higher
21 preference for isolative activities which are associ-
22 ated with decreased levels of physical activity among
23 overweight youth.

24 “(9) Research indicates that adolescents in un-
25 safe neighborhoods engage in less physical activity

1 than their peers; and that physical activity programs
2 can improve health, reduce obesity, and have positive
3 effects on academic achievement.

4 “(10) Children and youth who are bullied are
5 more likely than other children to be depressed,
6 lonely, or anxious; have low self-esteem; be absent
7 from school; suffer from headaches; complain of
8 stomach aches; have problems sleeping; experience
9 fatigue and poor appetite; and think about suicide.

10 “(11) Bullying can be a sign of other serious
11 antisocial behavior or violent behavior or both.

12 “(12) Children and youth who frequently bully
13 their peers are more likely than their peers to get
14 into frequent fights, be injured in a fight, vandalize
15 or steal property, drink alcohol, smoke, be truant
16 from school, drop out of school, and carry a weapon.

17 “(13) A study by the Department of Education
18 indicates harassment and bullying have been linked
19 to 75 percent of school shooting incidents, including
20 the fatal shootings at Columbine High School in Col-
21 orado and Santana High School in California.

22 “(14) Gang involvement and exposure to peer
23 violence greatly increases a youth’s likelihood of en-
24 gaging in violent behavior.

1 “(15) Youth who have been involved in gang ac-
2 tivity and violent behavior have a significantly great-
3 er chance of continuing to be involved in criminal
4 behavior as adults.

5 “(16) Ninety-one percent of students who are
6 not involved with gangs report that they expect to
7 complete high school, yet only seventy-five percent of
8 gang-involved youths expect to finish high school.

9 “(17) Children from areas with significant gang
10 influence or activity struggle with strategies to main-
11 tain their safety and report weighing the benefits
12 and costs of avoiding gangs or engaging with them.

13 “(18) Repeated exposure to violence is a cause
14 of childhood trauma, depression, anxiety, post-trau-
15 matic stress, aggression, violence, and other serious
16 behavioral problems.

17 “(19) Bullying, harassment, and gang-related
18 activity have serious safety consequences for schools
19 and the students who attend them: thirty-nine per-
20 cent of middle schoolers and thirty-six percent of
21 high schoolers say they don’t feel safe at school.

22 “(20) The stresses of being bullied, harassed, or
23 involved with a gang can interfere with a student’s
24 engagement in school and can negatively impact stu-
25 dent learning.

1 “(21) Research indicates that bullying at school
2 can be significantly reduced through comprehensive,
3 school-wide programs designed to change norms for
4 behavior.

5 “(22) Evaluations of school-based gang preven-
6 tion and education programs show that they can re-
7 duce delinquency and gang activity and increase
8 commitment to peers and law enforcement.”.

9 (b) PURPOSE.—Section 4002 (20 U.S.C. 7102) of
10 that Act is amended—

11 (1) in the matter preceding paragraph (1)—

12 (A) by striking “violence” and inserting
13 “violence, bullying, harassment, and gangs”;
14 and

15 (B) by inserting after “supports student
16 academic achievement” the following: “and fa-
17 cilitates healthy, physically active lifestyles”;

18 (2) in paragraph (1) by striking “drug and vio-
19 lence prevention” and inserting “drug, violence, bul-
20 lying, and gang prevention”;

21 (3) in paragraph (2) by striking “drug and vio-
22 lence prevention” both places such term appears and
23 inserting “drug, violence, bullying, and gang preven-
24 tion”; and

25 (4) in paragraph (4)—

1 (A) by striking “drug and violence preven-
2 tion” and inserting “drug, violence, bullying,
3 and gang prevention”; and

4 (B) by striking “drug use and violence”
5 and inserting “drug use, violence, bullying, and
6 gangs”.

7 (c) RESERVATION OF STATE FUNDS FOR SAFE AND
8 DRUG-FREE SCHOOLS.—Section 4112 of that Act (20
9 U.S.C. 7112) is amended—

10 (1) in subsection (a)—

11 (A) in paragraph (2), in the matter pre-
12 ceding subparagraph (A), by striking “drug use
13 and violence” and inserting “drug use, violence,
14 bullying, and gangs”;

15 (B) in paragraph (3) by striking “drug
16 and violence prevention” both places such term
17 appears and inserting “drug, violence, bullying,
18 and gang prevention”; and

19 (C) in paragraph (5)—

20 (i) in the matter preceding subpara-
21 graph (A) by striking “drug and violence
22 prevention” and inserting “drug, violence,
23 bullying, and gang prevention”;

1 (ii) in subparagraph (A) by striking
2 “violence” and inserting “violence, bul-
3 lying, and gangs”; and

4 (iii) in each of subparagraphs (B) and
5 (C) by striking “drug and violence preven-
6 tion” and inserting “drug, violence, bul-
7 lying, and gang prevention”; and

8 (2) in subsection (c)—

9 (A) in paragraph (2)(D)—

10 (i) in each of clauses (i) and (iii) by
11 striking “drug and violence prevention” in-
12 serting “drug, violence, bullying, and gang
13 prevention”; and

14 (ii) in clause (ii) by striking “violence
15 that is associated” and inserting “violence,
16 bullying, and gangs that are associated”;
17 and

18 (B) in paragraph (3)(B)—

19 (i) in clause (ii) by striking “violence
20 and drug-related” and inserting “violence,
21 bullying, gang, and drug-related”; and

22 (ii) in clause (iv) by striking “drug
23 use and violence” and inserting “drug use,
24 violence, and gangs”.

1 (d) STATE APPLICATION.—Section 4113 of that Act
2 (20 U.S.C. 7113) is amended in subsection (a)—

3 (1) in each of paragraphs (4) and (5) by strik-
4 ing “drug and violence prevention” and inserting
5 “drug, violence, bullying, and gang prevention”;

6 (2) in paragraph (9)—

7 (A) in the matter preceding subparagraph
8 (A) by striking “drug and violence prevention”
9 and inserting “drug, violence, bullying, and
10 gang prevention”; and

11 (B) in subparagraph (A) by striking the
12 term “drug use and violence” and inserting
13 “drug use, violence, and gangs”;

14 (3) in paragraph (10) by striking “drug and vi-
15 olence prevention” both places such term appears
16 and inserting “drug, violence, bullying, and gang
17 prevention”; and

18 (4) in paragraph (14) by striking “drug and vi-
19 olence prevention” and inserting “drug, violence,
20 bullying, and gang prevention”.

21 (e) LOCAL EDUCATIONAL AGENCY PROGRAM.—Sec-
22 tion 4114 of that Act (20 U.S.C. 7114) is amended—

23 (1) in subsection (a)(1), in the matter pre-
24 ceding subparagraph (A), by striking “drug and vio-

1 lence prevention” and inserting “drug, violence, bul-
2 lying, harassment, and gang prevention”;

3 (2) in subsection (c)(1)(A) by striking “drug
4 and violence prevention” and inserting “drug, vio-
5 lence, bullying, and gang prevention”; and

6 (3) in subsection (d)—

7 (A) in paragraph (2)—

8 (i) in the matter preceding subpara-
9 graph (A), and in subparagraph (A), by
10 striking “drug and violence prevention”
11 and inserting “drug, violence, bullying, and
12 gang prevention”;

13 (ii) in subparagraph (B), in the mat-
14 ter preceding clause (i), and in clause (i),
15 by striking “drug and violence prevention”
16 and inserting “drug, violence, bullying, and
17 gang prevention”; and

18 (iii) in subparagraph (D), by striking
19 “drug and violence prevention” and insert-
20 ing “drug, violence, bullying, and gang
21 prevention”; and

22 (B) in paragraph (6)—

23 (i) by striking “drug and violence pre-
24 vention” and inserting “drug, violence, bul-
25 lying, and gang prevention”; and

1 (ii) by striking “acts of violence” and
2 inserting “acts of violence, bullying, and
3 gangs”.

4 (f) AUTHORIZED ACTIVITIES.—Section 4115 of that
5 Act (20 U.S.C. 7115) is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (1)—

8 (i) in subparagraph (A)—

9 (I) by striking “violence and ille-
10 gal drug use” both places such term
11 appears and inserting “violence, bul-
12 lying, gangs, and illegal drug use”;
13 and

14 (II) by striking “drug and vio-
15 lence prevention” and inserting “drug,
16 violence, bullying, and gang preven-
17 tion”; and

18 (ii) in subparagraph (C) by striking
19 “violence and illegal drug use” and insert-
20 ing “violence, bullying, gangs, and illegal
21 drug use”; and

22 (B) in paragraph (2)(A) by striking “vio-
23 lence and illegal drug use” and inserting “vio-
24 lence, bullying, gangs, and illegal drug use”;

25 (2) in subsection (b)—

1 (A) in paragraph (1)(C)—

2 (i) in clause (i) by striking “violence”
3 and inserting “violence, bullying, and
4 gangs”; and

5 (ii) in clause (ii) by striking “drug use
6 and violence” and inserting “drug use, vio-
7 lence, bullying, and gangs”; and

8 (B) in paragraph (2)—

9 (i) in subparagraph (A)—

10 (I) in clause (i) by striking “vio-
11 lence” and inserting “violence and
12 gangs”;

13 (II) in clause (vi) by striking
14 “and” at the end;

15 (III) in clause (vii) by striking
16 the period at the end and inserting a
17 semicolon; and

18 (IV) by adding at the end the fol-
19 lowing:

20 “(viii) teach students the appropriate
21 steps to take to address bullying when it
22 happens to themselves or others; and

23 “(ix) promote safe passage to and
24 from schools on foot and by bicycle.”;

25 (ii) in subparagraph (B)—

1 (I) by striking “drug and violence
2 prevention” and inserting “drug, vio-
3 lence, bullying, and gang prevention”;
4 and

5 (II) by striking “violence and ille-
6 gal use of drugs” both places such
7 term appears and inserting “violence,
8 bullying, gangs, and illegal use of
9 drugs”;

10 (iii) in each of subparagraphs (C) and
11 (D) by striking “drug and violence preven-
12 tion” and inserting “drug, violence, bul-
13 lying, and gang prevention”; and

14 (iv) in subparagraph (E)—

15 (I) in the matter preceding clause
16 (i) by striking “Drug and violence
17 prevention” and inserting “Drug, vio-
18 lence, bullying, and gang prevention”;

19 (II) in clause (i) by striking “vio-
20 lence and illegal drug use” and insert-
21 ing “violence, bullying, gangs, and il-
22 legal drug use”;

23 (III) in clause (v) by inserting
24 “and programs embodied by the safe
25 routes to school program under sec-

1 tion 1404 of the Safe, Accountable,
2 Flexible, Efficient Transportation Eq-
3 uity Act: A Legacy for Users (23
4 U.S.C. 402 note; 119 Stat. 1228)”
5 before the period at the end;

6 (IV) in clause (vi) by striking
7 “drug and violence prevention” each
8 place such term appears and inserting
9 “drug, violence, bullying, and gang
10 prevention”;

11 (V) in clause (vii)—

12 (aa) by striking “illegal drug
13 use and violence” and inserting
14 “violence, gangs, and illegal drug
15 use”; and

16 (bb) by striking “violence
17 and illegal drug use” and insert-
18 ing “violence, gangs, and illegal
19 drug use”;

20 (VI) in clause (ix) by striking
21 “violent or drug abusing students”
22 and inserting “violent, bullying, gang-
23 affiliated, or drug abusing students”;

24 (VII) in clause (x) by striking
25 “violent behavior and illegal use of

1 drugs” and inserting “violent behav-
2 ior, bullying, gang affiliation, and ille-
3 gal use of drugs”;

4 (VIII) in clause (xi) by striking
5 “violence and illegal drug use” and in-
6 serting “violence, gangs, and illegal
7 drug use”;

8 (IX) in clause (xii) by striking
9 “Drug and violence prevention” and
10 inserting “Drug, violence, bullying,
11 and gang prevention”;

12 (X) in clause (xiii)—

13 (aa) by striking “violence
14 prevention and education pro-
15 grams” and inserting “violence,
16 bullying, and gang prevention
17 and education programs”; and

18 (bb) by striking “resolve
19 conflicts without violence” and
20 inserting “resolve conflicts with-
21 out violence, bullying, or gangs”;

22 (XI) in clause (xv) by striking
23 “major accident, or a drug-related in-
24 cident” and inserting “major accident,

1 bullying incident, gang-related inci-
2 dent, or drug-related incident”;

3 (XII) in clause (xvii) by striking
4 “drug and violence prevention” and
5 inserting “drug, violence, bullying,
6 and gang prevention”;

7 (XIII) in clause (xviii) by strik-
8 ing “safety hotline” and inserting
9 “safety, bullying prevention, and gang
10 prevention hotline”;

11 (XIV) in clause (xxii) by striking
12 the period at the end and inserting
13 “or live in chronically violent neigh-
14 borhoods.”; and

15 (XV) by adding at the end the
16 following:

17 “(xxiii) Programs that address the
18 causes and consequences of bullying and
19 harassment and that train teachers, ad-
20 ministrators, counselors, school psycholo-
21 gists and other qualified psychologists,
22 school social workers, para-professionals,
23 and other school employees including bus
24 drivers regarding strategies to prevent bul-

1 lying and harassment and to effectively in-
2 tervene when such incidents occur.

3 “(xxiv) School- and community-wide
4 threat assessment programs.”; and

5 (3) in subsection (d) by striking “drug and vio-
6 lence prevention” and inserting “drug, violence, bul-
7 lying, and gang prevention”.

8 (g) REPORTING.—Section 4116 of that Act (20
9 U.S.C. 7116) is amended—

10 (1) in subsection (a)—

11 (A) in paragraph (1)—

12 (i) in subparagraph (B) by striking
13 “drug and violence prevention” and insert-
14 ing “drug, violence, bullying, and gang
15 prevention”; and

16 (ii) in subparagraph (C) by striking
17 “violence and drug prevention” and insert-
18 ing “drug, violence, bullying, and gang
19 prevention”; and

20 (B) in paragraph (2)(B) by striking “drug
21 use and violence” and inserting “drug use, vio-
22 lence, and gangs”; and

23 (2) in subsection (b)(1) by striking “violence
24 and drug prevention” and inserting “drug, violence,
25 bullying, and gang prevention”.

1 (h) FEDERAL ACTIVITIES.—Section 4121 of that Act
2 (20 U.S.C. 7131) is amended in subsection (a)—

3 (1) in the matter preceding paragraph (1) by
4 striking “illegal use of drugs and violence” and in-
5 serting “violence, bullying, gang activity, and illegal
6 drug use”;

7 (2) in paragraph (1) by striking “drug and vio-
8 lence prevention” and inserting “drug, violence, bul-
9 lying, and gang prevention”;

10 (3) in paragraph (2), in the matter preceding
11 subparagraph (A) and in subparagraph (A), by
12 striking “drug and violence prevention” and insert-
13 ing “drug, violence, bullying, and gang prevention”;

14 (4) in paragraph (4) by striking “violence pre-
15 vention and education” and inserting “violence, bul-
16 lying, and gang prevention and education”;

17 (5) in paragraph (5) by striking “drug and vio-
18 lence prevention” and inserting “drug, violence, bul-
19 lying, and gang prevention”; and

20 (6) in each of paragraphs (6) and (8) by strik-
21 ing “drug and violence problems” and inserting
22 “drug, violence, bullying, and gang problems”.

23 (i) IMPACT EVALUATION.—Section 4122 of that Act
24 (20 U.S.C. 7132) is amended—

25 (1) in subsection (a)—

1 (A) in the matter preceding paragraph (1)
2 by striking “violence and illegal drug use” and
3 inserting “violence, bullying, gangs, and illegal
4 drug use”; and

5 (B) in paragraph (2) by striking “and
6 school violence” and inserting “school violence,
7 gang activity,”;

8 (2) in subsection (b) by striking “illegal drug
9 use and violence” and inserting “violence, gangs,
10 and illegal drug use”; and

11 (3) in subsection (c) by striking “drug use and
12 violence” and inserting “drug use, violence, bullying,
13 and gangs”.

14 (j) SAFE AND DRUG-FREE SCHOOLS AND COMMU-
15 NITIES ADVISORY COMMITTEE.—Section 4124 of that Act
16 (20 U.S.C. 7134) is amended—

17 (1) in subsection (a), in each of paragraphs
18 (1)(B) and (3), by striking “substance abuse and vi-
19 olence prevention” and inserting “violence, bullying,
20 gang, and substance abuse prevention”; and

21 (2) in subsection (b)(4)(A)(i) by striking “sub-
22 stance abuse and violence problem” and inserting
23 “violence, bullying, gang, and substance abuse prob-
24 lem”.

1 (k) SCHOOL SECURITY TECHNOLOGY AND RESOURCE
2 CENTER.—Section 4127 of that Act (20 U.S.C. 7137) is
3 amended in subsection (c) by striking “school violence re-
4 search” and inserting “school violence, bullying, harass-
5 ment, and gang research”.

6 (l) NATIONAL CENTER FOR SCHOOL AND YOUTH
7 SAFETY.—Section 4128 of that Act (20 U.S.C. 7138) is
8 amended in subsection (b)—

9 (1) in paragraph (2) by striking “such as sub-
10 stance abuse” and inserting “such as bullying, sub-
11 stance abuse”; and

12 (2) in paragraph (4) by striking “school vio-
13 lence prevention” and inserting “school violence, bul-
14 lying, harassment, and gang prevention”.

15 (m) MENTORING PROGRAMS.—Section 4130 of that
16 Act (20 U.S.C. 7140) is amended—

17 (1) in subsection (a)(2)(B)—

18 (A) by redesignating clauses (ii) and (iii)
19 as (iii) and (iv), respectively; and

20 (B) by inserting after clause (i) the fol-
21 lowing:

22 “(ii) a park and recreation agency of
23 a unit of local government;” and

24 (2) in subsection (b)—

25 (A) in paragraph (1)(B)—

1 (i) in clause (iv) by striking “violence,
2 use of dangerous weapons” and inserting
3 “violence, bullying, harassment, gangs, use
4 of dangerous weapons”; and

5 (ii) by inserting after clause (vi) the
6 following:

7 “(vii) Encourage participation in reg-
8 ular physical activity and developments of
9 habits that promote life-long physical fit-
10 ness.”.

11 (B) in paragraph (5)(B)(i) by striking
12 “schools with violence problems” and inserting
13 “schools with violence, bullying, or gang prob-
14 lems”.

15 (n) DEFINITIONS.—Section 4151 of that Act (20
16 U.S.C. 7161) is amended—

17 (1) in paragraph (3)—

18 (A) in the heading by striking “DRUG AND
19 VIOLENCE PREVENTION” and inserting “DRUG,
20 VIOLENCE, BULLYING, AND GANG PREVEN-
21 TION”;

22 (B) in the matter preceding subparagraph
23 (A) by striking “drug and violence prevention”
24 and inserting “drug, violence, bullying, and
25 gang prevention”; and

1 (C) in subparagraph (B) by striking “with
2 respect to violence” and inserting “with respect
3 to violence, bullying, and gangs”; and
4 (2) in each of paragraphs (6) and (7) by strik-
5 ing “violent behavior” and inserting “violent or gang
6 behavior”.

7 (o) MESSAGE AND MATERIALS.—Section 4152 of
8 that Act (20 U.S.C. 7162) is amended in subsection (a)—
9 (1) by striking “Drug and violence prevention”
10 and inserting “Drug, violence, bullying, harassment,
11 and gang prevention”; and
12 (2) by striking “acts of violence” and inserting
13 “acts of violence, bullying, harassment, and gangs”.

○