

113TH CONGRESS
2D SESSION

S. 2531

To reward and incentivize evidence-based State policies that improve educational continuity and limit juvenile court involvement and incarceration for youth through a priority in awarding certain competitive grants offered by the Substance Abuse and Mental Health Services Administration.

IN THE SENATE OF THE UNITED STATES

JUNE 25, 2014

Mr. MURPHY (for himself and Mr. BOOKER) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To reward and incentivize evidence-based State policies that improve educational continuity and limit juvenile court involvement and incarceration for youth through a priority in awarding certain competitive grants offered by the Substance Abuse and Mental Health Services Administration.

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 “Better Options for
5 Kids Act of 2014”.

1 **SEC. 2. JUVENILE JUSTICE.**

2 Section 520A of the Public Health Service Act (42
3 U.S.C. 290bb–32) is amended by adding at the end the
4 following:

5 “(g) PREFERENCE FOR JUVENILE JUSTICE PRO-
6 GRAMS.—

7 “(1) IN GENERAL.—In awarding competitive
8 grants under this section to programs for youth in-
9 volved in the criminal justice system or youth at risk
10 of becoming involved in the criminal justice system,
11 the Secretary, acting through the Administrator and
12 in consultation with the Director of the Office of
13 Safe and Healthy Students of the Department of
14 Education and the Administrator of the Office of
15 Juvenile Justice and Delinquency Prevention of the
16 Department of Justice, shall give preference to ap-
17 plications from—

18 “(A) States that—

19 “(i) demonstrate greater educational
20 continuity, lower rates of juvenile court in-
21 volvement, and reduced recidivism, by im-
22 plementing, or planning to use the grant
23 funds to implement, the required evidence-
24 based policies described in paragraph (2);

25 “(ii) demonstrate existing partner-
26 ships or proposed partnerships—

1 “(I) through which the State will
2 establish a coordinated process for
3 service delivery and develop the ability
4 to share information;

5 “(II) that involve interagency
6 agreements or strategic plans; and

7 “(III) established through a
8 memorandum of understanding or
9 strategic plan signed by State, tribal,
10 and local agency partners, as applica-
11 ble, articulating the commitment of
12 the partners to a system of shared ac-
13 countability and contributions to
14 achieving and measuring specific de-
15 sired results;

16 “(iii) have certified, through the chief
17 executive officer of the State, a commit-
18 ment to the partnerships described in
19 clause (ii) and the responsibility of the
20 State for the specific desired results of
21 such partnerships; and

22 “(B) entities within such States.

23 “(2) REQUIRED EVIDENCE-BASED POLICIES.—

24 To receive the preference under paragraph (1), a
25 State or entity shall demonstrate through the grant

1 application that the State, or, in the case of an ap-
2 plication from an entity described in paragraph
3 (1)(B), the State in which such entity is located and
4 provides services, has implemented, or will use the
5 grant funds to implement the following evidence-
6 based policies:

7 “(A) The State provides training or funds
8 training for local educational agencies in the
9 use of discipline strategies and positive school
10 climate strategies that minimize the use of sus-
11 pensions, expulsions, and other actions that re-
12 move students from instruction and that show
13 evidence of effectiveness for improving the
14 learning environment in the school, including
15 schoolwide positive behavioral interventions and
16 supports.

17 “(B) The State requires or provides incen-
18 tives to local educational agencies (as defined
19 under section 9101 of the Elementary and Sec-
20 ondary Education Act) to execute a written
21 memorandum of understanding or other type of
22 collaborative agreement with any law enforce-
23 ment agency that assigns school resource offi-
24 cers or other officers assigned to schools prohib-
25 iting the involvement of such officers in regular

1 student disciplinary matters and sets forth a
2 description of the roles and responsibilities of
3 the officers on school grounds.

4 “(C) The State prohibits or limits court re-
5 ferrals for juvenile school-based status offenses,
6 including cases involving a valid court order.

7 “(D) The State has shifted, or has a plan
8 to shift, significant funding formerly dedicated
9 to secure detention of minors into community-
10 based alternatives to incarceration.

11 “(E) The State has adopted, or will adopt,
12 a reentry policy to ensure that youth in correc-
13 tional facilities can continue their education im-
14 mediately and without delay upon release from
15 such facilities by providing for prompt reenroll-
16 ment into the most appropriate grade or edu-
17 cational setting based on their individual needs
18 and designed to maximize their educational suc-
19 cess.

20 “(3) REPORT.—Not later than 90 days after
21 the date of enactment of the Better Options for Kids
22 Act of 2014, the Secretary shall submit to the Com-
23 mittee on Appropriations of the Senate and the
24 Committee on Appropriations of the House of Rep-

1 representatives a report that specifies the programs to
2 which the preference under this subsection applies.

3 “(4) SUNSET.—The application preference
4 under this subsection shall cease to have force and
5 effect 5 years after the date of enactment of this
6 section.”.

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