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104TH CONGRESS

2D SESSION H. R. 4016 To amend the Elementary and Secondary Education Act of 1965 to provide

funds to States to carry out drug and violence prevention programs.

IN THE HOUSE OF REPRESENTATIVES AUGUST 2, 1996 Mr. ZELIFF introduced the following bill; which was referred to the Committee on Economic and Educational Opportunities

A BILL To amend the Elementary and Secondary Education Act

of 1965 to provide funds to States to carry out drug and violence prevention programs.
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 ‘‘Drug-Free Schools Re-
5 form Act of 1996’’.
6 SEC. 2. DRUG AND VIOLENCE PREVENTION PROGRAMS.

7 Subpart 1 of part A of title IV of the Elementary

8 and Secondary Education Act of 1965 (20 U.S.C. 7111
9 et seq.) is amended to read as follows:

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1 ‘‘Subpart 1—State Grants for Drug and Violence

2 Prevention Programs
3 ‘‘SEC. 4111. RESERVATIONS AND ALLOTMENTS.
4 ‘‘(a) RESERVATIONS.—From the amount made avail-

5 able under section 4004(a) to carry out this subpart for 6 each fiscal year, the Secretary—
7 ‘‘(1) shall reserve 1 percent of such amount for

8 grants under this subpart to Guam, American
9 Samoa, the Virgin Islands, and the Commonwealth

10 of the Northern Mariana Islands, to be allotted in
11 accordance with the Secretary’s determination of

12 their respective needs;
13 ‘‘(2) shall reserve 1 percent of such amount for
14 the Secretary of the Interior to carry out programs

15 under this part for Indian youth;
16 ‘‘(3) may reserve not more than $1,000,000 for

17 the national impact evaluation required by section
18 4114(a); and
19 ‘‘(4) shall reserve 0.2 percent of such amount

20 for programs for Native Hawaiians under section

21 4115.

22 ‘‘(b) STATE ALLOTMENTS.—

23 ‘‘(1) IN GENERAL.—Except as provided in para-
24 graph (2), the Secretary shall, for each fiscal year,

25 allocate among the States—

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1 ‘‘(A) one-half of the remainder not re-
2 served under subsection (a) according to the

3 ratio between the school-aged population of
4 each State and the school-aged population of all
5 the States; and

6 ‘‘(B) one-half of such remainder according
7 to the ratio between the amount each State re-

8 ceived under part A of title I for the preceding
9 year and the sum of such amounts received by

10 all the States.
11 ‘‘(2) MINIMUM.—For any fiscal year, no State
12 shall be allotted under this subsection an amount

13 that is less than one-half of 1 percent of the total

14 amount allotted to all the States under this sub-

15 section.

16 ‘‘(3) REALLOTMENT.—The Secretary may
17 reallot any amount of any allotment to a State if the

18 Secretary determines that the State will be unable to
19 use such amount within two years of such allotment.

20 Such reallotments shall be made on the same basis
21 as allotments are made under paragraph (1).
22 ‘‘(4) DEFINITIONS.—For the purpose of this
23 subsection—

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1 ‘‘(A) the term ‘State’ means each of the 50
2 States, the District of Columbia, and the Com-

3 monwealth of Puerto Rico; and
4 ‘‘(B) the term ‘local educational agency’

5 includes educational service agencies and con-
6 sortia of such agencies.
7 ‘‘SEC. 4112. STATE APPLICATIONS.
8 ‘‘(a) IN GENERAL.—In order to receive an allotment

9 under section 4111 for any fiscal year, the chief executive 10 officer of the State shall submit to the Secretary, at such

11 time as the Secretary may require, an application that—
12 ‘‘(1) describes how funds under this subpart

13 will be coordinated with programs under this Act,
14 the Goals 2000: Educate America Act, and other

15 Acts, as appropriate, in accordance with the provi-
16 sions of section 14306;
17 ‘‘(2) contains the results of the State’s needs

18 assessment for drug and violence prevention pro-
19 grams, which shall be based on the results of on-
20 going State evaluation activities, including data on

21 the prevalence of drug use and violence by youth in
22 schools and communities;
23 ‘‘(3) contains an assurance that the State will

24 cooperate with, and assist, the Secretary in conduct-

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1 ing a national impact evaluation of programs re-
2 quired by section 4114(a); and

3 ‘‘(4) includes any other information the Sec-
4 retary may require.
5 ‘‘(b) PEER REVIEW.—The Secretary shall use a peer

6 review process in reviewing State applications under this
7 section.
8 ‘‘SEC. 4113. STATE PROGRAMS.

9 ‘‘(a) USE OF FUNDS.—
10 ‘‘(1) IN GENERAL.—The chief executive officer

11 of a State shall use funds allocated pursuant to sec-
12 tion 4111(a)(1) for drug and violence prevention

13 programs and activities in accordance with this sec-

14 tion.

15 ‘‘(2) ADMINISTRATIVE COSTS.—A chief execu-

16 tive officer may use not more than 5 percent of the
17 total amount received under this part for the admin-

18 istrative costs incurred in carrying out the duties of

19 such officer under this section.

20 ‘‘(b) PROGRAMS AUTHORIZED.—

21 ‘‘(1) IN GENERAL.—The exclusive and immu-
22 table purpose of these grants to or contracts with

23 the foregoing is to finance or sponsor prevention or
24 education programs dedicated to teaching directly

25 the dangers, risks, health costs, legal penalties,

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1 short- and long-term negative personal impacts of il-
2 legal drug use and underage drinking with funds ex-

3 pended for no other purpose than a ‘no use,’ ‘right-
4 wrong’ antidrug message. If any amount or percent-

5 age of these funds is spent for purposes other than
6 a strict no-drug-use curriculum, such as general
7 health or hygiene education, social events, annual

8 sports budgets, or any other non-anti-drug program,
9 such expenditures shall be considered a violation.
10 ‘‘(2) PENALTIES.—Complete forfeiture, reim-

11 bursement, and each applicable Federal penalty pro-
12 vision shall apply to each person responsible for any

13 such misapplication or misspending of the funds.
14 ‘‘(3) PEER REVIEW.—Grants or contracts

15 awarded under this subsection shall be subject to a
16 peer review process.
17 ‘‘(4) SPECIAL RULE.—The chief executive offi-

18 cer of a State may carry out activities under this
19 subsection directly, or through grants or contracts.
20 ‘‘(c) LAW ENFORCEMENT EDUCATION PARTNER-

21 SHIPS.—A chief executive officer shall use funds under
22 subsection (a)(1) to award grants to State, county or local

23 law enforcement agencies (including district attorneys) in 24 consortium with local educational agencies or community-

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1 based agencies for the purposes of carrying out drug abuse
2 and violence prevention activities, such as—

3 ‘‘(1) Project Drug Abuse Resistance Education
4 and other programs which provide classroom instruc-

5 tion by uniformed law enforcement officials that is
6 designed to teach students to recognize and resist
7 pressures to experiment that influence such children

8 to use controlled substances or alcohol;
9 ‘‘(2) Project Legal Lives and other programs in

10 which district attorneys provide classroom instruc-
11 tion in the law and legal system which emphasizes
12 interactive learning techniques, such as mock trial

13 competitions;
14 ‘‘(3) partnerships between law enforcement and

15 child guidance professionals; and
16 ‘‘(4) before- and after-school activities.
17 ‘‘SEC. 4114. EVALUATION AND REPORTING.
18 ‘‘(a) NATIONAL IMPACT EVALUATION.—

19 ‘‘(1) BIENNIAL EVALUATION.—The Secretary,
20 in consultation with the Secretary of Health and

21 Human Services, the Director of the Office of Na-
22 tional Drug Control Policy, and the Attorney Gen-

23 eral, shall conduct an independent biennial evalua-
24 tion of the national impact of programs assisted

25 under this subpart and of other recent and new ini-

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1 tiatives to combat violence in schools and submit a
2 report of the findings of such evaluation to the

3 President and the Congress.
4 ‘‘(2) DATA COLLECTION.—(A) The National

5 Center for Education Statistics shall collect data to
6 determine the frequency, seriousness, and incidence
7 of violence in elementary and secondary schools in

8 the States. The Secretary shall collect the data
9 using, wherever appropriate, data submitted by the
10 States pursuant to subsection (b)(2)(B).

11 ‘‘(B) Not later than January 1, 2000, the Sec-
12 retary shall submit to Congress a report on the data

13 collected under this subsection, together with such
14 recommendations as the Secretary determines appro-

15 priate, including estimated costs for implementing
16 any recommendation.
17 ‘‘(b) STATE REPORT.—

18 ‘‘(1) IN GENERAL.—By October 1, 1999, and
19 every third year thereafter, the chief executive offi-
20 cer of the State shall submit to the Secretary a re-

21 port on the implementation and outcomes of State
22 programs under section 4113, as well as an assess-
23 ment of their effectiveness.

24 ‘‘(2) SPECIAL RULE.—The report required by

25 this subsection shall be—

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1 ‘‘(A) in the form specified by the Sec-
2 retary;

3 ‘‘(B) based on the State’s ongoing evalua-
4 tion activities, and shall include data on the

5 prevalence of drug use and violence by youth in
6 schools and communities; and
7 ‘‘(C) made readily available to the public.
8 ‘‘SEC. 4114. PROGRAMS FOR NATIVE HAWAIIANS.

9 ‘‘(a) GENERAL AUTHORITY.—From the funds made 10 available pursuant to section 4111(a)(4) to carry out this

11 section, the Secretary shall make grants to or enter into
12 cooperative agreements or contracts with organizations

13 primarily serving and representing Native Hawaiians 14 which are recognized by the Governor of the State of Ha-

15 waii to plan, conduct, and administer programs, or por-
16 tions thereof, which are authorized by and consistent with
17 the provisions of this title for the benefit of Native Hawai-
18 ians.

19 ‘‘(b) DEFINITION OF NATIVE HAWAIIAN.—For the 20 purposes of this section, the term ‘Native Hawaiian’

21 means any individual any of whose ancestors were natives,
22 prior to 1778, of the area which now comprises the State
23 of Hawaii.’’.
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