

ARKANSAS DEPARTMENT OF HEALTH
BUREAU OF ALCOHOL AND DRUG ABUSE PREVENTION
FACSIMILE TRANSMISSION
COVER SHEET

FAX (501) 682-6610

DATE October 13

Roy
I know we sent response. This may need to be filed with it.

TO: Ms. Carol Rasco FAX # (202) 456-2878

FROM: Janice Choate (501) 682-6659
PHONE NUMBER

MESSAGE FROM SENDER:

OCT 13 1995

only CLR

xc: Jose -

Can you look into this & consult w/ Halston if necessary I need a draft response please

CLR

TOTAL NUMBER OF PAGES INCLUDING COVER SHEET 3
IF YOU HAVE ANY PROBLEMS RECEIVING THIS MESSAGE, PLEASE CALL:

Michelle Finkerton AT (501) 682-6656
NAME PHONE NUMBER

MAILING ADDRESS
108 EAST 7TH STREET
400 WALDON BUILDING
LITTLE ROCK, AR 72201

(501) 682-6656



JIM GUY TUCKER
GOVERNOR

Arkansas DEPARTMENT OF HEALTH
Bureau of Alcohol and Drug Abuse Prevention

108 East 7th Street, 400 Waldon Building
Little Rock, AR 72201
Telephone (501) 682-6656
FAX (501) 682-6610

October 12, 1993

Ms. Carol Rasco
Assistant to the President
Domestic Policy
Second Floor, West Wing
The White House
Washington, D.C. 20500

Dear Carol:

I am writing to express support for and value of the Drug-Free Schools and Communities Centers. As you know, I have served as a representative on the Southwest Regional Center's Coordinating Council for six years. Our state has benefitted greatly from the training, workshops, technical assistance, resources, materials and conferences that have been provided by the Southwest Regional Center.

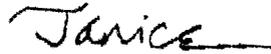
USDE recommendations for reauthorization of the Elementary and Secondary Education Act (ESEA) eliminate the Drug-Free Schools and Communities Regional Centers in the present form. The proposed legislation recommends the establishment of ten (10) comprehensive regional technical assistance centers. We believe these "mega" centers will only increase the cost of delivery of services to clients. We anticipate this requiring additional expenditure of resources to fund another bureaucratic level of authority. Burying the USDE's only major technical assistance component inside a large consolidated TA Center will hinder the ability of the centers to function collaboratively with the other actors at the federal, state and local level.

"The Equal Opportunity Employer"

This is a real concern to those of us in the trenches and I am asking for whatever help you might be able to provide in this regard.

Thank you.

Sincerely,



Janice Choate

JC:yb

cc: Joe M. Hill, Director, ADAP

Internal Talking Points on Byrne Grant Funding
(For Drug Strategy event at the PG County Correctional Center)

Allegation:

The funding for the "Awakening" Program, a substance abuse treatment unit within the PG County Correctional Center, will be cut under the President's FY 95 budget request.

Facts:

While the source of Awakening's funding may change in FY 95, increased resources will be available for Awakening and similar programs under the President's FY 95 budget:

Awakening is directly funded by the State of Maryland Governor's Drug and Alcohol Abuse Commission, which receives funds from the formula component of the Byrne State and Local Law Enforcement Assistance Program. Byrne formula funds (\$358 million in FY 94) are allocated according to a population-based formula and must be used for the 21 anti-drug program areas mandated by law. Currently, only 4.5% of formula funds (less than \$20 million) are used to fund treatment programs for offenders.

The FY 95 budget eliminates this formula program, but doubles the discretionary component of the Byrne Program, from \$50 to \$100 million. The Justice Department awards these discretionary monies directly to state and local grantees to fund Administration priorities -- especially those outlined in the National Drug Control Strategy.

Additionally, the FY 95 budget specifically identifies an increase in treatment for incarcerated offenders and drug court type programs as priority initiatives to be funded under the proposed \$2.4 billion Crime Control Fund. The budget also includes \$22 million to treat federal prisoners, and \$39 million for jail-based treatment programs. These budget commitments both exceed the current amount of money spent on criminal justice drug treatment under Byrne and make these funds directly available to grantees.

Furthermore, the Administration strongly supported -- and both houses have passed -- legislation authorizing \$300 million over the next three years to provide residential substance abuse treatment for prisoners.

The bottom line is that in the end, **NO** state will receive less crime and drug money under the Administration's budget than it currently receives under the Byrne Grant formula program.

Over the next few months, as Congress considers crime legislation and the Administration's budget, we will work with city and state officials and Members of Congress to determine how to best spend and distribute the significant crime investments proposed by the President.



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GOVERNOR

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KWay - Syd
Moe Jr. Ark.

SEP 10 RECD

CLR

August 30, 1993

Ms. Lisa Scheckel, Interim Director
Center for Substance Abuse Treatment
5600 Fishers Lane
Rockville, Maryland

Dear Ms. Scheckel:

I am writing to you to express my concern over a particular funding decision by the Center for Substance Abuse Treatment (CSAT) which negatively impacts the State of Arkansas. Furthermore, I believe it may be indicative of a prejudice against rural states and a faulty policy of how these grants are funded.

On September 1, 1990, Crowley's Ridge Development Council (CRDC) was awarded a three year "Critical Populations" grant to establish outpatient sites serving minority clients in rural Northeast Arkansas. For over two years this was the only CSAT discretionary grant in Arkansas.

Over the three year life of this program it has made a tremendous impact in getting treatment services to this very underserved population. Currently, they are serving 145 clients.

This program, which has fulfilled their grant requirements, maintained high quality, as measured by this Bureau's Accreditation Standards, and never received negative feedback by CSAT, applied for continued funding after the grant expiration date of August 31, 1993. On August 23rd, this Bureau received word, via a phone call that CRDC would not be refunded. No explanation was given.

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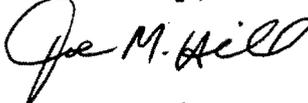
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A fundamental question that must be asked is, why stop funding an excellent program and then incur the start-up costs associated with beginning new programs? If the CSAT response is that grantees have sufficient time to develop other funding sources, this response is often unrealistic for programs in rural, poverty stricken areas such as CRDC's Critical Populations Program.

It is ironic that in their 1992 Technical Review of our Bureau and the treatment programs in Arkansas, CSAT cited a lack of programs for special client populations, and then CSAT decided not to refund the CRDC program.

Thank you so much for helping Arkansas, especially those in need of alcohol and other drug treatment services.

Sincerely,



Joe M. Hill
Director

JMH:pw

cc: Sue Becker, Director of State Programs, CSAT
Willard Saunders, Division of State Programs
Carol Rasco, Assistant to the President for Domestic
Policy



JIM GUY TUCKER
GOVERNOR

Arkansas DEPARTMENT OF HEALTH
Bureau of Alcohol and Drug Abuse Prevention

108 East 7th Street, 400 Waldon Building
Little Rock, AR 72201
Telephone (501) 682-6656
FAX (501) 682-6610

August 30, 1993

The Honorable Dale Bumpers
U. S. Senator
229 Dirksen Building
Washington, D. C. 20510

Dear Senator Bumpers:

I am writing to express my consternation over a particular funding decision by the Center for Substance Abuse Treatment (CSAT) that will have negative consequences on the State of Arkansas' range of comprehensive treatment services for its citizens. Furthermore, I feel that this decision may be indicative of an insensitivity toward rural states and a faulty policy of how these grants are funded.

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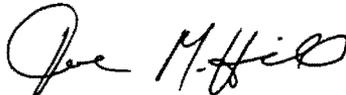
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Please assist us in the following areas:

1. Obtain an immediate written response from CSAT as to the CRDC decision.
2. Compare the number of CSAT grants awarded to Arkansas and other rural states with the total number awarded.
3. Look into the rationale of how CSAT awards its funding.

Thank you so much for helping Arkansas, especially those in need of alcohol and other drug treatment services.

Sincerely,



Joe M. Hill
Director

JMH:pw

cc: Carol Rasco, Assistant to the President for Domestic Policy



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Little Rock, AR 72201
Telephone (501) 682-6656
FAX (501) 682-6610

August 30, 1993

The Honorable David Pryor
U. S. Senator
267 Russell Building
Washington, D. C. 20510

Dear Senator Pryor:

I am writing to express my consternation over a particular funding decision by the Center for Substance Abuse Treatment (CSAT) that will have negative consequences on the State of Arkansas' range of comprehensive treatment services for its citizens. Furthermore, I feel that this decision may be indicative of an insensitivity toward rural states and a faulty policy of how these grants are funded.

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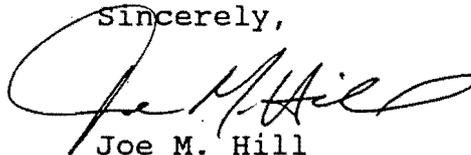
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Joe M. Hill
Director

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cc: Carol Rasco, Assistant to the President for Domestic Policy



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Bureau of Alcohol and Drug Abuse Prevention

108 East 7th Street, 400 Waldon Building
Little Rock, AR 72201
Telephone (501) 682-6656
FAX (501) 682-6610

August 30, 1993

The Honorable Blanche Lambert
U. S. Representative
1204 Longworth Building
Washington, D. C. 20515

Dear Ms. Lambert:

I am writing to express my consternation over a particular funding decision by the Center for Substance Abuse Treatment (CSAT) that will have negative consequences on the State of Arkansas' range of comprehensive treatment services for its citizens. Furthermore, I feel that this decision may be indicative of an insensitivity toward rural states and a faulty policy of how these grants are funded.

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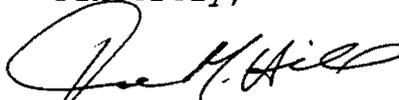
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Thank you so much for helping Arkansas, especially those in need of alcohol and other drug treatment services.

Sincerely,



Joe M. Hill
Director

JMH:pw

cc: Carol Rasco, Assistant to the President for Domestic Policy



JIM GUY TUCKER
GOVERNOR

Arkansas DEPARTMENT OF HEALTH
Bureau of Alcohol and Drug Abuse Prevention

108 East 7th Street, 400 Waldon Building
Little Rock, AR 72201
Telephone (501) 682-6656
FAX (501) 682-6610

August 30, 1993

The Honorable Jay Dickey
U. S. Representative
1338 Longworth Building
Washington, D. C. 20515

Dear Mr. Dickey:

I am writing to express my consternation over a particular funding decision by the Center for Substance Abuse Treatment (CSAT) that will have negative consequences on the State of Arkansas' range of comprehensive treatment services for its citizens. Furthermore, I feel that this decision may be indicative of an insensitivity toward rural states and a faulty policy of how these grants are funded.

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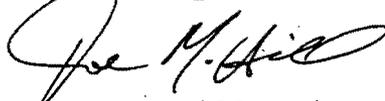
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Sincerely,



Joe M. Hill
Director

JMH:pw

cc: Carol Rasco, Assistant to the President for Domestic Policy



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GOVERNOR

Arkansas DEPARTMENT OF HEALTH
Bureau of Alcohol and Drug Abuse Prevention

108 East 7th Street, 400 Waldon Building
Little Rock, AR 72201
Telephone (501) 682-6656
FAX (501) 682-6610

August 30, 1993

The Honorable Ray Thornton
U. S. Representative
1241 Longworth H.O.B.
Washington, D. C. 20515

Dear Mr. Thornton:

I am writing to express my consternation over a particular funding decision by the Center for Substance Abuse Treatment (CSAT) that will have negative consequences on the State of Arkansas' range of comprehensive treatment services for its citizens. Furthermore, I feel that this decision may be indicative of an insensitivity toward rural states and a faulty policy of how these grants are funded.

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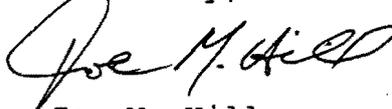
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Joe M. Hill
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cc: Carol Rasco, Assistant to the President for Domestic Policy



JIM GUY TUCKER
GOVERNOR

Arkansas DEPARTMENT OF HEALTH
Bureau of Alcohol and Drug Abuse Prevention

108 East 7th Street, 400 Waldon Building
Little Rock, AR 72201
Telephone (501) 682-6656
FAX (501) 682-6610

August 30, 1993

The Honorable Tim Hutchinson
U. S. Representative
1541 Longworth H.O. B.
Washington, D. C. 20515

Dear Mr. Hutchinson:

I am writing to express my consternation over a particular funding decision by the Center for Substance Abuse Treatment (CSAT) that will have negative consequences on the State of Arkansas' range of comprehensive treatment services for its citizens. Furthermore, I feel that this decision may be indicative of an insensitivity toward rural states and a faulty policy of how these grants are funded.

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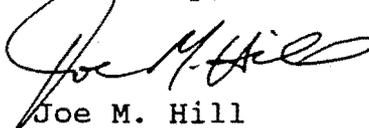
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Joe M. Hill
Director

JMH:pw

cc: Carol Rasco, Assistant to the President for Domestic Policy

THE WHITE HOUSE

WASHINGTON

November 9, 1993

Janice Choate
Arkansas Department of Health
Bureau of Alcohol and Drug Abuse Prevention
108 East 7th Street
400 Waldon Building
Little Rock, AR 72201

Dear Janice:

Thank you for your letter expressing concern about the Department of Education's proposal to consolidate its regional technical assistance centers. Given the years of experience you have with Drug Free School and Community Centers, I take your concerns seriously.

Although I understand your apprehension with restructuring the current system of regional centers, I believe the potential rewards of more comprehensive technical assistance centers -- that coordinate all efforts to eradicate drugs and violence in our schools -- are enormous. For example, consider the following changes:

- (1) Each of the technical centers will act as a clearinghouse of information about successful programs across the nation that are making substantial inroads in the fight against drugs and violence. This service will also include information on the availability of federal and state grants, public documents including federal program legislation and regulations, and promising instructional and organizational practices used across the nation.
- (2) The assistance centers will consolidate the work of the previous categorical centers under one umbrella organization, providing the same level of expertise in the area of drug abuse, despite the unique characteristic, scope, or magnitude of various projects. This single point of contact will provide greater accessibility and comprehensive service to all clients.
- (3) Because the centers will no longer be issue specific, the advisory role they perform when addressing actual implementation problems will be enhanced by the availability of wide-spread information and experience at one location.

Janice Choate
November 9, 1993
Page 2

As you and I know, we cannot continue to deal with the issue of illegal drug use in isolation -- our anti-drug efforts must be linked to our efforts to reform our educational system, to revitalize the economy and to better our health care system. I am confident that the proposed changes to the DFSC Act will help us do that.

Again, thanks for bringing this issue to my attention. For your information, I have enclosed a copy of the changes the Department of Education has proposed in its Elementary and Secondary Education Authorization. I will keep your views in mind as we consider these issues. Please let me know if I can be of any further assistance.

Sincerely,



Carol H. Rasco
Assistant to the President for
Domestic Policy

CHR:ram



FOR IMMEDIATE RELEASE
September 14, 1993

Contact: David W. Thomas
(202) 401-1579

PRESIDENT CLINTON TO SEND CONGRESS PROPOSAL TO IMPROVE ELEMENTARY & SECONDARY EDUCATION ACT

President Clinton is sending Congress a proposal to refocus the federal government's largest investment in K-12 education on one of America's greatest challenges: helping *all* children in America reach high academic standards.

The Improving America's Schools Act of 1993 is the President's proposal to reauthorize the \$10-billion Elementary & Secondary Education Act (ESEA). The proposal builds on the Goals 2000: Educate America Act, which sets forth the President's vision of how education must change so that America can reach the National Education Goals.

"The Improving America's Schools Act offers federal support for *comprehensive* reform, not piecemeal improvements," said Education Secretary Richard W. Riley. "This proposal reorients ESEA. It shifts the emphasis from serving narrow categories of problems to helping the whole child, the whole family, the whole school, and the whole school system."

Schools, communities, and states will receive federal support under the proposal for creating conditions that foster high-performance teaching and learning. Professional development for teachers, safe schools for children, flexibility for school innovation, and partnerships between parents and schools are among the key conditions that would be

-MORE-

supported. The proposal also puts a new emphasis on accountability -- real help for schools that are stalled.

True to the historical mission of ESEA, the Improving America's Schools Act redirects federal assistance where it is needed most: poor schools and communities.

"Now we have the opportunity to reshape that landmark legislation," Riley said.

"The Improving America's Schools Act can help open a new era of partnerships around the most important work in America: helping all children learn what they need to know and be able to do."

ESEA has been reauthorized seven times. Established in 1965 as part of President Lyndon Johnson's War on Poverty, ESEA provided federal support for the first time to school districts in low-income communities.

"We must create what President Clinton has called an 'ethic of learning' across America," Riley said. "The Improving America's Schools Act encourages real change for millions of teachers, parents, children and others. Change is hard, but our proposal makes it possible through a new kind of partnership among schools, communities, states and the federal government to ensure that America's children reach world-class levels of achievement."

The Improving America's Schools Act is based on five guiding principles:

1. **High standards are the starting point.**

Children seldom learn more than is expected of them, yet ESEA programs often emphasize only basic skills. The new proposal seeks to break the cycle of low expectations

and low performance. For example, under the proposal:

The same high standards that states are developing for what students need to know and be able to do would apply to all students, including those now served under ESEA programs such as Chapter 1, migrant, and bilingual education.

Federal resources would be used as part of, rather than apart from, state and local reform efforts. The reauthorized ESEA would support state and local efforts to align features of their education systems with their own high standards.

2. **Teaching and learning must take center stage.**

Teachers must have opportunities for intensive, ongoing professional development if they are to help all students reach high standards. Technical assistance and technology must be applied to the creation of high-performance learning conditions. Under the administration's proposal:

The new Eisenhower Professional Development Program would support teacher learning in all core subjects, not just math and science. Most of these funds would support professional development of teachers in individual schools, as part of each state's comprehensive plan for helping all children reach high standards.

The approximately 50 federally supported technical assistance centers now in place would be combined into 10 comprehensive ESEA assistance centers. In addition, a new computer network and toll-free hotline will offer schools instant access to the U.S. Department of Education.

Grants would be available for state efforts to integrate technology into instruction in all subjects, as well as into such areas as assessment and administration.

3. **Government must offer flexibility to stimulate local initiative. This flexibility must be coupled with greater school district responsibility for student performance.**

Parents and teachers must have greater freedom to create learning opportunities based on high standards in exchange for assurances that all students advance toward those high standards. The Administration's proposal would open education to change. For example:

The piecemeal approaches dominating many current reform efforts would give way to transformation of whole schools.

State efforts to support the development of charter schools would be complemented with federal funds for planning and start-up. Charter schools are public schools that operate outside the constraints of certain rules and regulations.

A new waiver authority would enable the secretary to remove federal obstacles to state and community reforms.

4. Schools, parents and communities shall join forces to meet education goals.

The proposal encourages partnerships:

Compacts between parents and schools -- agreements describing their mutual responsibilities for helping each child reach high standards -- are promoted under Title I.

School districts would develop their own comprehensive, community-wide plans for drug and violence prevention in cooperation with local governments, businesses, parents, medical and law enforcement professionals, and community-based organizations.

Title I services would be coordinated with other services, particularly with Head Start and other early childhood programs -- as well as with school-to-work programs -- to enhance the impact of those programs. School districts would be encouraged to coordinate and integrate Title I with other educational services, and to the extent feasible, with health and social services supported through other funding.

In high-poverty elementary schools, Title I would support health screening, serving as the funding source of last resort.

5. More help must be targeted to poor communities and schools.

The revised act focuses funding:

\$500 million under Title I would be redirected to the poorest counties in America.

High-poverty schools would receive Title I funds before other schools in a district. This means high-poverty high schools and middle schools -- very few of which receive Chapter I support today -- would be able to use these funds to offer students mentoring, career counseling, and career and college preparation, in addition to upgrading curriculum and instruction.

Migrant education support would be used to serve children who need it most -- children whose families have moved most recently (within the past two years).

A limited number of school districts, hardest hit by drugs and violence, would be chosen by each state to receive 30 percent of the state's local grant funds under the Safe and Drug-Free Schools and Communities program.

More Javits Gifted & Talented program resources would go toward high-need schools, but not for a select few students. Whole-school efforts to offer challenging, content-rich instruction to all students would be supported, with at least half the grants going to high-poverty schools.

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UNITED STATES DEPARTMENT OF EDUCATION

PUBLIC AFFAIRS

**IMPROVING AMERICA'S SCHOOLS
ACT OF 1993**

**Reauthorization of the Elementary
and Secondary Education Act**

SUMMARY SHEETS

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IMPROVING AMERICA'S SCHOOLS ACT OF 1993

ESEA REAUTHORIZATION SUMMARY SHEET

The reauthorization of federal elementary and secondary education programs provides a critical opportunity to support federal, state, and local efforts in achieving the National Education Goals. The Improving America's Schools Act of 1993 will operate within a framework of systemic reform created by GOALS 2000. These broad reforms will require reinventing federal programs based on principles of effective and equitable education for all students, particularly those in greatest need. These principles emphasize:

- promoting challenging state content and performance standards, and the opportunity for all children to learn to those standards;
- improving teaching and learning, through intensive, sustained and high-quality professional development and other means;
- increasing flexibility to stimulate local initiative and bottom-up reform, coupled with responsibility at all levels of governance to improve student performance;
- linking schools and communities to engage parents in the education of their children in school and at home, to integrate services provided to children, and to promote comprehensive approaches to creating safe and drug-free learning environments; and
- targeting scarce resources where the needs are greatest.

The Act advances these principles by creating a strong, productive partnership among the federal, state, and local governments, and by building on our knowledge about what works. Key provisions follow:

Title I — Helping Children in Need Meet High Standards

Making High Poverty Schools Work (Part A of Title I, formerly Chapter 1): Supports local education agencies (LEAs) in providing high-quality opportunities for students in high-poverty schools to meet challenging state performance standards. New provisions will extend learning time in accelerated rather than remedial classes, expand the number of school-wide programs that serve all children in high-poverty schools, help to achieve effective transitions from preschool to school and school to work, establish accountability based on results, greatly reduce testing, increase effective parental participation, support screening for health problems and coordination with social services, and target funds where needs are greatest.

Even Start Family Literacy Programs: Strengthens the targeting of services to families most in need and extends eligibility for this intergenerational literacy program to teen parents, who are among the most needy.

Education of Migratory Children: Helps provide migratory children the same opportunities as other children to meet challenging state performance standards. A more focused program will target efforts on the most mobile children, whose schooling is most likely to be disrupted.

Education of Neglected and Delinquent Youth: Extends educational services and learning time in state institutions and community day programs for neglected or delinquent children and youth comparable to offerings of LEAs. New provisions will also encourage smooth transitions to enable participants to continue schooling or to enter the job market upon leaving the institution.

Title II — Improving Teaching and Learning

Eisenhower Professional Development Program: Focuses on upgrading the expertise of teachers and other school staff to enable them to teach all children in the core academic subjects set out in challenging state content standards. This act will build on the existing Eisenhower program and support sustained and intensive high-quality professional development focused on achieving high performance standards.

Support and Assistance for ESEA Programs: Builds a coordinated, accessible network of technical assistance to link schools, districts, and states to the Department of Education for information and assistance about federal programs and school reform.

Title III — Expanding Opportunities for Learning

Putting Technology to Work for All Students: Creates a broad, new authority and extends the Star Schools program to support innovative uses of technology to assist teachers and schools in providing all students the opportunity to achieve challenging state performance standards.

Fund for Improvement of Education: Provides national leadership and support for reform efforts, including development of curriculum and assessment frameworks and other activities to help all students reach high standards, education in foreign languages, health education, and recognition programs such as the Blue Ribbon Schools.

Javits Gifted and Talented Education Program: Refocuses program to phase in school-wide strategies that develop the talents of all students, particularly students from low-income areas. G&T instruction can help all students learn to high state performance standards while also challenging gifted and talented students.

Charter Schools: Creates a new authority for providing seed money to develop public charter schools to demonstrate how increasing flexibility within public school systems can produce better results for children.

Arts in Education: Creates a new general authority to support the inclusion of the arts in Goal Three of the National Education Goals.

Inexpensive Book Distribution Program: Gives priority to new projects that serve children with special needs, and encourages capacity-building by limiting the grant period.

Title IV — Safe and Drug-Free Schools and Communities

Expands authority to encompass all of Goal Six to create learning environments that are free of violence and drugs. The legislation calls for comprehensive school and community-wide approaches to making schools and neighborhoods safe and drug-free.

Title V — Promoting Equity

Magnet Schools: Promotes desegregation through creating magnet school programs that are a part of an approved desegregation plan and that are designed to bring students from different social, economic, ethnic, and racial backgrounds together.

Equalization Assistance: Creates a new authority to provide technical assistance to states and local communities working toward more equitable allocation of resources to meet the needs of all students.

Women's Educational Equity: Supports strategies that enhance equal educational access and opportunities for women and girls and encourage their participation in math, science, and other fields in which females have historically been under-represented.

Title VI — Indian Education

Provides Indian children with equal opportunities to learn to challenging state performance standards. Supports professional development and adult education programs. New provisions will strengthen the role and responsibility of states in providing quality education for Indian students.

Title VII — Bilingual Education, Including Immigrant Education

Assists in ensuring that limited English proficient children have the same opportunities as all other children to achieve challenging state standards. The program structure and activities are simplified and strengthened to build local capacity for providing high-quality bilingual programs that build upon the native language that limited English proficient students bring to the schools. In addition, the program includes new provisions to support LEAs that have had recent significant increases in immigrant student populations, emphasizing transition services and coordinating the education of immigrants with regular educational services.

Title VIII — Impact Aid

Restructures and simplifies the impact aid formula to base funding on actual burden imposed by the loss of local revenues.

Title IX — General Provisions

Provides a general waiver authority for federal education programs to allow flexibility in return for clear accountability for improving student performance. New provisions will focus on reducing paperwork and compliance monitoring and replacing them with consolidated applications and quality reviews.

Amendments to the General Education Provisions Act

Simplifies the statute to reduce confusion for grantee, staff, and the public alike; provides greater flexibility in federal and grantee administration; and addresses issues of micro-management. Amendments to the General Education Provisions Act will also reaffirm equity in opportunity for all students and teachers in federal programs.

Amendments to Other Acts

Amendments to the Individuals with Disabilities Education Act (IDEA): Replaces the authority for the Chapter 1 Handicapped program with new provisions in IDEA, in order to serve all children with disabilities.

Amendments to the Stewart B. McKinney Homeless Assistance Act: Addresses major barriers that homeless children face—notably, the cost or difficulty of transportation from their temporary residence to school. Moreover, in light of the large numbers of homeless children who are preschool age, the proposal encourages the extension of program services to preschool children by clarifying that activities for these children can be funded.

TITLE I—HELPING CHILDREN IN NEED MEET HIGH STANDARDS

PART A-MAKING HIGH-POVERTY SCHOOLS WORK-

(Formerly CHAPTER 1)

ESEA REAUTHORIZATION SUMMARY SHEET

Chapter 1, originally enacted as Title I of the Elementary and Secondary Education Act of 1965 as part of the War on Poverty, is the single largest federal program supporting K-12 education. In 1993, over \$6 billion is being provided to school districts to support extra educational services for more than 5.5 million low-achieving students. Over the years, Chapter 1 has helped raise the performance of disadvantaged children, encouraged parents to become involved in their children's schooling, and helped equalize local expenditures in high-poverty schools to those of other schools in the district. Chapter 1, however, is not adequately helping to close the gap between disadvantaged children and others, or providing disadvantaged students with the education they need to lead productive lives in the next century.

Evaluations suggest several reasons why. Chapter 1 programs often emphasize low-level basic skills and remedial drill and practice, rather than necessary problem solving skills and challenging curriculum content. In 70 percent of all Chapter 1 schools, children continue to be taken out of regular classrooms for pull-out programs that add little additional learning time and do not improve the quality of teaching and learning in the regular classroom where children in Chapter 1 spend most of their day.

Moreover, Chapter 1 programs have lacked a framework in which to operate. They have lacked clearly articulated high standards for what we expect all children to know and be able to do and a set of assessments to determine how well children are meeting those standards. Without such a framework, children served by Chapter 1 have too often been subjected to lower expectations and low-level assessments that drive their instruction. Finally, Chapter 1 has not done enough to promote other conditions that are key to success, such as professional development for teachers, adequate concentration of resources in the highest poverty schools, and strong coordination with other education, health and social services to better address children's needs comprehensively.

For Chapter 1 to play a powerful role in enabling our students and schools to meet the high standards called for in the Goals 2000: Educate America Act and this Improving America's Schools Act of 1993, as well as to move our nation toward meeting the National Education Goals, it must be redirected. Our proposal for the reauthorization of Title I (returning the program to its original name) calls for five new directions, described below, with our specific proposals that support each one.

1. HIGH STANDARDS FOR ALL CHILDREN—WITH COMPONENTS OF EDUCATION ALIGNED SO THAT EVERYTHING IS WORKING TOGETHER TO HELP ALL CHILDREN REACH THOSE STANDARDS

Our proposal:

- Requires states desiring to receive Title I funds to submit plans describing high-quality content standards specifying what all children are expected to know and be able to do and challenging performance standards that all children are expected to attain. Such standards would either be developed under the Goals 2000: Educate America Act or, in their absence, under Title I. This provision will ensure that the performance expected of children in Title I schools is the same as—not lower than—the performance expected of all children.
- Requires state plans to include a set of assessments designed for all children that are aligned with the state content standards and are used to determine if children in Title I schools have met the challenging performance standards. The current Chapter 1 testing requirements, which evidence suggests have held back efforts to enrich the curriculum with more challenging material, will be replaced by a set of high-quality state assessments aligned with the content standards. These assessments will provide schools, school districts, and the state with the information they need for both accountability and improvement.
- Promotes the alignment of all educational components—curriculum and instruction, professional development, school leadership, accountability, and school improvement—to ensure all children attain the challenging standards.

These provisions would align Title I with state and local reform efforts, including those in states participating in the Goals 2000 Educate America Act, to ensure that Title I supports systemic reform at all levels.

2. A FOCUS ON TEACHING AND LEARNING

Our proposal:

- Expands the schoolwide program approach and requires comprehensive instructional reform to enable all children to meet the challenging state standards. The schoolwide program approach would be expanded by lowering the minimum poverty level at which a school can become a schoolwide project from 75 percent to 65 percent poor children in the year 1995-96 and then to 50 percent in subsequent years. This would eventually allow about 12,000 more of our poorest schools to develop schoolwide programs (for a total of about 20,000 schools). Schoolwide programs could combine Title I with other federal, state and local funds to serve all students in the school. Such funds, however, would have to be used for schoolwide reform strategies that increase the amount and quality of learning time and help provide an enriched and accelerated curriculum for all children, according to a comprehensive plan to meet the state standards. By allowing

schools to integrate their programs, strategies, and resources, Title I can become the catalyst to comprehensively reform the entire instructional program children in these schools receive, rather than merely serving as an add-on to the existing program. A one-year planning period, school support teams that will work with schools as they develop and implement their plans, and increased technical assistance will further support high-quality reform in schoolwide programs.

- **Reforms targeted assistance programs to enable participating children to meet the challenging state standards.** Targeted assistance schools (schools that are ineligible or have not opted for a schoolwide approach) will use funds for programs for children who are failing, or most at risk of failing, to meet the state's performance standards. Those programs must give primary consideration to extended time strategies, be based on research on teaching and learning, and involve accelerated curricula, effective instructional strategies, strong coordination with the regular program, and highly qualified and trained professional staff. Title I programs that rely on drill and practice of low-level skills and fail to increase the quality and amount of instructional time would no longer meet the requirements of the law. Like schoolwide program schools, targeted assistance schools will base their programs on a comprehensive plan to enable children served by Title I to meet the challenging state performance standards.
- **Emphasizes intensive and sustained professional development.** Title I will play a key role in ensuring that the necessary professional development exists for teachers, administrators, other school staff, and district-level personnel to improve the quality of instruction to enable children to meet the state's challenging standards. LEAs will describe in their plans the kinds of technical assistance and intensive and sustained professional development that will be available to school staff. Professional development also will be a central component of each Title I school plan in order to strengthen teaching to enable children to meet the challenging state standards. These efforts would be tied to the professional development efforts under Title II of this Act.
- **Ensures Title I funds for the most needy middle and high schools and promotes an enriched curriculum, mentoring, counseling, and career and college awareness and preparation for older students.** A requirement that LEAs must serve all schools with at least 75 percent poverty before serving other schools will ensure participation of the highest-poverty middle and high schools in Title I. Along with offering enriching curriculum and instruction, these schools will provide counseling and mentoring, college and career awareness and preparation, and other services to help prepare students to succeed in college and work.
- **Simplifies selection procedures for students with disabilities and students who are limited English proficient to ensure their participation in the program.**

3. FLEXIBILITY TO STIMULATE LOCAL INITIATIVE, COUPLED WITH RESPONSIBILITY FOR STUDENT PERFORMANCE.

Our proposal:

Brings Title I decisions down to the school level so that schools, in consultation with their districts, can determine uses of funds in ways that best meet the needs of their students. Each Title I school will work with the district to determine how to use Title I funds in ways that make the most sense for its students. Bringing these decisions down to the school level will help transform Title I from a district-directed "one-size-fits-all" program to a significant resource for schools to use to meet the needs of their children.

- Emphasizes planning as an ongoing process based on the needs of schools and students, not on administrative procedures.
- Develops a new performance-based accountability system using high-quality state assessments.
 - Each Title I school will be required to demonstrate, based on the state assessment, adequate yearly progress toward attaining the high state performance standards. Schools failing to make adequate progress will be identified for improvement and receive technical assistance from their LEA. If, after two years in school improvement, the school still fails to make adequate progress, its LEA must take corrective actions, such as instituting alternative governance arrangements or authorizing student transfers to another school. The LEA, however, could take such actions any time after a school is identified for improvement.
 - Schools exceeding the state's definition of adequate progress for three years will become "Distinguished Schools" with the option to mentor other schools and the possibility of receiving monetary awards from their state's Title I funds and other institutional and individual rewards from their district.
 - School districts also will be held accountable by their SEAs for performance, through mechanisms similar to those established for schools.
 - Distinguished Educators will be made available to schools and districts furthest from meeting the state standards, where requested.

4. LINKS AMONG SCHOOLS, PARENTS, AND COMMUNITIES

Our proposal:

- Focuses on increasing parental involvement. Provisions will emphasize three components of parental involvement: 1) policy involvement at the school and district level, including parental involvement in developing the school-level plan; 2) shared responsibility for high

performance, embodied in school-parent compacts; and 3) building capacity for involvement through such means as increased training and enhanced involvement of community-based organizations.

- Strengthens Title I school-community connections to better meet children's needs by fostering integration of Title I with other educational programs and health and social service programs. New provisions will 1) ask school districts to coordinate and integrate Title I services with other educational services, including Head Start and school-to-work services, and—to the extent feasible—with health and social services funded through other sources; and 2) require LEAs to ensure the provision of health screening to children in elementary schools with at least 50 percent poverty for early identification of health and nutritional problems that hinder learning.

5. RESOURCES TARGETED TO WHERE NEEDS ARE GREATEST AND IN AMOUNTS SUFFICIENT TO MAKE A DIFFERENCE

Our proposal:

- Increases targeting of Title I resources to the highest-poverty counties and districts on the principle that at least half of the funds should go to the poorest counties. The proposal would provide more dollars to the neediest districts through means including allocating 50 percent of funds for concentration grants and raising the poverty threshold for such grants. At the proposal appropriations level of \$7.0 billion in FY 1995, proposed changes would move approximately \$500 million from lower-poverty to higher-poverty counties.
- Requires districts to distribute dollars to schools on the basis of poverty, not achievement, to remove disincentives for success. This would also recognize that greater resources are needed to ameliorate the effects of concentrations of poverty.
- Requires districts to allocate a minimum amount per poor child to ensure that the highest-poverty schools receive sufficient amounts to meet their needs. The amount allocated to each school per poor child would have to be at least 80 percent of the district's Title I per child allocation.

TITLE I—HELPING CHILDREN IN NEED MEET HIGH STANDARDS

FORMULA (FORMERLY CHAPTER 1 GRANTS TO LOCAL EDUCATION AGENCIES) ESEA REAUTHORIZATION SUMMARY SHEET

Chapter 1 funds are intended to help close the achievement gap between high- and low-poverty schools by targeting additional resources to school districts based on their numbers of poor school-age children.

Under the current formula, Chapter 1 resources are spread thinly, going to 93 percent of all school districts and 66 percent of all public schools. Weak targeting leaves the poorest districts with insufficient funds to serve all of their high-poverty schools and low-achieving children. Our proposal for improving targeting would increase the poorest counties' share of funds from 43 percent to 50 percent (these counties have 45 percent of the nation's poor children) and would move \$500 million from lower-poverty counties to higher-poverty counties in FY 1995. To achieve this, the proposed formula:

- Increases the amount of funds allocated through Concentration Grants, which target additional funds to areas with high concentrations of poverty, from 10 percent to 50 percent of the total appropriation.
- Targets Concentration Grants more intensively on high-poverty areas by raising the eligibility threshold based on the percent of school-age children in poverty from 15 percent poor to 18 percent poor (the national poverty average).
- Uses an "absorption" provision to target both Basic and Concentration Grants more strongly on high-poverty areas. Counties and school districts will absorb the costs of meeting the special needs of the children who make up the first 2 percentage points of their poverty rates. These funds will be redirected to counties above the national poverty average, which will have a greater share of the children remaining in the formula.
- Eliminates funding to counties with very few poor children by raising the eligibility threshold from 10 poor children to either 100 poor children or an 18 percent poverty rate.

To improve the targeting of funds within districts, our proposal for reauthorization:

- Eliminates the perverse incentive caused by allocating funds to schools using numbers of low-achieving children. Instead, allocations would be based on numbers of poor children.
- Sets a minimum amount per poor child that LEAs must allocate to each school to prevent school districts from spreading Chapter 1 funds too thinly among their schools.
- Removes or limits special school eligibility rules that currently allow LEAs to serve schools below the district poverty average.

TITLE I—HELPING CHILDREN IN NEED MEET HIGH STANDARDS

PART B—EVEN START FAMILY LITERACY PROGRAMS ESEA REAUTHORIZATION SUMMARY SHEET

Even Start is a family-focused program providing participating families with an integrated program of early childhood education, adult literacy and basic skills instruction, and parenting education. All projects have some home-based instruction and provide for the joint participation of parents and children. Even Start is now primarily a state-administered discretionary program in its fifth year of implementation. In addition, the Department administers direct discretionary grants to Indian tribes and tribal organizations, for migratory families, and to the outlying areas. There are approximately 344 local Even Start programs operating in every state, Puerto Rico, and the District of Columbia, at an appropriation level of \$89.1 million.

The current legislation needs a greater emphasis on the family focus of program goals and activities, both in its purpose and through the inclusion of members of families other than parents in appropriate activities. In addition, the current restriction that parents must be eligible for adult basic education excludes an especially needy group—teen parents who are still in school—from participation.

Our proposal for reauthorization:

- Revises the statute's statement of purpose to reflect the family focus of Even Start and its targeting on families in poverty.
- Strengthens targeting of services to families most in need by specifying that projects must include active recruitment and preparation for participation of these families, giving priority to projects serving families in eligible Title I schoolwide attendance areas, requiring that a high percentage of families served have children who reside in Title I attendance areas, and requiring that projects consider, at a minimum, individual levels of adult literacy (or English language proficiency) and poverty in recruiting families most in need.
- Extends eligibility to include teen parents, who are among those most in need of the types of services provided by Even Start.
- Requires program designs to provide services for at least a 3-year age range and to operate on a year-round basis.
- Improves the linkages between schools and communities by requiring stronger collaboration in the application and implementation process.
- Provides more flexibility to states in the operation and evaluation of the program and to the Department in carrying out technical assistance, evaluation, and program improvement.

TITLE I—HELPING CHILDREN IN NEED MEET HIGH STANDARDS

PART C—EDUCATION OF MIGRATORY CHILDREN ESEA REAUTHORIZATION SUMMARY SHEET

The purpose of the Migrant Education Program (MEP) is to expand, improve, and coordinate educational programs for the children of the nation's migratory farmworkers and fishers. The MEP provides supplementary instruction in reading, language arts, and math to migratory students, who are often behind in school or have limited English proficiency. The MEP also often provides support services and links migratory children and their families to community resources. The current statute requires that children who have moved within the previous year (currently migratory) be given priority for services over students who have not moved as recently (within the preceding 5 years). For FY 1993 the MEP had an appropriation of \$302.8 million.

Despite the statutory requirement that currently migratory children receive priority for services, only 58 percent of currently migratory students (compared to 66 percent of formerly migratory students) received MEP instruction during the regular term. Evaluation has shown the needs of migrant children who have recently moved are more profound than those of children who have settled in a community for a number of years. Consequently, we are proposing several new strategies that will target services on those children who experience the most disruption in schooling. Our proposal for reauthorization:

- Focuses the program on helping migratory children meet the same high standards expected of all children by supporting services that sustain and accelerate their progress in school. MEP projects will, where feasible, use the same standards and procedures used by the new Title I, Part A program (the Title I LEA Grants program) to assess non-migratory children.
- Targets services to the most recently mobile children, who experience the most disruption in schooling. The population counted for funding purposes and eligible for services will be limited to children who have moved within the previous two years. This is a dramatic change from the current law, which allows formerly migratory children to receive services for up to five years.
- Promotes coherent, system-wide educational reform across the MEP, Title I LEA Grants, and other related programs by requiring better integration of these programs' services for migratory children. MEP personnel at both the state and local levels, and officials from other federally funded programs, will develop a joint plan to provide migratory children with access to these integrated services, and existing application procedures will be streamlined.
- Provides a broad authority for the Secretary to support the transfer of data on student achievement between school sites, and collect data that are needed to administer the program, using the most appropriate and cost-effective means available.

TITLE I—HELPING CHILDREN IN NEED MEET HIGH STANDARDS

PART D—EDUCATION OF NEGLECTED AND DELINQUENT YOUTH ESEA REAUTHORIZATION SUMMARY SHEET

The purpose of the Chapter 1 Education for Neglected or Delinquent Children and Youth (N or D) program is to provide financial assistance to state agencies for projects designed to meet the special educational needs of neglected or delinquent children and youth (under age 21) in state-operated or supported institutions for N or D youth, adult correctional institutions, and community day programs for N or D children. The N or D program had an appropriation of \$35.4 million in 1993. Funds can also be used for projects that facilitate the transition of the children and youth into either educational programs or the job market.

Evaluation has shown that the Chapter 1 N or D program provides an inadequate supplement to the limited educational programs provided in correctional institutions. Indeed, the program currently requires that an institution offer only 10 hours of instruction a week to qualify for funding, far below the amount local school districts provide. In addition, the reading and mathematics instruction provided most often by the N or D program tends to rely on out-of-date materials and outmoded instructional strategies for teaching young adults, and does not often address their post-release needs.

Consequently, we are proposing several new strategies that will improve education in juvenile facilities by doubling the number of instructional hours that are required to be provided in order to receive Title I N or D funds. Our proposal for a new Education of Neglected and Delinquent Youth program:

- Increases the minimum number of instructional hours from 10 to 20 a week in institutions for incarcerated youth. This will make these programs more comparable to what is being offered by school districts, to support incarcerated youth in completing their schooling.
- Authorizes juvenile neglected or delinquent institutions to operate institution-wide education programs using Title I and other federal and state education funds. In school year 1996-97, all state juvenile neglected or delinquent agencies will be required to operate institution-wide programs for juveniles.
- Requires not only an evaluation of participants' educational progress, but also evaluation of the impact of programs on the employability of incarcerated youths who are above compulsory school attendance age after they leave an institution.
- Authorizes funding for transition services for neglected and delinquent youth following release from an eligible institution or program. Finding successful ways to help youth make the transition is critical to the success of youths who have been institutionalized.
- Requires a designated liaison to coordinate transition activities from the state-operated institution to locally operated programs.

TITLE II—IMPROVING TEACHING AND LEARNING

PART A—DWIGHT D. EISENHOWER PROFESSIONAL DEVELOPMENT PROGRAM ESEA REAUTHORIZATION SUMMARY SHEET

The Eisenhower Math/Science Program and Chapter 2 currently support a great deal of professional development that is neither sustained nor intensive. The Department proposes an expanded Eisenhower Professional Development program to support high-quality professional development in order to prepare teachers, school staff, and administrators to help all students meet challenging state performance standards in the core academic subjects.

Our proposal for reauthorization:

- Supports federal, state, and local efforts to stimulate and provide sustained and intensive high-quality professional development in the core academic subjects required to help students meet challenging state performance standards and to achieve the National Education Goals.
- Reserves 6 percent of the funds to support national activities, including (but not limited to) seed money for organizations to develop the capacity to offer high-quality professional development; national and local professional networks of teachers and administrators; support for the development of teaching standards; support for the National Board for Professional Teaching Standards; activities to promote the transferability of licensure and certification of teachers and administrators among state and local jurisdictions; and the development of exemplary methods for assessing teachers, administrators, and other staff for licensure and certification. Funds will also support continued regional math and science consortiums and the math/science clearinghouse.
- Requires that state activities be guided by plans for professional development that outline a long-term strategy for obtaining and providing the sustained and intensive high-quality professional development required to improve teaching and learning. In administering the remaining 94 percent of funds, states may use up to 6 percent for administration and 7.5 percent for state-level activities. Of the remaining state funds, 15 percent would be used to support activities provided by institutions of higher education, and 85 percent would be allocated to local school districts.
- Requires districts to prepare plans for Eisenhower Professional Development funds that reflect the priorities of local schools. Up to 20 percent of the funds received by districts would be spent on districtwide activities with the remainder of the funds used for professional development of teachers and other staff at individual schools. LEAs would match half of the Eisenhower funds; the entire match could be from other federal funds.

TITLE II—IMPROVING TEACHING AND LEARNING

PART B—SUPPORT AND ASSISTANCE FOR ESEA PROGRAMS (ESEA TECHNICAL ASSISTANCE CENTERS) ESEA REAUTHORIZATION SUMMARY SHEET

The Department currently provides assistance to state and local education agencies (SEAs and LEAs) in their administration and implementation of federal programs through a confusing array of providers—with little or no connection to one another, and with a limited capacity for providing timely information. The Department of Education supports 49 technical assistance centers to provide guidance in implementing federal categorical programs, including Chapter 1, Migrant Education, Title VII (Bilingual Education), Drug-Free Schools, and Indian Education, at a combined cost of \$46.1 million (from program funds) in 1993.

The Department proposes to consolidate the functions of various categorical technical assistance centers into 10 comprehensive centers to provide "one-stop shopping" for states and districts seeking help in implementing federal programs authorized under ESEA—particularly as they support state and local efforts toward achieving the National Education Goals.

To provide a structure to help states, districts, and schools make the best use of federal resources through access to high-quality information and focused assistance, our proposal for reauthorization:

- Consolidates the functions of 49 categorical technical assistance centers into 10 comprehensive ESEA technical assistance centers to provide "one-stop shopping" for states and districts seeking assistance in implementing federal programs under ESEA. These will also serve as resources to schools in planning, implementing, and evaluating activities supported by ESEA funds. They also will help provide information and assistance regarding exemplary and promising practices.
- Locates an ESEA technical assistance center within each of the Department's 10 regions. These centers will be required to have expertise in supporting Title I, Migrant Education, Title VII, Indian Education, Drug-Free Schools, as well as other ESEA programs. In addition, they will be able to support the implementation of other elementary and secondary programs, such as Education for Homeless Children and Youth, which were not previously supported through technical assistance centers.
- Supports the development and implementation of technology-based assistance services to provide SEAs, LEAs, and schools with prompt access to federal priorities, policies, and guidelines so they can benefit fully from Department-funded programs.

TITLE III—EXPANDING OPPORTUNITIES FOR LEARNING

PART A—PUTTING TECHNOLOGY TO WORK FOR ALL STUDENTS SUBPART 1—RESEARCH, DEVELOPMENT, AND DEMONSTRATIONS OF EDUCATIONAL TECHNOLOGY ESEA REAUTHORIZATION SUMMARY SHEET

The use of technology in education has grown rapidly, and many applications have proven their value as tools for improving teaching and learning. For example, schools are investing in distance learning technologies such as satellite, cable, and fiber optics to bring innovative instructional programming across the curriculum to students and teachers in rural, suburban, and urban settings. Nearly every school in the country now has at least one computer and more than half have modems or are connected to a network.

The U.S. Department of Education has not systematically addressed the use of technology in schools, although federal funds—in particular, Chapter 1 grants to local educational agencies and Chapter 2 state grants—have been used by school districts and schools to purchase computers and software.

To strengthen and increase the federal effort to encourage the use of technology in education, our proposal for reauthorization:

- Creates an Office of Educational Technology within the Department to provide national leadership, through a national long-range plan, in helping schools use technology to achieve high standards in teaching and learning.
- Supports competitive grants to states and school districts to help them develop plans and strategies for the effective use of technology.
- Supports competitive grants to technical assistance providers to improve services offered to schools and school districts on the use of technology.
- Improves access of teachers and students to telecommunications by developing voluntary guidelines to facilitate efficient and effective use of technology in education.
- Supports research, development, and demonstration of applications of technology for education, including model instructional software tied to national content standards.
- Ensures that the Department will be actively involved in the Administration's plans to develop a National Information Infrastructure (NII). The NII will provide broadband, multi-purpose linkups between schools, libraries, colleges and universities, federal, state, and local government entities, and businesses.

TITLE III—EXPANDING OPPORTUNITIES FOR LEARNING

PART A—PUTTING TECHNOLOGY TO WORK FOR ALL STUDENTS SUBPART 2—STAR SCHOOLS PROGRAM ESEA REAUTHORIZATION SUMMARY SHEET

The Star Schools program expands opportunities for students to receive innovative instruction through the use of telecommunications. The Department has awarded approximately \$100 million to telecommunications projects since the program was authorized in 1988.

Three types of Star Schools projects have been funded:

- Distance education projects that use a variety of technologies including satellite, fiber optics, cable, microcomputers, and telephones to deliver educational services;
- Dissemination projects that help state education agencies, school districts and schools plan and implement technology-based distance education systems; and
- A special state-wide project that develops a two-way, full-motion, interactive fiber optic telecommunications network.

The Department's Star Schools program will continue to contribute to the body of knowledge about how distance education can improve opportunities for students from various backgrounds to learn and succeed. Our proposal for reauthorization:

- Broadens the purpose of the program to promote achievement of the National Education Goals and support state and local education reform efforts to achieve high standards for all students. Includes English, history, geography, and the arts along with mathematics, science, and foreign languages among the subjects for which instructional programming may be developed.
- Expands the opportunity for distance learning by relaxing eligibility requirements to allow projects serving regions within a single state, single school districts, and statewide projects to receive funding. This change will allow the Department to experiment with different models for distance education.
- Authorizes a set-aside for leadership activities to enable the Secretary to help coordinate project activities among telecommunications entities and further develop and expand telecommunications services to schools through dissemination and technical assistance.
- Expands the evaluation authority to allow research about distance education that goes beyond activities funded under the Star Schools program.

TITLE III—EXPANDING OPPORTUNITIES FOR LEARNING

PART B—FUND FOR IMPROVEMENT OF EDUCATION (FORMERLY THE FUND FOR INNOVATION IN EDUCATION) ESEA REAUTHORIZATION SUMMARY SHEET

The current Fund for Innovation in Education (FIE) supports projects that show promise in identifying and disseminating innovative educational approaches. Other related activities have been scattered among separate authorities. The program was funded at \$28,008,000 during FY 1993. The National Education Goals initiative makes supporting promising innovations critical to our success.

Our proposal for reauthorization, renaming the program the Fund for Improvement of Education:

- Consolidates in one broad program, focused on the National Education Goals, authority for the Secretary to fund projects of national significance related to high standards and education reform. Funds could be used for:
 - Activities that will promote systemic education reform at the state and local levels, such as research and development related to content and performance standards for student learning, and the development and evaluation of model strategies for assessing learning, professional development for teachers and administrators, parent and community involvement, and other aspects of systemic reform;
 - Demonstrations at the state and local levels that yield nationally significant results, including approaches to public school choice and school-based decision-making;
 - Joint activities with other agencies to achieve the National Education Goals, including those that improve the transition from preschool to school and from school to work, and activities related to integrating education with health and social services;
 - Activities to promote and evaluate counseling and mentoring for students, including intergenerational mentoring;
 - Activities to promote comprehensive health education, foreign language education, and environmental education;
 - Studies and evaluations of education reform strategies and innovations pursued by the federal government, states and local educational agencies; and
 - The identification and recognition of exemplary schools and programs, such as "Blue Ribbon Schools."

TITLE III—EXPANDING OPPORTUNITIES FOR LEARNING

PART C—JACOB K. JAVITS GIFTED AND TALENTED EDUCATION PROGRAM ESEA REAUTHORIZATION SUMMARY SHEET

The purpose of the current Javits Gifted and Talented Program is to provide national leadership for efforts to identify and serve gifted and talented students, especially those who are economically disadvantaged, are limited English proficient, or have disabilities. The statute authorizes grants and contracts for demonstration projects, a national research center, and activities to provide leadership in gifted and talented education. During FY 1993, the program was funded at \$9,607,000.

The Department is proposing to change the program to support efforts to help all students, including gifted and talented students, meet challenging state performance standards by adapting and expanding strategies often used in gifted and talented programs to serve all students in a school or in several schools.

Our proposal for reauthorization:

- Supports schoolwide efforts to provide to all students the challenging curricula and enriching instruction that are often offered in gifted and talented programs. Efforts will focus on improving the curriculum and educational environment of schools and on setting high expectations for all students in the core subject areas, including high expectations for students who excel. Schools would be given up to three years to expand gifted and talented programs to the whole school.
- Targets at least half of the grants to high-poverty schools.
- Supports applied research and development, evaluation, and documentation of project implementation and results, while eliminating the National Research Center. High-quality project assessment will answer key questions about how to ensure that all students, including the gifted and talented, reach the highest levels of achievement.

TITLE III—EXPANDING OPPORTUNITIES FOR LEARNING

PART D—CHARTER SCHOOLS ESEA REAUTHORIZATION SUMMARY SHEET

Charter schools are an innovation for improving school and student performance by replacing rules-based governance with goals-based accountability. Public charter schools operate within the public school system but are released from most regulatory requirements in exchange for developing and implementing a plan to achieve better results in student learning.

Schools today are entangled in reams of rules and regulations. "A highly regulated school system," writes Paul Hill in Urban Education, "does not work because no one is personally responsible for whether children learn." It is precisely this personal responsibility—this sense of ownership—that the charter school concept seeks to build into public education, because each charter school would be created by teachers, parents, and other key stakeholders.

Six states have passed charter schools legislation, allowing a limited number of public schools to sweep away virtually all state rules and regulations—except civil rights, health and safety, and financial audit requirements—in exchange for developing and implementing a plan to achieve better results in student learning.

Our proposal calls for a new competitive grants program to demonstrate the concept of public charter schools. Specifically, our proposal for reauthorization:

- Authorizes funds for planning the public charter school and other start-up costs, including developing new curriculum, refining desired educational outcomes, securing necessary training for teachers, and reaching out to parents and the community.
- Requires each application to describe the educational results the school will strive to produce. Applications will be judged on the basis of quality and such considerations as the degree of flexibility afforded by the state to the school, the amount of community support and involvement, and the likelihood that the school will meet its objectives and improve educational results for students. The state will be required to sign off on the school's application as evidence of its commitment to freeing the school from rules and regulations that would otherwise limit the flexible operation and management of the school.
- Reserves some funds for school support team review, for evaluating charter schools, and for bringing the schools together to exchange information and learn from each other.

TITLE III—EXPANDING OPPORTUNITIES FOR LEARNING

PART E—ARTS IN EDUCATION ESEA REAUTHORIZATION SUMMARY SHEET

The U.S. Department of Education's Arts in Education Program supports the John F. Kennedy Center for the Performing Arts education programs and programs run by Very Special Arts, a private nonprofit organization promoting arts for individuals with disabilities. The Fund for Innovation in Education has also funded efforts led by the Music Educators National Conference on behalf of the Consortium of National Arts Education Associations to support the development of national education standards for all aspects of the arts. Moreover, the Department and the National Endowment for the Arts are collaborating with the arts education and research communities to develop a national agenda for research in arts education.

Our proposal for reauthorization:

- Supports the arts as integral to the elementary and secondary curriculum by providing support for states, school districts, and other public and private agencies to strengthen arts education, develop new, better ways of teaching the arts, improve learning through the arts, and improve pre-service and in-service professional development programs in arts education. The Goals 2000: Educate America Act adds the arts to National Education Goal Three.
- Integrates Department efforts with those of other agencies and organizations by authorizing the joint funding of arts in education activities. The Department will work with national arts organizations to develop a coordinated strategy for integrating arts into education and enhancing students' skill and familiarity in the arts. Although many federal agencies support arts education programs, the efforts are small and often uncoordinated; much more effort is needed.
- Continues Department support for the John F. Kennedy Center for the Performing Arts and for education programs offered by Very Special Arts.

TITLE III—EXPANDING OPPORTUNITIES FOR LEARNING

PART F—INEXPENSIVE BOOK DISTRIBUTION PROGRAM ESEA REAUTHORIZATION SUMMARY SHEET

The Inexpensive Book Distribution program is designed to motivate children (age 3 through high school) to read by providing free books and activities that encourage reading. Reading Is Fundamental, Inc. (RIF), a national nonprofit organization, is the sole contractor for this program and the vehicle through which the program purchases and distributes books.

RIF consists of a national organization and local projects, 2,939 of which are partially federally funded and 1,052 of which receive funds from private sources. Local projects are administered by schools, public agencies, and nonprofit organizations such as PTAs. The National Literacy Act of 1991 requires that in funding new projects, RIF give priority to those serving special populations, including low-income children and children with special needs.

In the future, federal funding should be targeted more effectively to projects that serve children with special needs. Under current law, these include projects that serve a substantial number or percentage of children who are from low-income families (particularly those in high-poverty areas); have disabilities; are at risk of school failure; are in foster care; are homeless; are migrant; have no access to libraries; are institutionalized or incarcerated; or have parents who are institutionalized or incarcerated.

Our proposal for reauthorization:

- Gives greater priority to projects serving children with special needs by phasing out funding of projects that do not serve those children.
- Encourages local capacity-building by limiting the number of years projects can receive funding unless they can show financial hardship.

TITLE IV—SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES ESEA REAUTHORIZATION SUMMARY SHEET

The Drug-Free Schools and Communities Act is the federal government's major effort in the area of drug education and prevention. The program provides funds to governors, state and local education agencies (SEAs and LEAs), institutions of higher education, and nonprofit organizations to develop and operate a range of drug and alcohol prevention programs. Every state and at least 96 percent of LEAs receive funds under the Act. In FY 1993, almost \$600 million was appropriated for this program.

Goal Six states that all schools will be free of drugs and violence by the year 2000 and will maintain disciplined environments conducive to learning. This Goal recognizes that violence prevention is a key to the success of educational reform. The current Act focuses exclusively on drug education and prevention. Consequently, our proposal for reauthorization:

- Adds violence prevention as a key element of programs. The reauthorized ESEA will create a comprehensive federal effort in support of National Education Goal Six by expanding authorized program activities to include violence prevention.
- Links schools and communities. LEAs will be required to develop their drug and violence prevention plans in cooperation with local governments, businesses, parents, medical and law enforcement professionals, and community-based organizations.
- Promotes comprehensive prevention strategies. All LEAs will be required to submit comprehensive plans for drug and violence prevention programs. Those that have adopted and implemented basic prevention activities will be able engage in a broader range of activities such as opening before- and after-school Safe Haven programs.
- Targets resources to where they are most needed. For the first time, SEAs will determine criteria for selecting high-need LEAs and may designate up to five LEAs or 10 percent of the LEAs in the state, whichever is greater, as high-need. LEAs will have the flexibility to target funds on students in schools with the greatest need for additional drug and violence prevention services.
- Increases accountability. States and LEAs will be required to assess needs and measure program outcomes, such as decreased drug use, violent behavior, and gang activity, publicly report on their progress toward meeting their goals, and use this information to formulate policies and program initiatives.

TITLE V—PROMOTING EQUITY

PART A—MAGNET SCHOOLS ASSISTANCE ESEA REAUTHORIZATION SUMMARY SHEET

The Magnet Schools Assistance Program (MSAP) provides two-year competitive grants to LEAs for magnet schools that are intended to reduce, eliminate, or prevent minority group isolation in elementary and secondary schools and to strengthen students' knowledge of academic or vocational subjects. The Magnet Schools Assistance Program had an appropriation of \$108 million in 1993.

In addition to providing funds to operate magnet programs designed to promote desegregation and student achievement, the MSAP can provide leverage to school districts in building local capacity to continue and expand the programs. However, MSAP currently restricts the use of funds for planning, the two-year grant period provides insufficient time for grantees to develop and implement innovative programs. The statute implicitly promotes the use of funds for maintenance of programs rather than giving priority to new or significantly revised programs that are consistent with state or local systemic reforms. Moreover, some critics of magnet schools have charged that racial segregation in some programs-within-schools undermines the goal of maximizing contact between students of different social, economic, ethnic, and racial backgrounds.

To promote innovative, long-lasting magnet programs that are more responsive to desegregation demands and education reforms, our proposal for reauthorization:

- Strengthens the focus on reducing minority group isolation by providing more flexibility for use of funds to promote more interaction between students participating in magnet school programs and other students in the buildings in which magnet programs operate.
- Enhances support for magnet school programs that serve a wide range of students, rather than an elite group of students.
- Targets magnet school program funds to projects that develop new magnet schools and programs and innovative educational approaches.
- Ensures that magnet schools will contribute to state and local efforts to help all students reach high standards of achievement.
- Promotes local capacity building to help ensure continuation of magnet programs after federal funding ends.

TITLE V—PROMOTING EQUITY

PART B—EQUALIZATION ASSISTANCE ESEA REAUTHORIZATION SUMMARY SHEET

The purpose of equalization assistance is to help states achieve greater equity in the distribution of education resources among school districts through a three-part strategy of technical assistance, research, and development of model school finance systems.

Disparities in education resources among rich and poor school districts have been a longstanding barrier to equal educational opportunity. In the past two decades, 12 state courts have ruled their states' systems unconstitutional due to funding inequities; litigation is pending in half of all states. Continuing disparities in the quantity and quality of education resources across school districts have aroused considerable concern about the potential effectiveness of Chapter 1 for closing the achievement gap between high- and low-poverty schools. Where state school finance systems are inequitable, the federal funds may simply buy services and resources in poor districts that wealthier districts routinely provide to all students through state and local funds.

We propose to promote greater equity in the distribution of state and local education resources through equalization assistance for states and school districts. A previous federal program of equalization assistance (Section 842) was funded for only one year, but school finance experts believe it made a significant contribution to the equity reform efforts of the 1970s by developing expertise in school finance equity issues within states. A more sustained commitment to supporting state reform efforts through technical assistance and research and development could have an even stronger impact. Our proposal for reauthorization:

- Supports technical assistance to states to improve the equity of school funding through grants and contracts for SEAs and other public and private institutions.
- Supports research on ways to achieve greater equity in the distribution of educational resources and opportunities.
- Encourages the development and dissemination of models and materials to help states construct more equitable school funding systems.

TITLE V—PROMOTING EQUITY

PART C—WOMEN'S EDUCATIONAL EQUITY ACT ESEA REAUTHORIZATION SUMMARY SHEET

The Women's Educational Equity Act (WEEA) was enacted in 1974 to promote educational equity for girls and women, including those who suffer multiple discrimination based on gender and on race, ethnicity, national origin, disability, or age. WEEA also provides funds to help educational agencies and institutions meet the requirements of Title IX of the Education Amendments of 1972.

WEEA supports demonstration and model programs designed to help women and girls become active participants in academic fields and careers in which they have historically been underrepresented. It also supports research and development of teacher training programs, gender-equitable curricula, and other educational materials.

Under current law, WEEA funds can be used for local implementation projects only when WEEA's appropriation exceeds \$4.5 million. In recent years, WEEA's total appropriation has not been sufficient to trigger this part of the program. While WEEA's appropriation reached a high of \$10 million in 1980, its funding level dropped to \$500,000 in 1992. The funding level for FY 1993 is \$2 million.

Because WEEA funds have focused more on producing gender-equitable materials rather than on providing the training and support needed in order to use them effectively, the Department is proposing to strengthen WEEA to assist in providing high-quality, challenging learning experiences to all students.

Our proposal for reauthorization:

- Expands WEEA's scope by allowing the Secretary to support implementation activities as well as the development and dissemination of materials. WEEA would support implementation programs, including programs to: prevent sexual harassment; train teachers and school administrators in gender-equitable instructional techniques; increase opportunities for women and girls in non-traditional fields through leadership training and school-to-work programs; and help pregnant and parenting teens remain in school, graduate, and prepare their children for preschool.
- Funds research to create assessments that are free of gender bias; study and develop ways to evaluate whether diverse educational settings are gender-equitable; and develop strategies for disseminating and replicating effective programs.
- Institutionalizes gender-equitable practices by engaging parents, teachers, students, community groups, and institutions of higher education in developing and implementing gender equity programs. The Secretary will give special consideration to applicants who plan to use local resources to develop and implement gender equity strategies and activities.

**TITLE VI—INDIAN EDUCATION
ESEA REAUTHORIZATION SUMMARY SHEET**

The Department's Indian education programs support the efforts of states, local education agencies, and Indian tribes to improve educational opportunities for Indian children and adults. The current Indian Education Act of 1988 includes a formula grant program and a variety of discretionary grant programs. Appropriations totaled \$80.6 million in FY 93.

The Department is proposing changes to the Indian Education Act that are designed to strengthen its effectiveness. Our proposal for reauthorization:

- Supports high standards for Indian students by assisting the efforts of state education agencies (SEAs), local education agencies (LEAs), Indian tribes and organizations, postsecondary institutions, and other entities to meet the unique educational needs of American Indians and Alaska Natives, so that they can achieve to the high academic standards expected of all students.
- Promotes coordinated planning and strengthens integration with other titles by requiring each school district to submit with its formula grant application a comprehensive plan that describes how federal, state, and local funds are being used to meet the needs of Indian students. LEAs would be required to report to the communities on the progress they have made in achieving the academic content and performance goals.
- Strengthens the role and responsibility of states in providing quality education for Indian students by requiring school districts to obtain the state education agencies' comments on its formula grant applications. In addition, a new authority for grants to state education agencies would be available to states that include adequate provisions for the education of Indian children and adults, provisions for assessment of Indian students' progress toward stated goals, and provisions for technical assistance to school districts. These grants would provide an incentive for states to develop comprehensive plans that include strategies for providing Indian children and adults with greater opportunities to learn to high academic standards.
- Responds to the critical need for Indian education research and evaluation by authorizing the Secretary to conduct research, evaluate federally-assisted education programs from which Indian children and adults benefit, and collect and analyze data on the education status and needs of Indians.

TITLE VII—BILINGUAL AND IMMIGRANT EDUCATION PROGRAMS ESEA REAUTHORIZATION FACT SHEET

Title VII, enacted in 1968, is a program to increase the capacity of LEAs and SEAs to provide programs of bilingual education to limited-English proficient (LEP) students. Its purpose is development of full proficiency in English while building achievement in all curricular areas. Title VII had an appropriation of \$225.7 million in FY 1993.

The number of LEP students, especially immigrant students, is increasing rapidly. Many remain underserved and the educational gap is not closing. Many classrooms offer only limited opportunities for students to actively develop language skills; ESL services are most commonly provided; there is a continuing shortage of qualified staff, with many teachers having only limited knowledge of effective instruction for LEP students. In FY 1992, Title VII served approximately 14 percent (350,000) of the nation's 2.4 million LEP students.

Consequently, we are proposing several new strategies that strengthen the comprehensiveness of funded programs; streamline program definitions for flexibility; strengthen the state administrative role; improve research and evaluation; and emphasize professional development. Our proposal for reauthorization:

- Substitutes three functional discretionary grant categories for the current six which focus largely on the amount of native language used in instruction, isolate programs from the overall school program and fail to adequately build local capacity to serve all LEP students. The restructured programs are (1) two-year Enhancement grants to develop existing programs or initiate new programs, (2) five-year Whole School grants to develop projects integrated with the overall school program; and (3) five-year Whole District grants for district-wide projects that serve all or most LEP students.
- Improves local program evaluations and research to promote the use of English and language proficiency assessments closely linked to high standards and integrate Title VII project evaluations with those of other federal, state and local programs. The current system is characterized by low-level standards, little attention to student language and academic achievement assessments; and little recognition of the needs of states and local programs.
- Strengthens the state role by requiring SEAs to include services to LEP students as an integral part of their state reform plans and assist LEAs with program design, assessment of student performance, and project evaluation. Currently, many states limit their role to collecting quantitative data on LEP students.
- Redesigns professional development programs and ensures their integration with broader school curricula and reform to improve staff quality.
- Incorporates the Emergency Immigrant Education Act in Title VII and replaces existing formula grant authority with discretionary grant authority.

**TITLE VIII—IMPACT AID
ESEA REAUTHORIZATION SUMMARY SHEET**

Impact Aid compensates school districts for the burden placed on their resources by federal activities. The program covers burdens created by federal tax-exempt ownership of local real property or by federal activities that increase the number of students that a school district must educate without generating additional tax revenues to support their education. Impact Aid had an appropriation of \$770 million in 1993.

Congress, the Administration, and the Impact Aid community agree that the program needs major reform. The current entitlement calculation and payment formulas are excessively complex. Moreover, the provisions governing the distribution of funds are riddled with equity problems relating to differential payment rates, inaccurate assumptions about the amount of education funds provided from local sources, and payments for children who do not represent a real federal burden on local school districts. To address these and other problems, our proposal:

- Simplifies the payment formula and improves equity by targeting available funds to those school districts most genuinely burdened by federal activities and by using real data on the amount of education funds provided from local sources in each state. The proposed formula for Basic Support Payments considers only three factors: (1) the number of federally connected children being served by a local school district; (2) the cost of educating those children, as measured by the state's average per-pupil expenditure; and (3) the average share of education revenues that is provided from local sources in the state. These three factors are multiplied together to determine the maximum Basic Support Payment a district can receive. If annual appropriations are insufficient to pay this full amount to each school district, then all payments would be ratably reduced.
- Eliminates payments for federal property and for children who either live on or whose parents work on federal property (but not both), commonly referred to as "b" children, in order to focus available resources on payments for children who both live on and have parents who work on federal property ("a" children). This proposal also eliminates the eligibility threshold and differential payment rates for districts with different concentrations of federally connected students (e.g., "super-a" payments).
- Provides a one-time payment for students moving to a school district as a result of base realignment and closure activities.
- Provides capital improvement funds to school districts with 50 percent or more students residing on Indian lands to help meet the school construction costs of those districts.
- Continues to provide higher levels of compensation for children living on Indian lands and children with disabilities.

TITLE IX—GENERAL PROVISIONS ESEA REAUTHORIZATION FACT SHEET

Educators and state and local administrators have criticized the fragmented and inflexible structure of ESEA. While there are some provisions in the General Education Provisions Act (GEPA) and the Department of Education Organization Act that address these concerns, they are limited and do not greatly reduce fragmentation or provide much flexibility.

The changes for individual programs in the reauthorization proposal are beneficial and provide additional flexibility. But crosscutting provisions also are needed to address fragmentation, ensure coordination, promote equal educational opportunity, provide broader flexibility and discretion to SEAs and LEAs, enhance efficient and effective uses of funds, and improve accountability. Our proposal for reauthorization:

- Allows for consolidation of set-asides for state administrative funds. SEAs would be allowed to consolidate their administrative funds under ESEA formula grant programs to administer all of the programs in question, as well as for broader purposes such as encouraging the use of program funds to establish peer review mechanisms, facilitating program coordination, disseminating information on model programs and practices, and providing technical assistance.
- Allows for the consolidation of local administrative funds and authorizes a study of local administrative practices. LEAs with the approval of their SEA, will be able to combine administrative funds under formula grant programs up to a percentage determined by the SEA. In addition, a study is authorized of the use of administrative funds by LEAs and by SEAs to report to Congress and the President.
- Consolidates BIA set-asides. The proposal merges BIA set-asides into a consolidated set-aside for all covered programs, and provides for a limitation on funds (1.5 percent) spent for administration.
- Establishes a broad waiver authority. It is impossible to anticipate all of the particular situations in which federal program requirements might inhibit effective program operations. This waiver authority allows the Secretary to address these situations.
- Makes the maintenance of effort and related provisions uniform. The provision provides uniform standards for maintenance of effort (90 percent), broadens the waiver provision applying to maintenance of effort, and makes the sanction for noncompliance proportionate to the amount by which the recipient fails to meet the requirement.

AMENDMENTS TO THE GENERAL EDUCATION PROVISIONS ACT ESEA REAUTHORIZATION FACT SHEET

The General Education Provisions Act (GEPA) governs crosscutting issues applicable to the U.S. Department of Education and its programs. It covers such areas as Department organization and authority, availability of appropriations, program administration, regulations procedures, advisory committee procedures, and enforcement. As part of the ESEA reauthorization, we propose comprehensive amendments to GEPA.

GEPA has not been substantially revised since before the enactment of the Department of Education Organization Act (DEOA) in 1979. Accordingly, GEPA contains many outdated, obsolete, and overlapping provisions and references that need revision, as well as provisions that impede flexibility or impose a needless administrative burden. The revised GEPA proposal also recognizes the responsibility to provide equal opportunity for *all* students and teachers through our programs. Our proposal for reauthorization:

- Simplifies the statute to reduce confusion for grantee, staff, and public alike; provide greater flexibility in federal and grantee administration; and address issues of micro-management. Among the new provisions, authority for carrying out GEPA functions is placed in the Secretary of Education; rulemaking procedures are simplified by making Department rulemaking subject to the provisions that apply to all government agencies, and by repealing the special agency-specific rulemaking procedures; cooperative arrangements between the Department and other agencies, and among grantees using multiple program authorities, are enhanced by joint funding provisions; the frequency of evaluation reports is reduced, thus conserving administrative resources and permitting them to be spent on performance and results-oriented review; the authority is clarified to integrate and coordinate education programs across agency lines and to work efficiently with other federal agencies on education-related matters; and the grantback authority in section 459 of GEPA is repealed to put the Department on equal footing with other agencies, and strengthen accountability.

- Includes a new provision to address equity for students and teachers. This provision would seek to ensure equal opportunities for students and teachers to participate in any program administered by the Department. Each applicant for funds under an applicable program would be required to describe in its application the steps it would propose to take to ensure equitable access and participation by addressing the special needs of students, teachers, and other program beneficiaries to overcome barriers to equitable participation including barriers based on gender, race, color, national origin, disability, and age. The Secretary would be authorized to establish criteria and provide technical assistance under this provision.

AMENDMENTS TO OTHER ACTS

AMENDMENTS TO THE INDIVIDUAL WITH DISABILITIES EDUCATION ACT ESEA REAUTHORIZATION SUMMARY SHEET

Children served under the Chapter 1 Handicapped program receive the same kinds of services as those provided under Individuals with Disabilities Education Act (IDEA) programs and have the same rights and procedural safeguards. The Chapter 1 Handicapped program provides funds for services to children with disabilities, from birth through 21 years, who are in state-operated or supported schools or programs, and children who were formerly in such programs or schools but who have transferred to LEA programs. Funds are distributed to states based on child counts weighted by each state's per pupil expenditure. The program was funded at \$126.4 million during FY 1993.

Our proposal:

- Replaces the authority for the Chapter 1 Handicapped program with new provisions in the Individuals with Disabilities Education Act (IDEA) in order to serve all children with disabilities under programs authorized by IDEA.
- To ensure that the proposal has no adverse effect:
 - It guarantees that for 1995, 1996, and 1997 states will receive no less under the IDEA programs than they had received, in total, under IDEA and the Chapter 1 Handicapped programs in 1994; for 1998 and 1999, should the number of children counted decrease, the hold-harmless amount would be reduced based on the percentage by which the number of children had declined the number of children had declined from the number counted in 1994.
 - In 1995 and 1996, it requires states to give state-operated and supported programs the same amount per child that these programs received in 1994 for each child they served under the Chapter 1 Handicapped program; allows states, at their discretion, to give this amount to LEAs for children who have transferred from state-operated and supported programs.
- Treats state-operated and supported programs that received Chapter 1 Handicapped funds in 1994 as LEAs, for the purpose of distributing IDEA funds within states for 3 through 21 year olds.
- Distributes \$34,000,000 of the IDEA funds appropriated in 1995 to States for infants and toddlers on the basis of the actual number of children being served; distributes the remainder on the basis of population.

AMENDMENTS TO OTHER ACTS

EDUCATION FOR HOMELESS CHILDREN AND YOUTH (McKINNEY ACT) ESEA REAUTHORIZATION SUMMARY SHEET

The Stewart B. McKinney Homeless Assistance Act is intended to ensure the right of homeless children and youth to have access to a free and appropriate public education. The McKinney Act calls on states to review and revise their laws and policies to eliminate barriers to the enrollment, attendance, and success in school of homeless children and youth and to include homeless students in the mainstream school environment.

The current law must be revised to better address the needs of homeless children. For example, currently, the law does not deal adequately with a major barrier that homeless children face—the cost or difficulty of transportation from their temporary residence to school. Moreover, large numbers of homeless children are preschool age and the law does not adequately address the needs of preschool children.

The Department proposes to clarify the legislation and increase state and local flexibility. Our proposal for reauthorization:

- Focuses on enabling homeless children to achieve the same standards expected of all children by making them eligible for Chapter 1 services regardless of where they attend school.
- Requires that state plans be reviewed through a peer review process.
- Replaces the requirement to report on counts of homeless children with a requirement that states describe their activities to identify homeless children and the results of these activities.
- Adds a requirement that transportation be provided, to the extent possible, with no cost to homeless children and youth.
- Encourages extension of program services to preschool children, by clarifying that activities for these children can be funded.
- Requires school districts to abide by a parent or guardian's request to enroll a homeless child in a particular school, unless there is a compelling reason not to do so.
- Requires that all districts in which homeless children reside or attend school designate a homeless liaison.
- Provides flexibility in the use of subgrants to LEAs.

TITLE IV SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES

What's New

Add violence prevention as a key element of the governors' and state, local, and school-based programs.

Link schools and communities in development and implementation of comprehensive prevention strategies.

Promote comprehensive strategies that include both basic prevention activities and other efforts, such as reducing illegal gang activity and supporting conflict resolution programs.

Target resources to high-need schools and communities, based on state-specified criteria.

Link state and local prevention efforts to measurable goals and objectives, such as decreases in drug use, violent behavior, and illegal gang activity. States and local educational agencies will be required to collect better data and report on progress toward meeting their stated objectives.

The Drug-Free Schools and Communities Act, enacted in 1986, has been the federal government's major effort in the area of drug education and prevention. The program provides funds to governors, state and local educational agencies (SEAs and LEAs), institutions of higher education, and nonprofit organizations to develop and operate a range of drug and alcohol prevention programs. Every state and at least 96 percent of LEAs receive funds under the Act. In FY 1993, almost \$600 million was appropriated for this program.

What We've Learned

Alcohol, tobacco, and other drug use continues to be a serious problem for teens and young adults.¹

- Use of alcohol and other drugs begins early. According to the annual national survey of student drug use, in 1992 many 8th graders regularly used alcohol (26 percent) and smoked cigarettes (16 percent). Many also had tried marijuana (11 percent) and inhalants (17 percent). Among 12th graders, 51 percent used alcohol and 28 percent

smoked cigarettes regularly, and 41 percent had tried an illegal drug at some time during their lives.

- While drug use generally has declined, alcohol and cigarette use remains high, particularly among young adult populations. In addition, recent national surveys have detected slight increases in the use of LSD by high school seniors and the use of inhalants, cocaine, and marijuana by 8th graders.
- Many public secondary school teachers regard student alcohol and drug use as serious or moderate problems in their schools (54 and 38 percent, respectively).²

Youth also are disproportionately the victims of crime and violence, particularly at or near school. Furthermore, today's school crimes are more violent than in past years, and involve children at younger ages.³

- Among 8th, 10th, and 12th graders surveyed nationally, nearly 20 percent had been threatened with a weapon and almost 10 percent were injured by a weapon at school. One out of every five high school students regularly carries a gun, knife, club, or other weapon. Many of these weapons are carried to school.⁴ Students in central cities are also more likely than suburban students to fear attack at school and to avoid certain public places.⁵
- Nearly 3 million thefts and violent crimes occur on or near school campuses every year—almost 16,000 incidents per day. Twelve percent of violent crimes in schools involve weapons. Nearly 500,000 teens are victimized annually by a violent crime occurring at or near school.⁶

National Education Goal Six—that all schools will be free of drugs and violence by the year 2000 and will maintain disciplined environments conducive to learning—recognizes that violence prevention is a key to the success of education reform. Students cannot learn and teachers cannot teach if students are disruptive or are threatened with violence.⁷ However, the Drug-Free Schools and Communities Act currently addresses drug prevention exclusively, and at the present time, the U.S. Department of Education does not support violence prevention education and activities. We have learned that coordinated prevention efforts with the community—parents, health care providers, civic leaders, and police are most effective.⁸ For example, schools have opened parent centers that offer parent training, counseling, and information about the school, including its drug programs. Other neighborhoods have set up "Safe Havens" that utilize a host of community services to provide children with alternatives to the street. Building links to the community also permits schools to reach youth who have dropped out of school and are not served by most schools' drug prevention programs.

We have also identified the characteristics of promising violence⁹ and drug¹⁰ prevention programs and have found that they are similar. The most promising prevention programs are those that are designed to address multiple risk factors found in individuals, peer groups,

schools, and communities. Examples of some of the types of these programs are those that enhance self-esteem, develop skills to resist using drugs and resolve conflict creatively, and improve decision-making and goal setting.

What We Propose

The proposed legislation takes a comprehensive, integrated approach to drug and violence prevention by recognizing the relationships between drug use and violent behavior (for example, they share many of the same risk factors and protective factors). It also builds on the success of schools working with larger communities in creating drug- and violence-free environments both within and outside schools. Communities with larger problems will receive larger shares of funding, based on criteria for high-need areas specified by each state.

Our proposal for reauthorization:

- Adds violence prevention as a key element of programs. The reauthorized ESEA will create a comprehensive federal effort in support of National Education Goal Six by expanding authorized program activities to include violence prevention. The bill responds to the crisis of violence in our schools by authorizing activities designed to combat and prevent serious school crime, violence, and discipline problems. LEAs will have the flexibility to design their own programs, which could include comprehensive school safety strategies, coordination with community agencies, implementation of violence prevention activities such as conflict resolution and peer mediation, and the installation of metal detectors and hiring of security guards. (subject to a 33 percent cap).
- Links schools and communities. States, including the governors and the SEAs, and LEAs will continue to be required to show how they plan to use funds to support comprehensive drug prevention programs; in addition, they will also be required to show how funds will be used to implement violence prevention programs. To encourage community-wide strategies, LEAs will be required to develop their drug and violence prevention plans in cooperation with local governments, businesses, parents, medical and law enforcement professionals, and community-based organizations.
- Promotes comprehensive prevention strategies. All LEAs will be required to submit comprehensive plans for drug and violence prevention programs. Those that have adopted and implemented basic prevention activities will be able to engage in a broader range of drug and violence prevention activities. These additional activities could include community service projects, development of a comprehensive community-wide strategy to prevent or reduce illegal gang activity, opening before- and after-school "safe-haven" programs that provide students with a range of activities in a safe and drug-free environment, and programs such as conflict resolution and

peer counseling that provide students with skills necessary to address conflict in a non-confrontational manner.

- Targets resources to where they are most needed. States will receive 50 percent of their funds based on the Title I formula; the other 50 percent will be based on their school-age population. For the first time, SEAs will determine criteria for selecting high-need LEAs and target funds to those districts. Up to five LEAs or 10 percent of the LEAs in the state, whichever is greater, could be designated as high-need, and states will distribute 30 percent of their LEA funding to those LEAs with the greatest needs. The remaining 70 percent will be distributed to LEAs based on enrollment. LEAs will have the flexibility to target funds on students in schools with the greatest need for additional drug and violence prevention services.

The set-aside for the governors' programs would continue to support programs and activities for children and youth not normally served by state or local educational agencies or for populations needing special services (such as preschoolers, youth in juvenile detention facilities, runaway or homeless children and youth, and dropouts). Grants to institutions of higher education would also continue to be authorized for drug and violence prevention programs.

- Increases accountability. States and LEAs will be required to assess needs and measure program outcomes (for example, by collecting data on drug use and violence in schools and communities) and to use this information to formulate policies and program initiatives. They also will be required to report publicly on progress toward meeting their stated measurable goals and objectives. A new national evaluation system will be established to assess the impact of the Safe and Drug-Free Schools and Communities Act on youth, schools, and communities.

Notes

1. University of Michigan, Institute for Social Research, press release on the 1992 survey of drug use by 8th, 10th, and 12th grade students, April 13, 1993.
2. U.S. Department of Education, Teacher Survey on Safe, Disciplined, and Drug-Free Schools (Washington, DC: Author, 1991).
3. School Safety Update, National School Safety Center News Service, October 1991.
4. U.S. Department of Education, The National Education Goals Report: Building a Nation of Learners (Washington, DC: Author, 1992).
5. National Crime Victimization Survey, 1989. Cited in Bureau of Justice Statistics National Update, January 1992.
6. School Safety Update, National School Safety Center News Service, October 1991.
7. U.S. Department of Education, Teacher Survey on Safe, Disciplined, and Drug-Free Schools (Washington, DC: Author, 1991). Of teachers surveyed, 44 percent reported that student misbehavior interfered with their teaching.
8. U.S. Department of Education, Success Stories From Drug-Free Schools: A Guide for Educators, Parents, and Policymakers (Washington, DC: Author, 1992).
9. Hawkins, Catalano, and Miller, "Risk and protective factors for alcohol and other drug problems in adolescence and adulthood," Psychological Bulletin 112/1 (1992), pp. 64-105.
10. Cohen and Wilson-Brewer, "Violence Prevention for Young Adolescents: The State of the Art of Program Evaluation" (Education Development Center, Inc., September 1991).

ESEA, TITLE IV--SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES

Proposed Title IV of the ESEA would reauthorize, simplify, and expand the Drug-Free Schools and Communities Act of 1986, which is Title V of the current ESEA. Current law focuses exclusively on the prevention of illegal drug use, while proposed Title IV would widen the scope of the program to include the prevention of violence and the establishment in our schools of a disciplined environment that is conducive to learning, in support of National Education Goal Six.

Section 4001. Findings. Proposed section 4001 of the ESEA would set forth congressional findings as follows: (1) National Education Goal Six provides that by the year 2000, all schools in America will be free of drugs and violence and offer a disciplined environment that is conducive to learning; (2) the widespread use of alcohol and other drugs among the Nation's secondary school students, and increasingly by elementary students as well, constitutes a grave threat to their physical and mental well-being, and significantly impedes the learning process; (3) our Nation's schools and communities are increasingly plagued with crime; (4) the tragic consequences of violence and the illegal use of alcohol and other drugs by students are felt not only by students and their families, but by their communities and the Nation; (5) alcohol and tobacco (nicotine) are the most widely used drugs among young people today, and both of these drugs can, and do, have adverse consequences for users, their families, communities, schools, and colleges; (6) drug and violence prevention programs are essential components of a comprehensive strategy to promote school safety and to reduce the demand for and use of drugs throughout the Nation; and (7) students must take greater responsibility for their own well-being, health, and safety if schools and communities are to achieve their goals of providing a safe, disciplined, and drug-free learning environment.

Section 4002. Purpose. Proposed section 4002 of the ESEA would set forth the purpose of Title IV as supporting programs to meet National Education Goal Six by preventing violence in and around schools and by strengthening programs that prevent the illegal use of alcohol and other drugs, involve parents, and are coordinated with related Federal, State, and community efforts and resources.

Section 4003. Authorization of appropriations. Proposed section 4003 of the ESEA would authorize such sums as may be necessary for each of the fiscal years 1995 through 1999 for Part A (State grants), Part B (postsecondary programs), and Part C (National programs), respectively.

PART A--STATE GRANTS FOR DRUG AND VIOLENCE PREVENTION PROGRAMS

Section 4101. Reservations and allotments. Proposed section 4101(a) of the ESEA would provide for the reservation of funds for drug and violence prevention programs under Part A for the Insular Areas (no more than one-half of one percent of the amount appropriated) and for such programs for Indian youth (no more than one percent of the amount appropriated and carried out by the Secretary of the Interior). The reservation of funds for Native Hawaiians in current law would be eliminated because this population is served through the State and local formula grant program. Section 4101(a) would also authorize the Secretary to reserve each fiscal year no more than \$1 million from the amount appropriated for Part A to conduct the national impact evaluation required by section 4108(a).

Section 4101(b) of the Act would provide for much simplified State allotments of funds appropriated for State programs under Part A. From one half of the remainder of each year's appropriation for Part A--the amount remaining after the various reservations of funds under subsection (a)--the Secretary would allocate to each State an amount based on the ratio between that State's school-aged population and the school-aged population in all the States, and from the remaining one-half of each year's appropriation for Part A, the Secretary would allocate to each State an amount based on the ratio between the amount that State received under section 1122 of the ESEA for the preceding fiscal year and the sum of such amounts received by all the States (or, for fiscal year 1995, sections 1005 and 1006 of the Act prior to its amendment by the bill). However, no State could be allotted an amount for Part A that is less than one-half of one percent of the total amount allotted to all the States for that fiscal year. In addition, the Secretary would be authorized to reallocate any amount of a State's allotment that he or she determines that State will be unable to use within two years, and such reallocations would be based on whatever basis the Secretary determines best serves the purposes of Title IV.

Section 4102. State Drug and Violence Prevention Coordinating Council. Proposed section 4102 of the ESEA would require the chief executive officer of each State that receives an allotment under Part A to establish a State Drug and Violence Prevention Coordinating Council (or designate an existing body to perform the functions of such a council), to advise him or her and the chief State school officer on the development and implementation of the State's application under section 4103. Current law does not require a State-level drug and violence prevention coordinating council. This provision has been added to promote the development of comprehensive drug and violence programs that draw on the resources and expertise of a variety of individuals engaged in related efforts. The membership of the Council would have to include the chief executive officer, the

chief State school officer, the head of the State alcohol and drug abuse agency, the heads of the State health and mental health agencies, and the head of the State criminal justice planning agency, or their respective designees. The chief executive officer would also be required to appoint representative of other appropriate State agencies or offices as members of the Council.

The functions of the Council would be to: (1) review and comment on the development of the State's application under section 4103; (2) disseminate information about drug and violence prevention programs funded under Part A; (3) advise the chief executive officer and the SEA on how to coordinate their respective programs under Part A with other available resources; and (4) advise the chief executive officer and the SEA on the planning and implementation of evaluation activities as well as make recommendations on how to improve the State's program.

Section 4103. State applications. Proposed section 4103 of the ESEA contains the requirements for State applications for Part A funds.

Section 4103(a) would provide that in order to receive its allotment for any fiscal year, the State must submit to the Secretary (at such time as the Secretary may require) an application that is integrated into the State's plan, either approved or being developed, under Title III of the Goals 2000: Educate America Act, and satisfies the requirements of this section that are not already addressed by that plan, and is submitted, if necessary, as an amendment to the State's plan, or, if the State does not have an approved plan under Title III of that Act and is not developing one, is integrated with other State plans under this Act and satisfies the requirements of this section. The application would also be required to:

- (1) contain the results of the State's needs assessment for drug and violence prevention programs;
- (2) contain a list of the members, and their representational interests, on the State Drug and Violence Prevention Coordinating Council;
- (3) describe the procedures the SEA will use to review local applications under section 4106;
- (4) contain an assurance that the State will cooperate with, and assist, the Secretary in conducting the national impact evaluation; and
- (5) contain such other information as the Secretary may require.

Section 4103(b) would contain State application requirements specifically applicable to programs administered by the chief executive officer. With respect to funds reserved under section 4104(a) of the Act for use by the chief executive officer, the State application must contain: (1) a statement of that officer's measurable goals and objectives for drug and violence prevention and a description of the procedures to be used for assessing and publicly reporting progress toward those

goals and objectives; (2) a description of how that officer will coordinate his or her activities with the SEA and the efforts of other State agencies and organizations; (3) a description of how that officer's funds will not be used so as to duplicate the efforts of the SEA and LEAs, and how those funds will be used to serve populations not normally served by the SEA, such as school dropouts and youth in detention centers; (4) a description of how the chief executive officer will award funds and monitor, and provide technical assistance with respect to, their use; and (5) describe how funds will be used to support community-wide comprehensive drug and violence prevention planning.

Section 4103(c) would contain State application requirements specifically applicable to programs administered by the SEA. With respect to funds reserved under section 4105(a) of the Act for use by the SEA, the State application must contain: (1) a statement of the SEA's measurable goals and objectives for drug and violence prevention and a description of the procedures to be used for assessing and publicly reporting progress toward those goals and objectives; (2) a plan for monitoring the drug and violence prevention programs conducted by LEAs under this Part and for providing technical assistance to them; (3) a description of how the SEA will use funds reserved for its own use under section 4105(b); (4) a description of how the SEA will coordinate its activities under Part A with programs of the chief executive officer under the same Part as well as the prevention efforts of other State agencies; (5) an explanation of the criteria the SEA will use to identify which LEAs receive supplemental funding under proposed section 4105(d)(2)(A)(ii) and how the supplemental funds will be allocated among those LEAs.

Section 4103(d) would require the Secretary to use a peer review process in reviewing State applications. Section 4104(e) would authorize States, for fiscal year 1995 only, to submit a one-year interim application and plan. The purpose of such an interim application and plan would be to afford the State the opportunity to fully develop and review its application, particularly with respect to violence prevention programs. The interim application and plan would contain information specified by the Secretary in regulations.

Section 4104. Governor's programs. Proposed section 4104 of the ESEA would authorize the chief executive officer of the State to carry out drug and violence prevention programs. Current law requires chief executive officers to reserve funds for specific populations, programs, and activities, such as high-risk youth, DARE programs, and replication activities. These reservations have been deleted in order to give chief executive officers the flexibility they need to address the needs of their particular State.

Section 4104(a) would provide that 20 percent of the State's grant under Part A for each year shall be used by the chief executive officer for such programs and that of that amount no more than five percent may be used for the administrative costs of that officer, including the cost of the State Drug and Violence Prevention Coordinating Council.

Section 4104(b) would authorize the chief executive officer to use his or her funds for grants to, or contracts with, parent groups, community action and job training agencies, community-based organizations, and other public entities and private non-profit organizations. Such awards would be used for programs and activities for children and youth who are not normally served by State or LEAs, for populations that need special services or additional resources, or both.

Section 4104(c) would list the programs and activities that chief executive officers may support. These include:

- (1) disseminating information about drug and violence prevention;
- (2) training parents, law enforcement officials, judicial officials, social and health service providers and community leaders about drug and violence prevention, education, early intervention, counseling, or rehabilitation referral;
- (3) comprehensive community-based drug and violence prevention programs that link community resources with schools and integrate services;
- (4) drug and violence prevention activities that coordinate the efforts of State agencies with those of the SEA and its LEAs;
- (5) activities to protect students traveling to and from school;
- (6) strategies to prevent illegal gang activity;
- (7) community-wide violence and safety assessments and surveys;
- and (8) evaluating programs and activities under this section.

Section 4105. State and local educational agency programs. Proposed section 4105 of the ESEA would authorize drug and violence prevention programs carried out by the SEA and its LEAs with Part A funds. Section 4105(a) would provide that 80 percent of the State's Part A grant for any fiscal year shall be used by the SEA for drug and violence prevention programs.

Section 4105(b) would provide that of the funds reserved under section 4105(a), no more than five percent may be used for State-level programs such as: (1) training and technical assistance for local and intermediate educational agencies, including teachers, administrators, coaches and athletic directors, parents, students, community leaders, health service providers, local law enforcement officials, and judicial officials; (2) the development, identification, dissemination and evaluation of curriculum materials for consideration by LEAs; (3) demonstration projects in drug and violence prevention; (4) financial assistance to enhance resources available for drug and violence prevention in areas serving large numbers of economically disadvantaged children or sparsely populated areas,

or to meet other special needs; and (5) evaluation activities. An SEA would be authorized to carry out its activities directly, or through grants and contracts.

Section 4105(c) would require an SEA to use no more than five percent of the amount reserved under section 4105(a) for the administrative costs of the SEA under this Part.

Section 4105(d) would require States to distribute not less than 90 percent of the amount reserved under section 4105(a) for each fiscal year to LEAs. Seventy percent of the amount distributed would be allocated among LEAs based on their relative enrollments in public and private non-profit schools within their boundaries and 30 percent would be distributed only to those LEAs the SEA determines have the greatest need for additional funds, not to exceed ten percent of the LEAs in the State, or five such agencies, whichever is greater. In determining which LEAs have the greatest need for additional funds, the SEA must consider factors such as: (1) high rates of alcohol or other drug use among youth; (2) high rates of victimization of youth by violence and crime; (3) high rates of arrests and convictions of youth for violent or drug- or alcohol-related crime; (4) the extent of illegal gang activity; (5) high rates of referrals of youths to drug and alcohol abuse treatment and rehabilitation programs; (6) high rates of referrals of youths to juvenile court; and (7) high rates of expulsions and suspensions of students from schools. Current law does not require States to target funds to LEAs with the greatest needs. This bill recognizes that some LEAs have greater drug and violence problems than others.

Section 4105(e) would provide that if an LEA does not apply for the amount allotted to it under section 4105(d), or if its application under section 4106 is disapproved by the SEA, the SEA shall reallocate that amount to one or more other LEAs that the SEA determines have the greatest need for additional funds.

Section 4106. Local applications. Proposed section 4106 of the ESEA would set forth application requirements for LEAs; such applications would be submitted to the SEA for approval, at such time as that agency requires, and would be amended, as necessary, to reflect changes in the LEA's program. An LEA would develop its application in consultation with a local or substate regional advisory council that represents a broad spectrum of persons and groups with expertise in drug and violence prevention. In addition to assisting the LEA to develop its application, the advisory council would also, on an on-going basis, (1) disseminate information about drug and violence prevention programs within the boundaries of the LEA; (2) advise the LEA on how best to coordinate its activities under this Part with related programs; and (3) review program evaluations and other relevant materials and make recommendations to the LEA on how to improve its drug and violence prevention programs.

Local applications under this section would be required to contain: (1) a needs assessment of the current alcohol, tobacco, and other drug problems as well as the violence, safety, and discipline problems among students who attend the schools of the applicant (including private school students who participate in the applicant's program) that is based on on-going local assessment or evaluation activities; (2) a detailed explanation of the LEA's comprehensive plan for drug and violence prevention; and (3) such other information and assurances as the SEA may reasonably require. As part of the explanation of its comprehensive plan, the LEA would be required to explain: (1) how that plan is consistent with, and promotes the goals of, the State application under section 4103 and the LEA's plan under Title III of the Goals 2000: Educate America Act, and, if the LEA does not have such a plan, with its application under section 1112; (2) the LEA's measurable goals for drug and violence prevention (never required before) and a description of how it will assess and publicly report its progress; (3) and an explanation of how that agency is already meeting the requirements of a basic drug and violence prevention program, under section 4107(b) of the Act, if it intends to use funds under this Part to implement an expanded drug and violence prevention program under section 4107(c); (4) how the LEA will use its regular allocation under section 4105(d)(2)(A)(i) and its supplemental allocation, if any, under section 4105(d)(2)(a)(ii); (5) how the LEA will coordinate its programs and projects with community-wide efforts to achieve its goals for drug and violence prevention; and (6) how the LEA will coordinate its programs and projects with other Federal, State and local programs for drug-abuse prevention, including health programs.

Section 4106(c) would require an SEA to use a peer review process in reviewing local applications and, in determining whether to evaluate such an application, to consider the quality of the LEA's comprehensive plan under section 4106(b)(2) and the extent to which that plan is consistent with, and supports the State's application under this Part and the State's improvement plan under the Goals 2000: Educate America Act (and, if the State does not have such a plan, its plan under section 1111 of the Act). An SEA could not permit an LEA to use funds under this Part to implement an expanded drug and violence program under section 4107(c) unless it determines that the LEA is already meeting (regardless of the source of funds) the requirements of a basic drug and violence prevention program under section 4107(b). Finally, an SEA would be authorized to disapprove an LEA's application in whole or in part and to withhold, limit, or place restrictions on its use of funds in a manner the SEA determines will best promote the purposes of this Part or the State's plan under the Goals 2000: Educate America Act, and, if the State does not have such a plan, its plan under section 1111 of the ESEA.

Section 4107. Local drug and violence prevention programs.

Proposed section 4107 of the ESEA would govern the use of funds under Part A by LEAs. These agencies would be required to use funds under this Part to adopt and implement a basic drug and violence prevention program unless the SEA permits it to use such funds to carry out an expanded drug and violence program under section 4107(c). LEAs, as well as SEAs, would no longer be required, as under current law, to certify that they have adopted and implemented prevention programs for students and employees. The certification requirement has been deleted because it has served its purpose.

Section 4107(b) would include the requirements of a basic drug and violence program. Such programs would be designed, for all students and employees, to: (1) prevent the illegal use, possession, and distribution of alcohol, tobacco, and other drugs; (2) prevent violence and promote school safety; and (3) create a disciplined environment conducive to learning. Basic programs would include mandatory standards of conduct for students and employees that describe the sanctions for violations of the standards and that are distributed to all students, parents, and employees. Basic programs would also include, with respect to drug prevention: (1) age-appropriate, developmentally based education programs for all students; (2) professional development programs for school personnel who provide such programs; (3) activities to promote the involvement of parents and coordination with community groups and agencies; and (4) the distribution of information to all students and employees about resources for drug and alcohol counseling, rehabilitation, and re-entry programs. With respect to violence prevention, basic programs would also include: (1) age-appropriate, developmentally based education and prevention programs for all students; (2) professional development programs for school personnel who provide such programs; (3) activities to promote the involvement of parents and coordination with community groups and agencies; and (4) the distribution of information to all students and employees about resources for counseling, re-entry, and conflict resolution. In implementing its basic drug and violence prevention program or its expanded program under subsection (c), an LEA would be permitted to use no more than 33 percent of the funds it receives under this Part for any fiscal year for minor remodeling to promote security and reduce the risk of violence and acquiring and installing metal detectors and hiring security personnel.

Section 4107(c) would authorize an LEA that demonstrates to the satisfaction of its SEA that it has adopted and implemented a basic drug and violence program that satisfies the requirements of subsection (b) to use its funds under this Part to supplement its basic program, to carry out one or more elements of an expanded drug and violence prevention program, or both. Authorized elements of an expanded program would include, with

respect to drug prevention, programs of drug prevention, health education, early intervention, counseling, mentoring, or rehabilitation referral, which emphasize students' sense of individual responsibility and may include: (1) the dissemination of information; (2) the training of school personnel, parents, law enforcement and judicial officials, and health service providers and community leaders; and (3) the implementation of strategies to combat illegal alcohol and other drug use, including the integration of services from a variety of providers, family counseling, early intervention activities, and activities (such as community service projects) that are designed to increase students' sense of community. With respect to violence prevention for school-aged youth, section 4107(c) would authorize programs that emphasize students' sense of including: (1) the dissemination of information; (2) the training of school personnel, parents, law enforcement and judicial officials, and community leaders; (3) the implementation of strategies, such as conflict resolution and peer mediation and mentoring programs, to combat school violence and other forms of disruptive behavior, such as sexual harassment; and (4) comprehensive community-wide strategies to prevent illegal gang activity. Expanded programs could also include the promotion of before-and after-school recreational, institutional, cultural, and artistic programs in supervised community settings and the evaluation of activities authorized by section 4107(c).

Section 4108. Evaluation and reporting. Proposed section 4108 of the ESEA would require the Secretary, in consultation with the Secretary of Health and Human Services, the Director of National Drug Control Policy, and the Attorney General, to conduct an independent biennial evaluation of the national impact of programs under Part A and submit a report of the findings to the President and Congress. Section 4108 would also require the chief executive officer of a State (in cooperation with an SEA) to submit a report to the Secretary, by October 1, 1997, and every third year thereafter, on the implementation and outcomes of State and local programs under this Part, along with an assessment of their effectiveness, as well as the State's progress towards attaining, its goals for drug and violence prevention. The report would have to be in the form specified by the Secretary and based on the State's on-going evaluation activities; the report would also include data on the prevalence of drug use and violence by youth and would be made readily available to the public. Finally, section 4108 of the Act would also require LEAs receiving funds under Part A to submit to the SEA whatever information, and at whatever intervals, the State requires to complete the State report, including information on the prevalence of drug use and violence by youth in the schools and community.

**PART B--POSTSECONDARY DRUG AND VIOLENCE PREVENTION
PROGRAMS**

Section 4201. Grants to institutions of higher education. Proposed section 4201 of the ESEA would authorize the Secretary to make grants to, or enter into contracts with, IHEs, or consortia of such institutions, for drug and violence prevention programs under this section. Such awards would be used for the development, implementation, validation, and dissemination of model programs and strategies to promote the safety of students attending IHEs by preventing violent behavior and illegal use of alcohol and other drugs. In making awards under this section, the Secretary would be required to make every reasonable effort to ensure the equitable participation of public and private IHEs (including community and junior colleges), institutions of limited enrollment, and institutions in different geographic regions.

Section 4202. National center. Proposed section 4202 of the ESEA would authorize the Secretary to support, through a grant to, or a contract with, an IHE, a public or private non-profit organization, or a for-profit organization, a national center to provide training and technical assistance to postsecondary institutions in developing, implementing, evaluating, replicating, and disseminating model programs to prevent violence and the use of illegal drugs by students at such institutions. Current law does not provide for such a center.

PART C--NATIONAL PROGRAMS

Section 4301. Federal activities. Proposed section 4301 of the ESEA would authorize the Secretary, in consultation with the Secretary of Health and Human Services, the Director of Office of National Drug Control Policy, and the Attorney General, to carry out programs to prevent the illegal use of drugs and violence among, and promote safety and discipline for, students of all educational levels, prekindergarten through postsecondary. The Secretary would be authorized to carry out such programs directly, or through grants, contracts, or cooperative agreements with public and private non-profit organizations and individuals, or through agreements with other Federal agencies. Such programs could include: (1) the development and demonstration of, innovative strategies for training school personnel, parents, and members of the community; (2) demonstrations and rigorous evaluations of innovative approaches to drug and violence prevention; (3) research that is coordinated with other Federal agencies and that is directed to improving programs under this Title; (4) program evaluations that address issues not addressed under section 4108(a); (5) direct services to schools and school systems affected with especially severe drug and violence problems; (6) activities in communities designated as empowerment

zones or enterprise communities that will connect schools to community-wide efforts to reduce drug and violence problems; (7) developing and disseminating drug and violence prevention materials, including model curricula; and (8) other activities that meet national needs related to drug and violence prevention. The Secretary would use a peer review process in reviewing applications under this section.

Current law does not provide the Secretary with the flexibility needed to address the most pressing needs in the field of drug and violence prevention. For example, current law does not authorize research and demonstration activities related to school-based prevention programs.

PART D--GENERAL PROVISIONS

Section 4401. Definitions. Proposed section 4401 of the ESEA would define certain terms used in this Title. "Drug and violence prevention" would mean: (1) with respect to drugs, prevention, early intervention, rehabilitation referral, or education related to the illegal use of alcohol and tobacco (nicotine) and the use of controlled, illegal, addictive, or harmful substances, including inhalants and anabolic steroids; and (2) with respect to violence, the promotion of school safety, such that students and school personnel are free from violent and disruptive acts, including sexual harassment, on school premises, going to and from school, and at school-sponsored activities, through the creation and maintenance of a school environment that is free of weapons and fosters individual responsibility and respect for the rights of others. The term "school personnel" would include teachers, administrators, guidance counselors, social workers, psychologists, nurses, librarians, and other support staff who perform services for the school on a contractual basis.

Section 4402. Materials. Proposed section 4402 of the ESEA would require that drug prevention programs under this Title must convey a clear and consistent message that the illegal use of alcohol and other drugs is wrong and harmful. Section 4402 would also prohibit the Secretary from prescribing the use of specific curricula for programs under this Title, but would permit him or her to evaluate the effectiveness of curricula and other strategies.

Section 4403. Prohibited uses of funds. Proposed section 4403 of the ESEA would prohibit the use of funds under this Title for: (1) construction; (2) drug treatment or rehabilitation; and (3) psychiatric, psychological, or other medical treatment or rehabilitation, other than school-based counseling for students or school personnel who are victims or witnesses of school-related crime.

1 "TITLE IV--SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES

2 "FINDINGS

3 "SEC. 4001. The Congress finds as follows:

4 "(1) National Education Goal Six provides that by the
5 year 2000, all schools in America will be free of drugs and
6 violence and offer a disciplined environment that is conducive to
7 learning.

8 "(2) The widespread use of alcohol and other drugs
9 among the Nation's secondary school students, and increasingly by
10 students in elementary schools as well, constitutes a grave
11 threat to their physical and mental well-being, and significantly
12 impedes the learning process. For example, data show that
13 students who drink tend to receive lower grades and are more
14 likely to miss school because of illness than students who do not
15 drink.

16 "(3) Our Nation's schools and communities are
17 increasingly plagued by violence and crime. Approximately three
18 million thefts and violent crimes occur in or near our Nation's
19 schools every year, the equivalent of more than 16,000 incidents
20 per school day. Approximately one of every five high school
21 students now carries a firearm, knife, or club on a regular
22 basis.

23 "(4) The tragic consequences of violence and the
24 illegal use of alcohol and other drugs by students are felt not
25 only by students and their families, but by their communities and

1 the Nation, which can ill afford to lose their skills, talents,
2 and vitality.

3 "(5) Alcohol and tobacco (nicotine) are the most widely
4 used drugs among young people today. Both of these drugs can,
5 and do, have adverse consequences for users, their families,
6 communities, schools, and colleges. Drug prevention programs
7 for youth that address only controlled drugs send an erroneous
8 message that alcohol and tobacco do not present significant
9 problems, or that society is willing to overlook their use. To
10 be credible, messages opposing illegal drug use by youth should
11 address all drugs.

12 "(6) Drug and violence prevention programs are
13 essential components of a comprehensive strategy to promote
14 school safety and to reduce the demand for and use of drugs
15 throughout the Nation. Schools and local organizations in
16 communities throughout the Nation have a special responsibility
17 to work together to combat the growing epidemic of violence and
18 illegal drug use and should measure the success of their programs
19 against clearly defined goals and objectives.

20 "(7) Students must take greater responsibility for
21 their own well-being, health, and safety if schools and
22 communities are to achieve their goals of providing a safe,
23 disciplined, and drug-free learning environment.

1 "PURPOSE

2 "SEC. 4002. The purpose of this title is to support
3 programs to meet Goal Six of the National Educational Goals by
4 preventing violence in and around schools and by strengthening
5 programs that prevent the illegal use of alcohol and other drugs,
6 involve parents, and are coordinated with related Federal, State,
7 and community efforts and resources, through the provision of
8 Federal assistance to--

9 "(1) States for grants to local and intermediate
10 educational agencies and consortia to establish, operate, and
11 improve local programs of school drug and violence prevention,
12 early intervention, rehabilitation referral, and education in
13 elementary and secondary schools (including intermediate and
14 junior high schools);

15 "(2) States for grants to, and contracts with,
16 community-based organizations and other public and private non-
17 profit agencies and organizations for programs of drug and
18 violence prevention, early intervention, rehabilitation referral,
19 and education;

20 "(3) States for development, training, technical
21 assistance, and coordination activities;

22 "(4) institutions of higher education to establish,
23 operate, expand, and improve programs of school drug and violence
24 prevention, education, and rehabilitation referral for students
25 enrolled in colleges and universities;

1 "(5) a national center to provide training and
2 technical assistance to institutions providing postsecondary
3 education in developing and implementing model programs and
4 strategies to prevent violence and illegal drug use by students
5 at such institutions; and

6 "(6) public and private non-profit organizations to
7 conduct training, demonstrations, research, and evaluation, and
8 to provide supplementary services for the prevention of drug use
9 and violence among students and youth.

10 "AUTHORIZATION OF APPROPRIATIONS

11 "SEC. 4003. There are authorized to be appropriated--

12 "(1) for State grants under part A, such sums as may
13 necessary for each of fiscal years 1995 through 1999;

14 "(2) for postsecondary programs under part B, such sums
15 as may be necessary for each of fiscal years 1995 through 1999;
16 and

17 "(3) for national programs under part C, such sums as
18 may be necessary for each of fiscal years 1995 through 1999.

19 "PART A--STATE GRANTS FOR
20 DRUG AND VIOLENCE PREVENTION PROGRAMS

21 "RESERVATIONS AND ALLOTMENTS

22 "SEC. 4101. (a) RESERVATIONS. From the amount appropriated
23 for each fiscal year under section 4003(1), the Secretary--

24 "(1) shall reserve no more than one-half of one percent
25 of such amount for grants under this part to Guam, American

1 Samoa, the Virgin Islands, the Commonwealth of the Northern
2 Mariana Islands, and Palau (until the effective date of the
3 Compact of Free Association with the Government of Palau), to be
4 allotted in accordance with the Secretary's determination of
5 their respective needs;

6 "(2) shall reserve no more than one percent of such
7 amount for the Secretary of the Interior to carry out programs
8 under this part for Indian youth; and

9 "(3) may reserve no more than \$1 million for the
10 national impact evaluation required by section 4108(a).

11 "(b) STATE ALLOTMENTS.--(1) Except as provided under
12 paragraph (2), the Secretary shall, for each fiscal year,
13 allocate among the States--

14 "(A) one-half of the remainder not reserved under
15 subsection (a) according to the ratio between the school-aged
16 population of each State and the school-aged population of all
17 the States; and

18 "(B) one-half of such remainder according to the
19 ratio between the amount each State received under section 1122
20 of this Act for the preceding year (or, for fiscal year 1995
21 only, sections 1005 and 1006 of this Act as in effect on the day
22 before enactment of the Improving America's Schools Act of 1993)
23 and the sum of such amounts received by all the States.

24 "(2) For any fiscal year, no State shall be allotted
25 under this subsection an amount that is less than one-half of

1 one percent of the total amount allotted to all the States under
2 this subsection.

3 "(3) The Secretary may reallocate any amount of any
4 allotment to a State if the Secretary determines that the State
5 will be unable to use such amount within two years of such
6 allotment. Such reallocations may be made on whatever basis the
7 Secretary determines would best serve the purposes of this title.

8 "(4) For the purpose of this subsection, the term
9 'State' means each of the 50 States, the District of Columbia,
10 and the Commonwealth of Puerto Rico.

11 "STATE DRUG AND VIOLENCE PREVENTION COORDINATING COUNCIL

12 "SEC. 4102. (a) ESTABLISHMENT OF COUNCIL. No State may
13 receive its allotment under section 4101 unless its chief
14 executive officer establishes a State Drug and Violence
15 Prevention Coordinating Council (or designates an existing body
16 to perform the functions of such a Council) to advise him or her
17 and the chief State school officer on the development and
18 implementation of the State's application under section 4103.

19 "(b) MEMBERSHIP.--(1) The chief executive officer, the chief
20 State school officer, the head of the State alcohol and drug
21 abuse agency, the heads of the State health and mental health
22 agencies, and the head of the State criminal justice planning
23 agency, or their designees, shall be members of the Council.

24 "(2) The chief executive officer shall also appoint
25 representatives of other appropriate State agencies or offices as
26 members of the Council.

1 (ii) is submitted, if necessary, as an
2 amendment to the State's plan under title III of the Goals 2000:
3 Education America Act; or

4 (B) if the State does not have an approved
5 plan under title III of the Goals 2000: Educate America Act and
6 is not developing such a plan, is integrated with other State
7 plans under this Act and satisfies the requirements of this
8 section;

9 "(2) contains the results of the State's needs
10 assessment for drug and violence prevention programs, which shall
11 be based on the results of on-going State evaluation activities,
12 including data on the prevalence of drug use and violence by
13 youth in schools and communities;

14 "(3) contains a list of the members, and the
15 interests or organizations they represent, of the State Drug and
16 Violence Prevention Coordinating Council;

17 "(4) contains a description of the procedures the
18 State educational agency will use to review applications from
19 local educational agencies under section 4106;

20 "(5) contains an assurance that the State will
21 cooperate with, and assist, the Secretary in conducting a
22 national impact evaluation of programs required by
23 section 4108(a); and

24 "(6) includes any other information the Secretary
25 may require.

1 **"(b) GOVERNOR'S FUNDS.** A State's application under this
2 section shall also contain a comprehensive plan for the use of
3 funds under section 4104(a) by the chief executive officer that
4 includes--

5 **"(1)** a statement of the chief executive officer's
6 measurable goals and objectives for drug and violence prevention
7 and a description of the procedures to be used for assessing and
8 publicly reporting progress toward meeting those goals and
9 objectives;

10 **"(2)** a description of how the chief executive officer
11 will coordinate his or her activities under this part with the
12 State educational agency and other State agencies and
13 organizations involved with drug and violence prevention efforts;

14 **"(3)** a description of how funds reserved under
15 section 4104(a) will be used so as not to duplicate the efforts
16 of the State educational agency and local educational agencies
17 with regard to the provision of school-based prevention efforts
18 and services and how those funds will be used to serve
19 populations not normally served by the State educational agency,
20 such as school dropouts and youth in detention centers;

21 **"(4)** a description of how the chief executive officer
22 will award funds under section 4104(a) and a plan for monitoring
23 the performance of, and providing technical assistance to,
24 recipients of such funds; and

1 "(5) a description of how funds will be used to support
2 community-wide comprehensive drug and violence prevention
3 planning.

4 "(c) STATE EDUCATIONAL AGENCY FUNDS. A State's application
5 under this section shall also contain a comprehensive plan for
6 the use of funds under section 4105(a) by the State educational
7 agency that includes--

8 "(1) a statement of the State educational agency's
9 measurable goals and objectives for drug and violence prevention
10 and a description of the procedures it will use for assessing and
11 publicly reporting progress toward meeting those goals and
12 objectives;

13 "(2) a plan for monitoring the implementation of, and
14 providing technical assistance regarding, the drug and violence
15 prevention programs conducted by local educational agencies in
16 accordance with section 4107;

17 "(3) a description of how the State educational agency
18 will use funds it reserves under section 4105(b);

19 "(4) a description of how the State educational agency
20 will coordinate its activities under this part with the chief
21 executive officer's drug and violence prevention programs under
22 this part and with the prevention efforts of other State
23 agencies; and

24 "(5) an explanation of the criteria the State
25 educational agency will use to identify which local

1 educational agencies receive supplemental funds under
2 section 4105(d)(2)(A)(ii) and how the supplemental funds will be
3 allocated among those local educational agencies.

4 "(d) PEER REVIEW. The Secretary shall use a peer review
5 process in reviewing State applications under this section.

6 "(e) INTERIM APPLICATION. Notwithstanding any other
7 provisions of this section, a State may submit for fiscal
8 year 1995 a one-year interim application and plan for the use of
9 funds under this part that are consistent with the requirements
10 of this section and contain such information as the Secretary may
11 specify in regulations. The purpose of such interim application
12 and plan shall be to afford the State the opportunity to fully
13 develop and review its application and comprehensive plan
14 otherwise required by this section. A State may not receive a
15 grant under this part for a fiscal year subsequent to fiscal
16 year 1995 unless the Secretary has approved its application and
17 comprehensive plan.

18 "GOVERNOR'S PROGRAMS

19 "SEC. 4104. (a) USE OF FUNDS.--(1) An amount equal to
20 20 percent of the total amount allocated to a State under
21 section 4101 for each fiscal year shall be used by the chief
22 executive officer of such State for drug and violence prevention
23 programs and activities in accordance with this section.

24 "(2) A chief executive officer may use no more than
25 five percent of the amount reserved under subsection (a)(1) for
26 the administrative costs incurred in carrying out the duties of

1 such officer under this section, including the cost of the State
2 Drug and Violence Prevention Coordinating Council under
3 section 4102(a).

4 "(b) PROGRAMS AUTHORIZED.--(1) A chief executive officer
5 shall use funds reserved under subsection (a)(1) for grants to or
6 contracts with parent groups, community action and job training
7 agencies, community-based organizations, and other public
8 entities and private nonprofit organizations. Such grants or
9 contracts shall support programs and activities described in
10 subsection (c) for children and youth who are not normally served
11 by State or local educational agencies, for populations that need
12 special services or additional resources (such as preschoolers,
13 youth in juvenile detention facilities, runaway or homeless
14 children and youth, and dropouts), or both.

15 "(2) Grants or contracts awarded under this subsection
16 shall be subject to a peer review process.

17 "(c) AUTHORIZED ACTIVITIES. Grants and contracts under
18 subsection (b) shall be used for programs and activities such
19 as--

20 "(1) disseminating information about drug and violence
21 prevention;

22 "(2) training parents, law enforcement officials,
23 judicial officials, social service providers, health service
24 providers and community leaders about drug and violence
25 prevention, education, early intervention, counseling, or
26 rehabilitation referral;

1 "(3) developing and implementing comprehensive,
2 community-based drug and violence prevention programs that link
3 community resources with schools and integrate services involving
4 education, vocational and job skills training, law enforcement,
5 health, mental health, and other appropriate services;

6 "(4) planning and implementing drug and violence
7 prevention activities that coordinate the efforts of State
8 agencies with those of the State educational agency and its local
9 educational agencies;

10 "(5) activities to protect students traveling to and
11 from school;

12 "(6) developing and implementing strategies to prevent
13 illegal gang activity;

14 "(7) coordinating and conducting community-wide
15 violence and safety assessments and surveys; and

16 "(8) evaluating programs and activities under this
17 section.

18 "STATE AND LOCAL EDUCATIONAL AGENCY PROGRAMS

19 SEC. 4105. (a) USE OF FUNDS. An amount equal to 80 percent
20 of the total amount allocated to a State under section 4101 for
21 each fiscal year shall be used by the State educational agency
22 and its local educational agencies for drug and violence
23 prevention activities in accordance with this section.

24 "(b) STATE LEVEL PROGRAMS.--(1) A State educational agency
25 shall use no more than five percent of the amount reserved under
26 subsection (a) for activities such as--

1 "(A) training and technical assistance concerning
2 drug and violence prevention for local and intermediate
3 educational agencies, including teachers, administrators, coaches
4 and athletic directors, other educational personnel, parents,
5 students, community leaders, health service providers, local law
6 enforcement officials, and judicial officials;

7 "(B) the development, identification,
8 dissemination and evaluation of the most readily available,
9 accurate, and up-to-date curriculum materials, for consideration
10 by local educational agencies;

11 "(C) demonstration projects in drug and violence
12 prevention;

13 "(D) financial assistance to enhance resources
14 available for drug and violence prevention in areas serving large
15 numbers of economically disadvantaged children or sparsely
16 populated areas, or to meet other special needs consistent with
17 the purposes of this part; and

18 "(E) evaluation activities required by this
19 subpart.

20 "(2) A State educational agency may carry out
21 activities under this subsection directly, or through grants or
22 contracts.

23 "(c) STATE ADMINISTRATION. A State educational agency may
24 use no more than five percent of the amount reserved under
25 subsection (a) for the administrative costs of carrying out its
26 responsibilities under this part.

1 "(d) LOCAL EDUCATIONAL AGENCY PROGRAMS.--(1) A State
2 educational agency shall distribute not less than 90 percent of
3 the amount reserved under subsection (a) for each fiscal year to
4 local educational agencies in accordance with this subsection.

5 "(2) (A) Of the amount distributed under
6 subsection (d) (1), a State educational agency shall distribute--

7 "(i) 70 percent of such amount to local
8 educational agencies, based on the relative enrollments in public
9 and private non-profit schools within their boundaries; and

10 "(ii) 30 percent of such amount to local
11 educational agencies that the State educational agency determines
12 have the greatest need for additional funds to carry out drug and
13 violence prevention programs authorized by this part.

14 "(B) (i) A State educational agency shall
15 distribute funds under subparagraph (A) (ii) to no more than
16 ten percent of its local educational agencies, or five such
17 agencies, whichever is greater.

18 "(ii) In determining which local educational
19 agencies have the greatest need for additional funds, the State
20 educational agency shall consider factors such as--

21 "(I) high rates of alcohol or other drug
22 use among youth;

23 "(II) high rates of victimization of
24 youth by violence and crime;

1 "(III) high rates of arrests and
2 convictions of youth for violent or drug- or alcohol-related
3 crime;

4 "(IV) the extent of illegal gang
5 activity;

6 "(V) high rates of referrals of youths
7 to drug and alcohol abuse treatment and rehabilitation programs;

8 "(VI) high rates of referrals of youths
9 to juvenile court; and

10 "(VII) high rates of expulsions and
11 suspensions of students from schools.

12 "(e) REALLOCATION OF FUNDS. If a local educational agency
13 chooses not to apply to receive the amount allocated to it under
14 subsection (d), or if its application under section 4106 is
15 disapproved by the State educational agency, the State
16 educational agency shall reallocate such amount to one or more of
17 the local education agencies determined by the State educational
18 agency under subsection (d)(2)(B) to have the greatest need for
19 additional funds.

20 "LOCAL APPLICATIONS

21 "SEC. 4106. (a) IN GENERAL.--(1) In order to be eligible to
22 receive an allocation under section 4105(d) for any fiscal year,
23 a local educational agency shall submit, at such time as the
24 State educational agency requires, an application to the State
25 educational agency for approval. Such an application shall be

1 amended, as necessary, to reflect changes in the local
2 educational agency's program.

3 "(2)(A) A local educational agency shall develop its
4 application under subsection (a)(1) in consultation with a local
5 or substate regional advisory council that includes, to the
6 extent possible, representatives of local government, business,
7 parents, students, teachers, appropriate state agencies, private
8 schools, the medical profession, law enforcement, community-based
9 organizations, and other groups with interest and expertise in
10 drug and violence prevention.

11 "(B) In addition to assisting the local
12 educational agency to develop its application under this section,
13 the advisory council established or designated under
14 paragraph (2)(A) shall, on an on-going basis--

15 "(i) disseminate information about drug and
16 violence prevention programs, projects, and activities conducted
17 within the boundaries of the local educational agency;

18 "(ii) advise the local educational agency on
19 how best to coordinate its activities under this part with other
20 related programs, projects, and activities and the agencies that
21 administer them; and

22 "(iii) review program evaluations and other
23 relevant material and make recommendations to the local
24 educational agency on how to improve its drug and violence
25 prevention programs.

1 "(b) CONTENTS OF APPLICATIONS. An application under this
2 section shall contain--

3 "(1) a needs assessment of the current alcohol,
4 tobacco, and other drug problems as well as the violence, safety,
5 and discipline problems among students who attend the schools of
6 the applicant (including private school students who participate
7 in the applicant's drug and violence prevention program) that is
8 based on on-going local assessment or evaluation activities;

9 "(2) a detailed explanation of the local educational
10 agency's comprehensive plan for drug and violence prevention,
11 which shall include a description of--

12 "(A) how that plan is consistent with, and
13 promotes the goals in, the State's application under section 4103
14 and the local educational agency's plan, either approved or being
15 developed, under title III of the Goals 2000: Educate America
16 Act, or, if the local educational agency does not have such an
17 approved plan and is not developing one, its plan under
18 section 1112 of this Act;

19 "(B) the local educational agency's measurable
20 goals for drug and violence prevention, and a description of how
21 it will assess and publicly report progress toward attaining
22 these goals;

23 "(C) if the local educational agency intends to
24 use funds under this part to implement an expanded drug and
25 violence prevention program under section 4107(c), an explanation
26 of how the local educational agency is already meeting the

1 requirements of a basic drug and violence prevention program
2 under section 4107(b), regardless of the source of funds used;

3 "(D) how the local educational agency will use its
4 regular allocation under section 4105(d)(2)(A)(i) and its
5 supplemental allocation, if any, under section 4105(d)(2)(A)(ii);

6 "(E) how the local educational agency will
7 coordinate its programs and projects with community-wide efforts
8 to achieve its goals for drug and violence prevention; and

9 "(F) how the local education agency will
10 coordinate its programs and projects with other Federal, State,
11 and local programs for drug-abuse prevention, including health
12 programs; and

13 "(3) such other information and assurances as the State
14 educational agency may reasonably require.

15 "(c) REVIEW OF APPLICATION.--(1) A State educational agency
16 shall use a peer review process in reviewing local applications
17 under this section.

18 "(2)(A) In determining whether to approve the
19 application of a local educational agency under this section, a
20 State educational agency shall consider the quality of the local
21 educational agency's comprehensive plan under subsection (b)(2)
22 and the extent to which it is consistent with, and supports, the
23 State's application under section 4103 and the State's plan under
24 the Goals 2000: Educate America Act, and, if the State does not
25 have such a plan, its plan under section 1111 of this Act.

1 "(B) A State educational agency shall not permit a
2 local educational agency to use funds under this part to
3 implement an expanded drug and violence prevention program under
4 section 4107(c) unless it determines that the local educational
5 agency is already meeting (regardless of the source of funds) the
6 requirements of a basic drug and violence prevention program
7 under section 4107(b).

8 "(C) A State educational agency may disapprove a local
9 educational agency application under this section in whole or in
10 part and may withhold, limit, or place restrictions on the use of
11 funds allotted to such a local educational agency in a manner the
12 State educational agency determines will best promote the
13 purposes of this part or the State's plan under the Goals 2000:
14 Educate America Act, and, if the State does not have such a plan,
15 its plan under section 1111 of this Act.

16 "LOCAL DRUG AND VIOLENCE PREVENTION PROGRAMS

17 "SEC. 4107. (a) USE OF FUNDS. Except as permitted under
18 subsection (c), a local educational agency shall use funds
19 received under this part to adopt and implement a basic drug and
20 violence prevention program described under subsection (b).

21 "(b) BASIC PROGRAM.--(1) A basic drug and violence
22 prevention program under this part shall--

23 "(A) be designed, for all students and employees,
24 to--

25 "(i) prevent the illegal use, possession, and
26 distribution of alcohol, tobacco, and other drugs;

1 "(ii) prevent violence and promote school
2 safety; and

3 "(iii) create a disciplined environment
4 conducive to learning;

5 "(B) include mandatory standards of conduct for
6 students and employees, which clearly describe the sanctions that
7 will be imposed for violations of the standards and which are
8 distributed to all students, parents, and employees;

9 "(C) include, with respect to drug prevention--

10 "(i) age-appropriate, developmentally based
11 education and prevention programs for all students, from the
12 early childhood level through grade 12, that address the legal,
13 social and health consequences of the use of illegal drugs,
14 promote a sense of individual responsibility, and provide
15 information about effective techniques for resisting peer
16 pressure to use illegal drugs;

17 "(ii) professional development programs for
18 school personnel who provide the education and prevention
19 programs required by subsection (b)(1)(C)(i);

20 "(iii) activities to promote the involvement
21 of parents and coordination with community groups and agencies,
22 including the distribution of information about the local
23 educational agency's needs assessments, goals, and programs under
24 subsection (b)(1)(C)(i); and

25 "(iv) the distribution of information to all
26 students and employees about resources for drug and alcohol

1 counseling, rehabilitation, and re-entry programs that are
2 available in the community; and

3 "(D) include, with respect to violence
4 prevention--

5 "(i) age-appropriate, developmentally based
6 education and prevention programs for all students, from the
7 early childhood level through grade 12, that address the legal,
8 personal, and social consequences of violent and disruptive
9 behavior, including sexual harassment, and that include
10 activities designed to help students develop a sense of
11 individual responsibility and respect for the rights of others,
12 and to resolve conflicts without violence;

13 "(ii) professional development programs for
14 school personnel who provide the education and prevention
15 programs required by subsection (b) (1) (D) (i);

16 "(iii) activities to promote the involvement
17 of parents and coordination with community groups and agencies,
18 including the distribution of information about the local
19 educational agency's needs assessment, goals and programs under
20 subsection (b) (1) (D) (i); and

21 "(iv) the distribution of information to all
22 students and employees about resources for counseling, re-entry,
23 and conflict resolution that are available in the community.

24 "(2) In implementing its basic drug and violence
25 prevention program under paragraph (1) or its expanded program
26 under subsection (c), a local educational agency may use no more

1 than 33 percent of the funds it receives under this part for any
2 fiscal year for--

3 "(A) minor remodeling to promote security and
4 reduce the risk of violence, such as removing lockers, installing
5 better lights, and upgrading locks; and

6 "(B) acquiring and installing metal detectors and
7 hiring security personnel.

8 "(c) EXPANDED PROGRAM.--(1) A local educational agency that
9 demonstrates to the satisfaction of the State educational agency
10 that it has adopted and implemented a basic drug and violence
11 prevention program described under subsection (b) may use funds
12 received under this subpart to supplement its basic program, to
13 carry out one or more of the activities described in
14 paragraph (2), or both.

15 "(2) A local educational agency described in
16 paragraph (1) may use funds received under this subpart for--

17 "(A) programs of drug prevention, health
18 education, early intervention, counseling, mentoring, or
19 rehabilitation referral, which emphasize students' sense of
20 individual responsibility and may include--

21 "(i) the dissemination of information about
22 drug prevention;

23 "(ii) the training of school personnel,
24 parents, students, law enforcement officials, judicial officials,
25 health service providers, and community leaders in prevention,

1 education, early intervention, counseling, or rehabilitation
2 referral; and

3 "(iii) the implementation of strategies,
4 including strategies to integrate the delivery of services from a
5 variety of providers, to combat illegal alcohol and other drug
6 use, such as--

7 "(I) family counseling;

8 "(II) early intervention activities that
9 prevent family dysfunction, enhance school performance, and boost
10 attachment to school and family; and

11 "(III) activities, such as community
12 service projects, that are designed to increase students' sense
13 of community;

14 "(B) violence prevention programs for school-aged
15 youth, which emphasize students' sense of individual
16 responsibility and may include--

17 "(i) the dissemination of information about
18 school safety and discipline;

19 "(ii) the training of school personnel,
20 parents, law enforcement officials, judicial officials, and
21 community leaders in designing and implementing strategies to
22 prevent school violence;

23 "(iii) the implementation of strategies, such
24 as conflict resolution and peer mediation and the use of
25 mentoring programs, to combat school violence and other forms of
26 disruptive behavior, such as sexual harassment; and

1 "(iv) comprehensive, community-wide
2 strategies to prevent or reduce illegal gang activity;

3 "(C) the promotion of before- and after-school
4 recreational, instructional, cultural, and artistic programs in
5 supervised community settings; and

6 "(D) the evaluation of any of the activities
7 authorized by subsection (c).

8 "EVALUATION AND REPORTING

9 "SEC. 4108. (a) NATIONAL IMPACT EVALUATION. The Secretary,
10 in consultation with the Secretary of Health and Human Services,
11 the Director of the Office of National Drug Control Policy, and
12 the Attorney General, shall conduct an independent biennial
13 evaluation of the national impact of programs under this part and
14 submit a report of the findings of such evaluation to the
15 President and the Congress.

16 "(b) STATE REPORT.--(1) By October 1, 1997, and every third
17 year thereafter, the chief executive officer of the State, in
18 cooperation with the State educational agency, shall submit to
19 the Secretary a report--

20 "(A) on the implementation and outcomes of State
21 programs under section 4104 and section 4105(b) and local
22 programs under section 4105(d), as well as an assessment of their
23 effectiveness; and

24 "(B) on the State's progress toward attaining its
25 goals for drug and violence prevention under sections 4103(b)(1)
26 and (c)(1).

1 education by preventing violent behavior and the illegal use of
2 alcohol and other drugs by such students.

3 "(b) APPLICATIONS. An institution of higher education, or
4 consortium of such institutions, that desires to receive an award
5 under this section shall submit an application to the Secretary
6 at such time, in such manner, and containing such information as
7 the Secretary may reasonably require. The Secretary shall use a
8 peer review process for reviewing applications for funds under
9 this section.

10 "(c) EQUITABLE PARTICIPATION. The Secretary shall make
11 every reasonable effort to ensure the equitable participation of
12 private and public institutions of higher education (including
13 community and junior colleges), institutions of limited
14 enrollment, and institutions in different geographic regions.

15 "NATIONAL CENTER

16 "SEC. 4202. From funds appropriated under section 4003(2),
17 the Secretary is authorized to support, through a grant to, or a
18 contract with, an institution of higher education, a public or
19 private non-profit organization, or a for-profit organization, a
20 national center to provide training and technical assistance to
21 institutions providing postsecondary education, including
22 for-profit institutions, in developing, implementing, evaluating,
23 validating, replicating, and disseminating model programs and
24 strategies to prevent violence and the use of illegal drugs by
25 students at such institutions.

1 "PART C--NATIONAL PROGRAMS

2 "FEDERAL ACTIVITIES

3 "SEC. 4301. (a) PROGRAM AUTHORIZED. From funds appropriated
4 under section 4003(3), the Secretary of Education, in
5 consultation with the Secretary of Health and Human Services, the
6 Director of the Office of National Drug Control Policy, and the
7 Attorney General, shall carry out programs to prevent the illegal
8 use of drugs and violence among, and promote safety and
9 discipline for, students at all educational levels,
10 prekindergarten through postsecondary. The Secretary shall carry
11 out such programs directly, or through grants, contracts, or
12 cooperative agreements with public and private non-profit
13 organizations and individuals, or through agreements with other
14 Federal agencies, and shall coordinate such programs with other
15 appropriate Federal activities. Such programs may include--

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

20 "(2) demonstrations and rigorous evaluations of
21 innovative approaches to drug and violence prevention;

22 "(3) drug and violence prevention research that is
23 coordinated with other Federal agencies and is directed towards
24 improving programs and activities under this title;

25 "(4) program evaluations that address issues not
26 addressed under section 4108(a);

1 "(5) direct services to schools and school systems
2 afflicted with especially severe drug and violence problems;

3 "(6) activities in communities designated as
4 empowerment zones or enterprise communities that will connect
5 schools to community-wide efforts to reduce drug and violence
6 problems;

7 "(7) developing and disseminating drug and violence
8 prevention materials, including model curricula; and

9 "(8) other activities that meet unmet national needs
10 related to the purposes of this title.

11 "(b) PEER REVIEW. The Secretary shall use a peer review
12 process in reviewing applications for funds under this section.

13 "PART D--GENERAL PROVISIONS

14 "DEFINITIONS

15 "SEC. 4401. For the purposes of this title, the following
16 terms have the following meanings:

17 "(1) The term 'drug and violence prevention' means--

18 "(A) with respect to drugs, prevention, early
19 intervention, rehabilitation referral, or education related to
20 the illegal use of alcohol and tobacco (nicotine) and the use of
21 controlled, illegal, addictive, or harmful substances, including
22 inhalants and anabolic steroids; and

23 "(B) with respect to violence, the promotion of
24 school safety, such that students and school personnel are free
25 from violent and disruptive acts, including sexual harassment, on

1 school premises, going to and from school, and at school-
2 sponsored activities, through the creation and maintenance of a
3 school environment that is free of weapons and fosters individual
4 responsibility and respect for the rights of others.

5 "(2) The term 'nonprofit', as applied to a school,
6 agency, organization, or institution means a school, agency,
7 organization, or institution owned and operated by one or more
8 nonprofit corporations or associations, no part of the net
9 earnings of which inures, or may lawfully inure, to the benefit
10 of any private shareholder or individual.

11 "(3) The term 'school-aged population' means the
12 population aged five through 17, as determined by the Secretary
13 on the basis of the most recent satisfactory data available from
14 the Department of Commerce.

15 "(4) The term 'school personnel' includes teachers,
16 administrators, guidance counselors, social workers,
17 psychologists, nurses, librarians, and other support staff who
18 are employed by a school or who perform services for the school
19 on a contractual basis.

20 "MATERIALS

21 "SEC. 4402. (a) 'WRONG AND HARMFUL' MESSAGE. Drug
22 prevention programs supported under this title shall convey a
23 clear and consistent message that the illegal use of alcohol and
24 other drugs is wrong and harmful.

25 "(b) CURRICULUM. The Secretary shall not prescribe the use
26 of specific curricula for programs supported under this title,

1 but may evaluate the effectiveness of such curricula and other
2 strategies in drug and violence prevention.

3 "PROHIBITED USES OF FUNDS

4 "SEC. 4403. No funds under this title may be used for--

5 "(1) construction (except for minor remodeling needed
6 to accomplish the purposes of this title);

7 "(2) drug treatment or rehabilitation; and

8 "(3) psychiatric, psychological, or other medical
9 treatment or rehabilitation, other than school-based counseling
10 for students or school personnel who are victims or witnesses of
11 school-related crime.