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1 **TITLE II—DRUG AND VIOLENCE**
2 **PREVENTION AND EDUCATION**

3 **SEC. 201. DRUG AND VIOLENCE PREVENTION AND EDU-**
4 **CATION.**

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

8 **“TITLE IV—SUPPORTING DRUG**
9 **AND VIOLENCE PREVENTION**
10 **AND EDUCATION FOR STU-**
11 **DENTS AND COMMUNITIES**

12 **“SEC. 4001. SHORT TITLE.**

13 “This title may be cited as the ‘Supporting Drug and
14 Violence Prevention and Education for Students and Com-
15 munities Act of 2000’.

16 **“SEC. 4002. FINDINGS.**

17 “Congress finds as follows:

18 “(1) Students need drug-free and safe schools
19 and communities in order to maximize their aca-
20 demic performance and their future opportunities.

21 “(2) Drug use among children ages 12 through
22 17 doubled from the historic low year of 1992, when
23 5.3 percent of youth in that age group were current
24 users, as compared to 11.4 percent in 1997. While
25 youth use of some drugs, including hallucinogens,

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1 has slightly dropped since 1997, use of other drugs,
2 such as ecstasy, has increased in 1999 (up 1.1 per-
3 cent in use among 10th graders).

4 “(3) Drug use by youth increases the likelihood
5 that a child will be delinquent, engage in high-risk
6 sexual activity, not finish high school, and commit
7 theft, violence, and vandalism.

8 “(4) Drug use among rural youth is higher
9 than that of youth in large urban centers, and these
10 rural youth abuse quite serious drugs, including
11 methamphetamine and cocaine. Many rural commu-
12 nities have few resources for helping youth avoid
13 drug use.

14 “(5) Drug and violence prevention programs
15 and activities need to include efforts to prevent un-
16 derage use of tobacco and alcohol, and are more
17 likely to succeed when such efforts are included.
18 Drug and violence prevention research calls for ag-
19 gressive activities to prevent the use of these gate-
20 way drugs.

21 “(6) Students continue to face physical harm
22 while at school. From 1993 to 1997, between 7 to
23 8 percent of students in grades 9 through 12 were
24 threatened or injured with a weapon on school prop-
25 erty over a 12-month period. Roughly 12 percent of

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1 students in grades 9 through 12 reported being in
2 a physical fight on school property during a 12-
3 month period between 1993 and 1997.

4 “(7) While schools statistically are one of the
5 safest places for youth, students report an increase
6 in their perception that they risk harm while at
7 school, perhaps partly due to the recent instances of
8 extreme violence in schools.

9 “(8) Drug and violence prevention programs
10 that incorporate ‘protective factors’ tend to reduce
11 drug use and violence. Protective factors include a
12 student feeling connected to parents and family,
13 practicing religion and prayer, having parents
14 present at key times of the day, having high edu-
15 cational expectations, feeling part of the school, and
16 having high self-esteem.

17 “(9) After school programs, because they keep
18 youth in supervised settings, prevent drug use and
19 violence at least during the time of those programs.
20 Research indicates that the juvenile crime rate tri-
21 ples between the hours of 3 p.m. and 6 p.m., and
22 children in particular are most likely to be victims
23 of a violent crime committed by a non-family mem-
24 ber between 2 p.m. and 6 p.m.

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1 **“SEC. 4003. PURPOSE.**

2 “The purpose of this title is to support programs that
3 prevent the use of drugs, that prevent violence, that in-
4 volve parents and communities, and that are coordinated
5 with related Federal, State, and community efforts and
6 resources to foster a learning environment in which stu-
7 dents increase their academic achievement, through the
8 provision of Federal assistance to—

9 “(1) States for grants to local educational agen-
10 cies and consortia of such agencies to establish, op-
11 erate, and improve local programs of drug and vio-
12 lence prevention in elementary and secondary
13 schools;

14 “(2) States for grants to, and contracts with,
15 community-based organizations and other public and
16 private nonprofit agencies and organizations for pro-
17 grams of drug and violence prevention and edu-
18 cation;

19 “(3) States for grants to local educational agen-
20 cies and community-based organizations for before
21 and after school programs for youth and continuing
22 educational opportunities for individuals of all ages;
23 and

24 “(4) public and private nonprofit and for-profit
25 organizations to conduct training, demonstrations,

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1 and evaluations, and to provide supplementary serv-
2 ices for drug and violence prevention.

3 **“SEC. 4004. AUTHORIZATION OF APPROPRIATIONS.**

4 “There are authorized to be appropriated—

5 “(1) \$1,033,377,000 for fiscal year 2000, and
6 such sums as may be necessary for each of the five
7 succeeding fiscal years, for State grants under part
8 A; and

9 “(2) \$20,000,000 for fiscal year 2000, and for
10 each of the five succeeding fiscal years, for national
11 programs under part B.

12 **“PART A—STATE GRANTS FOR DRUG AND**
13 **VIOLENCE PREVENTION PROGRAMS**

14 **“SEC. 4111. RESERVATIONS AND ALLOTMENTS.**

15 “(a) RESERVATIONS.—From the amount made avail-
16 able under section 4004(1) to carry out this part for each
17 fiscal year, the Secretary—

18 “(1) shall reserve 0.5 percent (or \$5,166,885,
19 whichever is greater) of such amount for grants
20 under this subpart to Guam, American Samoa, the
21 United States Virgin Islands, and the Common-
22 wealth of the Northern Mariana Islands, to be allot-
23 ted in accordance with the Secretary’s determination
24 of their respective needs; and

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1 “(2) shall reserve 0.5 (or \$5,166,885, whichever
2 is greater) of such amount for the Secretary of the
3 Interior to carry out programs under this part for
4 Indian youth.

5 “(b) STATE ALLOTMENTS.—

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

9 “(A) one-half of the remainder not re-
10 served under subsection (a) according to the
11 ratio between the school-aged population of
12 each State and the school-aged population of all
13 the States; and

14 “(B) one-half of such remainder according
15 to the ratio between the amount each State re-
16 ceived under part A of title I for the preceding
17 year and the sum of such amounts received by
18 all the States.

19 “(2) MINIMUM.—For any fiscal year, no State
20 shall be allotted under this subsection an amount
21 that is less than one-half of 1 percent of the total
22 amount allotted to all the States under this sub-
23 section.

24 “(c) REALLOTMENT OF UNUSED FUNDS.—If any
25 State does not apply for an allotment under this subpart

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1 for a fiscal year, the Secretary shall reallocate the amount
2 of the State's allotment to the remaining States in accordance
3 with this section.

4 **“SEC. 4112. WITHIN-STATE DISTRIBUTION.**

5 “(a) GOVERNOR'S ALLOCATION.—

6 “(1) IN GENERAL.—The chief executive officer
7 of a State may reserve not more than 10 percent of
8 the total amount allocated to a State under section
9 4111 for each fiscal year for drug and violence prevention
10 programs and activities in accordance with
11 section 4115.

12 “(2) LAW ENFORCEMENT EDUCATION PARTNERSHIPS.—The chief executive officer of a State
13 shall use not less than 10 percent and not more than
14 20 percent of the amount described in paragraph (1)
15 for each fiscal year for law enforcement education
16 partnerships in accordance with section 4115(b)(3).

17 “(3) ADMINISTRATIVE COSTS.—The chief executive officer of a State may use not more than 3
18 percent of the amount described in paragraph (1)
19 for the administrative costs incurred in carrying out
20 the duties of such officer under this section.

21 “(4) GRANT AWARDS.—The chief executive officer of a State shall use the remainder of funds not
22 reserved under paragraphs (2) and (3) to award
23
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1 competitive grants and contracts for programs or ac-
2 tivities that improve comprehensive community-wide
3 prevention efforts or provide direct services to youth
4 at the local level. Such officer shall award grants
5 based on—

6 “(A) the quality of the activity or program
7 proposed; and

8 “(B) how closely the program or activity is
9 aligned with the appropriate principles of effec-
10 tiveness described in section 4115(a).

11 “(b) STATE FUNDS.—

12 “(1) IN GENERAL.—An amount equal to the
13 total amount reserved to a State under section 4111,
14 less the amount reserved under subsection (a) and
15 paragraphs (2) and (3) of this subsection, for each
16 fiscal year shall be made available to the State and
17 its local educational agencies for drug and violence
18 prevention activities in accordance with section
19 4115.

20 “(2) STATE ACTIVITIES.—A State shall use not
21 more than 2 percent of the amount available under
22 subsection (1) for State activities described in
23 4115(e).

24 “(3) STATE ADMINISTRATION.—A State may
25 use not more than 2 percent of the amount reserved

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1 under paragraph (1) for the administrative costs of
2 carrying out its responsibilities under this part.

3 “(c) DISTRIBUTION TO LOCAL EDUCATIONAL AGEN-
4 CY.—

5 “(1) IN GENERAL.—A State shall distribute not
6 less than 96 percent of the amount made available
7 under subsection (b)(1) for each fiscal year to local
8 educational agencies in accordance with this sub-
9 section.

10 “(2) DISTRIBUTION.—(A) Of the amount made
11 available to a State under subsection (b)(1) and not
12 reserved under paragraphs (2) and (3), a State shall
13 distribute—

14 “(i) 70 percent of such amount to local
15 educational agencies, based on the relative en-
16 rollments in public and private nonprofit ele-
17 mentary and secondary schools within the
18 boundaries of such agencies; and

19 “(ii) 30 percent of such amount to local
20 educational agencies that the State determines
21 have the greatest need for additional funds to
22 carry out drug and violence prevention pro-
23 grams.

24 “(B) Of the amount received under (1), a local
25 educational agency may use not more than 2 percent

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1 for the administrative costs of carrying out its re-
2 sponsibilities under this part.

3 “(C) In determining which local educational
4 agencies have the greatest need for additional funds,
5 a State shall consider objective data such as—

6 “(i) high rates of drug use among youth;

7 “(ii) high rates of victimization of youth by
8 violence and crime;

9 “(iii) high rates of arrests and convictions
10 of youth for violent or drug related crime;

11 “(iv) high incidence of illegal gang activity;

12 “(v) high rates of referrals of youths to
13 drug abuse treatment and rehabilitation pro-
14 grams;

15 “(vi) high rates of referrals of youths to
16 juvenile court;

17 “(vii) high rates of expulsions and suspen-
18 sions of students from schools;

19 “(viii) high rates of reported cases of child
20 abuse and domestic violence;

21 “(ix) local fiscal capacity to fund drug and
22 violence prevention activities and programs
23 without Federal assistance;

24 “(x) high rates of drug related emergencies
25 or deaths;

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1 “(xi) high degree of geographically rural
2 isolation; and

3 “(xii) local fiscal capacity to fund before
4 and after school activities for youth without
5 Federal assistance.

6 “(D) The distribution of funds shall reflect the
7 geographical diversity of local educational agencies
8 in the State.

9 “(3) RETURN OF FUNDS TO STATE; REALLOCA-
10 TION.—

11 “(A) RETURN.—Except as provided in
12 subparagraph (B), upon the expiration of the 1-
13 year period beginning on the date that a local
14 educational agency receives its allocation—

15 “(i) such agency shall return to the
16 State any funds from such allocation that
17 remain unobligated; and

18 “(ii) the State shall reallocate any
19 such amount to local educational agencies
20 that have plans for using such amount for
21 programs or activities on a timely basis.

22 “(B) CARRYOVER.—In any fiscal year, a
23 local educational agency, may retain for obliga-
24 tion in the succeeding fiscal year—

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1 “(i) an amount equal to not more
2 than 25 percent of the allocation it receives
3 under this title for such fiscal year; or

4 “(ii) upon a demonstration of good
5 cause by such agency or consortium, a
6 greater amount approved by the State.

7 **“SEC. 4113. STATE APPLICATION.**

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

12 “(1) describes how funds under this subpart
13 will be coordinated with programs under this Act,
14 and other drug and violence prevention programs, as
15 appropriate, in accordance with the provisions of
16 section 14306;

17 “(2) contains the results of the State’s needs
18 assessment for drug and violence prevention pro-
19 grams, which shall be based on the results of on-
20 going State evaluation activities, including data on
21 the incidence and prevalence of drug use and vio-
22 lence by youth in schools and communities;

23 “(3) contains assurances that the sections of
24 the application concerning the funds provided to the
25 chief executive officer and the State were developed

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1 in consultation and coordination with appropriate
2 State officials and others, including the chief execu-
3 tive officer, the chief State school officer, the head
4 of the State alcohol and drug abuse agency, the
5 heads of the State health and mental health agen-
6 cies, the head of the State criminal justice planning
7 agency, the head of the State child welfare agency,
8 the head of the State board of education, or their
9 designees, and representatives of parents, students,
10 and community-based organizations, including reli-
11 gious organizations;

12 “(4) contains an assurance that the State will
13 cooperate with, and assist, the Secretary in con-
14 ducting data collection as required by section 4116;

15 “(5) contains an assurance that the chief execu-
16 tive officer of the State and the chief State school
17 officer will coordinate program administration and
18 activities under this part and will coordinate with
19 drug and violence prevention efforts established by
20 other State agencies; and

21 “(6) contains an assurance that the local edu-
22 cational agencies in the State will comply with the
23 provisions of section 14503 pertaining to the partici-
24 pation of private school children and teachers in the
25 programs and activities under this part.

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1 “(b) GOVERNOR’S APPLICATION.—An application
2 submitted under this section shall also contain a com-
3 prehensive plan for the use of funds under section 4115(b)
4 by the chief executive officer that includes—

5 “(1) a statement of the chief executive officer’s
6 performance measures for drug and violence preven-
7 tion. The chief executive officer’s performance meas-
8 ures shall consist of—

9 “(A) performance indicators for drug and
10 violence prevention, and;

11 “(B) levels of performance for each per-
12 formance indicator;

13 “(2) a description of the procedures to be used
14 for assessing and publicly reporting progress toward
15 meeting such performance measures;

16 “(3) a description of how the chief executive of-
17 ficer will coordinate such officer’s activities under
18 this part with the chief State school officer and with
19 State agencies and organizations involved with drug
20 and violence prevention efforts;

21 “(4) a description of how funds allocated under
22 section 4112(a) will be used—

23 “(A) to enhance the efforts of other State
24 agencies and local educational agencies with re-

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1 gard to the provision of school-based drug and
2 violence prevention efforts and services; and

3 “(B) to serve populations not normally
4 served by the State educational agency, such as
5 school dropouts and youth in detention centers;

6 “(5) a description of how the chief executive of-
7 ficer will award funds under section 4115(b) in
8 order to support activities and programs that meet
9 the principles of effectiveness and a plan for moni-
10 toring the performance of, and providing technical
11 assistance to, recipients of such funds;

12 “(6) a description of the special outreach activi-
13 ties that will be carried out to maximize the partici-
14 pation of community-based organizations, including
15 religious organizations;

16 “(7) a description of how funds will be used to
17 support community-wide comprehensive drug and vi-
18 olence prevention planning, implementation strate-
19 gies, and programs, including before and after school
20 and continuing education programs; and

21 “(8) an assurance that drug prevention pro-
22 grams supported under this part convey a clear and
23 consistent message that the use of drugs is wrong
24 and harmful.

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1 “(c) STATE APPLICATION.—The State shall include
2 in its application a comprehensive plan for the use of
3 funds under section 4115(c), including the following:

4 “(1) A statement of the State’s performance
5 measures for drug and violence prevention that shall
6 be developed in consultation between the State and
7 local officials and that consist of—

8 “(A) performance indicators for drug and
9 violence prevention; and

10 “(B) levels of performance for each per-
11 formance indicator.

12 “(2) A description of the procedures the State
13 will use for assessing and publicly reporting progress
14 toward meeting those performance measures;

15 “(3) A plan for monitoring the implementation
16 of, and providing technical assistance regarding, the
17 drug and violence prevention programs conducted by
18 local educational agencies in accordance with section
19 4115(d); and

20 “(4) A description of how the State educational
21 agency will coordinate such agency’s activities under
22 this part with the chief executive officer’s drug and
23 violence prevention programs and with the drug and
24 violence prevention efforts of other State agencies.

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1 “(d) GENERAL APPROVAL.—A State application sub-
2 mitted to the Secretary under this title shall be deemed
3 to be approved by the Secretary unless the Secretary
4 makes a written determination, prior to the expiration of
5 the 90-day period beginning on the date that the Secretary
6 receives the application, that the application is in violation
7 of this title.

8 “(e) DISAPPROVAL.—The Secretary shall not finally
9 disapprove a State application, except after giving the
10 State notice and opportunity for a hearing.

11 **“SEC. 4114. LOCAL EDUCATIONAL AGENCY APPLICATION.**

12 “(a) IN GENERAL.—In order to be eligible to receive
13 a distribution under section 4112(c) for any fiscal year,
14 a local educational agency shall submit, at such time as
15 the State requires, an application to the State. Such an
16 application shall be amended, as necessary, to reflect
17 changes in the activities and programs of the local edu-
18 cational agency.

19 “(b) DEVELOPMENT.—(1) A local educational agency
20 shall develop its application through timely and meaning-
21 ful consultation with a local or substate regional advisory
22 council, as described in subsection (c).

23 “(2) To ensure timely and meaningful consultation,
24 a local educational agency shall, in accordance with sub-
25 section (c), establish and consult with a local or substate

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1 regional advisory council on issues regarding the design
2 and development of the program or activity, including ef-
3 forts to meet the principles of effectiveness described in
4 section 4115(a). Such meetings with the advisory council
5 shall occur beginning at the initial stages of design and
6 development of the program or activity.

7 “(c) ADVISORY COUNCIL.—(1) In establishing a local
8 or substate regional advisory council, the local educational
9 agency shall include, to the extent possible, representatives
10 of local government, business, parents, students, teachers,
11 pupil services personnel, appropriate State agencies, pri-
12 vate schools, the medical profession, law enforcement,
13 community-based organizations, religious organizations,
14 and other groups with interest and expertise in drug and
15 violence prevention, including before and after school and
16 continuing education programs.

17 “(2) In addition to assisting the local educational
18 agency to develop an application under this section, the
19 advisory council shall, on an ongoing basis—

20 “(A) disseminate information about drug and
21 violence prevention programs and activities con-
22 ducted within the boundaries of the local educational
23 agency;

24 “(B) advise the local educational agency
25 regarding—

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1 “(i) how best to coordinate such agency’s
2 activities under this part with other related
3 drug and violence prevention strategies, pro-
4 grams, and activities; and

5 “(ii) the agencies that administer such pro-
6 grams, projects, and activities; and

7 “(C) review program and activity evaluations
8 and other relevant material and make recommenda-
9 tions to the local educational agency on how to im-
10 prove such agency’s drug and violence prevention
11 programs and activities.

12 “(d) CONTENTS OF APPLICATIONS.—An application
13 submitted by a local educational agency under this section
14 shall contain—

15 “(1) a detailed explanation of the local edu-
16 cational agency’s comprehensive plan for drug and
17 violence prevention, which shall include a description
18 of—

19 “(A) how the plan will be coordinated with
20 programs under this Act, and other Acts deal-
21 ing with drug and violence prevention, as ap-
22 propriate, in accordance with the provisions of
23 section 14306;

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1 “(B) the local educational agency’s per-
2 formance measures for drug and violence pre-
3 vention, that shall consist of—

4 “(i) performance indicators for drug
5 and violence prevention; and

6 “(ii) levels of performance for each
7 performance indicator;

8 “(C) how such agency will assess and pub-
9 licly report progress toward attaining its per-
10 formance measures;

11 “(D) the drug and violence prevention ac-
12 tivity or program (including before and after
13 school programs and continuing education ac-
14 tivities) to be funded, including how the activity
15 or program will meet the principles of effective-
16 ness described in section 4115(a), and the
17 means of evaluating such activity or program;

18 “(E) how the local educational agency will
19 coordinate such agency’s activities and pro-
20 grams with community-wide efforts to achieve
21 such agency’s performance measures for drug
22 and violence prevention;

23 “(F) how the local educational agency will
24 coordinate such agency’s activities and pro-
25 grams with other Federal, State, and local pro-

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1 grams for youth drug and violence prevention,
2 including before and after school programs and
3 continuing education activities;

4 “(2) an assurance that drug prevention pro-
5 grams supported under this part convey a clear and
6 consistent message that the use of drugs is wrong
7 and harmful; and

8 “(3) such other information and assurances as
9 the State may reasonably require.

10 “(e) PEER REVIEW.—

11 “(1) IN GENERAL.—In reviewing local applica-
12 tions under this section, a State shall use a peer re-
13 view process or other methods of assuring the qual-
14 ity of such applications.

15 “(2) CONSIDERATIONS.—(A) In determining
16 whether to approve the application of a local edu-
17 cational agency under this section, a State shall con-
18 sider the quality of the local educational agency’s
19 comprehensive plan, including the degree to which
20 the principles of effectiveness described in section
21 4115(a) are met.

22 “(B) GENERAL APPROVAL.—A local educational
23 agency’s application submitted to the State under
24 this title shall be deemed to be approved by the
25 State unless the State makes a written determina-

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1 tion, prior to the expiration of the 90-day period be-
2 ginning on the date that the State receives the appli-
3 cation, that the application is in violation of this
4 title.

5 “(C) DISAPPROVAL.—The State shall not fi-
6 nally disapprove a local educational agency applica-
7 tion, except after giving such agency notice and op-
8 portunity for a hearing.

9 **“SEC. 4115. AUTHORIZED ACTIVITIES.**

10 “(a) PRINCIPLES OF EFFECTIVENESS.—(1) For a
11 program or activity developed pursuant to this part to
12 meet the principles of effectiveness, such program or activ-
13 ity shall—

14 “(A) be based upon an assessment of objective
15 data—

16 “(i) regarding the drug and violence prob-
17 lems in the elementary and secondary schools
18 and communities to be served, including an ob-
19 jective analysis of the current conditions and
20 consequences regarding drug use and violence,
21 including delinquency and serious discipline
22 problems, among students who attend such
23 schools (including private school students who
24 participate in the drug and violence prevention

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1 program) that is based on ongoing local assess-
2 ment or evaluation activities;

3 “(ii) regarding the current drug and vio-
4 lence prevention strategies, programs, and ac-
5 tivities, including before and after school pro-
6 grams and continuing education activities, in
7 such schools and communities; and

8 “(iii) regarding student academic achieve-
9 ment and current programs and activities to in-
10 crease student academic achievement.

11 “(B) be based upon an established set of per-
12 formance measures aimed at ensuring that all ele-
13 mentary and secondary schools and communities
14 served by the local educational agency have a drug-
15 free, safe, and orderly learning environment.

16 “(C) be based upon scientifically based research
17 that provides evidence that the program to be used
18 will prevent or reduce drug use and violence, includ-
19 ing delinquency and serious discipline problems
20 among youth.

21 “(2) The program or activity shall undergo a periodic
22 evaluation to assess its progress toward achieving its goals
23 and objectives. The results shall be used to refine, im-
24 prove, and strengthen the program, and to refine the per-
25 formance measures. The results shall also be made avail-

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1 able to the public upon request, with public notice of such
2 availability provided.

3 “(3) WAIVER.—A local educational agency or com-
4 munity-based organization may apply to the State for a
5 waiver of the requirement of paragraph (1)(C) to allow
6 innovative activities or programs that demonstrate sub-
7 stantial likelihood of success in drug and violence preven-
8 tion or in beneficially serving the community.

9 “(b) GOVERNORS’ ACTIVITIES.—

10 “(1) IN GENERAL.—A chief executive officer of
11 a State shall use funds made available under section
12 4112(a) for competitive grants or contracts with
13 local educational agencies, parent groups, commu-
14 nity-based organizations, religious organizations, and
15 other public entities and private organizations and
16 consortia thereof, including community anti-drug
17 coalitions—

18 “(A) to support drug and violence preven-
19 tion strategies, programs, and activities, includ-
20 ing before and after school activities and con-
21 tinuing education programs, that provide com-
22 prehensive community-wide prevention efforts
23 or direct services to prevent drug use and vio-
24 lence in schools and communities; and

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1 “(B) to reward drug and violence preven-
2 tion programs of exceptional quality.

3 “(2) CONSIDERATIONS.—In making such
4 grants and contracts, a chief executive officer of a
5 State—

6 “(A) shall require that any program or ac-
7 tivity meet the principles of effectiveness;

8 “(B) shall give priority to programs and
9 activities for populations that need special serv-
10 ices or additional resources (such as youth in
11 juvenile detention facilities, runaway or home-
12 less children and youth, pregnant and parenting
13 teenagers, and school dropouts); and

14 “(C) may require partnerships between
15 local educational agencies and other groups or
16 organizations, including religious organizations,
17 in order to receive funds.

18 “(3) REQUIRED ACTIVITIES.—A chief executive
19 officer of a State shall use funds made available
20 under section 4112(a)(2) to award grants to State,
21 county or local law enforcement agencies (including
22 district attorneys) in consortium with local edu-
23 cational agencies or community-based agencies for
24 the purposes of carrying out drug and violence pre-
25 vention activities, such as—

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1 “(A) programs that provide classroom in-
2 struction by uniformed law enforcement officials
3 designed to teach students to recognize and re-
4 sist pressures to experiment with drugs and
5 that meet the principles of effectiveness;

6 “(B) programs in which district attorneys
7 provide classroom instruction in the law and
8 legal system, which emphasizes interactive
9 learning techniques such as mock trial competi-
10 tions; or

11 “(C) partnerships between law enforcement
12 and child guidance professionals, which may in-
13 clude mental health providers.

14 “(c) STATE ACTIVITIES.—

15 “(1) AUTHORIZED ACTIVITIES.—A State shall
16 use the funds described in section 4112(b)(2) to
17 plan, develop, and implement capacity building, tech-
18 nical assistance, accountability, program improve-
19 ment services, and coordination activities for local
20 educational agencies that are designed to support
21 the implementation of drug and violence prevention
22 programs, including before and after school pro-
23 grams and continuing education activities. A State
24 may carry out these activities directly, or through
25 grants and contracts.

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1 “(d) LOCAL EDUCATIONAL AGENCY ACTIVITIES.—

2 “(1) PROGRAM REQUIREMENTS.—A local edu-
3 cational agency shall use funds described in section
4 4112(e) to develop, implement, and evaluate a com-
5 prehensive drug and violence prevention program,
6 which is coordinated with other school and commu-
7 nity-based services and programs, that shall—

8 “(A) be consistent with the principles of
9 effectiveness described in subsection (a);

10 “(B) be designed to—

11 “(i) prevent or reduce drug use or vio-
12 lence, including through the prevention of
13 delinquency, serious discipline problems
14 and poor academic performance; and

15 “(ii) create a well disciplined environ-
16 ment conducive to learning, which includes
17 consultation between teachers and school
18 personnel to identify early warning signs of
19 drug use and violence and to provide be-
20 havioral interventions as part of classroom
21 management efforts;

22 “(C) include activities to promote the in-
23 volvement of parents in the activity or program,
24 to promote coordination with community groups
25 and coalitions, including religious organizations,

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1 and government agencies, and to distribute in-
2 formation about the local educational agency’s
3 needs, goals, and programs under this part; and

4 “(D) address before and after school ac-
5 tivities and continuing education needs of youth
6 and adults in the community;

7 “(2) AUTHORIZED ACTIVITIES.—Each local
8 educational agency, or consortium of such agencies,
9 that receives a subgrant under section 4112(c) may
10 use such funds to carry out youth drug and violence
11 prevention activities, including before and after
12 school programs and continuing education activities,
13 in the elementary and secondary schools and com-
14 munities, such as—

15 “(A) developmentally appropriate drug and
16 violence prevention programs that serve stu-
17 dents in both elementary and secondary school
18 and that incorporate a variety of prevention
19 strategies and activities, which may include—

20 “(i) teaching students that most peo-
21 ple do not use drugs;

22 “(ii) teaching students to recognize
23 social and peer pressure to use drugs;

24 “(iii) teaching students skills for re-
25 sisting drug use;

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1 “(iv) engaging students in the learn-
2 ing process;

3 “(v) using developmentally appro-
4 priate teaching materials;

5 “(vi) incorporating activities in sec-
6 ondary schools that reinforce prevention
7 activities implemented in elementary
8 schools; and

9 “(vii) involving families and commu-
10 nities in setting clear expectations against
11 drug use and enforcing consequences for
12 drug use;

13 “(B) before and after school programs and
14 continuing education opportunities for individ-
15 uals of all ages, such as—

16 “(i) integrated educational, rec-
17 reational, or cultural programs, including
18 curriculum based entrepreneurial education
19 programs, remedial education programs,
20 and extended learning programs;

21 “(ii) literacy education programs (in-
22 cluding family literacy services);

23 “(iii) youth science education pro-
24 grams;

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1 “(iv) consumer, economic, and per-
2 sonal finance education programs;

3 “(v) senior citizen and adult education
4 programs (including programs for individ-
5 uals who leave school before graduating
6 from secondary school, regardless of the
7 age of such individual);

8 “(vi) parenting skills education pro-
9 grams;

10 “(vii) educational children’s day care
11 services;

12 “(viii) summer and weekend school
13 programs in conjunction with recreation
14 programs;

15 “(ix) expanded library service hours to
16 serve community needs;

17 “(x) distance learning, technology,
18 and Internet education programs for indi-
19 viduals of all ages;

20 “(xi) educational services for individ-
21 uals with disabilities;

22 “(xii) peer resistance education; and

23 “(xiii) arts and music education.

24 “(C) training and development of school
25 personnel in youth drug and violence preven-

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1 tion, including training in early identification,
2 intervention, and prevention of threatening be-
3 havior;

4 “(D) parental involvement and training in
5 youth drug and violence prevention, including
6 early identification of potential youth violence;

7 “(E) community involvement activities per-
8 taining to youth drug and violence prevention;

9 “(F) law enforcement and security activi-
10 ties, including the acquisition and installation of
11 metal detectors and the hiring and training of
12 security personnel, that are related to youth
13 drug and violence prevention;

14 “(G) comprehensive school security assess-
15 ments;

16 “(H) creating and maintaining safe zones
17 of passage to and from school to prevent vio-
18 lence and drug use and trafficking;

19 “(I) counseling, mentoring, and referral
20 services, and other student assistance practices
21 and programs, including training of teachers by
22 school-based mental health service providers in
23 appropriate identification and intervention tech-
24 niques for disciplining and teaching students at
25 risk of violent behavior;

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1 “(J) services and activities that reduce the
2 need for suspension and expulsion in maintain-
3 ing classroom order and school discipline;

4 “(K) establishing and implementing a sys-
5 tem for transferring suspension and expulsion
6 records by a local educational agency to any
7 public or private elementary or secondary
8 school;

9 “(L) allowing students attending unsafe
10 public elementary and secondary schools, as de-
11 termined by the State, to attend a safe public
12 school, including a public charter school, in the
13 same State as the unsafe public elementary and
14 secondary school, and allowing payment of rea-
15 sonable transportation costs for such students;

16 “(M) the development and implementation
17 of character education and training programs
18 that reflect the values of parents, teachers, and
19 local communities, and incorporate elements of
20 good character, including honesty, citizenship,
21 courage, justice, respect, personal responsibility,
22 and trustworthiness;

23 “(N) testing students for illegal drug use
24 or conducting student locker searches for illegal
25 drugs or drug paraphernalia;

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1 “(O) establishment of school uniform poli-
2 cies;

3 “(P) emergency intervention services fol-
4 lowing traumatic crisis events, such as a shoot-
5 ing, major accident, or a drug-related incident,
6 that has disrupted the learning environment;

7 “(Q) establishing and maintaining a school
8 violence hotline;

9 “(R) conducting background checks of
10 school personnel;

11 “(S) expanding and improving school-
12 based mental health services, including early
13 identification of drug use and violence, assess-
14 ment, and direct individual or group counseling
15 services provided to students, parents, and
16 school personnel by qualified school based men-
17 tal health services personnel;

18 “(T) hiring and training coordinators of
19 drug and violence prevention programs serving
20 students in grades six through nine;

21 “(U) mentoring and tutoring services for
22 students provided by senior citizen volunteers;
23 and

24 “(V) the evaluation of any of the activities
25 authorized under this subsection.

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1 **“SEC. 4116. EVALUATION AND REPORTING.**

2 “(a) DATA COLLECTION.—

3 “(1) The National Center for Education Statis-
4 tics shall collect data to determine the frequency, se-
5 riousness, and incidence of drug use and violence by
6 youth in schools and communities in the States
7 using, if appropriate, data submitted by the States
8 pursuant to subsection (b).

9 “(2) The Secretary shall submit to the Con-
10 gress a report on the data collected under this sub-
11 section.

12 “(b) STATE REPORT.—

13 “(1) IN GENERAL.—Not later than October 1,
14 2003, and every third year thereafter, the chief exec-
15 utive officer of a State, in consultation with the
16 State educational agency, shall submit to the Sec-
17 retary a report on the implementation and outcomes
18 of State and local programs under section 4115.

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

21 “(A) based on the State’s ongoing evalua-
22 tion activities, and shall include data on the
23 prevalence of drug use and violence by youth in
24 schools and communities; and

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1 “(B) made available to the public upon re-
2 quest, with public notice of such availability
3 provided.

4 “(c) LOCAL EDUCATIONAL AGENCY REPORT.—Each
5 local educational agency receiving funds under this part
6 shall submit to the State such information, and at such
7 intervals, as the State reasonably requires to complete the
8 State report required by subsection (b), including informa-
9 tion on the prevalence of drug use and violence by youth
10 in the schools and the community and the progress of the
11 local educational agency toward meeting its performance
12 measures. The report shall be made available to the public
13 upon request, with public notice of such availability pro-
14 vided.

15 **“PART B—NATIONAL PROGRAMS**

16 **“SEC. 4121. FEDERAL ACTIVITIES.**

17 “(a) PROGRAM AUTHORIZED.—

18 “(1) IN GENERAL.—From funds made available
19 to carry out this part under section 4004(2), the
20 Secretary, in consultation with the Secretary of
21 Health and Human Services, the Director of the Of-
22 fice of National Drug Control Policy, the Chair of
23 the Ounce of Prevention Council, and the Attorney
24 General, shall carry out programs to prevent the ille-
25 gal use of drugs and violence among, and promote

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1 safety and discipline for, students in elementary and
2 secondary schools based on the needs reported by
3 States and local educational agencies.

4 “(2) COORDINATION.—The Secretary shall
5 carry out programs described in paragraph (1) di-
6 rectly, or through grants, contracts, or cooperative
7 agreements with public and private nonprofit and
8 for-profit organizations, including religious organiza-
9 tions, and individuals, or through agreements with
10 other Federal agencies, and shall coordinate such
11 programs with other appropriate Federal activities.

12 “(3) PROGRAMS.—Programs described in para-
13 graph (1) may include—

14 “(A) demonstrations and rigorous scientif-
15 ically based evaluations of innovative ap-
16 proaches to drug and violence prevention based
17 on needs reported by State and local edu-
18 cational agencies;

19 “(B) the provision of information on drug
20 abuse education and prevention to the Secretary
21 of Health and Human Services for dissemina-
22 tion by the clearinghouse for alcohol and drug
23 abuse information established under section
24 501(d)(16) of the Public Health Service Act;

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1 “(C) continuing technical assistance to
2 chief executive officers, State agencies, and
3 local educational agencies to build capacity to
4 develop and implement high-quality, effective
5 programs consistent with the principles of effec-
6 tiveness.

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

10 **“SEC. 4122. NATIONAL CLEARINGHOUSE FOR AFTER**
11 **SCHOOL PROGRAMS.**

12 “From funds made available to carry this part under
13 section 4004(2), the Secretary of Education, in consulta-
14 tion with the Secretary of Health and Human Services,
15 through the Commissioner on Children, Youth, and Fami-
16 lies, the Attorney General, and representatives with rel-
17 evant experience from State child care agencies and child
18 care resource and referral centers, shall establish a na-
19 tional clearinghouse to provide technical assistance re-
20 garding establishment and operation of after school pro-
21 grams and models of after school programs. The national
22 clearinghouse shall be available to the public, including via
23 Internet, and shall serve as a resource for child care orga-
24 nizations, communities, and individuals seeking to improve
25 the quality and availability of after school programs.

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1 **“PART C—GUN POSSESSION**2 **“SEC. 4131. GUN-FREE SCHOOL REQUIREMENTS.**

3 “(a) REQUIREMENTS.—

4 “(1) STATE LAW.—Each State receiving funds
5 under this Act shall have in effect a State law re-
6 quiring each local educational agency—7 “(A) to expel from school for a period of
8 not less than one year a student who is deter-
9 mined to have brought a firearm to a school
10 under the jurisdiction of a local educational
11 agency in that State, except that such State law
12 shall allow the chief administering officer of
13 such local educational agency to modify such
14 expulsion requirement for a student on a case-
15 by-case basis; and16 “(B) to have a policy requiring each ele-
17 mentary and secondary school to refer to the
18 criminal justice or juvenile delinquency system
19 any student who brings a firearm to school.20 “(2) CONSTRUCTION.—Nothing in this part
21 shall be construed to prevent a State from allowing
22 a local educational agency that has expelled a stu-
23 dent from such a student’s regular school setting
24 from providing educational services to such student
25 in an alternative setting.

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1 “(b) SPECIAL RULE.—The provisions of this section
2 shall be construed in a manner consistent with the Individ-
3 uals with Disabilities Education Act.

4 “(c) APPLICATION TO STATE.—Each local edu-
5 cational agency requesting assistance from a State that
6 is provided from funds made available to the State under
7 this Act shall provide to the State, in the application re-
8 questing such assistance—

9 “(1) an assurance that such local educational
10 agency is in compliance with the State law required
11 by subsection (a); and

12 “(2) a description of the circumstances sur-
13 rounding any expulsions imposed under the State
14 law required by subsection (b), including—

15 “(A) the name of the school concerned;

16 “(B) the number of students expelled from
17 such school, including the number of children
18 with disabilities expelled from such school; and

19 “(C) the type of firearm concerned.

20 “(d) REPORTING.—Each State shall report the infor-
21 mation described in subsection (b) to the Secretary on an
22 annual basis.

23 “(e) DEFINITIONS.—For the purpose of this part—

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1 “(1) the term ‘firearm’ has the same meaning
2 given to such term under section 921(a)(3) of title
3 18, United States Code; and

4 “(2) the term ‘school’ does not include a home
5 school, regardless of whether a home school is treat-
6 ed as a private school under State law.

7 **“PART D—GENERAL PROVISIONS**

8 **“SEC. 4141. DEFINITIONS.**

9 “For the purposes of this title, the following terms
10 have the following meanings:

11 “(1) **COMMUNITY-BASED ORGANIZATION.**—The
12 term ‘community-based organization’ means a pri-
13 vate nonprofit organization that is representative of
14 a community or significant segments of a community
15 and that provides educational or related services to
16 individuals in the community.

17 “(2) **CONTROLLED SUBSTANCE.**—The term
18 ‘controlled substance’ means a drug or other sub-
19 stance identified under Schedule I, II, III, IV, or V
20 in section 202(c) of the Controlled Substances Act
21 (21 U.S.C. 812(c)).

22 “(3) **DRUG.**—The term ‘drug’ includes con-
23 trolled substances; the illegal use of alcohol and to-
24 bacco; and the harmful, abusive, or addictive use of

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1 substances, including inhalants and anabolic
2 steroids.

3 “(4) DRUG AND VIOLENCE PREVENTION.—The
4 term ‘drug and violence prevention’ means—

5 “(A) with respect to drugs, prevention,
6 early intervention, rehabilitation referral, or
7 education related to the illegal use of drugs;

8 “(B) with respect to violence, the pro-
9 motion of school safety, such that students and
10 school personnel are free from violent and dis-
11 ruptive acts, on school premises, going to and
12 from school, and at school-sponsored activities,
13 through the creation and maintenance of a
14 school environment that is free of weapons and
15 fosters individual responsibility and respect for
16 the rights of others; and

17 “(C) with respect to before and after
18 school programs and continuing education ac-
19 tivities, educational activities for individuals of
20 all ages in the community that operate with a
21 goal of drug and violence prevention in the
22 school or community.

23 “(5) LOCAL EDUCATIONAL AGENCY.—The term
24 ‘local educational agency’ includes educational serv-
25 ice agencies and consortia of such agencies.

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1 “(6) NONPROFIT.—The term ‘nonprofit,’ as ap-
2 plied to a school, agency, organization, or institution
3 means a school, agency, organization, or institution
4 owned and operated by one or more nonprofit cor-
5 porations or associations, no part of the net earnings
6 of which inures, or may lawfully inure, to the benefit
7 of any private shareholder or individual.

8 “(7) SCHOOL-AGED POPULATION.—The term
9 ‘school-aged population’ means the population aged
10 5 through 17, as determined by the Secretary on the
11 basis of the most recent satisfactory data available
12 from the Department of Commerce.

13 “(8) SCHOOL BASED MENTAL HEALTH SERV-
14 ICES PROVIDER.—The term ‘school based mental
15 health services provider’ includes a State licensed or
16 State certified school counselor, school psychologist,
17 school social worker, or other State licensed or cer-
18 tified mental health professional qualified under
19 State law to provide such services to children and
20 adolescents.

21 “(9) SCHOOL PERSONNEL.—The term ‘school
22 personnel’ includes teachers, administrators, guid-
23 ance counselors, social workers, psychologists,
24 nurses, librarians, and other support staff who are

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1 employed by a school or who perform services for the
2 school on a contractual basis.

3 “(10) SCIENTIFICALLY BASED RESEARCH.—

4 The term ‘scientifically based research’—

5 “(A) means the application of rigorous,
6 systematic, and objective procedures to obtain
7 valid knowledge relevant to youth drug and vio-
8 lence prevention activities and programs; and

9 “(B) shall include research that—

10 “(i) employs systemic, empirical meth-
11 ods that draw on observation or experi-
12 ment;

13 “(ii) involves rigorous data analyses
14 that are adequate to test the stated
15 hypotheses and justify the general conclu-
16 sions drawn;

17 “(iii) relies on measurements or obser-
18 vational methods that provide valid data
19 across evaluators and observers and across
20 multiple measurements and observations;
21 and

22 “(iv) has been accepted by a peer-re-
23 viewed journal or approved by a panel of
24 independent experts through a comparably
25 rigorous, objective, and scientific review.

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

4 **“SEC. 4142. MATERIALS.**

5 “(a) ‘WRONG AND HARMFUL’ MESSAGE.—Drug pre-
6 vention programs supported under this title shall convey
7 a clear and consistent message that the use of drugs is
8 wrong and harmful.

9 “(b) CURRICULUM.—The Secretary shall not pre-
10 scribe the use of specific curricula for programs supported
11 under this part.

12 **“SEC. 4143. PROHIBITED USES OF FUNDS.**

13 “No funds under this title may be used for—

14 “(1) construction (except for minor remodeling
15 needed to accomplish the purposes of this part);

16 “(2) medical services, drug treatment or reha-
17 bilitation, except for pupil services or referral to
18 treatment for students who are victims of, or wit-
19 nesses to, use of drugs or crime; and

20 “(3) activities or programs that discriminate
21 against or denigrate the religious or moral beliefs of
22 students who participate in such activities or pro-
23 grams.

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1 **“SEC. 4144. QUALITY RATING.**

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

8 “(1) to establish a standard of quality for drug
9 and violence prevention programs implemented in
10 public elementary and secondary schools in the State
11 in accordance with subsection (b); and

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

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

18 “(1) a comparison of the rate of illegal use of
19 drugs and of violent occurrences by students enrolled
20 in the school over a period of time to be determined
21 by the chief executive officer of the State or the indi-
22 vidual, entity, or agency described in subsection (a),
23 as the case may be;

24 “(2) the rate of suspensions or expulsions of
25 students enrolled in the school for drug and violence
26 offenses;

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1 “(3) the effectiveness of the drug and violence
2 prevention program as proven by scientifically based
3 research;

4 “(4) the involvement of parents and community
5 members in the design of the drug and violence pre-
6 vention program; and

7 “(5) the extent of review of existing community
8 drug and violence prevention programs before imple-
9 mentation of the public school program.

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

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

23 **“SEC. 4145. CONTINUATION AWARDS.**

24 “From funds made available under section 4004(2),
25 the Secretary is authorized to continue funding multi-year

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1 grants awarded prior to fiscal year 2001 under part I of
2 title X, as such part was in effect on the day preceding
3 the date of the enactment of the Education OPTIONS
4 Act, or the Middle School Coordinator Initiative (as de-
5 scribed in title III of the Department of Education Act,
6 2000, (as enacted into law by section 1004(a)(4) of Public
7 Law 106–113) and prior appropriations Acts, prior to the
8 date of the enactment of the Education OPTIONS Act
9 for the duration of the original grant period.

10 **“SEC. 4146. GENERAL ACCOUNTING OFFICE REPORT.**

11 “Not later than 1 year after the date of the enact-
12 ment of the Education OPTIONS Act, the General Ac-
13 counting Office shall transmit to Congress a report con-
14 taining the following:

15 “(1) For each State, a description of the types
16 of after school programs that are available for stu-
17 dents in kindergarten through grade 12, including
18 programs sponsored by the Boys and Girls Clubs of
19 America, the Boy Scouts of America, the Girl Scouts
20 of America, YMCA’s, and athletic and other pro-
21 grams operated by public schools and other State
22 and local agencies.

23 “(2) For 15 communities selected to represent
24 a variety of regional, population, and demographic
25 profiles, a detailed analysis of the after school pro-

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1 grams that are available for students in kinder-
2 garten through grade 12, including programs spon-
3 sored by the Boys and Girls Clubs of America, the
4 Boy Scouts of America, the Girl Scouts of America,
5 YMCA's, mentoring programs, athletic programs,
6 and programs operated by public schools, churches,
7 day care centers, parks, recreation centers, family
8 day care, community organizations, law enforcement
9 agencies, service providers, and for-profit and non-
10 profit organizations.

11 “(3) For each State, a description of significant
12 areas of unmet need in the quality and availability
13 of after school programs.

14 “(4) For each State, a description of barriers
15 which prevent or deter the participation of children
16 in after school programs.

17 “(5) A list of activities, other than after school
18 programs, in which students in kindergarten through
19 grade 12 participate when not in school, including
20 jobs, volunteer opportunities, and other non-school
21 affiliated programs.

22 “(6) An analysis of the value of the activities
23 listed pursuant to paragraph (5) relevant to the
24 well-being and educational development of students
25 in kindergarten through grade 12.

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1 **“SEC. 4147. SERVICES PROVIDED BY CHARITABLE, RELI-**
2 **GIUS, OR PRIVATE ORGANIZATIONS**

3 “(a) IN GENERAL.—A State may administer and pro-
4 vide services under the programs and activities described
5 in this title through grants and contracts with charitable,
6 religious, or private organizations.

7 “(b) RELIGIOUS ORGANIZATIONS.—The purpose of
8 this section is to allow States to provide grants to or to
9 contract with religious organizations on the same basis as
10 any other nongovernmental provider without impairing the
11 religious character of such organizations, and without di-
12 minishing the religious freedom of beneficiaries of assist-
13 ance funded under such program.

14 “(c) NONDISCRIMINATION AGAINST RELIGIOUS OR-
15 GANIZATIONS.—In the event a State exercises its authority
16 under subsection (a), religious organizations are eligible,
17 on the same basis as any other private organization, as
18 grant recipients or contractors, to provide assistance
19 under any program described in this title if the programs
20 sponsored by such religious organization are implemented
21 in a manner consistent with the Establishment Clause of
22 the United States Constitution. Except as provided in sub-
23 section (i), neither the Federal Government, a State, nor
24 a local educational agency receiving funds under this title
25 shall discriminate against an organization that is or ap-

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1 plies to be a contractor to provide assistance on the basis
2 that the organization has a religious character.

3 “(d) RELIGIOUS CHARACTER AND FREEDOM.—

4 “(1) RELIGIOUS ORGANIZATIONS.—A religious
5 organization with a grant or contract under this title
6 shall retain its religious character and control over
7 the definition, development, practice, and expression
8 of its religious beliefs.

9 “(2) ADDITIONAL SAFEGUARDS.—Neither the
10 Federal Government, a State, nor local government
11 shall require a religious organization to—

12 “(A) alter its form of internal governance;

13 or

14 “(B) remove religious art, icons, scripture,
15 or other symbols;

16 in order to be eligible to receive a grant or contract
17 under this title.

18 “(e) EMPLOYMENT PRACTICES.—A religious organi-
19 zation’s exemption provided under section 702 of the Civil
20 Rights Act of 1964 (42 U.S.C. 2000e–1), regarding em-
21 ployment practices, shall not be affected by its participa-
22 tion in, or receipt of funds from, programs under this title.

23 “(f) NONDISCRIMINATION AGAINST BENE-
24 FICIARIES.—Except as otherwise provided in law, a reli-
25 gious organization shall not discriminate against an indi-

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1 vidual in regard to rendering assistance funded under any
2 program described in this title on the basis of religion,
3 a religious belief, or refusal to actively participate in a reli-
4 gious practice.

5 “(g) FISCAL ACCOUNTABILITY.—

6 “(1) IN GENERAL.—Except as provided in para-
7 graph (2), any religious organization receiving a
8 grant or contracting to provide assistance funded
9 under any program described in this title shall be
10 subject to the same regulations as other recipients
11 or contractors to account in accord with generally
12 accepted auditing principles for the use of such
13 funds provided under such programs.

14 “(2) LIMITED AUDIT.—If such organization
15 segregates Federal funds provided under such pro-
16 grams into separate accounts, then only the financial
17 assistance provided with such funds shall be subject
18 to audit.

19 “(h) LIMITATIONS ON USE OF FUNDS FOR CERTAIN
20 PURPOSES.—No funds provided directly to institutions or
21 organizations to provide services and administer programs
22 under this Act shall be expended for sectarian worship,
23 instruction, or proselytization.

24 “(i) PREEMPTION.—Nothing in this section shall be
25 construed to preempt any provision of a State constitution

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- 1 or State statute that prohibits or restricts the expenditure
- 2 of State funds in or by religious organizations.”.