

Calendar No. 280

103D CONGRESS
1ST SESSION

S. 1125

[Report No. 103-1801]

A BILL

To help local school systems achieve Goal Six of the National Education Goals, which provides that by the year 2000, every school in America will be free of drugs and violence and will offer a disciplined environment conducive to learning, by ensuring that all schools are safe and free of violence.

NOVEMBER 10 (legislative day, NOVEMBER 2), 1993

Reported with an amendment

Calendar No. 280103^D CONGRESS
1ST SESSION**S. 1125****[Report No. 103-180]**

To help local school systems achieve Goal Six of the National Education Goals, which provides that by the year 2000, every school in America will be free of drugs and violence and will offer a disciplined environment conducive to learning, by ensuring that all schools are safe and free of violence.

IN THE SENATE OF THE UNITED STATES

JUNE 17 (legislative day, JUNE 15), 1993

Mr. DODD (for himself, Mrs. KASSEBAUM, Mr. KENNEDY, Mr. JEFFORDS, Mr. PELL, Mr. LIEBERMAN, Mr. LEVIN, Mr. WOFFORD, Mr. SIMON, Mr. CHAFEE, Mr. HATFIELD, Mr. INOUE, Ms. MIKULSKI, Mr. METZENBAUM, Mr. COCHRAN, and Mr. GLENN) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

NOVEMBER 10 (legislative day, NOVEMBER 2), 1993

Reported by Mr. KENNEDY, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To help local school systems achieve Goal Six of the National Education Goals, which provides that by the year 2000, every school in America will be free of drugs and violence and will offer a disciplined environment conducive to

learning, by ensuring that all schools are safe and free of violence.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*
 3 That this Act may be cited as the “Safe School Act of
 4 1993”.

5 SAFE SCHOOLS PROGRAM AUTHORIZED

6 ~~SEC. 2. (a) With funds appropriated under subsection~~
 7 ~~(b)(1), the Secretary shall make competitive grants to eli-~~
 8 ~~gible local educational agencies to carry out projects de-~~
 9 ~~signed to achieve Goal Six of the National Education~~
 10 Goals by helping to ensure that all schools are safe and
 11 free of violence.

12 ~~(b)(1) There are authorized to be appropriated to~~
 13 ~~carry out this Act \$75,000,000 for fiscal year 1994,~~
 14 ~~\$100,000,000 for fiscal year 1995, and such sums as may~~
 15 ~~be necessary for fiscal year 1996 and each of the two suc-~~
 16 ~~ceeding fiscal years.~~

17 ~~(2) The Secretary is authorized each fiscal year to~~
 18 ~~reserve no more than 5 percent of the amount appro-~~
 19 ~~priated under subsection (b)(1) to carry out national lead-~~
 20 ~~ership activities described in section 6.~~

21 ELIGIBLE APPLICANTS

22 ~~SEC. 3. (a) To be eligible to receive a grant under~~
 23 ~~this Act, a local educational agency shall demonstrate in~~
 24 ~~its application under section 4(a) that it—~~

1 (1) receives assistance under section 1006 of
2 the Elementary and Secondary Education Act of
3 1965 (hereinafter referred to as the “ESEA”) or
4 meets the criteria of clauses (i) and (ii) of section
5 1006(a)(1)(A);

6 (2) services an area in which there is a high
7 rate of—

8 (A) homicides committed by persons be-
9 tween the ages 5 to 18, inclusive;

10 (B) referrals of youth to juvenile court;

11 (C) youth under the supervision of the
12 courts;

13 (D) expulsions and suspension of students
14 from school;

15 (E) referrals of youth, for disciplinary rea-
16 sons, to alternative schools; or

17 (F) victimization of youth by violence,
18 crime, or other forms of abuse; and

19 (3) has serious school crime, violence, and dis-
20 cipline problems, as indicated by other appropriate
21 data.

22 (b) For the purpose of this Act—

23 (1) “the term local educational agency” has the
24 same meaning given in section 1471(12) of the
25 ESEA;

1 (2) the term “Secretary” means the Secretary
2 of Education.

3 APPLICATIONS AND PLANS

4 SEC. 4. (a) In order to receive a grant under this
5 Act, an eligible local educational agency shall submit to
6 the Secretary an application that includes—

7 (1) an assessment of the current violence and
8 crime problems in the schools to be served by the
9 grant and in the community to be served by the
10 applicant;

11 (2) an assurance that the applicant has written
12 policies regarding school safety, student discipline,
13 and the appropriate handling of violent or disruptive
14 acts;

15 (3) a description of the schools and commu-
16 nities to be served by the grant, the activities and
17 projects to be carried out with grant funds, and how
18 these activities and projects will help to reduce the
19 current violence and crime problems in the schools
20 and communities served;

21 (4) if the local educational agency receives
22 funds under Goals 2000: Educate America Act, an
23 explanation of how activities assisted under this Act
24 will be coordinated with and support its systemic
25 education improvement plan prepared under that
26 Act;

1 (5) the applicant's plan to establish school-level
2 advisory committees, which include faculty, parents,
3 staff, and students, for each school to be served by
4 the grant and a description of how each committee
5 will assist in assessing that school's violence and dis-
6 cipline problems as well as in designing appropriate
7 programs, policies, and practices to combat those
8 problems;

9 (6) the applicant's plan for collecting baseline
10 and future data, by individual schools, to monitor vi-
11 olence and discipline problems and to measure its
12 progress in achieving the purpose of this Act;

13 (7) an assurance that grant funds under this
14 Act will be used to supplement and not to supplant
15 State and local funds that would, in the absence of
16 funds under this Act, be made available by the appli-
17 cant for the purposes of the grant;

18 (8) an assurance that the applicant will cooper-
19 ate with, and provide assistance to, the Secretary in
20 gathering statistics and other data the Secretary de-
21 termines are necessary to determine the effectiveness
22 of projects and activities under this Act or the ex-
23 tent of school violence and discipline problems
24 throughout the Nation; and

1 (A) identifying and assessing school violence
2 and discipline problems, including coordinating
3 needs assessment activities and education, law-en-
4 forcement, judicial, health, social service, and other
5 appropriate agencies and organizations;

6 (B) conducting school safety reviews or violence
7 prevention reviews of programs, policies, practices,
8 and facilities to determine what changes are needed
9 to reduce or prevent violence and promote safety and
10 discipline;

11 (C) planning for comprehensive, long-term
12 strategies for combating and preventing school vio-
13 lence and discipline problems through the involve-
14 ment and coordination of school programs with other
15 education, law-enforcement, judicial, health, social
16 service, and other appropriate agencies and organi-
17 zations;

18 (D) community education programs involving
19 parents, businesses, local government, the media,
20 and other appropriate entities about the local edu-
21 cational agency's plan to promote school safety and
22 reduce and prevent school violence and discipline
23 problems and the need for community support;

24 (E) coordination of school-based activities de-
25 signed to promote school safety and reduce or pre-

1 vent school violence and discipline problems with re-
2 lated efforts of education, law-enforcement, judicial,
3 health, social service, and other appropriate agencies
4 and organizations;

5 (F) developing and implementing violence pre-
6 vention activities, including—

7 (i) conflict resolution and social skills de-
8 velopment for students, teachers, aides, other
9 school personnel, and parents;

10 (ii) disciplinary alternatives to expulsion
11 and suspension of students who exhibit violent
12 or anti-social behavior;

13 (iii) student-led activities such as peer me-
14 diation, peer counseling, and student courts; or

15 (iv) alternative after-school programs that
16 provide safe havens for students, which may in-
17 clude cultural, recreational, and educational and
18 instructional activities;

19 (G) educating students and parents about the
20 dangers of guns and other weapons and the con-
21 sequences of their use;

22 (H) developing and implementing innovative
23 curricula to prevent violence in schools and training
24 staff how to stop disruptive or violent behavior if it
25 occurs;

1 (I) supporting “safe zones of passage” for stu-
2 dents between home and school through such meas-
3 ures as ~~Drug- and Weapon-Free School Zones~~, en-
4 hanced law enforcement, and neighborhood patrols;

5 (J) counseling programs for victims and wit-
6 nesses of school violence and crime;

7 (K) minor remodeling to promote security and
8 reduce the risk of violence, such as removing lockers,
9 installing better lights, and upgrading locks;

10 (L) acquiring and installing metal detectors and
11 hiring security personnel;

12 (M) reimbursing law enforcement authorities
13 for their personnel who participate in school violence
14 prevention activities;

15 (N) evaluating its project under this Act;

16 (O) the cost of administering its project under
17 this Act; and

18 (P) other activities that meet the purposes of
19 this Act.

20 (2) A local educational agency may use no more
21 than—

22 (A) a total of 33 percent of its grant for activi-
23 ties described in paragraph (1)(K), (L), and (M);
24 and

1 ~~(B)~~ 5 percent of its grant for activities de-
2 scribed in paragraph (1)(O)

3 ~~(3)~~ A local educational agency may not use funds
4 under this Act for construction.

5 NATIONAL LEADERSHIP

6 ~~SEC. 6.~~ To carry out the purpose of this Act, the Sec-
7 retary is authorized to use funds reserved under section
8 ~~2(b)(2)~~ to conduct national leadership activities such as
9 research, program development and evaluation, data col-
10 lection, public awareness activities, training and technical
11 assistance, and peer review of applications under this Act.
12 The Secretary may carry out such activities directly,
13 through interagency agreements, or through grants, con-
14 tracts, or cooperative agreements.

15 EFFECTIVE DATE

16 ~~SEC. 7.~~ This Act shall take effect upon enactment.

17 ***SECTION 1. SHORT TITLE; STATEMENT OF PURPOSE.***

18 ~~(a)~~ *SHORT TITLE.*—This Act may be cited as the “Safe
19 Schools Act of 1993”.

20 ~~(b)~~ *STATEMENT OF PURPOSE.*—It is the purpose of
21 this Act to help local school systems achieve Goal Six of
22 the National Education Goals, which provides that by the
23 year 2000, every school in America will be free of drugs
24 and violence and will offer a disciplined environment con-
25 ducive to learning, by ensuring that all schools are safe and
26 free of violence.

1 **SEC. 2. SAFE SCHOOLS PROGRAM AUTHORIZED.**

2 (a) *AUTHORITY.*—

3 (1) *IN GENERAL.*—*With funds appropriated pur-*
4 *suant to the authority of subsection (b)(1), the Sec-*
5 *retary shall make competitive grants to eligible local*
6 *educational agencies to enable such agencies to carry*
7 *out projects and activities designed to achieve Goal*
8 *Six of the National Education Goals by helping to en-*
9 *sure that all schools are safe and free of violence.*

10 (2) *GRANT DURATION AND AMOUNT.*—*Grants*
11 *under this Act may not exceed—*

12 (A) *two fiscal years in duration, except that*
13 *the Secretary shall not award any new grants in*
14 *fiscal year 1996 but may make payments pursu-*
15 *ant to a 2-year grant which terminates in such*
16 *fiscal year; and*

17 (B) *\$3,000,000 in any fiscal year.*

18 (b) *AUTHORIZATION OF APPROPRIATIONS.*—

19 (1) *IN GENERAL.*—*There are authorized to be ap-*
20 *propriated \$75,000,000 for fiscal year 1994,*
21 *\$100,000,000 for fiscal year 1995, and such sums as*
22 *may be necessary for fiscal year 1996, to carry out*
23 *this Act.*

24 (2) *RESERVATION.*—*The Secretary is authorized*
25 *in each fiscal year to reserve not more than 10 per-*
26 *cent of the amount appropriated pursuant to the au-*

1 *thority of paragraph (1) to carry out national leader-*
2 *ship activities described in section 6, of which 50 per-*
3 *cent of such amount shall be available in such fiscal*
4 *year to carry out the program described in section*
5 *6(b).*

6 **SEC. 3. ELIGIBLE APPLICANTS.**

7 *(a) IN GENERAL.—To be eligible to receive a grant*
8 *under this Act, a local educational agency shall demonstrate*
9 *in the application submitted pursuant to section 4(a) that*
10 *such agency—*

11 *(1) serves an area in which there is a high rate*
12 *of—*

13 *(A) homicides committed by persons be-*
14 *tween the ages 5 to 18, inclusive;*

15 *(B) referrals of youth to juvenile court;*

16 *(C) youth under the supervision of the*
17 *courts;*

18 *(D) expulsions and suspension of students*
19 *from school;*

20 *(E) referrals of youth, for disciplinary rea-*
21 *sons, to alternative schools; or*

22 *(F) victimization of youth by violence,*
23 *crime, or other forms of abuse; and*

1 (2) *has serious school crime, violence, and dis-*
2 *cipline problems, as indicated by other appropriate*
3 *data.*

4 (b) *PRIORITY.*—*In awarding grants under this Act, the*
5 *Secretary shall give priority to a local educational agency*
6 *that—*

7 (1) *receives assistance under section 1006 of the*
8 *Elementary and Secondary Education Act of 1965 or*
9 *meets the criteria described in clauses (i) and (ii) of*
10 *section 1006(a)(1)(A) of such Act; and*

11 (2) *submits an application that assures a strong*
12 *local commitment to the projects or activities assisted*
13 *under this Act, such as—*

14 (A) *the formation of partnerships among*
15 *the local educational agency, a community-based*
16 *organization, a nonprofit organization with a*
17 *demonstrated commitment to or expertise in de-*
18 *veloping education programs or providing edu-*
19 *cational services to students or the public, a local*
20 *law enforcement agency, or any combination*
21 *thereof; and*

22 (B) *a high level of youth participation in*
23 *such projects or activities.*

24 (c) *DEFINITIONS.*—*For the purpose of this Act—*

1 (1) the term “local educational agency” has the
2 same meaning given to such term in section 1471(12)
3 of the Elementary and Secondary Education Act of
4 1965; and

5 (2) the term “Secretary” means the Secretary of
6 Education.

7 **SEC. 4. APPLICATIONS AND PLANS.**

8 (a) APPLICATION.—In order to receive a grant under
9 this Act, a local educational agency shall submit to the Sec-
10 retary an application that includes—

11 (1) an assessment of the current violence and
12 crime problems in the schools and community to be
13 served by the grant;

14 (2) an assurance that the applicant has written
15 policies regarding school safety, student discipline,
16 and the appropriate handling of violent or disruptive
17 acts;

18 (3) a description of the schools and communities
19 to be served by the grant, the projects and activities
20 to be carried out with grant funds, and how these
21 projects and activities will help to reduce the current
22 violence and crime problems in such schools and com-
23 munities;

24 (4) if the local educational agency receives funds
25 under Goals 2000: Educate America Act, an expla-

1 *nation of how projects and activities assisted under*
2 *this Act will be coordinated with and support such*
3 *agency's systemic education improvement plan pre-*
4 *pared under that Act;*

5 *(5) the applicant's plan to establish school-level*
6 *advisory committees, which include faculty, parents,*
7 *staff, and students, for each school to be served by the*
8 *grant and a description of how each committee will*
9 *assist in assessing that school's violence and discipline*
10 *problems as well as in designing appropriate pro-*
11 *grams, policies, and practices to address those prob-*
12 *lems;*

13 *(6) the applicant's plan for collecting baseline*
14 *and future data, by individual schools, to monitor vi-*
15 *olence and discipline problems and to measure such*
16 *applicant's progress in achieving the purpose of this*
17 *Act;*

18 *(7) an assurance that grant funds under this Act*
19 *will be used to supplement and not to supplant State*
20 *and local funds that would, in the absence of funds*
21 *under this Act, be made available by the applicant for*
22 *the purpose of this Act;*

23 *(8) an assurance that the applicant will cooper-*
24 *ate with, and provide assistance to, the Secretary in*
25 *gathering statistics and other data the Secretary de-*

1 *termines are necessary to assess the effectiveness of*
2 *projects and activities assisted under this Act or the*
3 *extent of school violence and discipline problems*
4 *throughout the Nation;*

5 *(9) an assurance that the local educational agen-*
6 *cy has a written policy that prohibits sexual contact*
7 *between school personnel and a student; and*

8 *(10) such other information as the Secretary*
9 *may require.*

10 *(b) PLAN.—In order to receive funds under this Act*
11 *for a second year, a grantee shall submit to the Secretary*
12 *a comprehensive, long-term, school safety plan for reducing*
13 *and preventing school violence and discipline problems.*
14 *Such plan shall contain—*

15 *(1) a description of how the grantee will coordi-*
16 *nate its school crime and violence prevention efforts*
17 *with education, law-enforcement, judicial, health, so-*
18 *cial service, and other appropriate agencies and orga-*
19 *nizations serving the community; and*

20 *(2) in the case that the grantee receives funds*
21 *under the Goals 2000: Educate America Act, an ex-*
22 *planation of how the grantee's comprehensive plan*
23 *under this subsection is consistent with and supports*
24 *its systemic education improvement plan prepared*

1 *under that Act, if such explanation differs from that*
2 *provided in the grantee's application.*

3 **SEC. 5. USE OF FUNDS.**

4 *(a) USE OF FUNDS.—*

5 *(1) IN GENERAL.—A local educational agency*
6 *shall use grant funds received under this Act for one*
7 *or more of the following activities:*

8 *(A) Identifying and assessing school vio-*
9 *lence and discipline problems, including coordi-*
10 *nating needs assessment activities and education,*
11 *law-enforcement, judicial, health, social service,*
12 *and other appropriate agencies and organiza-*
13 *tions.*

14 *(B) Conducting school safety reviews or vio-*
15 *lence prevention reviews of programs, policies,*
16 *practices, and facilities to determine what*
17 *changes are needed to reduce or prevent violence*
18 *and promote safety and discipline.*

19 *(C) Planning for comprehensive, long-term*
20 *strategies for addressing and preventing school*
21 *violence and discipline problems through the in-*
22 *volvement and coordination of school programs*
23 *with other education, law-enforcement, judicial,*
24 *health, social service, and other appropriate*
25 *agencies and organizations.*

1 (D) Training school personnel in programs
2 of demonstrated effectiveness in addressing vio-
3 lence, including violence prevention, conflict res-
4 olution, anger management, peer mediation, and
5 identification of high-risk youth.

6 (E) Community education programs involv-
7 ing parents, businesses, local government, the
8 media, and other appropriate entities about the
9 local educational agency's plan to promote school
10 safety and reduce and prevent school violence
11 and discipline problems and the need for com-
12 munity support.

13 (F) Coordination of school-based activities
14 designed to promote school safety and reduce or
15 prevent school violence and discipline problems
16 with related efforts of education, law-enforce-
17 ment, judicial, health, social service, and other
18 appropriate agencies and organizations.

19 (G) Developing and implementing violence
20 prevention activities, including—

21 (i) conflict resolution and social skills
22 development for students, teachers, aides,
23 other school personnel, and parents;

1 (ii) disciplinary alternatives to expul-
2 sion and suspension of students who exhibit
3 violent or anti-social behavior;

4 (iii) student-led activities such as peer
5 mediation, peer counseling, and student
6 courts; or

7 (iv) alternative after-school programs
8 that provide safe havens for students, which
9 may include cultural, recreational, and edu-
10 cational and instructional activities.

11 (H) Educating students and parents about
12 the dangers of guns and other weapons and the
13 consequences of their use.

14 (I) Developing and implementing innova-
15 tive curricula to prevent violence in schools and
16 training staff how to stop disruptive or violent
17 behavior if such behavior occurs.

18 (J) Supporting “safe zones of passage” for
19 students between home and school through such
20 measures as Drug- and Weapon-Free School
21 Zones, enhanced law enforcement, and neighbor-
22 hood patrols.

23 (K) Counseling programs for victims and
24 witnesses of school violence and crime.

1 (L) *Minor remodeling to promote security*
2 *and reduce the risk of violence, such as removing*
3 *lockers, installing better lights, and upgrading*
4 *locks.*

5 (M) *Acquiring and installing metal detec-*
6 *tors and hiring security personnel.*

7 (N) *Reimbursing law enforcement authori-*
8 *ties for their personnel who participate in school*
9 *violence prevention activities.*

10 (O) *Evaluating projects and activities as-*
11 *sisted under this Act.*

12 (P) *The cost of administering projects or ac-*
13 *tivities assisted under this Act.*

14 (Q) *Other projects or activities that meet*
15 *the purpose of this Act.*

16 (2) *LIMITATION.—A local educational agency*
17 *may use not more than—*

18 (A) *a total of 10 percent of grant funds re-*
19 *ceived under this Act in each fiscal year for ac-*
20 *tivities described in subparagraphs (J), (L), (M),*
21 *and (N) of paragraph (1); and*

22 (B) *5 percent of grant funds received under*
23 *this Act in each fiscal year for activities de-*
24 *scribed in subparagraph (P) of paragraph (1).*

1 (3) *PROHIBITION.*—A local educational agency
2 may not use grant funds received under this Act for
3 construction.

4 **SEC. 6. NATIONAL LEADERSHIP.**

5 (a) *IN GENERAL.*—To carry out the purpose of this
6 Act, the Secretary is authorized to use funds reserved under
7 section 2(b)(2) to conduct national leadership activities
8 such as research, program development and evaluation,
9 data collection, public awareness activities, training and
10 technical assistance, dissemination (through appropriate
11 research entities assisted by the Department of Education)
12 of information on successful projects, activities, and strate-
13 gies developed pursuant to this Act, and peer review of ap-
14 plications under this Act. The Secretary may carry out such
15 activities directly, through interagency agreements, or
16 through grants, contracts or cooperative agreements.

17 (b) *NATIONAL MODEL CITY.*—The Secretary shall des-
18 ignate the District of Columbia as a national model city
19 and shall provide funds made available pursuant to section
20 2(b)(2) in each fiscal year to a local educational agency
21 serving the District of Columbia in an amount sufficient
22 to enable such agency to carry out a comprehensive pro-
23 gram to address school and youth violence.

1 **SEC. 7. NATIONAL COOPERATIVE EDUCATION STATISTICS**2 **SYSTEM.**

3 *Subparagraph (A) of section 406(h)(2) of the General*
 4 *Education Provisions Act (20 U.S.C. 1221e-1(h)(2)(A)) is*
 5 *amended—*

6 *(1) in clause (vi), by striking “and” after the*
 7 *semicolon; and*

8 *(2) by adding after clause (vii) the following new*
 9 *clause:*

10 *“(viii) school safety policy, and statis-*
 11 *tics on the incidents of school violence;*
 12 *and”.*

13 **SEC. 8. EFFECTIVE DATE.**

14 *This Act and the amendments made by this Act shall*
 15 *take effect on the date of enactment of this Act.*

S 1125 RS—2

S 1125 RS—3