

116TH CONGRESS
1ST SESSION

S. 1281

To amend the Higher Education Act of 1965 to provide grants for institutions of higher education to prevent substance misuse, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 2, 2019

Mr. TESTER (for himself, Mrs. CAPITO, and Ms. HASSAN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Higher Education Act of 1965 to provide grants for institutions of higher education to prevent substance misuse, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Healthier Students for
5 Stronger Campuses Act”.

1 **SEC. 2. SUBSTANCE MISUSE PREVENTION AND TREATMENT**
 2 **GRANTS FOR INSTITUTIONS OF HIGHER EDU-**
 3 **CATION.**

4 Section 120(e) of the Higher Education Act of 1965
 5 (20 U.S.C. 1011i(e)) is amended to read as follows:

6 “(e) SUBSTANCE MISUSE PREVENTION AND TREAT-
 7 MENT GRANTS FOR INSTITUTIONS OF HIGHER EDU-
 8 CATION.—

9 “(1) PURPOSES.—The purposes of this grant
 10 program are to—

11 “(A) address the effect of substance mis-
 12 use on students enrolled in higher education;

13 “(B) prevent students enrolled in higher
 14 education from developing a substance use dis-
 15 order;

16 “(C) educate faculty and other staff about
 17 the warning signs of substance use disorders
 18 and how to help students who are affected by
 19 such disorders; and

20 “(D) identify and promote evidence-based
 21 and promising practices for helping to prevent
 22 and address substance use disorders among stu-
 23 dents enrolled in higher education.

24 “(2) DEFINITIONS.—In this subsection:

25 “(A) EVIDENCE-BASED.—The term ‘evi-
 26 dence-based’, when used with respect to a pro-

gram or practice, means a program or practice
that—

“(i) is demonstrated to be effective
when implemented with fidelity;

“(ii) is based on a clearly articulated
and empirically supported theory;

“(iii) has measurable outcomes rel-
evant to substance use disorder prevention,
treatment, and recovery, including a de-
tailed description of the outcomes produced
in a particular population;

“(iv) has been scientifically tested and
proven effective through randomized con-
trol studies or comparison group studies;
and

“(v) has the ability to replicate and
scale.

“(B) PROMISING.—The term ‘promising’,
when used with respect to a program or prac-
tice, means a program or practice that—

“(i) is demonstrated to be effective
based on positive outcomes relevant to sub-
stance use disorder prevention or treat-
ment from one or more objective, inde-
pendent, and scientifically valid evalua-

tions, as documented in writing to the Secretaries; and

“(ii) will be evaluated through a well-designed and rigorous study, as described in subparagraph (A)(iv).

“(C) SECRETARIES.—The term ‘Secretaries’ means the Secretary of Education and the Secretary of Health and Human Services (acting through the Assistant Secretary for Mental Health and Substance Use).

“(D) SUBSTANCE USE.—The term ‘substance use’ may include the misuse or abuse of alcohol, prescription opioids, methamphetamine, or other legal or illegal substances.

“(3) PROGRAM AUTHORIZED.—

“(A) IN GENERAL.—The Secretaries, in accordance with the interagency agreement described in paragraph (4), may award, on a competitive basis, grants to institutions of higher education, or consortia of institutions of higher education, with regional high incidences of substance use disorders, overdoses, and deaths, in order to prevent and address the effects of substance use on the campuses of the institutions of higher education.

1 “(B) DURATION.—A grant under this sub-
2 section shall be for a period of not more than
3 5 years, and may be renewed for an additional
4 2 years if satisfactory progress is made in pre-
5 venting and reducing substance use disorders as
6 described in paragraph (5)(A).

7 “(C) RESERVATION FOR RURAL AREAS.—
8 The Secretaries shall ensure that at least 25
9 percent of funds are awarded to rural-serving
10 institutions of higher education, as defined in
11 section 861.

12 “(4) INTERAGENCY AGREEMENT.—The Sec-
13 retary of Education and the Secretary of Health and
14 Human Services, acting through the Assistant Sec-
15 retary of Mental Health and Substance Use, shall
16 jointly administer the program under this subsection
17 in accordance with such terms as the Secretaries set
18 forth in an interagency agreement. Such interagency
19 agreement shall include a description of the respec-
20 tive roles and responsibilities of the Secretaries (both
21 jointly and separately).

22 “(5) APPLICATION.—An institution of higher
23 education, or consortium of institutions of higher
24 education, desiring a grant under paragraph (3)(A)
25 shall submit an application at such time and in such

1 manner as the Secretaries may require. Such appli-
2 cation shall include—

3 “(A) a description of the impact of sub-
4 stance use disorders on students enrolled in
5 each participating institution of higher edu-
6 cation, including—

7 “(i) the number of overdoses in the
8 past year;

9 “(ii) the number of deaths related to
10 substance use in the past year;

11 “(iii) the degree to which students
12 have substance use disorders, if such infor-
13 mation is available; and

14 “(iv) other indicators or information
15 related to the most prevalent substance use
16 in the region that such institution feels is
17 necessary to fully describe the impact of
18 the substance use on students;

19 “(B) an assurance that the institution of
20 higher education, or consortia of institutions,
21 has convened a taskforce to address the impact
22 of the most prevalent substance use in the re-
23 gion on students, which shall include—

24 “(i) faculty and other staff;

1 “(ii) current and former students, in-
2 cluding students impacted by substance
3 use disorders;

4 “(iii) staff from campus health cen-
5 ters, if the institution operates campus
6 health centers;

7 “(iv) representatives from campus dis-
8 ability support services offices and student
9 access support offices, if such offices exist
10 at the institution;

11 “(v) representatives from fraternities
12 and sororities, if such organizations exist
13 at the institution;

14 “(vi) area local educational agencies;

15 “(vii) local nonprofit organizations
16 specializing in substance use treatment
17 and prevention, including drug-free com-
18 munities grantees under chapter 2 of sub-
19 title A of title I of the Anti-Drug Abuse
20 Act of 1988 (21 U.S.C. 1521 et seq.);

21 “(viii) local hospitals, physicians, or
22 other medical professionals;

23 “(ix) local or campus law enforcement
24 entities; and

1 “(x) other stakeholders that the insti-
2 tution or consortium chooses to include;

3 “(C) a plan developed by the taskforce de-
4 scribed in subparagraph (B) to use funds in ac-
5 cordance with paragraph (6) to address the im-
6 pact of substance use on students enrolled in
7 higher education, which shall include a descrip-
8 tion of—

9 “(i) the goals of the project, which
10 shall include decreasing the number of stu-
11 dents with substance use disorders; and

12 “(ii) how the institution or consortium
13 will—

14 “(I) use funds in accordance with
15 paragraph (6), including the evidence
16 base for proposed activities;

17 “(II) coordinate funds with other
18 programs designed to prevent and ad-
19 dress substance use disorders among
20 students; and

21 “(III) sustain grant activities be-
22 yond the grant period, including
23 methods for continuous improvement
24 of grant activities; and

“(D) an assurance that the institution or consortium will continue to convene the taskforce described in subparagraph (B) periodically to improve institutional programming and policy related to substance use disorders.

“(6) USES OF FUNDS.—

“(A) REQUIRED ACTIVITIES.—An institution of higher education, or consortium of institutions of higher education, receiving a grant under paragraph (3) shall use grant funds for evidence-based or promising interventions designed to address and prevent substance use disorders among students enrolled in higher education.

“(B) ALLOWABLE ACTIVITIES.—The activities described in subparagraph (A) may include—

“(i) education efforts to provide students enrolled in higher education with information on the impact of substance use disorders;

“(ii) recovery services for such students with substance use disorders, which may include recovery dorms that offer

1 sober living along with substance use treat-
2 ment services;

3 “(iii) treatment or referrals to treat-
4 ment for such students with substance use
5 disorders;

6 “(iv) institution-wide prevention ef-
7 forts, which may include public service an-
8 nouncements;

9 “(v) efforts to identify programs tar-
10 geting populations of students, such as
11 student athletes, fraternity members, so-
12 rORITY members, and others enrolled in
13 higher education, with an increased risk
14 for substance use disorders;

15 “(vi) mental or behavioral health
16 counseling or academic counseling services
17 for students enrolled in higher education
18 who are affected by substance use dis-
19 orders; and

20 “(vii) other programs designed to ad-
21 dress or prevent substance use disorders
22 among students enrolled in higher edu-
23 cation.

24 “(7) SUPPLEMENT NOT SUPPLANT.—Funds
25 made available under this subsection shall be used to

1 supplement and not supplant other Federal, State,
2 and local funds available to the institution to carry
3 out the activities described in paragraph (6).

4 “(8) MATCHING REQUIREMENT.—An institution
5 of higher education, or consortium of institutions of
6 higher education, receiving a grant under paragraph
7 (3) shall provide, from non-Federal sources, not less
8 than 20 percent of matching funds, which may be in
9 cash or in-kind contributions.

10 “(9) NATIONAL ACTIVITIES.—

11 “(A) IN GENERAL.—The Secretaries may
12 reserve not more than 5 percent of funds made
13 available under paragraph (10) to—

14 “(i) conduct a rigorous, independent
15 evaluation of each grant funded under this
16 Act, particularly its impact on the indica-
17 tors described in paragraph (5)(A);

18 “(ii) disseminate and promote the uti-
19 lization of evidence-based or promising
20 practices regarding substance use disorder
21 prevention and treatment for students en-
22 rolled in higher education; and

23 “(iii) provide technical assistance to
24 institutions of higher education or con-

1 sortia receiving a grant under paragraph
2 (3).

3 “(B) ROLE FOR IES DIRECTOR.—The Di-
4 rector of the Institute of Education Sciences
5 shall carry out the roles and responsibilities
6 under this paragraph that are assigned to the
7 Secretary of Education in accordance with the
8 interagency agreement under paragraph (4).

9 “(10) AUTHORIZATIONS OF APPROPRIATIONS.—
10 There are authorized to be appropriated to carry out
11 this subsection \$100,000,000 for fiscal year 2020
12 and each of the 5 succeeding fiscal years.”.

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