

S.3266

Crime Control Act of 1990 (Engrossed as Agreed to or Passed by Senate)

SEC. 1501. DEVELOPMENT OF MODEL PROGRAM OF STRATEGIES AND TACTICS.

- (a) IN GENERAL-** The Attorney General shall develop a model program of strategies and tactics for establishing and maintaining drug-free school zones.
- (b) ASSISTANCE TO STATE AND LOCAL LAW ENFORCEMENT AGENCIES-** The program required by subsection (a) shall be designed to provide State and local law enforcement agencies with materials, training, and other assistance to establish, enforce, and evaluate the effectiveness of drug-free school zone enforcement efforts.
- (c) PROGRAM CRITERIA-** The program required by subsection (a) shall--
- (1)** define the criminal justice community's role in creating and maintaining drug-free school zones;
 - (2)** develop a framework for law enforcement collaboration with the school system and community resource network;
 - (3)** identify a core law enforcement drug demand reduction program plan;
 - (4)** provide materials and technical assistance for demarcating and establishing drug-free school zones;
 - (5)** create a coordinated publicity plan with the school system and community resource network;
 - (6)** identify and develop model drug-free school zone law enforcement strategies and tactics;
 - (7)** develop a model coordinated strategy for prosecuting violations within the zones;
 - (8)** create a uniform framework for monitoring and evaluating the effectiveness of drug-free school zones to determine which strategies and tactics succeed under various conditions and constraints; and
 - (9)** provide support materials and exemplary program overviews.
- (d) PREFERRED APPROACHES-** In establishing the program required by subsection (a), the Attorney General shall prefer approaches to drug-free school zone enforcement that unite the criminal justice community, the education community, and the network of community resources in meaningful collaboration to reduce the availability of and demand for drugs in a drug-free school zone.
- (e) REPORT-** At the conclusion of the program required by subsection (a), the Attorney General shall submit a report to Congress describing the strategies and tactics that are found to be successful in establishing, enforcing, and maintaining drug-free school zones.
- (f) AUTHORIZATION OF APPROPRIATIONS-** There is authorized to be appropriated to carry out this section \$1,500,000 for fiscal year 1991.

SEC. 1502. AMENDMENT TO THE CONTROLLED SUBSTANCES ACT.

Section 405A of the Controlled Substances Act (21 U.S.C. 845a) as redesignated by this Act, is amended--

- (1) in subsection (a) by--
 - (A) striking `playground,'; and
 - (B) inserting `or a playground,' after `university,'; and
- (2) in subsection (b) by--
 - (A) striking `playground,'; and
 - (B) inserting `or a playground,' after `university,'.

SEC. 1503. STRENGTHENING OF DRUG-FREE SCHOOL ZONES.

(a) **GENERAL AUTHORITY-** Paragraph (8) of section 5122(a) of the Drug-Free Schools and Communities Act of 1986 (20 U.S.C. 3192(a)) is amended by striking the period and inserting the following: `, which shall include--

`(A) the determination, with the assistance of municipal authorities and local law enforcement agencies, as appropriate, of the geographical boundaries of schools within the State and the posting of signs identifying school properties as drug-free school zones;

`(B) drug-abuse education and prevention programs and enforcement policies designed to eliminate the illicit use of alcohol and drugs in such zones;

`(C) assisting teachers, administrators, athletic directors, and other school personnel in cooperating fully with law enforcement officials to punish violations of laws relating to illegal drugs;

`(D) informing the community--

`(i) of the content and intent of laws relating to school safety and laws relating to illegal drugs as they affect schoolchildren; and

`(ii) of the perimeters of the drug-free school zones;

`(E) employing the services of the local or substate regional advisory council on drug abuse education and prevention established or designated by the local application submitted under section 5126(a) as a resource for advice and support with respect to implementation of such zones; and

`(F) communication to students, teachers, athletic directors, and other school personnel by administrators that activities that are illicit and harmful to the health and well-being of the students will not be tolerated within schools and their surrounding environments.'.

(b) **CONFORMING AMENDMENT-** Subsection (a) of section 5137 of the Drug-Free Schools and Communities Act of 1986 (20 U.S.C. 3217) is amended by inserting before the period at the end of the first sentence the following: `as described in section 5122(a)(8)'.

SEC. 1504. DRUG ABUSE RESISTANCE EDUCATION AND REPLICATION OF SUCCESSFUL DRUG EDUCATION PROGRAMS.

Section 5122 of the Drug-Free Schools and Communities Act of 1986 (20 U.S.C. 3192) is amended--

- (1) in subsection (a), by striking `50 percent' and inserting `42.5 percent';
- (2) in paragraph (1) of subsection (b), by striking `50 percent' and inserting `42.5 percent'; and
- (3) by adding at the end the following:

`(c) DRUG ABUSE RESISTANCE EDUCATION PROGRAMS- (1) Not less than 10 percent of the funds available for each fiscal year under section 5121(a) to the chief executive officer of a State shall be used for grants to local educational agencies in consortium with entities which have experience in assisting school districts to provide instruction to students grades kindergarten through 6 to recognize and resist pressures that influence such students to use controlled substances, as defined in Schedules I and II of section 202 of the Controlled Substances Act the possession or distribution of which is unlawful under such Act, or beverage alcohol, such as Project Drug Abuse Resistance Education, that meet the requirements of paragraph (2).

`(2) A local educational agency in consortium with an entity shall not be eligible for a grant under paragraph (1) unless such local educational agency in consortium with an entity will use assistance provided under such grant to provide or arrange for the provisions of services that shall include--

`(A) drug abuse resistance education instruction for students grades kindergarten through 6 that is designed to teach students to recognize and resist pressures to experiment that influence such children to use controlled substances, as defined under paragraph (1), or beverage alcohol, including instruction in the following areas--

- `(i) drug use and misuse;
- `(ii) understanding the consequences of drug abuse;
- `(iii) resistance techniques;
- `(iv) assertive response styles;
- `(v) managing stress without taking drugs;
- `(vi) decision making and risk taking;
- `(vii) media influences on drug use;
- `(viii) positive alternatives to drug abuse behavior;
- `(ix) interpersonal and communication skills;
- `(x) self-esteem building activities; and
- `(xi) resistance to peer pressure and gang pressure;

`(B) provisions for parental involvement;

`(C) classroom instruction by uniformed law enforcement officials;

`(D) the use of positive student leaders to influence younger students not to use drugs;

`(E) an emphasis on activity-oriented techniques designed to encourage student-generated responses to problem-solving situations; and

`(F) the awarding of a certificate of achievement to each student who participates in a drug abuse resistance education program.

`(3) Amounts received under paragraph (1) by any local educational agency or entity shall be used only to supplement, not to supplant, the amount of Federal, State, and local funds expended for the support of projects of the type described in paragraph (2).

`(d) REPLICATION OF SUCCESSFUL DRUG EDUCATION PROGRAMS- Not less than 5 percent of the funds available for each fiscal year under section 5121(a) to the chief executive officer of a State shall be used for grants to local educational agencies or consortia of local educational agencies and private nonprofit entities to provide drug abuse education, prevention, or counseling services to students in kindergarten through grade 12.

`(e) ELIGIBILITY- A local educational agency or consortium described in subsection (a) shall not be eligible for a grant under this section unless such agency or consortium agrees--

`(1) to use assistance provided under such grant to provide or arrange for the provision of programs offering drug abuse education, prevention, or counseling to students of compulsory school age, including--

`(A) programs to provide drug abuse counseling in the schools by trained personnel;

`(B) programs that stress the use of peers to combat student abuse of drugs and alcohol;

`(C) programs that stress parental and community involvement in combating student abuse of drugs and alcohol; and

`(D) other appropriate programs;

`(2) that programs provided with assistance under the grant shall be designed to prevent or eliminate student abuse of drugs or alcohol;

`(3) to use assistance provided under the grant to expand or replicate a program that has a demonstrated record of success at either the State or local level in preventing or eliminating student abuse of drugs or alcohol; and

`(4) to ensure that the program to be expanded or replicated is appropriate for the students to be served, based on an assessment of their most important needs.

`(f) APPLICATION- A local educational agency or consortium described in subsection (a) that desires to receive a grant under this section shall submit an application to the chief executive office of the State at such time, in such manner, and containing or accompanied by such information and assurances as such officer may reasonably require. Each such application shall contain--

`(1) a discussion of why the particular program to be assisted under the grant is appropriate for and responds to the particular needs of the students to be served;

`(2) a complete description of the success of the program to be assisted under the grant in reducing or eliminating drug or alcohol abuse among students of compulsory school age;

`(3) an assurance that the consortium concerned will provide assistance, in cash or in kind, for the program assisted under the grant in an amount equal to not less than 10 percent of the amount provided under the grant; and

`(4) an assurance that funds received under the grant shall be used to supplement, not supplant, the amount of other Federal, State, and local funds expended for support of programs of the type described in subsection (b).'

SEC. 1505. SUPPORT OF SCHOOL-BASED RECREATIONAL ACTIVITIES.

Section 5125(a) of the Drug-Free Schools and Communities Act of 1986 (20 U.S.C. 3195(a)) is amended--

(1) by redesignating paragraph (14) as paragraph (16);

(2) by redesignating paragraph (13) the second place it appears as paragraph (14);

(3) by striking `and' at the end of paragraph (14) (as redesignated by paragraph (2) of this section); and

(4) by inserting after paragraph (14) the following:

`(15) in the case of a local educational agency that determines that it provides sufficient drug and alcohol abuse education during regular school hours, after-school programs that provide drug and alcohol abuse education for school-aged children, including children who are unsupervised after school, and that may include school-sponsored sports, recreational, educational, or instructional activities (local educational agency may make grants or contracts with nonprofit community-based organizations that offer sports, recreation, education, or child care programs); and'