

111TH CONGRESS  
1ST SESSION

# H. R. 1589

To amend the Safe and Drug-Free Schools and Communities Act to authorize the use of grant funds for gang prevention, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 18, 2009

Ms. LINDA T. SÁNCHEZ of California (for herself, Mr. EHLERS, Mrs. CAPPS, Mr. COHEN, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. HARE, Mr. HASTINGS of Florida, Mr. HINOJOSA, Mr. HOLT, Mr. HONDA, Ms. LEE of California, Mr. MEEKS of New York, Mrs. NAPOLITANO, Mr. REYES, Mr. SIRES, Ms. SUTTON, and Mr. DAVIS of Illinois) introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To amend the Safe and Drug-Free Schools and Communities Act to authorize the use of grant funds for gang prevention, 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 “Bullying and Gang  
5 Reduction for Improved Education Act”.

1 **SEC. 2. AMENDMENTS TO SAFE AND DRUG-FREE SCHOOLS**  
2 **AND COMMUNITIES ACT.**

3 (a) FINDINGS.—The Safe and Drug-Free Commu-  
4 nities Act (part A of title IV of the Elementary and Sec-  
5 ondary Education Act of 1965) is amended by inserting  
6 after section 4001 (20 U.S.C. 7101) the following:

7 **“SEC. 4001A. FINDINGS.**

8 “Congress finds the following:

9 “(1) Bullying among children is aggressive be-  
10 havior that is intentional, involves an imbalance of  
11 social or physical power or strength, and is typically  
12 repeated over time.

13 “(2) A child who is being bullied or harassed  
14 often has a hard time defending himself or herself.

15 “(3) Bullying can take many forms, including  
16 hitting or punching; teasing or name-calling; intimi-  
17 dation through gestures or social exclusion; and  
18 sending insulting, threatening, or offensive messages  
19 via Internet sites, e-mail, instant messaging, SMS,  
20 telephone, or any other electronic messaging system.

21 “(4) There is no single cause of bullying among  
22 children; rather, individual, familial, peer, school,  
23 and community factors may place a child or youth  
24 at risk of bullying his or her peers.

1           “(5) A majority of parents, students, and edu-  
2           cators report that bullying and harassment are  
3           issues of major concern.

4           “(6) Research indicates that children and youth  
5           with disabilities or special needs and children and  
6           youth who are lesbian, gay, bisexual, or trans-gen-  
7           der, or who are perceived to be so, face a higher risk  
8           of being bullied than other children.

9           “(7) Children and youth who are overweight or  
10          obese are at increased risk for bullying by peers.  
11          Weight-based teasing is consistently associated with  
12          high depressive symptoms, thinking about or at-  
13          tempting suicide, and the development of binge eat-  
14          ing and bulimia nervosa later in life. As young as  
15          the third grade, girls who experience harassment re-  
16          port lower self-esteem and satisfaction with their  
17          weight and shape.

18          “(8) The degree to which a child is teased is  
19          positively related to weight concerns, loneliness,  
20          lower confidence in physical appearance, and higher  
21          preference for isolative activities which are associ-  
22          ated with decreased levels of physical activity among  
23          overweight youth.

24          “(9) Research indicates that adolescents in un-  
25          safe neighborhoods engage in less physical activity

1 than their peers; and that physical activity programs  
2 can improve health, reduce obesity, and have positive  
3 effects on academic achievement.

4 “(10) Children and youth who are bullied are  
5 more likely than other children to be depressed,  
6 lonely, or anxious; have low self-esteem; be absent  
7 from school; suffer from headaches; complain of  
8 stomach aches; have problems sleeping; experience  
9 fatigue and poor appetite; and think about suicide.

10 “(11) Bullying can be a sign of other serious  
11 antisocial behavior or violent behavior or both.

12 “(12) Children and youth who frequently bully  
13 their peers are more likely than their peers to get  
14 into frequent fights, be injured in a fight, vandalize  
15 or steal property, drink alcohol, smoke, be truant  
16 from school, drop out of school, and carry a weapon.

17 “(13) A study by the Department of Education  
18 indicates harassment and bullying have been linked  
19 to 75 percent of school shooting incidents, including  
20 the fatal shootings at Columbine High School in Col-  
21 orado and Santana High School in California.

22 “(14) Gang involvement and exposure to peer  
23 violence greatly increases a youth’s likelihood of en-  
24 gaging in violent behavior.

1           “(15) Youth who have been involved in gang ac-  
2           tivity and violent behavior have a significantly great-  
3           er chance of continuing to be involved in criminal  
4           behavior as adults.

5           “(16) Ninety-one percent of students who are  
6           not involved with gangs report that they expect to  
7           complete high school, yet only seventy-five percent of  
8           gang-involved youths expect to finish high school.

9           “(17) Children from areas with significant gang  
10          influence or activity struggle with strategies to main-  
11          tain their safety and report weighing the benefits  
12          and costs of avoiding gangs or engaging with them.

13          “(18) Repeated exposure to violence is a cause  
14          of childhood trauma, depression, anxiety, post-trau-  
15          matic stress, aggression, violence, and other serious  
16          behavioral problems.

17          “(19) Bullying, harassment, and gang-related  
18          activity have serious safety consequences for schools  
19          and the students who attend them: thirty-nine per-  
20          cent of middle schoolers and thirty-six percent of  
21          high schoolers say they don’t feel safe at school.

22          “(20) The stresses of being bullied, harassed, or  
23          involved with a gang can interfere with a student’s  
24          engagement in school and can negatively impact stu-  
25          dent learning.

1           “(21) Research indicates that bullying at school  
2           can be significantly reduced through comprehensive,  
3           school-wide programs designed to change norms for  
4           behavior.

5           “(22) Evaluations of school-based gang preven-  
6           tion and education programs show that they can re-  
7           duce delinquency and gang activity and increase  
8           commitment to peers and law enforcement.”.

9           (b) PURPOSE.—Section 4002 (20 U.S.C. 7102) of  
10          that Act is amended—

11           (1) in the matter preceding paragraph (1)—

12                   (A) by striking “violence” and inserting  
13                   “violence, bullying, harassment, and gangs”;  
14                   and

15                   (B) by inserting after “supports student  
16                   academic achievement” the following: “and fa-  
17                   cilitates healthy, physically active lifestyles”;

18           (2) in paragraph (1) by striking “drug and vio-  
19           lence prevention” and inserting “drug, violence, bul-  
20           lying, and gang prevention”;

21           (3) in paragraph (2) by striking “drug and vio-  
22           lence prevention” both places such term appears and  
23           inserting “drug, violence, bullying, and gang preven-  
24           tion”; and

25           (4) in paragraph (4)—

1 (A) by striking “drug and violence preven-  
2 tion” and inserting “drug, violence, bullying,  
3 and gang prevention”; and

4 (B) by striking “drug use and violence”  
5 and inserting “drug use, violence, bullying, and  
6 gangs”.

7 (c) RESERVATION OF STATE FUNDS FOR SAFE AND  
8 DRUG-FREE SCHOOLS.—Section 4112 of that Act (20  
9 U.S.C. 7112) is amended—

10 (1) in subsection (a)—

11 (A) in paragraph (2), in the matter pre-  
12 ceding subparagraph (A), by striking “drug use  
13 and violence” and inserting “drug use, violence,  
14 bullying, and gangs”;

15 (B) in paragraph (3) by striking “drug  
16 and violence prevention” both places such term  
17 appears and inserting “drug, violence, bullying,  
18 and gang prevention”; and

19 (C) in paragraph (5)—

20 (i) in the matter preceding subpara-  
21 graph (A) by striking “drug and violence  
22 prevention” and inserting “drug, violence,  
23 bullying, and gang prevention”;

1 (ii) in subparagraph (A) by striking  
2 “violence” and inserting “violence, bul-  
3 lying, and gangs”; and

4 (iii) in each of subparagraphs (B) and  
5 (C) by striking “drug and violence preven-  
6 tion” and inserting “drug, violence, bul-  
7 lying, and gang prevention”; and

8 (2) in subsection (c)—

9 (A) in paragraph (2)(D)—

10 (i) in each of clauses (i) and (iii) by  
11 striking “drug and violence prevention” in-  
12 serting “drug, violence, bullying, and gang  
13 prevention”; and

14 (ii) in clause (ii) by striking “violence  
15 that is associated” and inserting “violence,  
16 bullying, and gangs that are associated”;  
17 and

18 (B) in paragraph (3)(B)—

19 (i) in clause (ii) by striking “violence  
20 and drug-related” and inserting “violence,  
21 bullying, gang, and drug-related”; and

22 (ii) in clause (iv) by striking “drug  
23 use and violence” and inserting “drug use,  
24 violence, and gangs”.

1 (d) STATE APPLICATION.—Section 4113 of that Act  
2 (20 U.S.C. 7113) is amended in subsection (a)—

3 (1) in each of paragraphs (4) and (5) by strik-  
4 ing “drug and violence prevention” and inserting  
5 “drug, violence, bullying, and gang prevention”;

6 (2) in paragraph (9)—

7 (A) in the matter preceding subparagraph  
8 (A) by striking “drug and violence prevention”  
9 and inserting “drug, violence, bullying, and  
10 gang prevention”; and

11 (B) in subparagraph (A) by striking the  
12 term “drug use and violence” and inserting  
13 “drug use, violence, and gangs”;

14 (3) in paragraph (10) by striking “drug and vi-  
15 olence prevention” both places such term appears  
16 and inserting “drug, violence, bullying, and gang  
17 prevention”; and

18 (4) in paragraph (14) by striking “drug and vi-  
19 olence prevention” and inserting “drug, violence,  
20 bullying, and gang prevention”.

21 (e) LOCAL EDUCATIONAL AGENCY PROGRAM.—Sec-  
22 tion 4114 of that Act (20 U.S.C. 7114) is amended—

23 (1) in subsection (a)(1), in the matter pre-  
24 ceding subparagraph (A), by striking “drug and vio-

1 lence prevention” and inserting “drug, violence, bul-  
2 lying, harassment, and gang prevention”;

3 (2) in subsection (c)(1)(A) by striking “drug  
4 and violence prevention” and inserting “drug, vio-  
5 lence, bullying, and gang prevention”; and

6 (3) in subsection (d)—

7 (A) in paragraph (2)—

8 (i) in the matter preceding subpara-  
9 graph (A), and in subparagraph (A), by  
10 striking “drug and violence prevention”  
11 and inserting “drug, violence, bullying, and  
12 gang prevention”;

13 (ii) in subparagraph (B), in the mat-  
14 ter preceding clause (i), and in clause (i),  
15 by striking “drug and violence prevention”  
16 and inserting “drug, violence, bullying, and  
17 gang prevention”; and

18 (iii) in subparagraph (D), by striking  
19 “drug and violence prevention” and insert-  
20 ing “drug, violence, bullying, and gang  
21 prevention”; and

22 (B) in paragraph (6)—

23 (i) by striking “drug and violence pre-  
24 vention” and inserting “drug, violence, bul-  
25 lying, and gang prevention”; and

1 (ii) by striking “acts of violence” and  
2 inserting “acts of violence, bullying, and  
3 gangs”.

4 (f) AUTHORIZED ACTIVITIES.—Section 4115 of that  
5 Act (20 U.S.C. 7115) is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (1)—

8 (i) in subparagraph (A)—

9 (I) by striking “violence and ille-  
10 gal drug use” both places such term  
11 appears and inserting “violence, bul-  
12 lying, gangs, and illegal drug use”;  
13 and

14 (II) by striking “drug and vio-  
15 lence prevention” and inserting “drug,  
16 violence, bullying, and gang preven-  
17 tion”; and

18 (ii) in subparagraph (C) by striking  
19 “violence and illegal drug use” and insert-  
20 ing “violence, bullying, gangs, and illegal  
21 drug use”; and

22 (B) in paragraph (2)(A) by striking “vio-  
23 lence and illegal drug use” and inserting “vio-  
24 lence, bullying, gangs, and illegal drug use”;

25 (2) in subsection (b)—

1 (A) in paragraph (1)(C)—

2 (i) in clause (i) by striking “violence”  
3 and inserting “violence, bullying, and  
4 gangs”; and

5 (ii) in clause (ii) by striking “drug use  
6 and violence” and inserting “drug use, vio-  
7 lence, bullying, and gangs”; and

8 (B) in paragraph (2)—

9 (i) in subparagraph (A)—

10 (I) in clause (i) by striking “vio-  
11 lence” and inserting “violence and  
12 gangs”;

13 (II) in clause (vi) by striking  
14 “and” at the end;

15 (III) in clause (vii) by striking  
16 the period at the end and inserting a  
17 semicolon; and

18 (IV) by adding at the end the fol-  
19 lowing:

20 “(viii) teach students the appropriate  
21 steps to take to address bullying when it  
22 happens to themselves or others; and

23 “(ix) promote safe passage to and  
24 from schools on foot and by bicycle.”;

25 (ii) in subparagraph (B)—

1 (I) by striking “drug and violence  
2 prevention” and inserting “drug, vio-  
3 lence, bullying, and gang prevention”;  
4 and

5 (II) by striking “violence and ille-  
6 gal use of drugs” both places such  
7 term appears and inserting “violence,  
8 bullying, gangs, and illegal use of  
9 drugs”;

10 (iii) in each of subparagraphs (C) and  
11 (D) by striking “drug and violence preven-  
12 tion” and inserting “drug, violence, bul-  
13 lying, and gang prevention”; and

14 (iv) in subparagraph (E)—

15 (I) in the matter preceding clause  
16 (i) by striking “Drug and violence  
17 prevention” and inserting “Drug, vio-  
18 lence, bullying, and gang prevention”;

19 (II) in clause (i) by striking “vio-  
20 lence and illegal drug use” and insert-  
21 ing “violence, bullying, gangs, and il-  
22 legal drug use”;

23 (III) in clause (v) by inserting  
24 “and programs embodied by the safe  
25 routes to school program under sec-

1 tion 1404 of the Safe, Accountable,  
2 Flexible, Efficient Transportation Eq-  
3 uity Act: A Legacy for Users (23  
4 U.S.C. 402 note; 119 Stat. 1228)”  
5 before the period at the end;

6 (IV) in clause (vi) by striking  
7 “drug and violence prevention” each  
8 place such term appears and inserting  
9 “drug, violence, bullying, and gang  
10 prevention”;

11 (V) in clause (vii)—

12 (aa) by striking “illegal drug  
13 use and violence” and inserting  
14 “violence, gangs, and illegal drug  
15 use”; and

16 (bb) by striking “violence  
17 and illegal drug use” and insert-  
18 ing “violence, gangs, and illegal  
19 drug use”;

20 (VI) in clause (ix) by striking  
21 “violent or drug abusing students”  
22 and inserting “violent, bullying, gang-  
23 affiliated, or drug abusing students”;

24 (VII) in clause (x) by striking  
25 “violent behavior and illegal use of

1 drugs” and inserting “violent behav-  
2 ior, bullying, gang affiliation, and ille-  
3 gal use of drugs”;

4 (VIII) in clause (xi) by striking  
5 “violence and illegal drug use” and in-  
6 sserting “violence, gangs, and illegal  
7 drug use”;

8 (IX) in clause (xii) by striking  
9 “Drug and violence prevention” and  
10 inserting “Drug, violence, bullying,  
11 and gang prevention”;

12 (X) in clause (xiii)—

13 (aa) by striking “violence  
14 prevention and education pro-  
15 grams” and inserting “violence,  
16 bullying, and gang prevention  
17 and education programs”; and

18 (bb) by striking “resolve  
19 conflicts without violence” and  
20 inserting “resolve conflicts with-  
21 out violence, bullying, or gangs”;

22 (XI) in clause (xv) by striking  
23 “major accident, or a drug-related in-  
24 cident” and inserting “major accident,

1 bullying incident, gang-related inci-  
2 dent, or drug-related incident”;

3 (XII) in clause (xvii) by striking  
4 “drug and violence prevention” and  
5 inserting “drug, violence, bullying,  
6 and gang prevention”;

7 (XIII) in clause (xviii) by strik-  
8 ing “safety hotline” and inserting  
9 “safety, bullying prevention, and gang  
10 prevention hotline”;

11 (XIV) in clause (xxii) by striking  
12 the period at the end and inserting  
13 “or live in chronically violent neigh-  
14 borhoods.”; and

15 (XV) by adding at the end the  
16 following:

17 “(xxiii) Programs that address the  
18 causes and consequences of bullying and  
19 harassment and that train teachers, ad-  
20 ministrators, counselors, school psycholo-  
21 gists and other qualified psychologists,  
22 school social workers, para-professionals,  
23 and other school employees including bus  
24 drivers regarding strategies to prevent bul-

1           lying and harassment and to effectively in-  
2           tervene when such incidents occur.

3                   “(xxiv) School- and community-wide  
4           threat assessment programs.”; and

5           (3) in subsection (d) by striking “drug and vio-  
6           lence prevention” and inserting “drug, violence, bul-  
7           lying, and gang prevention”.

8           (g) REPORTING.—Section 4116 of that Act (20  
9 U.S.C. 7116) is amended—

10           (1) in subsection (a)—

11                   (A) in paragraph (1)—

12                           (i) in subparagraph (B) by striking  
13                           “drug and violence prevention” and insert-  
14                           ing “drug, violence, bullying, and gang  
15                           prevention”; and

16                           (ii) in subparagraph (C) by striking  
17                           “violence and drug prevention” and insert-  
18                           ing “drug, violence, bullying, and gang  
19                           prevention”; and

20                   (B) in paragraph (2)(B) by striking “drug  
21           use and violence” and inserting “drug use, vio-  
22           lence, and gangs”; and

23           (2) in subsection (b)(1) by striking “violence  
24           and drug prevention” and inserting “drug, violence,  
25           bullying, and gang prevention”.

1 (h) FEDERAL ACTIVITIES.—Section 4121 of that Act  
2 (20 U.S.C. 7131) is amended in subsection (a)—

3 (1) in the matter preceding paragraph (1) by  
4 striking “illegal use of drugs and violence” and in-  
5 serting “violence, bullying, gang activity, and illegal  
6 drug use”;

7 (2) in paragraph (1) by striking “drug and vio-  
8 lence prevention” and inserting “drug, violence, bul-  
9 lying, and gang prevention”;

10 (3) in paragraph (2), in the matter preceding  
11 subparagraph (A) and in subparagraph (A), by  
12 striking “drug and violence prevention” and insert-  
13 ing “drug, violence, bullying, and gang prevention”;

14 (4) in paragraph (4) by striking “violence pre-  
15 vention and education” and inserting “violence, bul-  
16 lying, and gang prevention and education”;

17 (5) in paragraph (5) by striking “drug and vio-  
18 lence prevention” and inserting “drug, violence, bul-  
19 lying, and gang prevention”; and

20 (6) in each of paragraphs (6) and (8) by strik-  
21 ing “drug and violence problems” and inserting  
22 “drug, violence, bullying, and gang problems”.

23 (i) IMPACT EVALUATION.—Section 4122 of that Act  
24 (20 U.S.C. 7132) is amended—

25 (1) in subsection (a)—

1 (A) in the matter preceding paragraph (1)  
2 by striking “violence and illegal drug use” and  
3 inserting “violence, bullying, gangs, and illegal  
4 drug use”; and

5 (B) in paragraph (2) by striking “and  
6 school violence” and inserting “school violence,  
7 gang activity,”;

8 (2) in subsection (b) by striking “illegal drug  
9 use and violence” and inserting “violence, gangs,  
10 and illegal drug use”; and

11 (3) in subsection (c) by striking “drug use and  
12 violence” and inserting “drug use, violence, bullying,  
13 and gangs”.

14 (j) SAFE AND DRUG-FREE SCHOOLS AND COMMU-  
15 NITIES ADVISORY COMMITTEE.—Section 4124 of that Act  
16 (20 U.S.C. 7134) is amended—

17 (1) in subsection (a), in each of paragraphs  
18 (1)(B) and (3), by striking “substance abuse and vi-  
19 olence prevention” and inserting “violence, bullying,  
20 gang, and substance abuse prevention”; and

21 (2) in subsection (b)(4)(A)(i) by striking “sub-  
22 stance abuse and violence problem” and inserting  
23 “violence, bullying, gang, and substance abuse prob-  
24 lem”.

1 (k) SCHOOL SECURITY TECHNOLOGY AND RESOURCE  
2 CENTER.—Section 4127 of that Act (20 U.S.C. 7137) is  
3 amended in subsection (c) by striking “school violence re-  
4 search” and inserting “school violence, bullying, harass-  
5 ment, and gang research”.

6 (l) NATIONAL CENTER FOR SCHOOL AND YOUTH  
7 SAFETY.—Section 4128 of that Act (20 U.S.C. 7138) is  
8 amended in subsection (b)—

9 (1) in paragraph (2) by striking “such as sub-  
10 stance abuse” and inserting “such as bullying, sub-  
11 stance abuse”; and

12 (2) in paragraph (4) by striking “school vio-  
13 lence prevention” and inserting “school violence, bul-  
14 lying, harassment, and gang prevention”.

15 (m) MENTORING PROGRAMS.—Section 4130 of that  
16 Act (20 U.S.C. 7140) is amended—

17 (1) in subsection (a)(2)(B)—

18 (A) by redesignating clauses (ii) and (iii)  
19 as (iii) and (iv), respectively; and

20 (B) by inserting after clause (i) the fol-  
21 lowing:

22 “(ii) a park and recreation agency of  
23 a unit of local government;”; and

24 (2) in subsection (b)—

25 (A) in paragraph (1)(B)—

1 (i) in clause (iv) by striking “violence,  
2 use of dangerous weapons” and inserting  
3 “violence, bullying, harassment, gangs, use  
4 of dangerous weapons”; and

5 (ii) by inserting after clause (vi) the  
6 following:

7 “(vii) Encourage participation in reg-  
8 ular physical activity and developments of  
9 habits that promote life-long physical fit-  
10 ness.”.

11 (B) in paragraph (5)(B)(i) by striking  
12 “schools with violence problems” and inserting  
13 “schools with violence, bullying, or gang prob-  
14 lems”.

15 (n) DEFINITIONS.—Section 4151 of that Act (20  
16 U.S.C. 7161) is amended—

17 (1) in paragraph (3)—

18 (A) in the heading by striking “DRUG AND  
19 VIOLENCE PREVENTION” and inserting “DRUG,  
20 VIOLENCE, BULLYING, AND GANG PREVEN-  
21 TION”;

22 (B) in the matter preceding subparagraph  
23 (A) by striking “drug and violence prevention”  
24 and inserting “drug, violence, bullying, and  
25 gang prevention”; and

1                   (C) in subparagraph (B) by striking “with  
2                   respect to violence” and inserting “with respect  
3                   to violence, bullying, and gangs”; and

4                   (2) in each of paragraphs (6) and (7) by strik-  
5                   ing “violent behavior” and inserting “violent or gang  
6                   behavior”.

7                   (o) MESSAGE AND MATERIALS.—Section 4152 of  
8                   that Act (20 U.S.C. 7162) is amended in subsection (a)—

9                   (1) by striking “Drug and violence prevention”  
10                  and inserting “Drug, violence, bullying, harassment,  
11                  and gang prevention”; and

12                  (2) by striking “acts of violence” and inserting  
13                  “acts of violence, bullying, harassment, and gangs”.

○