

# Title IV: Safe and Drug-Free Schools and Communities Act

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**Purpose:** To support programs that prevent violence in and around schools; that prevent the illegal use of alcohol, tobacco, and drugs; that involve parents and communities; and that are coordinated with related federal, state, school, and community efforts and resources to foster a safe and drug-free learning environment that supports student academic achievement.

In order to be eligible for funding, school districts are required to develop the Title IV application through timely and meaningful consultation with state and local government representatives, representatives of schools to be served (including private schools), teachers and other staff, parents, students, community-based organizations, and others with relevant and demonstrated expertise in drug and violence prevention activities (such as medical, mental health, and law enforcement professionals).

In any fiscal year, a local education agency, intermediate education agency, or consortium may retain for obligation in the succeeding fiscal year:

1. An amount equal to not more than 25 percent of the allocation it receives under this subsection for such fiscal year; or
2. Upon submission of a waiver request which includes a statement showing good cause by such agency or consortium, a greater amount approved by the Colorado Department of Education.

## Principles of Effectiveness

A program or activity developed under the Safe and Drug-free Schools and Communities Act must meet the principles of effectiveness and such program shall:

- A. Be based on an assessment of objective data regarding the incidence of violence and illegal drug use in the elementary schools and secondary schools and communities to be served including an objective analysis of the current conditions and consequences regarding violence and illegal drug use, including delinquency and serious discipline problems, among students who attend such schools (including private school students who participate in the drug and violence prevention program) that is based on ongoing local assessment or evaluation activities.
- B. Be based on an established set of performance measures aimed at ensuring that the elementary schools and secondary schools and communities to be served by the program have a safe, orderly, and drug-free learning environment.
- C. Be based on scientifically based research that provides evidence that the program to be used will reduce violence and illegal drug use.
- D. Be based on an analysis of the data reasonably available at the time, of the prevalence of risk factors, including high or increasing rates of reported cases of child abuse and domestic violence; protective factors, buffers, assets; and other variables in schools and communities in the State identified through scientifically based research.
- E. Include meaningful and ongoing consultation with and input from parents in the development of the application and administration of the program or activity.

### **Waiver – Scientifically-based Researched Programs (Section 4115(a)3)**

When submitting an application for funding, an LEA may apply to the State for a waiver of the requirement of the Principles of Effectiveness regarding science-based programs to allow innovative activities or programs that demonstrate substantial likelihood of success. The form is accessible via a link in the on-line application.

The primary intent of the waiver is to support newly created programs, based on prevention-related research, that have not yet been evaluated. The LEA must describe the evaluation methods they will use to demonstrate the effectiveness toward reducing substance abuse and violence in two years time.

### **Scientifically-based Research**

The term ‘scientifically based research’ means research that involves the application of rigorous, systematic, and objective procedures to obtain reliable and valid knowledge relevant to education activities and programs; and includes research that:

- A. Employs systematic, empirical methods that draw on observation or experiment.
- B. Involves rigorous data analyses that are adequate to test the stated hypotheses and justify the general conclusions drawn.
- C. Relies on measurements or observational methods that provide reliable and valid data across evaluators and observers, across multiple measurements and observations, and across studies by the same or different investigators.
- D. Is evaluated using experimental or quasi-experimental designs in which individuals, entities, programs, or activities are assigned to different conditions and with appropriate controls to evaluate the effects of the condition of interest, with a preference for random-assignment experiments, or other designs to the extent that those designs contain within-condition or across-condition controls.
- E. Ensures that experimental studies are presented in sufficient detail and clarity to allow for replication or, at a minimum, offer the opportunity to build systematically on their findings.
- F. Has been accepted by a peer-reviewed journal or approved by a panel of independent experts through a comparable rigorous, objective, and scientific review.

### **Use of Funds**

A local educational agency shall use its Title IV funds to develop, implement, and evaluate comprehensive programs and activities, which are coordinated with other school and community-based services and programs, that shall

- A. Foster a safe and drug-free learning environment that supports academic achievement.
- B. Be consistent with the principles of effectiveness.
- C. Be designed to:
  - i. Prevent or reduce violence; the use, possession, and distribution of illegal drugs; and delinquency.
  - ii. Create a well disciplined environment conducive to learning, which includes consultation between teachers, principals, and other school personnel to identify early warning signs of drug use and violence and to provide behavioral interventions as part of classroom management efforts.
- D. Include activities to:
  - i. Promote the involvement of parents in the activity or program.
  - ii. Promote coordination with community groups and coalitions, and government agencies.
  - iii. Distribute information about the local educational agency’s needs, goals, and programs.

## Authorized Activities

Each local education agency, or consortium of such agencies, that receives funds may use such funds to carry out activities that comply with the principles of effectiveness, such as the following:

- A. Age appropriate and developmentally based activities that
    - i. Address the consequences of violence and the illegal use of drugs, as appropriate.
    - ii. Promote a sense of individual responsibility.
    - iii. Teach students that most people do not illegally use drugs.
    - iv. Teach students to recognize social and peer pressure to use drugs illegally and the skills for resisting illegal drug use.
    - v. Teach students about the dangers of emerging drugs.
    - vi. Incorporate activities in secondary schools that reinforce prevention activities implemented in elementary schools.
  - B. Activities that involve families, community sectors (which may include appropriately trained seniors), and a variety of drug and violence prevention providers in setting clear expectations against violence and illegal use of drugs and appropriate consequences for violence and illegal use of drugs.
  - C. Dissemination of drug and violence prevention information to schools and the community.
  - D. Professional development and training for, and involvement of, school personnel, pupil services personnel, parents, and interested community members in prevention, education, early identification and intervention, mentoring, or rehabilitation referral, as related to drug and violence prevention.
  - E. Drug and violence prevention activities that may include the following:
    - i. Community-wide planning and organizing activities to reduce violence and illegal drug use, which may include gang activity prevention.
    - ii. Acquiring and installing metal detectors, electronic locks, surveillance cameras, or other related equipment and technologies.
    - iii. Reporting criminal offenses committed on school property.
    - iv. Development and implementing comprehensive school security plans or obtaining technical assistance concerning such plans, which may include obtaining a security assessment or assistance from the School Security and Technology Resource Center at the Sandia National Laboratory located in Albuquerque, New Mexico.
    - v. Supporting safe zones of passage activities that ensure that students travel safely to and from school, which may include bicycle and pedestrian safety programs.
    - vi. The hiring and mandatory training based on scientific research, of school security personnel (including school resource officers) who interact with students in support of youth drug and violence prevention activities under this part that are implemented in the school.
    - vii. Expanded and improved school-based mental health services related to illegal drug use and violence, including early identification of violence and illegal drug use, assessment, and direct or group counseling services provided to students, parents, families, and school personnel by qualified school-based mental health services.
    - viii. Conflict resolution programs, including peer mediation programs that educate and train peer mediators and a designated faculty supervisor, and youth anti-crime and anti-drug councils and activities.
    - ix. Alternative education programs or services for violent or drug abusing students that reduce the need for suspension or expulsion or that serve students who have been suspended or expelled from the regular educational settings, including programs or services to assist students to make continued progress toward meeting the State academic achievement standards and to reenter the regular educational setting.
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- 20% of total allocation
- 40% of total allocation
- See limitations, next page*

- x. Counseling, mentoring, referral services, and other student assistance practices and programs, including assistance provided by qualified school-based mental health services providers and the training of teachers by school-based mental health services providers in appropriate identification and intervention techniques for students at risk of violent behavior and illegal use of drugs.
  - xi. Programs that encourage students to seek advice from, and to confide in, a trusted adult regarding concerns about violence and illegal drug use.
  - xii. Drug and violence prevention activities designed to reduce truancy.
  - xiii. Age-appropriate, developmentally-based violence prevention and education programs that address victimization associated with prejudice and intolerance, and that include activities designed to help students develop a sense of individual responsibility and respect for the rights of others, and to resolve conflicts without violence.
  - xiv. Consistent with the fourth amendment to the Constitution of the United States the testing of a student for illegal drug use or the inspecting of a student's locker for weapons or illegal drugs or drug paraphernalia, including at the request of or with the consent of a parent or legal guardian of the student, if the local educational agency elects to so test or inspect.
  - xv. Emergency intervention services following traumatic crisis events, such as a shooting, major accident, or a drug-related incident that have disrupted the learning environment.
  - xvi. Establishing or implementing a system for transferring suspension and expulsion records, consistent with section 444 of the General Education Provisions Act (20 USC 1232g), by a local educational agency to any public or private elementary school or secondary school.
  - xvii. Developing and implementing character education programs, as a component of drug and violence prevention programs that take into account the views of parents of the students for whom the program is intended.
  - xviii. Establishing and maintaining a school safety hotline.
  - xix. Community service, including community service performed by expelled students, and service-learning projects.
  - xx. Conducting a nationwide background check of each local educational agency employee, regardless of when hired, and prospective employees for the purpose of determining whether the employee or prospective employee has been convicted of a crime that bears upon the employee's fitness
    - I. To be responsible for the safety or well-being of children.
    - II. To serve in the particular capacity in which the employee or prospective employee is or will be employed.
    - III. To otherwise be employed by the local educational agency.
  - xxi. Programs to train school personnel to identify warning signs of youth suicide and to create an action plan to help youth at risk of suicide.
  - xxii. Programs that respond to the needs of students who are faced with domestic violence or child abuse.
- F. The evaluation of any of the activities authorized under this subsection and the collection of objective data used to assess program needs, program implementation, or program success in achieving program goals and objectives.

### **Limitations (Spending Caps)**

Not more than 40 percent of the funds available to a local education agency may be used to carry out the activities described in section (E) clauses (ii) through (vi), of which not more than 50 percent may be used to carry out the activities described in section (E) clauses (ii) through (v).

If other sources of federal funds are used for the purposes listed in section (E) clauses (ii) through (v), Safe & Drug-Free Schools and Communities funds may not be used.

## **Annual Performance Report**

Each funded district is required to complete an annual year-end performance report developed by the Colorado Department of Education. This report describes the strategies that the district completed for the year and the results of the district's measurable performance objectives. District results are posted at the CDE Website. This report serves to:

- 1) Demonstrate accountability for program effectiveness,
- 2) Inform the public about local needs, strategies, objectives, results, and overall use of funds, and
- 3) Maintain an inventory of programs and strategies supported by Title IV funds.

## **General Provisions**

General Provisions in regards to the *Safe and Drug-Free Schools and Communities* program are outlined in Subpart 4 of the Title IV, Part A law. Below is an excerpt of three provisions that all LEA applicants should be aware of when applying for Title IV, Part A funds:

### **SEC. 4152. MESSAGE AND MATERIALS.**

- (a) **WRONG AND HARMFUL' MESSAGE-** Drug and violence prevention programs supported under this part shall convey a clear and consistent message that the illegal use of drugs and acts of violence are wrong and harmful.
- (b) **CURRICULUM-** The Secretary shall not prescribe the use of specific curricula for programs supported under this part.

### **SEC. 4153. PARENTAL CONSENT.**

Upon receipt of written notification from the parents or legal guardians of a student, the local educational agency shall withdraw such student from any program or activity funded under this part. The local educational agency shall make reasonable efforts to inform parents or legal guardians of the content of such programs or activities funded under this part, other than classroom instruction.

### **SEC. 4154. PROHIBITED USES OF FUNDS.**

No funds under this part may be used for —

- (1) construction (except for minor remodeling needed to accomplish the purposes of this part); or
- (2) medical services, drug treatment or rehabilitation, except for pupil services or referral to treatment for students who are victims of, or witnesses to, crime or who illegally use drugs.

## Definitions

Definitions are also included in the General Provision section of the Title IV, Part A law. If an LEA intends to utilize funds for programs and activities for the following items, the definitions should guide what is allowable and what is not. Examples:

Applying funds to the support a School Resource Officer (SRO) component may or may not be allowable, depending on whether or not the officer is utilized for prevention and student support activities per the definition. SROs who are used primarily for enforcement duties would not fit this definition. Furthermore, SRO activities should still conform to the Principles of Effectiveness so any prevention-related program that he or she is part of must still be research-based. And, funds for SROs are limited to the “no more than 40%” of an LEA’s total allocation and only if other federal funds are not used.

The General Provision definitions include the following terms:

CONTROLLED SUBSTANCE- The term controlled substance' means a drug or other substance identified under Schedule I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)).

DRUG- The term drug' includes controlled substances; the illegal use of alcohol and tobacco; and the harmful, abusive, or addictive use of substances, including inhalants and anabolic steroids.

DRUG AND VIOLENCE PREVENTION- The term drug and violence prevention' means —  
(A) with respect to drugs, prevention, early intervention, rehabilitation referral, or education related to the illegal use of drugs;  
(B) with respect to violence, the promotion of school safety, such that students and school personnel are free from violent and disruptive acts, including sexual harassment and abuse, and victimization associated with prejudice and intolerance, on school premises, going to and from school, and at school-sponsored activities, through the creation and maintenance of a school environment that is free of weapons and fosters individual responsibility and respect for the rights of others.

HATE CRIME- The term hate crime' means a crime as described in section 1(b) of the Hate Crime Statistics Act of 1990.

NONPROFIT- The term nonprofit', as applied to a school, agency, organization, or institution means a school, agency, organization, or institution owned and operated by one or more nonprofit corporations or associations, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

PROTECTIVE FACTOR, BUFFER, OR ASSET- The terms protective factor', buffer', and asset' mean any one of a number of the community, school, family, or peer-individual domains that are known, through prospective, longitudinal research efforts, or which are grounded in a well-established theoretical model of prevention, and have been shown to prevent alcohol, tobacco, or illegal drug use, as well as violent behavior, by youth in the community, and which promote positive youth development.

RISK FACTOR- The term risk factor' means any one of a number of characteristics of the community, school, family, or peer-individual domains that are known, through prospective, longitudinal research efforts, to be predictive of alcohol, tobacco, and illegal drug use, as well as violent behavior, by youth in the school and community.

SCHOOL-AGED POPULATION- The term school-aged population' means the population aged five through 17, as determined by the Secretary on the basis of the most recent satisfactory data available from the Department of Commerce.

SCHOOL BASED MENTAL HEALTH SERVICES PROVIDER- The term school based mental health services provider' includes a State licensed or State certified school counselor, school psychologist, school social worker, or other State licensed or certified mental health professional qualified under State law to provide such services to children and adolescents.

SCHOOL PERSONNEL- The term school personnel' includes teachers, principals, administrators, counselors, social workers, psychologists, nurses, librarians, and other support staff who are employed by a school or who perform services for the school on a contractual basis.

SCHOOL RESOURCE OFFICER- The term school resource officer' means a career law enforcement officer, with sworn authority, deployed in community oriented policing, and assigned by the employing police department to a local educational agency to work in collaboration with schools and community based organizations to —

- (A) educate students in crime and illegal drug use prevention and safety;
- (B) develop or expand community justice initiatives for students; and
- (C) train students in conflict resolution, restorative justice, and crime and illegal drug use awareness.