

13, 1970, 84 Stat. 175, as amended, which is classified generally to chapter 33 (§1400 et seq.) of this title. For complete classification of this Act to the Code, see section 1400 of this title and Tables.

SUBPART 4—GENERAL PROVISIONS

§ 7161. Definitions

In this part:

(1) Controlled substance

The term “controlled substance” means a drug or other substance identified under Schedule I, II, III, IV, or V in section 812(c) of title 21.

(2) 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.

(3) 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.

(4) Hate crime

The term “hate crime” means a crime as described in section 1(b) of the Hate Crime Statistics Act of 1990.

(5) 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.

(6) 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.

(7) 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.

(8) 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.

(9) 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.

(10) 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.

(11) 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.

(Pub. L. 89-10, title IV, §4151, as added Pub. L. 107-110, title IV, §401, Jan. 8, 2002, 115 Stat. 1763.)

REFERENCES IN TEXT

Section 1(b) of the Hate Crime Statistics Act of 1990, referred to in par. (4), is section 1(b) of Pub. L. 101-275, which is set out as a note under section 534 of Title 28, Judiciary and Judicial Procedure.

§ 7162. 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.

(Pub. L. 89-10, title IV, §4152, as added Pub. L. 107-110, title IV, §401, Jan. 8, 2002, 115 Stat. 1764.)

§ 7163. Parental consent

Upon receipt of written notification from the parents or legal guardians of a student, the local