

(b) Prohibited use of funds

No funds under this subchapter may be used for medical services or drug treatment or rehabilitation, except for integrated student supports, specialized instructional support services, or referral to treatment for impacted students, which may include students who are victims of, or witnesses to, crime or who illegally use drugs.

(c) Prohibition on mandatory medication

No child shall be required to obtain a prescription for a controlled substance, as defined in section 802 of title 21 as a condition of—

- (1) receiving an evaluation or other service described under this subchapter; or
- (2) attending a school receiving assistance under this subchapter.

(Pub. L. 89-10, title IV, §4001, as added Pub. L. 114-95, title IV, §4002, Dec. 10, 2015, 129 Stat. 1967.)

PRIOR PROVISIONS

A prior section 7101, Pub. L. 89-10, title IV, §4001, as added Pub. L. 107-110, title IV, §401, Jan. 8, 2002, 115 Stat. 1734, provided that this part could be cited as the “Safe and Drug-Free Schools and Communities Act”, prior to repeal by Pub. L. 114-95, §5, title IV, §4002, Dec. 10, 2015, 129 Stat. 1806, 1967, effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs.

Another prior section 7101, Pub. L. 89-10, title IV, §4001, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3672, set forth short title of subchapter as the “Safe and Drug-Free Schools and Communities Act of 1994”, prior to the general amendment of this subchapter by Pub. L. 107-110.

A prior section 4001 of Pub. L. 89-10 was classified to section 3041 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

EFFECTIVE DATE

Section effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as an Effective Date of 2015 Amendment note under section 6301 of this title.

§§ 7102, 7103. Repealed. Pub. L. 114-95, title IV, § 4002, Dec. 10, 2015, 129 Stat. 1967

Section 7102, Pub. L. 89-10, title IV, §4002, as added Pub. L. 107-110, title IV, §401, Jan. 8, 2002, 115 Stat. 1734, related to purpose of this part.

A prior section 7102, Pub. L. 89-10, title IV, §4002, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3672, set forth findings, prior to the general amendment of this subchapter by Pub. L. 107-110.

A prior section 4002 of Pub. L. 89-10 was classified to section 3042 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

Section 7103, Pub. L. 89-10, title IV, §4003, as added Pub. L. 107-110, title IV, §401, Jan. 8, 2002, 115 Stat. 1734, authorized appropriations for fiscal year 2002 and each of the 5 succeeding fiscal years.

A prior section 7103, Pub. L. 89-10, title IV, §4003, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3673, set forth purpose of former provisions, prior to the general amendment of this subchapter by Pub. L. 107-110.

A prior section 4003 of Pub. L. 89-10 was classified to section 3043 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

A prior section 7104, Pub. L. 89-10, title IV, §4004, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3674, related to funding, prior to the general amendment of this subchapter by Pub. L. 107-110.

A prior section 4004 of Pub. L. 89-10 was classified to section 3044 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

A prior section 7105, Pub. L. 99-570, title IV, §4302, Oct. 27, 1986, 100 Stat. 3207-153, which established National Trust for Drug-Free Youth to encourage private gifts of property to assist the Secretary of Education in carrying out the national programs of drug abuse research, education, and prevention under subtitle B of title IV of Pub. L. 99-570, Oct. 27, 1986, 100 Stat. 3207-125 (former 20 U.S.C. 4601 et seq.), was omitted from the Code because of the repeal of subtitle B. Section was formerly classified to section 4665, and subsequently section 3225, of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as an Effective Date of 2015 Amendment note under section 6301 of this title.

SUBPART 1—STUDENT SUPPORT AND ACADEMIC ENRICHMENT GRANTS

CODIFICATION

Subpart 1 of part A of title IV of the Elementary and Secondary Education Act of 1965, comprising this subpart, was originally added to Pub. L. 89-10, title IV, by Pub. L. 107-110, title IV, §401, Jan. 8, 2002, 115 Stat. 1735. Subpart 1 is shown herein, however, as having been added by Pub. L. 114-95, title IV, §4101, Dec. 10, 2015, 129 Stat. 1968, without reference to the amendments by Pub. L. 107-110 because of the extensive revision of subpart 1 by Pub. L. 114-95.

§ 7111. Purpose

The purpose of this subpart is to improve students’ academic achievement by increasing the capacity of States, local educational agencies, schools, and local communities to—

- (1) provide all students with access to a well-rounded education;
- (2) improve school conditions for student learning; and
- (3) improve the use of technology in order to improve the academic achievement and digital literacy of all students.

(Pub. L. 89-10, title IV, §4101, as added Pub. L. 114-95, title IV, §4101, Dec. 10, 2015, 129 Stat. 1968.)

PRIOR PROVISIONS

A prior section 7111, Pub. L. 89-10, title IV, §4111, as added Pub. L. 107-110, title IV, §401, Jan. 8, 2002, 115 Stat. 1735, related to reservations and allotments, prior to the general amendment of this subpart by Pub. L. 114-95.

Another prior section 7111, Pub. L. 89-10, title IV, §4011 [4111], as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3674, related to reservations and allotments, prior to the general amendment of this subchapter by Pub. L. 107-110.

A prior section 4101 of Pub. L. 89-10 was classified to section 3061 of this title prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

EFFECTIVE DATE

Section effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as an Effective Date of 2015 Amendment note under section 6301 of this title.

§ 7112. Definitions

In this subpart:

(1) Blended learning

The term “blended learning” means a formal education program that leverages both technology-based and face-to-face instructional approaches—

(A) that include an element of online or digital learning, combined with supervised learning time, and student-led learning, in which the elements are connected to provide an integrated learning experience; and

(B) in which students are provided some control over time, path, or pace.

(2) 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.

(3) Digital learning

The term “digital learning” means any instructional practice that effectively uses technology to strengthen a student’s learning experience and encompasses a wide spectrum of tools and practices, including—

(A) interactive learning resources, digital learning content (which may include openly licensed content), software, or simulations, that engage students in academic content;

(B) access to online databases and other primary source documents;

(C) the use of data and information to personalize learning and provide targeted supplementary instruction;

(D) online and computer-based assessments;

(E) learning environments that allow for rich collaboration and communication, which may include student collaboration with content experts and peers;

(F) hybrid or blended learning, which occurs under direct instructor supervision at a school or other location away from home and, at least in part, through online delivery of instruction with some element of student control over time, place, path, or pace; and

(G) access to online course opportunities for students in rural or remote areas.

(4) Drug

The term “drug” includes—

(A) controlled substances;

(B) the illegal use of alcohol or tobacco, including smokeless tobacco products and electronic cigarettes; and

(C) the harmful, abusive, or addictive use of substances, including inhalants and anabolic steroids.

(5) Drug and violence prevention

The term “drug and violence prevention” means—

(A) with respect to drugs, prevention, early intervention, rehabilitation referral, recovery support services, or education related to the illegal use of drugs, such as raising awareness about the consequences of drug use that are evidence-based (to the extent a State, in consultation with local educational agencies in the State, determines that such evidence is reasonably available); and

(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.

(6) 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 mental health services to children and adolescents.

(7) State

The term “State” means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

(8) Stem-focused specialty school

The term “STEM-focused specialty school” means a school, or dedicated program within a school, that engages students in rigorous, relevant, and integrated learning experiences focused on science, technology, engineering, and mathematics, including computer science, which include authentic schoolwide research.

(Pub. L. 89-10, title IV, § 4102, as added Pub. L. 114-95, title IV, § 4101, Dec. 10, 2015, 129 Stat. 1969.)

PRIOR PROVISIONS

A prior section 7112, Pub. L. 89-10, title IV, § 4112, as added Pub. L. 107-110, title IV, § 401, Jan. 8, 2002, 115 Stat. 1736, related to reservation of State funds for safe and drug-free schools, prior to the general amendment of this subpart by Pub. L. 114-95.

Another prior section 7112, Pub. L. 89-10, title IV, § 4112, as added Pub. L. 103-382, title I, § 101, Oct. 20, 1994, 108 Stat. 3675, related to State applications, prior to the general amendment of this subchapter by Pub. L. 107-110.

A prior section 4102 of Pub. L. 89-10 was classified to section 3062 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

EFFECTIVE DATE

Section effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as an Effective Date of 2015 Amendment note under section 6301 of this title.

§ 7113. Formula grants to States**(a) Reservations**

From the total amount appropriated under section 7122 of this title for a fiscal year, the Secretary shall reserve—

(1) one-half of 1 percent for allotments for payments to the outlying areas, to be distributed among those outlying areas on the basis of their relative need, as determined by the Secretary, in accordance with the purpose of this subpart;