

111TH CONGRESS
1ST SESSION

H. R. 4000

To provide assistance to local educational agencies for the prevention and reduction of conflict and violence.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 3, 2009

Mr. RUSH introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To provide assistance to local educational agencies for the prevention and reduction of conflict and violence.

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 “Conflict Resolution and
5 Mediation Act of 2009”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—The Congress finds the following:

8 (1) On Wednesday, October 7, 2009, in a
9 speech detailing the violence that our youth face,
10 Secretary of Education Arne Duncan noted that,

1 currently, 30 percent of students, or about
2 1,200,000 students a year, fail to complete high
3 school on time.

4 (2) The Division of Violence Prevention within
5 the Centers for Disease Control observed that “vio-
6 lence diminishes and destroys the quality of life and
7 freedom of individuals, families and communities
8 . . . young people cannot learn and succeed in life
9 if they are afraid to go to school”.

10 (3) The Centers for Disease Control and Pre-
11 vention find that young people are both the victims
12 and perpetrators of violence, with homicide being the
13 second leading cause of death for young people be-
14 tween the ages of 10 and 24.

15 (4) The U.S. Conference of Mayors states that
16 youth violence is a public health crisis and have de-
17 clared that “[w]e can’t arrest our way out of this
18 problem . . . prevention is the key to long-term suc-
19 cess”.

20 (5) In 2007, of a nationally representative sam-
21 ple of students in grades 9 through 12, 4.2 percent
22 reported being in a physical fight one or more times
23 in the previous 12 months that resulted in injuries
24 that had to be treated by a doctor or nurse.

1 (6) In a 2007 nationally representative sample
2 of youth in grades 9 through 12 regarding violence-
3 related behaviors, the CDC found—

4 (A) 12.4 percent reported being in a phys-
5 ical fight on school property in the 12 months
6 preceding the survey, with 16.3 percent of male
7 students and 8.5 percent of female students re-
8 ported being in a physical fight on school prop-
9 erty in the 12 months preceding the survey;

10 (B) 27.1 percent of students reported hav-
11 ing property stolen or deliberately damaged on
12 school property and 5.5 percent did not go to
13 school on one or more days in the 30 days pre-
14 ceeding the survey because they felt unsafe at
15 school or on their way to or from school; and

16 (C) 5.9 percent reported carrying a weapon
17 (gun, knife, or club) on school property on one
18 or more days in the 30 days preceding the sur-
19 vey and 7.8 percent reported being threatened
20 or injured with a weapon on school property
21 one or more times.

22 (7) In a 2007 nationally representative sample
23 of youth in grades 9 through 12 regarding youth vi-
24 olence, the CDC found—

1 (A) 35.5 percent reported being in a phys-
2 ical fight in the 12 months preceding the sur-
3 vey; the prevalence was higher among males
4 (44.4 percent) than females (26.5 percent); and

5 (B) 18 percent reported carrying a weapon
6 (gun, knife, or club) on one or more days in the
7 30 days preceding the survey and 5.2 percent
8 carried a gun on one or more days in the 30
9 days preceding the survey.

10 (8) An estimated 30 percent of 6th to 10th
11 graders in the United States were either a bully, a
12 target of bullying, or both.

13 (9) From 1992 to 1999, perpetrators of school-
14 associated homicides were nine times as likely as vic-
15 tims to have exhibited some form of suicidal behav-
16 ior before the event, and were more than twice as
17 likely as victims to have been bullied by their peers
18 and more than half of the incidents over this period
19 were preceded by some signal, such as threats,
20 notes, or journal entries that indicated the potential
21 for the coming event.

22 (10) Most of the violent events involving stu-
23 dents occur during the transition times around the
24 start of the school day, the lunch period, and at the
25 end of the school day.

1 (11) While rates of school-associated student
2 homicides decreased between 1992 and 2006, they
3 remained relatively stable in recent years and were
4 significantly higher for males, students in secondary
5 schools, and students in central cities.

6 (12) From 1999 to 2006, most school-associ-
7 ated homicides included gunshot wounds (65 per-
8 cent), stabbing or cutting (27 percent), and beating
9 (12 percent).

10 (13) The CDC estimates that women experience
11 4,800,000 Intimate Partner Violence, or domestic-
12 related, physical assaults and rapes per year and
13 men are the victims of about 2,900,000 IPV-related
14 physical assaults annually.

15 (14) Children who bear the burden of wit-
16 nessing violent acts, whether at home, in school, or
17 in their communities must be taught coping mecha-
18 nisms before they are desensitized to violence and
19 violent acts.

20 (b) PURPOSE.—The purpose of this Act is to provide
21 assistance to local educational agencies for the prevention
22 and reduction of conflict and violence in schools through-
23 out the country.

1 **SEC. 3. CONFLICT RESOLUTION AND MEDIATION PROGRAM**

2 **AUTHORIZED.**

3 (a) IN GENERAL.—The Secretary of Education is au-
4 thorized to make grants to local educational agencies to
5 provide assistance to schools served by the agency that are
6 most directly affected by conflict and violence.

7 (b) MODEL PROJECT.—The Secretary shall develop
8 a written model for conflict resolution and mediation writ-
9 ten within 90 days and make such model available to any
10 local educational agency that requests such information.

11 (c) AUTHORIZATION OF APPROPRIATIONS.—There
12 are authorized to be appropriated \$25,000,000 for fiscal
13 year 2010 and such sums as may be necessary for each
14 of the fiscal years 2011 through 2015 to carry out the
15 projects under this Act.

16 **SEC. 4. USE OF FUNDS.**

17 Grants made by the Secretary under this Act shall
18 be used to develop programs for conflict resolution and
19 mediation for students, teachers, and other personnel in
20 regular contact with students at school.

21 **SEC. 5. ELIGIBLE APPLICANTS.**

22 (a) IN GENERAL.—In order to be eligible to receive
23 a grant under this Act for any fiscal year, a local edu-
24 cational agency shall submit an application to the Sec-
25 retary in such form and containing such information as
26 the Secretary may reasonably require.

1 (b) REQUIREMENTS.—Each application under sub-
2 section (a) shall include—

3 (1) a request for funds for the purposes de-
4 scribed in section 2(b);

5 (2) information about the schools and commu-
6 nities to be served by the grant, including the nature
7 of the conflict and violence problems within and
8 around the schools;

9 (3) statistical information in such form and
10 containing such information that the Secretary may
11 require regarding conflict and violence within such
12 schools and surrounding communities; and

13 (4) assurances that Federal funds received
14 under this Act shall be used to supplement, not sup-
15 plant, non-Federal funds that would otherwise be
16 available for activities funded under this Act.

17 (c) COMPREHENSIVE PLAN.—Each application shall
18 include a comprehensive plan that shall contain—

19 (1) a description of the conflict and violence
20 problems within the schools served by the local edu-
21 cational agency and surrounding community tar-
22 geted for assistance;

23 (2) a description of the resources available in
24 the community to help implement the plan together

1 with a description of the areas in the plan that can-
2 not be filled with existing resources; and

3 (3) a description of the system the applicant
4 will establish to prevent and reduce ongoing conflict
5 and violence problems.

6 **SEC. 6. ALLOCATION OF FUNDS; LIMITATIONS ON GRANTS.**

7 (a) ADMINISTRATIVE COST LIMITATION.—The Sec-
8 retary shall use not more than 5 percent of the funds
9 available under this Act for the purposes of administration
10 and technical assistance.

11 (b) RENEWAL OF GRANTS.—A grant under this Act
12 may be renewed for not more than 2 additional years after
13 the first fiscal year during which the recipient receives an
14 initial grant under this Act, subject to the availability of
15 funds, if—

16 (1) the Secretary determines that the funds
17 made available to the recipient during the previous
18 year were used in a manner required under the ap-
19 proved application; and

20 (2) the Secretary determines that an additional
21 grant is necessary to implement the violence preven-
22 tion program described in the comprehensive plan as
23 required by section 5(c).

1 **SEC. 7. AWARD OF GRANTS.**

2 (a) SELECTION OF RECIPIENTS.—The Secretary
3 shall consider the following factors in awarding grants to
4 local educational agencies:

5 (1) CONFLICT AND VIOLENCE PROBLEM.—The
6 nature and scope of the violence problem in the tar-
7 geted schools.

8 (2) NEED AND ABILITY.—Demonstrated need
9 and evidence of the ability to provide the services de-
10 scribed in the plan required under section 5(c).

11 (3) POPULATION.—The number of students to
12 be served by the plan required under section 5(c).

13 (b) GEOGRAPHIC DISTRIBUTION.—The Secretary
14 shall attempt, to the extent practicable, to achieve an equi-
15 table geographic distribution of grant awards.

16 **SEC. 8. REPORTS.**

17 (a) REPORTS.—Local educational agencies that re-
18 ceive funds under this Act shall submit to the Secretary
19 a detailed report not later than March 1 of each year that
20 describes progress achieved in carrying out the plan re-
21 quired under section 5(c).

22 (b) REPORT TO CONGRESS.—The Secretary shall
23 submit to the Congress a report by October 1 of each year
24 in which grants are made available under this Act which
25 shall contain a detailed statement regarding grant awards,
26 activities of grant recipients, a compilation of statistical

1 information submitted by applicants under section
2 5(b)(3), and an evaluation of programs established under
3 this Act.

4 **SEC. 9. DEFINITIONS.**

5 For the purpose of this Act:

6 (1) The term “local educational agency” has
7 the meaning given such term in section 9101 of the
8 Elementary and Secondary Education Act of 1965
9 (20 U.S.C. 7801).

10 (2) The term “Secretary” means the Secretary
11 of Education.

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