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Program Authority: Section 6212 of the ESEA, as amended by the No Child Left Behind Act of 2001 (Pub. L. 107-110).

Dated: July 7, 2003.

Eugene W. Hickok,

Under Secretary of Education.

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DEPARTMENT OF EDUCATION

[CFDA No: 84.184D]

Office of Safe and Drug-Free Schools—Demonstration Grants for Student Drug Testing—Notice Inviting Applications for New Awards for Fiscal Year (FY) 2003

Purpose of Program: This program awards grants to local educational agencies (LEAs) and public and private entities, to develop or enhance, implement, and evaluate school-based drug testing programs for students.

For FY 2003 the competition for new awards focuses on projects designed to meet the priorities we describe in the PRIORITIES section of this application notice.

Eligible Applicants: LEAs and public and private entities.

Applications Available: July 11, 2003.

Deadline for Transmittal of Applications: August 20, 2003.

Deadline for Intergovernmental Review: September 19, 2003.

Estimated Available Funds: The Department expects to make available \$2,000,000 for this program for FY 2003.

Estimated Range of Awards: \$200,000–\$400,000.

Estimated Average Size of Awards: \$300,000.

Estimated Number of Awards: 7.

Note: The Department is not bound by any estimates in this notice.

Project Period: Up to 36 months.

Applicable Regulations: The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 79, 80, 81, 82, 85, 86, 97, 98, and 99.

Other Requirements

Participation by Private School Children and Teachers

Entities receiving a grant under the Demonstration Grants for Student Drug Testing Program are required to provide for the equitable participation of private school children and their teachers or other educational personnel. In order to ensure that grant program activities address the needs of private school children, timely and meaningful consultation with appropriate private school officials must occur during the design and development of the program. Administrative direction and control over grant funds must remain with the grantee.

Maintenance of Effort

An LEA may receive a grant under the Demonstration Grants for Student Drug Testing Program only if the State educational agency finds that the combined fiscal efforts per student or the aggregate expenditures of the agency and the State with respect to the provisions of free public education by the agency for the preceding fiscal year was not less than 90 percent of the combined fiscal effort or aggregate expenditures for the second preceding fiscal year.

School-Based Programs

Applicants other than LEAs must demonstrate that they have established a partnership with one or more LEAs to carry out the program. This partnership must be demonstrated by submitting a partnership agreement signed by the superintendent or an authorized representative of the participating LEA. Letters of support for the proposed project are not sufficient to demonstrate the required partnership.

Assurance

Applicants must provide an assurance that legal counsel has reviewed the proposed program and advised that the program activities do not appear to violate established constitutional principles or State and Federal requirements related to implementing a student drug testing program.

SUPPLEMENTARY INFORMATION:

Additional Awards

Contingent upon the availability of funds, we may make additional awards in FY 2004 from the rank-ordered list of unfunded applications from this competition.

Participation of Faith-based Organizations

Faith-based organizations are eligible to apply for grants under this competition provided they meet all statutory and regulatory requirements.

Definition

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.

Absolute Priority

We will award grants to LEAs and public and private entities to develop or enhance, implement, and evaluate school-based drug testing programs for students. Any random drug testing program conducted with funds awarded under this competition must be limited to one or more of the following: (1) Students who participate in the school's athletic program; (2) students who are engaged in competitive, extracurricular school-sponsored activities; and (3) students who, along with their parents or guardian, have consented or volunteered to participate in a random drug testing program.

In order to be eligible for an award, applicants must:

(1) Identify a target population and demonstrate a significant need for drug testing within the target population;

(2) Explain how the proposed drug testing program will be part of a comprehensive drug prevention program in the schools to be served;

(3) Provide a comprehensive plan for referral to treatment or counseling of students identified as drug users through the testing program; and

(4) Provide a plan to ensure the confidentiality of drug testing results.

For FY 2003, this priority is an absolute priority. Under 34 CFR 75.105(c)(3), we will consider only applications that meet this priority.

Competitive Preference Priority

In order to determine whether the drug testing projects supported under this program produce meaningful effects on student drug use, we have established a competitive preference priority within the absolute priority for this competition. We will award up to 10 additional points to applicants that propose experimental or quasi-experimental evaluation of projects. These points are in addition to any points the application earns under the selection criteria. The total number of points available for this competition is 110.