To authorize the Secretary of Homeland Security to establish a competitive program to make emergency preparedness planning and implementation grants to local educational agencies and districts located in areas under a high threat of terrorist attacks, natural disasters, or public health emergencies.

IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 2011

Ms. RICHARDSON (for herself, Ms. BASS of California, Ms. WILSON of Florida, Mr. BACA, Mr. SABLAN, Ms. JACKSON LEE of Texas, Ms. NORTON, and Mr. FILNER) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Homeland Security and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To authorize the Secretary of Homeland Security to establish a competitive program to make emergency preparedness planning and implementation grants to local educational agencies and districts located in areas under a high threat of terrorist attacks, natural disasters, or public health emergencies.

Be it enacted by the Senate and House of Representa-

tives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE.

This Act may be cited as the “Elementary and Secondary School Emergency Preparedness Planning Act”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) There is an immediate need for comprehensive and coordinated emergency preparedness planning support for local educational agencies and districts nationwide.

(2) Local educational agencies and districts historically have had limited roles in the emergency preparedness planning process administered by other agencies and districts, have not received priority consideration in that process, and have had minimal access to funds allocated to emergency preparedness.

(3) Grants made under section 3 will enable local educational agencies and districts to take an active role in emergency planning and give them access to the broad range of skills and expertise of the many other agencies or districts involved in emergency planning and preparedness.

SEC. 3. ELEMENTARY AND SECONDARY SCHOOL EMERGENCY PREPAREDNESS PLANNING GRANT PROGRAM.

(a) ESTABLISHMENT.—The Secretary of Homeland Security shall establish a competitive program to make
grants for emergency preparedness planning and imple-
mentation to local educational agencies and districts lo-
cated in areas under a high threat of terrorist attacks,
natural disasters, or public health emergencies.

(b) ELIGIBILITY.—The Secretary may only award a
grant under this section to a local educational agency or
district that—

(1) is located near a place that is under a high
threat of—

(A) terrorist attacks, as determined by the
Secretary;

(B) natural disasters, as determined by the
Secretary, acting through the Administrator of
the Federal Emergency Management Agency;
or

(C) public health emergencies, as deter-
mined by the Secretary, in consultation with the
Director of the Centers for Disease Control and
Prevention; and

(2) submits an application at such time, in such
form, and with such information and assurances as
the Secretary may require, including—

(A) assurances that such local educational
agency or district will use such grant amounts
to carry out the activities in subsection (e); and
(B) a budget and timeline for carrying out such activities.

(c) PRIORITY.—

(1) INITIAL PRIORITY.—In awarding grants under this section, the Secretary shall give priority to local educational agencies and districts located in areas with higher population densities and that are under a higher threat of terrorist attacks, natural disasters, or public health emergencies than other local educational agencies and districts eligible under subsection (b).

(2) FURTHER PRIORITY.—Among the priority local educational agencies and districts described in paragraph (1), the Secretary shall give further priority to local educational agencies and districts that have in the past demonstrated the ability to formulate and implement effective emergency preparedness plans.

(d) GRANT AMOUNT.—Amounts awarded under this section shall not exceed $500,000 per local educational agency or district per fiscal year.

(e) USE OF FUNDS.—

(1) REQUIRED USE OF FUNDS.—

(A) IN GENERAL.—A local educational agency or district receiving a grant under this
section shall use such funds to implement or to formulate and implement an emergency preparedness plan.

(B) ELEMENTS OF PLAN.—The plan required by subparagraph (A) shall provide for—

(i) the creation in the office of the superintendent or other chief executive officer of the local educational agency or district of a School Emergency Response Center to provide coordination, communication, and support for school-based emergency preparedness planning and implementation;

(ii) the creation of a Regional Advisory Council chaired by the superintendent or other chief executive officer of the local educational agency or district and composed of other appropriate representatives from the local educational agency or district and from emergency management and law enforcement agencies, local public health offices, nongovernmental organizations, and other appropriate stakeholders; and
(iii) the development of a plan specific
to each school under the local educational
agency’s or district’s authority for each
type of emergency likely to occur in the
area.

(2) PERMITTED USE OF FUNDS.—A local edu-
cational agency or district receiving a grant under
this section may use any such funds remaining after
complying with paragraph (1)(A) for any purpose
relating to emergency preparedness planning or im-
plementation.

(f) LOCAL EDUCATIONAL AGENCY DEFINED.—As
used in this section, the term “local educational agency”
has the meaning given the term in section 9101(26) of
the Elementary and Secondary Education Act of 1965 (20
U.S.C. 7801(26)), and, if applicable, such term also in-
cludes a group of local educational agencies located in the
same region that are collaborating to formulate and imple-
ment an emergency preparedness plan described in sub-
section (e)(1) of this section.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is
authorized to be appropriated to carry out this section
$25,000,000, of which not more than 5 percent shall be
available for the costs of administering the grant program,
for each of the fiscal years 2012 through 2014.