

Calendar No. 402

116TH CONGRESS
2D SESSION**S. 2779****[Report No. 116–193]**

To establish the Federal Clearinghouse on School Safety Best Practices,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 5, 2019

Mr. JOHNSON (for himself, Mr. SCOTT of Florida, and Mr. RUBIO) introduced
the following bill; which was read twice and referred to the Committee
on Homeland Security and Governmental Affairs

JANUARY 6, 2020

Reported by Mr. JOHNSON, with amendments

[Omit the part struck through and insert the part printed in *italie*]**A BILL**

To establish the Federal Clearinghouse on School Safety
Best Practices, and for other purposes.

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 “Luke and Alex School
5 Safety Act of 2019”.

1 **SEC. 2. FEDERAL CLEARINGHOUSE ON SCHOOL SAFETY**
2 **BEST PRACTICES.**

3 (a) IN GENERAL.—Subtitle A of title XXII of the
4 Homeland Security Act of 2002 (6 U.S.C. 651 et seq.)
5 is amended by inserting after section 2214 the following:

6 **“SEC. 2215. FEDERAL CLEARINGHOUSE ON SCHOOL SAFETY**
7 **BEST PRACTICES.**

8 “(a) ESTABLISHMENT.—

9 “(1) IN GENERAL.—The Secretary, in coordina-
10 tion with the Secretary of Education, the Attorney
11 General, and the Secretary of Health and Human
12 Services, shall establish a Federal Clearinghouse on
13 School Safety Best Practices (in this section referred
14 to as the ‘Clearinghouse’) within the Department.

15 “(2) PURPOSE.—The Clearinghouse shall be
16 the primary resource of the Federal Government to
17 identify and publish the best practices and rec-
18 ommendations for school safety for use by State and
19 local educational agencies, institutions of higher edu-
20 cation, State and local law enforcement agencies,
21 health professionals, and the general public.

22 “(3) PERSONNEL.—

23 “(A) ASSIGNMENTS.—The Clearinghouse
24 shall be assigned such personnel and resources
25 as the Secretary considers appropriate to carry
26 out this section.

1 “(B) DETAILEES.—The Secretary of Edu-
 2 cation, the Attorney General, and the Secretary
 3 of Health and Human Services may detail per-
 4 sonnel to the Clearinghouse.

5 “(4) EXEMPTIONS.—

6 “(A) PAPERWORK REDUCTION ACT.—
 7 Chapter 35 of title 44, United States Code
 8 (commonly known as the ‘Paperwork Reduction
 9 Act’) shall not apply to any rulemaking or in-
 10 formation collection required under this section.

11 “(B) FEDERAL ADVISORY COMMITTEE
 12 ACT.—The Federal Advisory Committee Act (5
 13 U.S.C. App.) shall not apply for the purposes of
 14 carrying out this section.

15 “(b) CLEARINGHOUSE CONTENTS.—

16 “(1) CONSULTATION.—In identifying the best
 17 practices and recommendations for the Clearing-
 18 house, the Secretary may consult with appropriate
 19 Federal, State, local, Tribal, private sector, and non-
 20 governmental organizations.

21 “(2) CRITERIA FOR BEST PRACTICES AND REC-
 22 OMMENDATIONS.—The best practices and rec-
 23 ommendations of the Clearinghouse shall, at a min-
 24 imum—

“(A) involve comprehensive school safety measures, including threat prevention, preparedness, protection, mitigation, incident response, ~~and recovery~~ *and recovery* to improve the safety posture of a school upon implementation; ~~and~~

“(B) *include any evidence or research rationale supporting the determination of the Clearinghouse that the best practice or recommendation has been shown to have a significant effect on improving the health, safety, and welfare of persons in school settings, including—*

“(i) evidence from an experimental or quasi-experimental study;

“(ii) high-quality research findings or a positive evaluation that such activity, strategy, or intervention is likely to improve the health, safety, and welfare of persons in school settings;

“(iii) findings and data from previous Federal or State commissions relating to school climate, health, safety, and welfare; or

“(iv) any other supporting evidence or findings relied upon by the Clearinghouse

1 *in determining best practices and rec-*
 2 *ommendations; and*

3 “~~(B)~~(C) include information on Federal
 4 grant programs for which implementation of
 5 each best practice or recommendation is an eli-
 6 gible use for the program.

7 “(3) PAST COMMISSION RECOMMENDATIONS.—
 8 To the greatest extent practicable, the Clearinghouse
 9 shall present, as appropriate, Federal, State, local,
 10 Tribal, private sector, and nongovernmental organi-
 11 zation issued best practices and recommendations
 12 and identify any best practice or recommendation of
 13 the Clearinghouse that was previously issued by any
 14 such organization *or commission*.

15 “(c) ASSISTANCE AND TRAINING.—The Secretary
 16 may produce and publish materials on the Clearinghouse
 17 to assist and train educational agencies and law enforce-
 18 ment agencies on the implementation of the best practices
 19 and recommendations.

20 “(d) CONTINUOUS IMPROVEMENT.—The Secretary
 21 shall—

22 “(1) collect for the purpose of continuous im-
 23 provement of the Clearinghouse—

24 “(A) Clearinghouse data analytics; ~~and~~

1 “(B) user feedback on the implementation
 2 of resources, best practices, and recommenda-
 3 tions identified by the Clearinghouse; and

4 “(C) *any evaluations conducted on the best*
 5 *practices and recommendations of the Clearing-*
 6 *house; and*

7 “(2) in coordination with the Secretary of Edu-
 8 cation, the Secretary of Health and Human Services,
 9 and the Attorney General—

10 “(A) regularly assess and identify Clear-
 11 inghouse best practices and recommendations
 12 for which there are no resources provided by
 13 Federal Government programs for implementa-
 14 tion; and

15 “(B) establish an external advisory board,
 16 which shall be comprised of appropriate State,
 17 local, private sector, and nongovernmental orga-
 18 nizations, including organizations representing
 19 parents of elementary and secondary school stu-
 20 dents, to—

21 “(i) provide feedback on the imple-
 22 mentation of best practices and rec-
 23 ommendations of the Clearinghouse; and

1 “(ii) propose additional recommenda-
 2 tions for best practices for inclusion in the
 3 Clearinghouse.

4 “(e) PARENTAL ASSISTANCE.—The Clearinghouse
 5 shall produce materials to assist parents and legal guard-
 6 ians of students with identifying relevant Clearinghouse
 7 resources and engaging with appropriate officials to sup-
 8 port the implementation of Clearinghouse best practices
 9 and recommendations.”.

10 (b) TECHNICAL AMENDMENTS.—The table of con-
 11 tents in section 1(b) of the Homeland Security Act of
 12 2002 (Public Law 107–296; 116 Stat. 2135) is amended
 13 by inserting after the item relating to section 2214 the
 14 following:

“Sec. 2215. Federal Clearinghouse on School Safety Best Practices.”.

15 **SEC. 3. NOTIFICATION OF CLEARINGHOUSE.**

16 (a) NOTIFICATION BY THE SECRETARY OF EDU-
 17 CATION.—The Secretary of Education shall provide writ-
 18 ten notification of the publication of the Federal Clearing-
 19 house on School Safety Best Practices (referred to in this
 20 section and section 4 as the “Clearinghouse”), as required
 21 to be established under section 2215 of the Homeland Se-
 22 curity Act of 2002, as added by section 2 of this Act, to—

23 (1) every State and local educational agency;
 24 and

1 (2) other Department of Education partners in
2 the implementation of the best practices and rec-
3 ommendations of the Clearinghouse, as determined
4 appropriate by the Secretary of Education.

5 (b) NOTIFICATION BY THE SECRETARY OF HOME-
6 LAND SECURITY.—The Secretary of Homeland Security
7 shall provide written notification of the publication of the
8 Clearinghouse, as required to be established under section
9 2215 of the Homeland Security Act of 2002, as added
10 by section 2 of this Act, to—

11 (1) every State homeland security advisor;
12 (2) every State department of homeland secu-
13 rity; and
14 (3) other Department of Homeland Security
15 partners in the implementation of the best practices
16 and recommendations of the Clearinghouse, as deter-
17 mined appropriate by the Secretary of Homeland Se-
18 curity.

19 (c) NOTIFICATION BY THE SECRETARY OF HEALTH
20 AND HUMAN SERVICES.—The Secretary of Health and
21 Human Services shall provide written notification of the
22 publication of the Clearinghouse, as required to be estab-
23 lished under section 2215 of the Homeland Security Act
24 of 2002, as added by section 2 of this Act, to—

1 (1) every State department of public health;
2 and

3 (2) other Department of Health and Human
4 Services partners in the implementation of the best
5 practices and recommendations of the Clearing-
6 house, as determined appropriate by the Secretary of
7 Health and Human Services.

8 (d) NOTIFICATION BY THE ATTORNEY GENERAL.—

9 The Attorney General shall provide written notification of
10 the publication of the Clearinghouse, as required to be es-
11 tablished under section 2215 of the Homeland Security
12 Act of 2002, as added by section 2 of this Act, to—

13 (1) every State department of justice; and

14 (2) other Department of Justice partners in the
15 implementation of the best practices and rec-
16 ommendations of the Clearinghouse, as determined
17 appropriate by the Attorney General.

18 **SEC. 4. GRANT PROGRAM REVIEW.**

19 (a) FEDERAL GRANTS AND RESOURCES.—The Sec-
20 retary of Education, the Secretary of Homeland Security,
21 the Secretary of Health and Human Services, and the At-
22 torney General shall each—

23 (1) review all grant programs administered by
24 their respective agency and identify any grant pro-
25 gram that may be used to award grants for the pur-

1 poses of implementing best practices and rec-
2 ommendations of the Clearinghouse;

3 (2) identify any best practices and rec-
4 ommendations of the Clearinghouse for which there
5 is not a Federal grant program that may be award-
6 ed for the purposes of implementing the best prac-
7 tice or recommendation; and

8 (3) report any findings under paragraph (2) to
9 the appropriate committees of Congress.

10 (b) STATE GRANTS AND RESOURCES.—The Clearing-
11 house shall, to the extent practicable, identify, for each
12 State—

13 (1) each agency responsible for school safety in
14 the State, or any State that does not have such an
15 agency designated;

16 (2) any grant program that may be used to
17 award grants for the purposes of implementing best
18 practices and recommendations of the Clearing-
19 house; and

20 (3) any resources other than grant programs
21 that may be used to assist in implementation of best
22 practices and recommendations of the Clearing-
23 house.

1 **SEC. 5. RULE OF CONSTRUCTION.**

2 *Nothing in this Act or the amendments made by this*
3 *Act shall be construed to create, satisfy, or waive any re-*
4 *quirement under—*

5 *(1) title II of the Americans With Disabilities*
6 *Act of 1990 (42 U.S.C. 12131 et seq.);*

7 *(2) the Rehabilitation Act of 1973 (29 U.S.C.*
8 *701 et seq.);*

9 *(3) title VI of the Civil Rights Act of 1964 (42*
10 *U.S.C. 2000d et seq.);*

11 *(4) title IX of the Education Amendments of*
12 *1972 (20 U.S.C. 1681 et seq.); or*

13 *(5) the Age Discrimination Act of 1975 (42*
14 *U.S.C. 6101 et seq.).*

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