

110TH CONGRESS
1ST SESSION

S. 1228

To amend section 485(f) of the Higher Education Act of 1965 regarding law enforcement emergencies.

IN THE SENATE OF THE UNITED STATES

APRIL 26, 2007

Mr. DURBIN (for himself and Mr. OBAMA) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend section 485(f) of the Higher Education Act of 1965 regarding law enforcement emergencies.

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 “Campus Law Enforce-
5 ment Emergency Response Act of 2007”.

6 **SEC. 2. LAW ENFORCEMENT EMERGENCIES.**

7 Section 485(f) of the Higher Education Act of 1965
8 (20 U.S.C. 1092(f)) is amended—

9 (1) by redesignating paragraphs (9) through
10 (15) as paragraphs (10) through (16), respectively;

1 (2) by inserting after paragraph (8) the fol-
 2 lowing:

3 “(9)(A) Each institution of higher education
 4 participating in any program under this title shall
 5 develop and distribute as part of the report de-
 6 scribed in paragraph (1)—

7 “(i) a statement of policy regarding the in-
 8 stitution’s law enforcement emergency response
 9 program; and

10 “(ii) statistics concerning the occurrence of
 11 law enforcement emergencies on the campus of
 12 the institution.

13 “(B) In this paragraph:

14 “(i) The term ‘campus’ has the meaning
 15 given the term in paragraph 6(A)(i), except
 16 that the term includes—

17 “(I) a noncampus building or prop-
 18 erty, as defined in paragraph (6)(A)(ii), of
 19 an institution of higher education; and

20 “(II) any public property, as defined
 21 in paragraph (6)(A)(iii), of an institution
 22 of higher education.

23 “(ii) The term ‘law enforcement emer-
 24 gency’ means a shooting, the presence of an
 25 armed and dangerous person, a bomb threat,

1 the presence of an unauthorized hazardous or
2 toxic material that poses a threat to health and
3 safety, a lock-down, a reverse evacuation, or
4 any other comparable type of incident, on the
5 campus of an institution of higher education,
6 that involves the participation of one or more
7 law enforcement agencies.

8 “(C) The policy described in subparagraph (A)
9 shall address the following:

10 “(i) Procedures students, employees, and
11 others on the campus of the institution will be
12 directed to follow if a law enforcement emer-
13 gency occurs.

14 “(ii) Procedures the institution and law en-
15 forcement agencies will follow to inform stu-
16 dents, employees, and others on the campus of
17 the institution about a law enforcement emer-
18 gency on the campus and will follow to direct
19 the actions of the students, employees, and oth-
20 ers. Such procedures may include e-mail alerts,
21 telephone alerts, text-message alerts, radio an-
22 nouncements, television alerts, audible alert sig-
23 nals, and public address announcements.

24 “(D) Each institution participating in any pro-
25 gram under this title shall test the institution’s law

1 enforcement emergency response policy and proce-
 2 dures on at least an annual basis.

3 “(E) Each institution participating in any pro-
 4 gram under this title shall make reports to the stu-
 5 dents, employees, and others on the campus of the
 6 institution, not later than 30 minutes after the dis-
 7 covery of a law enforcement emergency on the cam-
 8 pus, through the procedures described in subpara-
 9 graph (C)(ii).

10 “(F) The Secretary and the Attorney General
 11 shall jointly have the authority—

12 “(i) to review, monitor, and ensure compli-
 13 ance with this paragraph;

14 “(ii) to advise institutions of higher edu-
 15 cation on model law enforcement emergency re-
 16 sponse policies, procedures, and practices; and

17 “(iii) to disseminate information con-
 18 cerning those policies, procedures, and prac-
 19 tices.

20 “(G) CAMPUS LAW ENFORCEMENT EMERGENCY
 21 RESPONSE GRANTS.—

22 “(i) PROGRAM AUTHORITY.—The Sec-
 23 retary may make grants to institutions of high-
 24 er education or consortia of such institutions, or
 25 enter into contracts with such institutions, con-

sortia, and other organizations, to develop, implement, operate, improve, test, or disseminate campus law enforcement emergency response policies, procedures, or programs.

“(ii) AWARDS.—Grants and contracts under this subparagraph shall be awarded—

“(I) on a competitive basis; and

“(II) for a period not to exceed 1 year.

“(iii) APPLICATIONS.—An institution of higher education, a consortium, or an organization that desires to receive a grant or enter into a contract under this subparagraph shall submit an application to the Secretary at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require by regulation.

“(iv) PARTICIPATION.—In awarding grants and contracts under this subparagraph, the Secretary shall make every effort to ensure—

“(I) the equitable participation of institutions of higher education that are eligible to participate in programs under this title;

1 “(II) the equitable geographic partici-
2 pation of such institutions; and

3 “(III) the equitable participation of
4 such institutions with large and small en-
5 rollments.

6 “(v) AUTHORIZATION OF APPROPRIA-
7 TIONS.—There are authorized to be appro-
8 priated to carry out this subparagraph
9 \$5,000,000 for fiscal year 2008 and such sums
10 as may be necessary for each of the 4 suc-
11 ceeding fiscal years.”.

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