

116TH CONGRESS
1ST SESSION

H. R. 5229

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

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 21, 2019

Mr. DIAZ-BALART (for himself, Mr. DEUTCH, Mr. RUTHERFORD, and Mrs. MURPHY of Florida) introduced the following bill; which was referred to the Committee on Education and Labor, and in addition to the Committee on the Judiciary, 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 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—

1 “(A) involve comprehensive school safety
2 measures, including threat prevention, pre-
3 paredness, protection, mitigation, incident re-
4 sponse, and recovery to improve the safety pos-
5 ture of a school upon implementation;

6 “(B) include any evidence or research ra-
7 tionale supporting the determination of the
8 Clearinghouse that the best practice or rec-
9 ommendation has been shown to have a signifi-
10 cant effect on improving the health, safety, and
11 welfare of persons in school settings, includ-
12 ing—

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

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

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

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

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

3 “(C) include information on Federal grant
4 programs for which implementation of each best
5 practice or recommendation is an eligible use
6 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;

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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