

## 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.

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### 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

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## 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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