

117TH CONGRESS
1ST SESSION

S. 111

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

IN THE SENATE OF THE UNITED STATES

JANUARY 28, 2021

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

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 2021”.

6 **SEC. 2. FEDERAL CLEARINGHOUSE ON SCHOOL SAFETY**
7 **BEST PRACTICES.**

8 (a) IN GENERAL.—Subtitle A of title XXII of the
9 Homeland Security Act of 2002 (6 U.S.C. 651 et seq.)
10 is amended by inserting after section 2215 the following:

1 **“SEC. 2216. FEDERAL CLEARINGHOUSE ON SCHOOL SAFETY**
2 **BEST PRACTICES.**

3 “(a) ESTABLISHMENT.—

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

10 “(2) PURPOSE.—The Clearinghouse shall be
11 the primary resource of the Federal Government to
12 identify and publish online through
13 SchoolSafety.gov, or any successor website, the best
14 practices and recommendations for school safety for
15 use by State and local educational agencies, institu-
16 tions of higher education, State and local law en-
17 forcement agencies, health professionals, and the
18 general public.

19 “(3) PERSONNEL.—

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

24 “(B) DETAILEES.—The Secretary of Edu-
25 cation, the Attorney General, and the Secretary

of Health and Human Services may detail personnel to the Clearinghouse.

“(4) EXEMPTIONS.—

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

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

“(b) CLEARINGHOUSE CONTENTS.—

“(1) CONSULTATION.—In identifying the best practices and recommendations for the Clearinghouse, the Secretary may consult with appropriate Federal, State, local, Tribal, private sector, and non-governmental organizations.

“(2) CRITERIA FOR BEST PRACTICES AND RECOMMENDATIONS.—The best practices and recommendations of the Clearinghouse shall, at a minimum—

“(A) involve comprehensive school safety measures, including threat prevention, preparedness, protection, mitigation, incident re-

1 sponse, and recovery to improve the safety pos-
2 ture of a school upon implementation;

3 “(B) include any evidence or research ra-
4 tionale supporting the determination of the
5 Clearinghouse that the best practice or rec-
6 ommendation under subparagraph (A) has been
7 shown to have a significant effect on improving
8 the health, safety, and welfare of persons in
9 school settings, including—

10 “(i) relevant research that is evidence-
11 based, as defined in section 8101 of the
12 Elementary and Secondary Education Act
13 of 1965 (20 U.S.C. 7801), supporting the
14 best practice or recommendation;

15 “(ii) findings and data from previous
16 Federal or State commissions recom-
17 mending improvements to the safety pos-
18 ture of a school; or

19 “(iii) other supportive evidence or
20 findings relied upon by the Clearinghouse
21 in determining best practices and rec-
22 ommendations to improve the safety pos-
23 ture of a school upon implementation; and

24 “(C) include information on Federal grant
25 programs for which implementation of each best

1 practice or recommendation is an eligible use
2 for the program.

3 “(3) PAST COMMISSION RECOMMENDATIONS.—

4 To the greatest extent practicable, the Clearinghouse
5 shall present, as appropriate, Federal, State, local,
6 Tribal, private sector, and nongovernmental organi-
7 zation issued best practices and recommendations
8 and identify any best practice or recommendation of
9 the Clearinghouse that was previously issued by any
10 such organization or commission.

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

16 “(d) CONTINUOUS IMPROVEMENT.—The Secretary
17 shall—

18 “(1) collect for the purpose of continuous im-
19 provement of the Clearinghouse—

20 “(A) Clearinghouse data analytics;

21 “(B) user feedback on the implementation
22 of resources, best practices, and recommenda-
23 tions identified by the Clearinghouse; and

1 “(C) any evaluations conducted on imple-
 2 mentation of the best practices and rec-
 3 ommendations of the Clearinghouse; and

4 “(2) in coordination with the Secretary of Edu-
 5 cation, the Secretary of Health and Human Services,
 6 and the Attorney General—

7 “(A) regularly assess and identify Clear-
 8 inghouse best practices and recommendations
 9 for which there are no resources available
 10 through Federal Government programs for im-
 11 plementation; and

12 “(B) establish an external advisory board,
 13 which shall be comprised of appropriate State,
 14 local, Tribal, private sector, and nongovern-
 15 mental organizations, including organizations
 16 representing parents of elementary and sec-
 17 ondary school students, to—

18 “(i) provide feedback on the imple-
 19 mentation of best practices and rec-
 20 ommendations of the Clearinghouse; and

21 “(ii) propose additional recommenda-
 22 tions for best practices for inclusion in the
 23 Clearinghouse.

24 “(e) PARENTAL ASSISTANCE.—The Clearinghouse
 25 shall produce materials to assist parents and legal guard-

ians of students with identifying relevant Clearinghouse resources related to supporting the implementation of Clearinghouse best practices and recommendations.”.

(b) TECHNICAL AMENDMENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by inserting after the item relating to section 2215 the following:

“Sec. 2216. Federal Clearinghouse on School Safety Best Practices.”.

9 SEC. 3. NOTIFICATION OF CLEARINGHOUSE.

(a) NOTIFICATION BY THE SECRETARY OF EDUCATION.—The Secretary of Education shall provide written notification of the publication of the Federal Clearinghouse on School Safety Best Practices (referred to in this section and section 4 as the “Clearinghouse”), as required to be established under section 2216 of the Homeland Security Act of 2002, as added by section 2 of this Act, to—

(1) every State and local educational agency;

and

(2) other Department of Education partners in the implementation of the best practices and recommendations of the Clearinghouse, as determined appropriate by the Secretary of Education.

(b) NOTIFICATION BY THE SECRETARY OF HOMELAND SECURITY.—The Secretary of Homeland Security shall provide written notification of the publication of the

1 Clearinghouse, as required to be established under section
2 2216 of the Homeland Security Act of 2002, as added
3 by section 2 of this Act, to—

4 (1) every State homeland security advisor;

5 (2) every State department of homeland secu-
6 rity; and

7 (3) other Department of Homeland Security
8 partners in the implementation of the best practices
9 and recommendations of the Clearinghouse, as deter-
10 mined appropriate by the Secretary of Homeland Se-
11 curity.

12 (c) NOTIFICATION BY THE SECRETARY OF HEALTH
13 AND HUMAN SERVICES.—The Secretary of Health and
14 Human Services shall provide written notification of the
15 publication of the Clearinghouse, as required to be estab-
16 lished under section 2216 of the Homeland Security Act
17 of 2002, as added by section 2 of this Act, to—

18 (1) every State department of public health;
19 and

20 (2) other Department of Health and Human
21 Services partners in the implementation of the best
22 practices and recommendations of the Clearing-
23 house, as determined appropriate by the Secretary of
24 Health and Human Services.

1 (d) NOTIFICATION BY THE ATTORNEY GENERAL.—

2 The Attorney General shall provide written notification of
3 the publication of the Clearinghouse, as required to be es-
4 tablished under section 2216 of the Homeland Security
5 Act of 2002, as added by section 2 of this Act, to—

6 (1) every State department of justice; and

7 (2) other Department of Justice partners in the
8 implementation of the best practices and rec-
9 ommendations of the Clearinghouse, as determined
10 appropriate by the Attorney General.

11 **SEC. 4. GRANT PROGRAM REVIEW.**

12 (a) FEDERAL GRANTS AND RESOURCES.—The Sec-
13 retary of Education, the Secretary of Homeland Security,
14 the Secretary of Health and Human Services, and the At-
15 torney General shall each—

16 (1) review grant programs administered by
17 their respective agency and identify any grant pro-
18 gram that may be used to implement best practices
19 and recommendations of the Clearinghouse;

20 (2) identify any best practices and rec-
21 ommendations of the Clearinghouse for which there
22 is not a Federal grant program that may be used for
23 the purposes of implementing the best practice or
24 recommendation as applicable to the agency; and

1 (3) periodically report any findings under para-
2 graph (2) to the appropriate committees of Con-
3 gress.

4 (b) STATE GRANTS AND RESOURCES.—The Clearing-
5 house shall, to the extent practicable, identify, for each
6 State—

7 (1) each agency responsible for school safety in
8 the State, or any State that does not have such an
9 agency designated;

10 (2) any grant program that may be used for the
11 purposes of implementing best practices and rec-
12 ommendations of the Clearinghouse; and

13 (3) any resources other than grant programs
14 that may be used to assist in implementation of best
15 practices and recommendations of the Clearing-
16 house.

17 **SEC. 5. RULES OF CONSTRUCTION.**

18 (a) WAIVER OF REQUIREMENTS.—Nothing in this
19 Act or the amendments made by this Act shall be con-
20 strued to create, satisfy, or waive any requirement
21 under—

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

24 (2) the Rehabilitation Act of 1973 (29 U.S.C.
25 701 et seq.);

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

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

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

7 (b) PROHIBITION ON FEDERALLY DEVELOPED, MAN-
8 DATED, OR ENDORSED CURRICULUM.—Nothing in this
9 Act or the amendments made by this Act shall be con-
10 strued to authorize any officer or employee of the Federal
11 Government to engage in an activity otherwise prohibited
12 under section 103(b) of the Department of Education Or-
13 ganization Act (20 U.S.C. 3403(b)).

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