

**SUBSTITUTE OFFERED BY MR. OWENS OF UTAH
FOR THE AMENDMENT IN THE NATURE OF A
SUBSTITUTE TO H.R. 5428**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “School Safety and Pre-
3 paredness Act”.

4 SEC. 2. DEFINITIONS.

5 In this Act:

6 (1) OTHER STAFF.—The term “other staff”—

7 (A) has the meaning given such term in
8 section 8101(35) of the Elementary and Sec-
9 ondary Education Act of 1965 (20 U.S.C.
10 7801(35)); and

11 (B) shall be construed to apply to all
12 schools (as defined in paragraph (2)).

13 (2) SCHOOL.—The term “school” means—

14 (A) an early childhood education program
15 (as defined in section 103 of the Higher Edu-
16 cation Act of 1965 (20 U.S.C. 1003));

17 (B) an elementary school (as defined in
18 section 8101(19) of the Elementary and Sec-

1 ondary Education Act of 1965 (20
2 U.S.C.7801(19));

3 (C) a secondary school (as defined in sec-
4 tion 8101(45) of the Elementary and Secondary
5 Education Act of 1965 (20 U.S.C.7801(45)));
6 and

7 (D) an institution of higher education (as
8 defined in section 102 of the Higher Education
9 Act of 1965 (20 U.S.C. 1002)).

10 (3) SCHOOL LEADER.—The term “school lead-
11 er”—

12 (A) has the meaning given such term in
13 section 8101(44) of the Elementary and Sec-
14 ondary Education Act of 1965 (20 U.S.C.
15 7801(44)); and

16 (B) includes the chief administrative offi-
17 cer of a school defined in subparagraph (A) or
18 (D) of paragraph (2).

19 (4) STUDENT.—The term “student” means an
20 individual who is enrolled in, and attending classes
21 at, a school.

22 **SEC. 3. ANNUAL REPORT ON INDICATORS OF SCHOOL**
23 **CRIME AND SAFETY.**

24 (a) IN GENERAL.—

1 (1) REPORT.—The Secretary of Education,
2 through the National Center for Education Statistics
3 of the Department of Education and in conjunction
4 with the Bureau of Justice Statistics of the Office
5 of Justice Programs of the Department of Justice,
6 shall publish not less frequently than annually an
7 updated version of the National Center for Edu-
8 cation Statistics report NCES 2021–0092 issued in
9 July 2021.

10 (2) CONSULTATION.—In carrying out para-
11 graph (1), the Secretary of Education shall consult
12 with the Attorney General, the Secretary of Home-
13 land Security, and the Secretary of Health and
14 Human Services.

15 (b) STATISTICS ON SCHOOL CRIME AND SAFETY.—
16 In collecting data on school crime and safety to be com-
17 piled in the annual report described in subsection (a), the
18 Secretary of Education, in consultation with the Attorney
19 General, the Secretary of Homeland Security, and the Sec-
20 retary of Health and Human Services, shall periodically
21 review the data available to compile the report and deter-
22 mine if the data is sufficient to provide an accurate anal-
23 ysis of the crime and safety of schools, including crime
24 and safety incidents involving firearms.

1 (c) SAFETY AND PREVENTION.—In compiling the an-
2 nual report described in subsection (a), the Secretary of
3 Education shall analyze the existence or absence of safety
4 and prevention measures at schools and make rec-
5 ommendations, when sufficient evidence exists to support
6 such recommendations, about the safety and prevention
7 measures in schools that might mitigate or prevent crime
8 and safety incidents, including mitigating or preventing
9 crimes or safety incidents involving firearms.

10 (d) RULE OF CONSTRUCTION.—In collecting data on
11 crime and safety incidents to be compiled in the annual
12 report described in subsection (a), no data shall be re-
13 ported in a case where data is insufficient to yield statis-
14 tically reliable information or the results would reveal per-
15 sonally identifiable information about an individual stu-
16 dent, teacher, school leader, or other staff.

Amend the title so as to read: “A bill to require the Secretary of Education, in consultation with the Attorney General, the Secretary of Homeland Security, and the Secretary of Health and Human Services, to publish an annual report on indicators of school crime and safety, including indicators related to incidents involving firearms.”.

