

118TH CONGRESS
1ST SESSION

S. 1285

To direct the National Center for Education Statistics to produce an annual report on indicators of school crime and safety, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 25, 2023

Mr. BENNET introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To direct the National Center for Education Statistics to produce an annual report on indicators of school crime and safety, 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 “School Shooting Safety
5 and Preparedness Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) **TITLE 18 DEFINITIONS.**—The terms “fire-
9 arm” and “ammunition” have the meanings given
10 such terms in section 921 of title 18, United States

1 Code. The term “large capacity ammunition feeding
2 device” has the meaning given such term in section
3 921 of title 18, Unites States Code, as in effect on
4 September 1, 2004.

5 (2) MASS SHOOTING.—The term “mass shoot-
6 ing” means a shooting during which 3 or more indi-
7 viduals, not including the shooter, were injured or
8 killed in one location or in multiple locations in close
9 proximity.

10 (3) SCHOOL.—The term “school” means—

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

14 (B) an elementary school (as defined in
15 section 8101 of the Elementary and Secondary
16 Education Act of 1965 (20 U.S.C. 7801));

17 (C) a secondary school (as defined in sec-
18 tion 8101 of the Elementary and Secondary
19 Education Act of 1965 (20 U.S.C. 7801)); and

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

23 (4) SCHOOL SHOOTING.—The term “school
24 shooting” means an event or occurrence—

1 (A) during which one or more individuals
2 were injured or killed by a firearm; and

3 (B) that occurred—

4 (i) in, or on the grounds of, a school,
5 even if before or after school hours;

6 (ii) while the victim was traveling to
7 or from a regular session at school; or

8 (iii) while the victim was attending or
9 traveling to or from an official school-spon-
10 sored event.

11 **SEC. 3. ANNUAL REPORT ON INDICATORS OF SCHOOL**
12 **CRIME AND SAFETY.**

13 (a) IN GENERAL.—The Secretary of Education, in
14 consultation with the Attorney General and the Secretary
15 of Health and Human Services, shall publish not less fre-
16 quently than on an annual basis a report on indicators
17 of school crime and safety. Such report shall be produced
18 by the National Center for Education Statistics of the De-
19 partment of Education in consultation with the Bureau
20 of Justice Statistics of the Department of Justice. Such
21 report shall include, at a minimum, an updated version
22 of the information provided in the National Center for
23 Education Statistics report NCES 2022–092 issued in
24 July 2022, and the data described in subsections (b) and
25 (d).

1 (b) STATISTICS ON SCHOOL SHOOTINGS.—In col-
2 lecting data on school shootings to be compiled in the an-
3 nual report described in subsection (a), the National Cen-
4 ter for Education Statistics shall collect at a minimum the
5 following data annually:

6 (1) The number of school shootings that have
7 taken place nationwide.

8 (2) Of the school shootings described in para-
9 graph (1), the number that were mass shootings.

10 (3) Of the school shootings described in para-
11 graph (1), the number that were suicides.

12 (4) Of the school shootings described in para-
13 graph (1), the number that were accidents.

14 (5) The number of people killed in each school
15 shooting, including—

16 (A) the number of people whose cause of
17 death was attributable to wound by firearm;
18 and

19 (B) the number of people having some
20 other cause of death.

21 (6) The number of people injured in each school
22 shooting, including—

23 (A) the number of people wounded by fire-
24 arm; and

1 (B) the number of people injured in some
2 other manner.

3 (7) The time of the shooting and whether it oc-
4 curred during school hours.

5 (8) The demographics of each school, includ-
6 ing—

7 (A) the locale code of the school, as deter-
8 mined by the Secretary of Education; and

9 (B) student demographic data
10 disaggregated by—

11 (i) economically disadvantaged stu-
12 dents as compared to students who are not
13 economically disadvantaged;

14 (ii) each major racial and ethnic
15 group;

16 (iii) children with disabilities as com-
17 pared to children without disabilities; and

18 (iv) English proficiency status.

19 (9) The personal characteristics of each victim
20 in the shooting, including, at a minimum, the vic-
21 tim's—

22 (A) age;

23 (B) gender;

24 (C) race;

25 (D) ethnicity; and

1 (E) nationality.

2 (10) The personal characteristics of the shooter,
3 including, at a minimum, the shooter's—

4 (A) age;

5 (B) gender;

6 (C) race;

7 (D) ethnicity;

8 (E) nationality; and

9 (F) relationship to the school.

10 (11) Whether the shooting was determined to
11 be an accident, and if not, the motivation of the
12 shooter, including any real or perceived bias based
13 on race, religion, ethnicity, nationality, or sex (in-
14 cluding sexual orientation or gender identity).

15 (12) How the shooting was stopped, includ-
16 ing—

17 (A) whether the shooter was injured or
18 killed, and if so, by whom; and

19 (B) if not, what was the other outcome of
20 the incident (such as escape, arrest, or suicide).

21 (13) The number and type of firearms and am-
22 munition that were used in each shooting, includ-
23 ing—

24 (A) the make and model of the firearm;

25 (B) the manufacturer of the firearm;

1 (C) the make and model of the ammuni-
2 tion;

3 (D) the manufacturer of the ammunition;

4 (E) whether a large capacity ammunition
5 feeding device was present at the scene or used
6 during the shooting; and

7 (F) the number of rounds of ammunition
8 fired by the shooter over the course of the
9 shooting.

10 (14) Where each of the firearms used in each
11 shooting was obtained and how, including—

12 (A) whether the firearm was registered if
13 required;

14 (B) whether the firearm was purchased
15 from a licensed gun dealer or an unlicensed
16 sale; and

17 (C) the geographic location from where the
18 shooter obtained the firearm.

19 (15) If the original purchaser was not the
20 shooter, the original purchaser's relationship, if any,
21 to the shooter.

22 (16) If the original purchaser was not the
23 shooter and the firearm was obtained from the
24 shooter's home, the gun storage practices being used
25 in the home, and whether the gun owner was

1 charged with failing to properly secure his or her
2 firearm.

3 (17) Whether the school had one or more teach-
4 ers, as that term is defined in section 8553 of the
5 Elementary and Secondary Education Act of 1965
6 (20 U.S.C. 7943), who were armed, and if so,
7 whether such armed teacher or teachers stopped the
8 incident by shooting the shooter.

9 (18) The length of time that the shooting lasted
10 (the approximate elapsed time between the first and
11 last shots fired).

12 (19) The response time of law enforcement.

13 (c) HISTORIC STATISTICS ON SCHOOL SHOOTINGS.—
14 The Secretary of Education shall direct the National Cen-
15 ter for Education Statistics—

16 (1) to collect, to the extent practicable, the data
17 required in subsection (b) for shootings that oc-
18 curred before the date of the enactment of this Act;
19 and

20 (2) to publish such data as revisions to the
21 most applicable annual reports on indicators of
22 school crime and safety issued by the National Cen-
23 ter for Education Statistics before the date of the
24 enactment of this Act.

1 (d) SAFETY AND PREVENTION.—In collecting data
2 on school shootings to be compiled in the annual report
3 described in subsection (a), the National Center for Edu-
4 cation Statistics shall collect, at a minimum, information
5 on the existence or absence of the following measures at
6 the time of the shooting at schools where a school shooting
7 occurred in the previous year:

8 (1) Physical security measures, including—

9 (A) building envelopes and interiors de-
10 signed to protect occupants from human
11 threats; and

12 (B) other physical security measures de-
13 signed to avert and restrict violence.

14 (2) Other types of security measures, including
15 measures designed to preserve open learning envi-
16 ronments that positively influence student behavior.

17 (3) A communication plan with local law en-
18 forcement.

19 (4) A response plan that includes coordination
20 with local agencies (such as law enforcement, fire
21 department, and hospitals).

22 (5) An active shooter response plan (including
23 the use of an alert system to notify students, faculty,
24 and parents or guardians).

1 (6) A trauma response plan to address trauma
2 resulting from the shooting, including coordination
3 with school-based counselors, other school mental
4 health professionals, and appropriate community
5 partners and organizations, such as community ac-
6 tion programs or agencies.

7 (7) Any other similar type of safety or preven-
8 tion measure in place at the time of the school
9 shooting.

10 (e) RULE OF CONSTRUCTION.—In collecting data on
11 school shootings to be compiled in the annual report de-
12 scribed in subsection (a), any data disaggregation required
13 by subsection (b) shall not be required in the case where
14 such disaggregation would reveal personally identifiable
15 information about any individual.

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