

117TH CONGRESS
2D SESSION

S. 4845

To provide for safe schools and safe communities.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 14, 2022

Mr. CRUZ (for himself and Mr. BARRASSO) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To provide for safe schools and safe communities.

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 “Securing Our Schools
5 Act of 2022”.

6 **SEC. 2. NONPROFIT SECURITY GRANT PROGRAM.**

7 Section 2009 of the Homeland Security Act of 2002
8 (6 U.S.C. 609a) is amended—

9 (1) in subsection (e), by striking “2020 through
10 2024” and inserting “2023 through 2030”;

1 (2) by redesignating subsection (f) as sub-
2 section (i);

3 (3) by inserting after subsection (e) the fol-
4 lowing:

5 “(f) FEEDBACK.—

6 “(1) IN GENERAL.—If the Administrator denies
7 an application for a grant under this section, not
8 later than 120 days after the date of the denial, the
9 Administrator shall—

10 “(A) notify the applicant; and

11 “(B) provide an explanation for the denial.

12 “(2) EXPLANATION.—An explanation described
13 in paragraph (1)(B) shall include information identi-
14 fying the reason for the denial of the application, in-
15 cluding—

16 “(A) any factors that led to a lower score
17 or rank compared to other applicants; and

18 “(B) an identification of any deficiencies in
19 the application.

20 “(g) ADMINISTRATIVE COSTS AND TECHNICAL AS-
21 SISTANCE.—A State through which the Administrator
22 makes a grant to an eligible nonprofit organization under
23 this section shall receive a 5-percent increase in the
24 amount of the grant—

25 “(1) for administrative costs; and

1 “(2) to provide technical assistance to the eligi-
2 ble nonprofit organization.

3 “(h) APPLICATION UPDATE AND IMPROVEMENTS.—

4 “(1) PUBLIC MEETING.—Not later than 90
5 days after the date of enactment of the Securing
6 Our Schools Act of 2022, the Administrator shall
7 hold a public meeting to solicit recommendations on
8 updating the application process for a grant under
9 this section.

10 “(2) REPORT.—Not later than 180 days after
11 the date of enactment of the Securing Our Schools
12 Act of 2022, the Administrator shall—

13 “(A) develop recommendations to mod-
14 ernize and update the application process for a
15 grant under this section, which shall include
16 considerations for—

17 “(i) establishing a more streamlined
18 application process;

19 “(ii) establishing greater uniformity in
20 the application process among all appli-
21 cants and the guidance provided to States
22 through which the Administrator makes
23 grants to eligible nonprofit organizations
24 under this section;

1 “(iii) ensuring that the application
2 template is compatible with the latest or
3 most widely used version of software pro-
4 grams; and

5 “(iv) coordinating with the Adminis-
6 trator of General Services to ensure that
7 applications submitted under this section
8 are compatible across online platforms of
9 the Federal Government; and

10 “(B) submit to the Committee on Home-
11 land Security and Governmental Affairs of the
12 Senate and the Committee on Homeland Secu-
13 rity of the House of Representatives a report
14 that includes—

15 “(i) the recommendations developed
16 under subparagraph (A); and

17 “(ii) a description of whether the rec-
18 ommendations developed under subpara-
19 graph (A) are consistent with feedback re-
20 ceived at the public meeting required under
21 paragraph (1).

22 “(3) IMPLEMENTATION OF RECOMMENDA-
23 TIONS.—Not later than 270 days after the date of
24 enactment of the Securing Our Schools Act of 2022,

1 the Administrator shall implement the recommenda-
 2 tions developed under paragraph (2)(A).

3 “(4) PAPERWORK REDUCTION ACT WAIVER.—
 4 For the purpose of meeting the deadlines established
 5 under this subsection, the Secretary may waive the
 6 application of subchapter I of chapter 35 of title 44,
 7 United States Code, to the requirements of this sub-
 8 section.”; and

9 (4) in subsection (i), as so redesignated—

10 (A) in paragraph (1), by striking “\$75 mil-
 11 lion for each of fiscal years 2020 through
 12 2024” and inserting “\$540,000,000 for each of
 13 fiscal years 2023 through 2030”;

14 (B) by striking paragraph (2); and

15 (C) by adding at the end the following:

16 “(2) HIGH-RISK URBAN AREAS.—Of the
 17 amounts made available to carry out this section for
 18 each of fiscal years 2023 through 2030, not less
 19 than 0.35 percent shall be for grants to eligible re-
 20 cipients located in each high-risk urban area receiv-
 21 ing grants under section 2003.

22 “(3) SALARIES AND EXPENSES.—Of the
 23 amounts made available to carry out this section in
 24 any fiscal year, the Administrator may transfer to
 25 another account of the Federal Emergency Manage-

1 ment Agency not more than 3 percent for salaries
 2 and administrative expenses, including any necessary
 3 expenses to provide feedback or technical assistance
 4 to applicants for a grant under this section in ac-
 5 cordance with subsection (g).”.

6 **SEC. 3. SECURING SCHOOLS.**

7 (a) IN GENERAL.—

8 (1) APPROPRIATION.—There are authorized to
 9 be appropriated, and there are appropriated, to the
 10 Secretary of Education to carry out subpart 1 of
 11 part A of title IV of the Elementary and Secondary
 12 Education Act of 1965 (20 U.S.C. 7111),
 13 \$2,560,000,000 for fiscal years 2023 to 2032.

14 (2) SCHOOL SECURITY.—The Secretary of Edu-
 15 cation shall use 50 percent of the funds appropriated
 16 under paragraph (1) to carry out clause (v) of sec-
 17 tion 4104(b)(3)(B) of the Elementary and Sec-
 18 ondary Education Act of 1965 (20 U.S.C.
 19 7114(b)(3)(B)).

20 (b) ELEMENTARY AND SECONDARY EDUCATION ACT
 21 OF 1965.—Section 4104 of the Elementary and Secondary
 22 Education Act of 1965 (20 U.S.C. 7114) is amended in
 23 subsection (b)(3)(B)—

24 (1) in clause (iii), by striking “and” at the end;
 25 and

1 (2) by inserting after clause (iv) the following:

2 “(v) improving school conditions for
3 student learning, by enabling local edu-
4 cational agencies to use funds available
5 under subsection (a)(3) for the purpose of
6 planning and designing school buildings
7 and facilities, installing infrastructure, and
8 implementing technology or other meas-
9 ures, that strengthen security on school
10 premises, which may include—

11 “(I) controlling access to school
12 premises or facilities, through the use
13 of metal detectors, or other measures,
14 or technology, with evidence-based ef-
15 fectiveness (to the extent the State in-
16 volved determines that such evidence
17 is reasonably available), which may in-
18 clude—

19 “(aa) secured campus exter-
20 nal gate or locked doors or check-
21 in points;

22 “(bb) active shooter alert
23 systems;

24 “(cc) access control;

25 “(dd) internal door locks;

1 “(ee) peepholes for class-
2 room doors;

3 “(ff) school site alarm and
4 protection systems;

5 “(gg) metal detectors or x-
6 ray machines (including port-
7 able);

8 “(hh) door locking mecha-
9 nisms and access control doors;

10 “(ii) increased lighting on
11 school grounds;

12 “(jj) emergency call boxes;

13 “(kk) two-way radios;

14 “(ll) emergency alerts;

15 “(mm) surveillance cameras
16 or systems and infrastructure
17 (such as poles and wiring);

18 “(nn) software costs and
19 warranties;

20 “(oo) fencing and gating;
21 and

22 “(pp) emergency generators
23 to provide back-up power for
24 phone systems, critical lighting,
25 and essential outlets;

1 “(II) implementing any tech-
2 nology or measure, or installing any
3 infrastructure, to cover and conceal
4 students within the school during cri-
5 sis situations;

6 “(III) implementing technology
7 to provide coordination with law en-
8 forcement and notification to relevant
9 law enforcement and first responders
10 during such a situation, which shall
11 include—

12 “(aa) emergency planning
13 and preparation;

14 “(bb) emphasis on a school
15 safety plan with buy in from all
16 elements of the school commu-
17 nity, including board members,
18 employees, students, parents, law
19 enforcers, government and busi-
20 ness leaders, the media, and local
21 residents;

22 “(cc) school implementation
23 of threat assessment programs;

1 “(dd) development of dis-
2 trict-based mandatory incident
3 reporting systems;

4 “(ee) establishment of local
5 school safety advisory groups (in-
6 cluding parents, families, judges,
7 first responders, health and
8 human service professionals, and
9 mental health professionals);

10 “(ff) evidence-based training
11 for school resource officers,
12 school personnel, and students to
13 prevent student violence to enable
14 them to recognize and quickly re-
15 spond to warning signs;

16 “(gg) development and oper-
17 ations of anonymous reporting
18 systems;

19 “(hh) evidence-based school
20 threat assessment and crisis
21 intervention teams;

22 “(ii) programs to facilitate
23 coordination with local law en-
24 forcement;

1 “(jj) liability and insurance
2 for school districts;

3 “(kk) trauma-informed
4 training for school staff on re-
5 sponses to active shooter situa-
6 tions; and

7 “(ll) community engagement
8 for planning and implementing
9 safety policies and procedures;

10 “(IV) implementing any tech-
11 nology or measure, including hiring
12 school security officers, or installing
13 any infrastructure, with evidence-
14 based effectiveness (to the extent the
15 State involved determines that such
16 evidence is reasonably available) to in-
17 crease the safety of school students
18 and staff;

19 “(V) implementing any tech-
20 nology or measure, or installing any
21 infrastructure, for school safety rein-
22 forcement, including bullet-resistant
23 doors and windows; and

24 “(VI) implementing any tech-
25 nology or system that would reduce

1 the time needed to disseminate official
 2 information to parents regarding the
 3 safety of their children during and im-
 4 mediately following a crisis;”.

5 **SEC. 4. IMPROVING SCHOOL SECURITY THROUGH THE**
 6 **COPS ON THE BEAT PROGRAM.**

7 Section 1701(b) of title I of the Omnibus Crime Con-
 8 trol and Safe Streets Act of 1968 (34 U.S.C. 10381(b))
 9 is amended—

10 (1) in paragraph (22), by striking “and” at the
 11 end;

12 (2) in paragraph (23), by striking the period at
 13 the end and inserting a semicolon; and

14 (3) by adding at the end the following:

15 “(24) to pay salaries and expenses of school re-
 16 source officers at public, charter, and private ele-
 17 mentary schools and secondary schools (as such
 18 terms are defined under section 8101 of the Elemen-
 19 tary and Secondary Education Act of 1965 (20
 20 U.S.C. 7801)); and

21 “(25) to improve physical school security at
 22 public, charter, and private elementary schools and
 23 secondary schools (as such terms are defined under
 24 section 8101 of the Elementary and Secondary Edu-
 25 cation Act of 1965 (20 U.S.C. 7801)) by obtaining

1 security equipment to protect students in schools
2 and equip law enforcement officers responding to
3 school security issues and installing physical struc-
4 ture improvements, including—

5 “(A) fencing, external gates, door locks,
6 and check-in points, to establish a secured cam-
7 pus;

8 “(B) active shooter alert systems;

9 “(C) access controls;

10 “(D) internal door locks;

11 “(E) school site alarm and protection sys-
12 tems;

13 “(F) metal detector or x-ray machines (in-
14 cluding portable machines);

15 “(G) ballistic safety equipment for schools
16 and responding law enforcement officers;

17 “(H) increased lighting on school grounds;

18 “(I) emergency call boxes;

19 “(J) two-way radios;

20 “(K) emergency alert systems;

21 “(L) surveillance cameras or systems, in-
22 cluding infrastructure for such systems such as
23 poles and wiring;

24 “(M) software costs and warranties; and

1 “(N) emergency generators to provide
2 back-up power for phone systems, critical light-
3 ing, and essential outlets.”.

4 **SEC. 5. STUDENT MENTAL HEALTH.**

5 (a) STUDENT ACCESS TO MENTAL HEALTH PRO-
6 GRAM FUND.—

7 (1) DEFINITIONS.—In this subsection:

8 (A) ELIGIBLE SCHOOL.—The term “eligi-
9 ble school” means a school in which the lowest
10 grade at the school is not lower than grade 6
11 and the highest grade at the school is not high-
12 er than grade 12.

13 (B) SECRETARY.—The term “Secretary”
14 means the Secretary of Education.

15 (2) STUDENT ACCESS TO MENTAL HEALTH
16 PROGRAM FUND.—

17 (A) IN GENERAL.—From the funds made
18 available to carry out section 2001 of the Amer-
19 ican Rescue Plan Act of 2021 (20 U.S.C. 3401
20 note), \$10,000,000,000 shall be transferred to
21 establish the “Student Access to Mental Health
22 Program Fund”, to remain available through
23 September 30, 2031. The Secretary shall use
24 amounts available in such Fund to award
25 grants to States, from allocations under sub-

1 paragraph (B), to enable the States to support
2 the salary of a mental health professional in eli-
3 gible schools located in the State.

4 (B) ALLOCATION.—From the amounts
5 available in the Fund established under sub-
6 paragraph (A), the Secretary shall make an al-
7 location to each State in the same proportion as
8 the number of eligible schools located in the
9 State.

10 (C) PARTNERSHIP.—

11 (i) IN GENERAL.—A State awarded a
12 grant under this subsection shall comply
13 with the following:

14 (I) The State shall use the grant
15 funds to cover the cost of the salary,
16 which shall be not more than \$55,000,
17 for 10 years for a mental health pro-
18 fessional to serve eligible schools lo-
19 cated in the State. Such mental health
20 professional shall serve not more than
21 5 eligible schools in any school year by
22 rotating among the schools for not
23 less than 1 day a week at each such
24 school.

1 (II) The State shall expend non-
 2 Federal funds to pay for the other
 3 costs of recruitment, training, and
 4 benefits for each such mental health
 5 professional, and any other expenses
 6 related to such employment.

7 (ii) CONDITIONS OF GRANTS.—A
 8 State awarded a grant under this sub-
 9 section shall require that each eligible
 10 school served by the grant—

11 (I) provide to the parents of any
 12 student enrolled in the school who has
 13 not reached age 19 who meets with a
 14 mental health professional employed
 15 at the school with all counseling
 16 records and mental health assess-
 17 ments for such student;

18 (II) not teach Critical Race The-
 19 ory or include Critical Race Theory in
 20 any school program; and

21 (III) not advocate for abortion or
 22 abortion services in any form.

23 (b) FUNDS FOR PROGRAMS.—The unobligated bal-
 24 ance of funds made available to carry out sections 2021
 25 and 6002 of the American Rescue Plan Act of 2021 (Pub-

1 lie Law 117–2) shall be transferred to, and evenly divided
 2 among, the following programs:

3 (1) Project AWARE State Educational Agency
 4 Grant Program carried out by the Secretary of
 5 Health and Human Services.

6 (2) Student Support and Academic Enrichment
 7 Grant Program carried out by the Secretary of Edu-
 8 cation.

9 (3) Community Mental Health Services Block
 10 Grant Program carried out by the Secretary of
 11 Health and Human Services.

12 (4) Children’s Mental Health Initiative of the
 13 Substance Abuse and Mental Health Services Ad-
 14 ministration.

15 (c) BEST PRACTICES.—

16 (1) ESEA DEFINITIONS.—In this subsection,
 17 the terms “elementary school” and “secondary
 18 school” have the meanings given the terms in section
 19 8101 of the Elementary and Secondary Education
 20 Act of 1965 (20 U.S.C. 7801).

21 (2) DEVELOPMENT AND DISSEMINATION OF
 22 BEST PRACTICES.—Not later than 1 year after the
 23 date of enactment of this Act, the Administrator of
 24 the Substance Abuse and Mental Health Services
 25 Administration, the Secretary of Health and Human

1 Services, and the Secretary of Education shall work
2 in consultation to—

3 (A) develop best practices for identifying
4 warning signs of mental health problems with
5 students and identify warning signs for teachers
6 and administrator that a student is at high-risk
7 for violence, specifically for a mass shooting;

8 (B) develop best practices for identifying
9 warning signs of mental health problems with
10 children and identify warning signs for individ-
11 uals who work at a social service agency that a
12 child under the age of 18 is at high-risk for vio-
13 lence, specifically for a mass shooting; and

14 (C) disseminate the best practices devel-
15 oped under subparagraphs (A) and (B) to each
16 elementary school and secondary school in the
17 United States, and publish the best practices on
18 a publicly accessible website of the Department
19 of Education and the Substance Abuse and
20 Mental Health Services Administration.

21 (d) GAO STUDY.—

22 (1) IN GENERAL.—The Comptroller General of
23 the United States shall conduct a study on how
24 many elementary schools and secondary schools in
25 the United States have a mental health provider for

1 students, how many students take advantage of the
 2 mental health services, the main causes for students
 3 to access the services.

4 (2) ESEA DEFINITIONS.—In this subsection,
 5 the terms “elementary school” and “secondary
 6 school” have the meanings given the terms in section
 7 8101 of the Elementary and Secondary Education
 8 Act of 1965 (20 U.S.C. 7801).

9 **SEC. 6. AUTHORIZATION AND APPROPRIATIONS OF FUNDS.**

10 The unobligated balance of funds made available to
 11 carry out section 18003 of division B of the CARES Act
 12 (Public Law 116–136; 134 Stat. 565), section 313 of the
 13 Coronavirus Response and Relief Supplemental Appro-
 14 priations Act, 2021 (division M of Public Law 116–260;
 15 134 Stat. 1929), and section 2001 of the American Rescue
 16 Plan Act of 2021 (20 U.S.C. 3401 note) shall be trans-
 17 ferred to the Secretary of Education to be used to carry
 18 out this Act in an amount not to exceed \$38,000,000,000.

19 **SEC. 7. NO FEDERAL FUNDING FOR ABORTIONS.**

20 (a) IN GENERAL.—No funds authorized or appro-
 21 priated by this Act, or an amendment made by this Act,
 22 shall be expended for any abortion or counseling that re-
 23 sults in encouraging, facilitating, or referral for an abor-
 24 tion.

1 (b) HEALTH BENEFITS COVERAGE.—No funds au-
2 thorized or appropriated by this Act, or an amendment
3 made by this Act, shall be expended for health benefits
4 coverage that includes coverage of abortion.

5 (c) EXCEPTIONS.—The limitations established in
6 paragraphs (a) and (b) shall not apply to an abortion—

7 (1) if the pregnancy is the result of an act of
8 rape or incest; or

9 (2) in the case where a woman suffers from a
10 physical disorder, physical injury, or physical illness,
11 including a life-endangering physical condition
12 caused by or arising from the pregnancy itself, that
13 would, as certified by a physician, place the woman
14 in danger of death unless an abortion is performed.

○