

116TH CONGRESS  
1ST SESSION

# H. R. 4301

To require the Secretary of Education, in consultation with the Attorney General and the Secretary of Health and Human Services, to publish an annual report on indicators of school crime and safety that includes data on school shootings, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 12, 2019

Ms. GABBARD (for herself, Mrs. MCBATH, and Mrs. HAYES) introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To require the Secretary of Education, in consultation with the Attorney General and the Secretary of Health and Human Services, to publish an annual report on indicators of school crime and safety that includes data on school shootings, 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:

1           (1) TITLE 18 DEFINITIONS.—The terms “fire-  
2       arm” and “ammunition” have the meanings given  
3       such terms in section 921 of title 18, United States  
4       Code. The term “large capacity ammunition feeding  
5       device” has the meaning given such term in section  
6       921 of title 18, United States Code, as in effect on  
7       September 1, 2004.

8           (2) MASS SHOOTING.—The term “mass shoot-  
9       ing” means a shooting during which three or more  
10      individuals, not including the shooter, were injured  
11      or killed in one location or in multiple locations in  
12      close proximity.

13          (3) 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 of the Elementary and Secondary  
19                Education Act of 1965 (20 U.S.C. 7801));

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

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

1           (4) SCHOOL SHOOTING.—The term “school  
2 shooting”—

3           (A) means an event or occurrence—

4                 (i) during which one or more individ-  
5 uals were injured or killed by a firearm;  
6 and

7                 (ii) that occurred—

8                         (I) in, or on the grounds of, a  
9 school, even if before or after school  
10 hours;

11                        (II) while the victim was trav-  
12 eling to or from a regular session at  
13 school; or

14                        (III) while the victim was attend-  
15 ing or traveling to or from an official  
16 school sponsored event; and

17           (B) does not include an accidental shoot-  
18 ing.

19 **SEC. 3. ANNUAL REPORT ON INDICATORS OF SCHOOL**  
20 **CRIME AND SAFETY.**

21           (a) IN GENERAL.—The Secretary of Education, in  
22 consultation with the Attorney General and the Secretary  
23 of Health and Human Services, shall publish not less fre-  
24 quently than on an annual basis a report on indicators  
25 of school crime and safety. Such report shall be produced

1 by the National Center for Education Statistics of the De-  
2 partment of Education in consultation with the Bureau  
3 of Justice Statistics of the Department of Justice. Such  
4 report shall include, at a minimum, an updated version  
5 of the information provided in the National Center for  
6 Education Statistics report NCES 2019–047 issued in  
7 April 2019, and the data described in subsections (b) and  
8 (d).

9 (b) STATISTICS ON SCHOOL SHOOTINGS.—In col-  
10 lecting data on school shootings to be compiled in the an-  
11 nual report described in subsection (a), the National Cen-  
12 ter on Education Statistics shall collect at a minimum the  
13 following data annually:

14 (1) The number of school shootings that have  
15 taken place nationwide.

16 (2) The number of mass shootings that have  
17 taken place nationwide.

18 (3) The number of school shootings that were  
19 suicides.

20 (4) The number of people killed in each school  
21 shooting.

22 (5) The number of people injured in each school  
23 shooting.

24 (6) The time of the shooting and whether it oc-  
25 curred during school hours.

1           (7) The age, gender, race, ethnicity, and nation-  
2           ality of each victim in each shooting.

3           (8) The age, gender, race, ethnicity, nationality,  
4           and relationship to the school of each shooter.

5           (9) The motivation of the shooter, including any  
6           real or perceived bias.

7           (10) How the shooting was stopped, includ-  
8           ing—

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

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

13           (11) The number and type of firearms and am-  
14           munition were used in each shooting, including—

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

16                   (B) the manufacturer of the firearm;

17                   (C) the make and model of the ammuni-  
18                  tion;

19                   (D) the manufacturer of the ammunition;

20                   (E) whether a large capacity ammunition  
21                  feeding device was present at the scene or used  
22                  during the shooting; and

23                   (F) the number of rounds of ammunition  
24                  fired by the shooter over the course of the  
25                  shooting.

1           (12) Criminal records of the shooter that indi-  
2           cate a tendency toward violence.

3           (13) Where each of the firearms used in each  
4           shooting was obtained and how, including—

5                   (A) whether the firearm was registered;  
6                   and

7                   (B) whether the firearm was purchased  
8                   from a licensed gun dealer or an unlicensed  
9                   sale.

10          (14) If the original purchaser was not the  
11          shooter, what was, if any, the original purchaser's  
12          relationship to the shooter.

13          (15) If the original purchaser was not the  
14          shooter and the firearm was obtained from the  
15          shooter's home, the gun storage practices being used  
16          in the home, and whether the gun owner was  
17          charged with failing to properly secure his or her  
18          firearm.

19          (16) Whether the school had armed teachers, as  
20          that term is defined in section 8553 of the Elemen-  
21          tary and Secondary Education Act of 1965 (20  
22          U.S.C. 7943), and if so, whether such armed teach-  
23          ers stopped the incident by shooting the shooter.

1           (17) How long did the shooting last (the ap-  
2       proximate elapsed time between the first and last  
3       shots fired).

4           (18) What was the response time of law en-  
5       forcement.

6       (c) HISTORIC STATISTICS ON SCHOOL SHOOTINGS.—  
7   To the extent practicable, the Secretary of Education shall  
8   direct the National Center on Education Statistics to col-  
9   lect the data required in subsection (b) for shootings that  
10   occurred prior to the date of the enactment of this Act,  
11   and publish such data as a revision to any annual report  
12   on indicators of school crime and safety issued by the Na-  
13   tional Center on Education Statistics prior to the date of  
14   the enactment of this Act.

15       (d) SAFETY AND PREVENTION.—In collecting data  
16   on school shootings to be compiled in the annual report  
17   described in subsection (a), the National Center on Edu-  
18   cation Statistics shall collect, at a minimum, information  
19   on the existence or absence of the following safety and  
20   prevention measures at the time of the shooting at schools  
21   where a school shooting occurred in the previous year:

22           (1) Structural physical security measures.

23           (2) School structural features that are designed  
24       with best practices to avert and restrict violence

1 while preserving open learning environments that  
2 positively influence student behavior.

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

5 (4) A response plan that includes coordination  
6 with local agencies (law enforcement, fire depart-  
7 ment, hospitals, etc.).

8 (5) An active shooter response plan.

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

12 (e) RULE OF CONSTRUCTION.—In collecting data on  
13 school shootings to be compiled in the annual report de-  
14 scribed in subsection (a), any data disaggregation required  
15 by subsection (b) shall not be required in the case where  
16 the number of students in a disaggregated subgroup is in-  
17 sufficient to yield statistically reliable data or the results  
18 would reveal personally identifiable information about an  
19 individual student.

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