

117TH CONGRESS
2D SESSION

S. 4369

To allow States and local educational agencies to use any remaining COVID–19 elementary and secondary school emergency relief funds for school security measures.

IN THE SENATE OF THE UNITED STATES

JUNE 9, 2022

Mr. MARSHALL (for himself, Mr. BARRASSO, Mrs. BLACKBURN, Mr. BRAUN, Mr. DAINES, Mr. GRASSLEY, Mr. JOHNSON, Mr. MORAN, Mr. SCOTT of Florida, Mr. SCOTT of South Carolina, Mr. TILLIS, Mr. WICKER, Mr. YOUNG, and Mr. KENNEDY) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To allow States and local educational agencies to use any remaining COVID–19 elementary and secondary school emergency relief funds for school security measures.

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 “Safe Schools Act”.

5 **SEC. 2. ADDITIONAL FUNDS FOR SCHOOL SECURITY.**

6 (a) IN GENERAL.—Notwithstanding any other provi-
7 sion of an ESSERF program or any other law, a State

1 or local educational agency that has received funds under
2 an ESSERF program may, in lieu of the original re-
3 quested or authorized use for such funds, use a portion
4 of, or all, of the unexpended funds to carry out 1 or more
5 school security measures.

6 (b) NO FEDERAL INTERFERENCE.—The Secretary of
7 Education shall not—

8 (1) prevent or discourage any State or local
9 educational agency from using any ESSERF pro-
10 gram funds for school security measures;

11 (2) require the use of funds under subsection
12 (a) to be in response to, or in any way connected
13 with, the coronavirus; or

14 (3) enforce any requirement of an ESSERF
15 program if such requirement would prevent a State
16 or local educational agency from carrying out a
17 school security measure authorized under subsection
18 (a).

19 (c) DEFINITIONS.—In this section:

20 (1) ESSERF PROGRAM.—The term “ESSERF
21 program” means a program carried out under—

22 (A) section 18003 of the CARES Act (20
23 U.S.C. 3401 note; Public Law 116–136);

1 (B) section 313 of division M of the Con-
2 solidated Appropriations Act, 2021 (Public Law
3 116–260; 134 Stat. 1929); or

4 (C) section 2001 of the American Rescue
5 Plan Act of 2021 (Public Law 117–2; 135 Stat.
6 19).

7 (2) SCHOOL SECURITY MEASURE.—The term
8 “school security measure” means any of the fol-
9 lowing:

10 (A) An evidence-based strategy or program
11 to prevent violence, which may include the use
12 of appropriate technologies, including the place-
13 ment and use of metal detectors and other de-
14 terrent measures and emergency notification
15 and response technologies.

16 (B) Training to prevent student violence
17 against others and self, including training for
18 local law enforcement officers, school personnel,
19 and students.

20 (C) The development and operation of an
21 anonymous reporting system for threats of
22 school violence, including a mobile telephone ap-
23 plication, hotline, or internet website.

24 (D) The development and operation of—

1 (i) a school threat assessment and
2 intervention team that may include coordi-
3 nation with law enforcement agencies and
4 school personnel; and

5 (ii) specialized training for school offi-
6 cials in responding to mental health crises.

7 (E) Coordination with local law enforce-
8 ment agencies.

9 (F) A security assessment.

10 (G) Security training of personnel and stu-
11 dents.

12 (H) Acquisition and installation of tech-
13 nology for expedited notification of local law en-
14 forcement during an emergency.

15 (I) Reinforcing or replacing classroom
16 doors, locks, or window panels.

17 (J) Constructing fencing, bollards, plant-
18 ers, curbs, walls, or any other entry control
19 measure to create a single point of entry to the
20 campus.

21 (K) Clearing exterior spaces of foliage or
22 structures to eliminate spaces that could con-
23 ceal illicit activity, provide access to the build-
24 ing above the first floor, or otherwise aid an in-
25 truder.

1 (L) Installing a system to monitor
2 entryways, hallways, stairwells, and utility
3 rooms, such as physical inspection, a buzz-in
4 system, or surveillance cameras.

5 (M) Hiring and paying the salaries of
6 qualified individuals, such as retired law en-
7 forcement officers or military veterans, to serve
8 as armed school resource officers.

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