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HOUSE OF REPRESENTATIVES
REPORT
116–701

SCHOOL SHOOTING SAFETY AND PREPAREDNESS ACT

DECEMBER 28, 2020.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. SCOTT of Virginia, from the Committee on Education and Labor, submitted the following

R E P O R T

together with

MINORITY VIEWS

[To accompany H.R. 4301]

[Including cost estimate of the Congressional Budget Office]

The Committee on Education and Labor, to whom was referred the bill (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, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

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The amendment is as follows:
Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "School Shooting Safety and Preparedness Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) TITLE 18 DEFINITIONS.—The terms "firearm" and "ammunition" have the meanings given such terms in section 921 of title 18, United States Code. The term "large capacity ammunition feeding device" has the meaning given such term in section 921 of title 18, Unites States Code, as in effect on September 1, 2004.

(2) MASS SHOOTING.—The term "mass shooting" means a shooting during which three or more individuals, not including the shooter, were injured or killed in one location or in multiple locations in close proximity.

(3) SCHOOL.—The term "school" means—

(A) an early childhood education program (as defined in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003));

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

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

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

(4) SCHOOL SHOOTING.—The term "school shooting"—

(A) means an event or occurrence—

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

(ii) that occurred—

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

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

(III) while the victim was attending or traveling to or from an official school sponsored event; and

(B) does not include an accidental shooting.

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

(a) IN GENERAL.—The Secretary of Education, in consultation with the Attorney General and the Secretary of Health and Human Services, shall publish not less frequently than on an annual basis a report on indicators of school crime and safety. Such report shall be produced by the National Center for Education Statistics of the Department of Education in consultation with the Bureau of Justice Statistics of the Department of Justice. Such report shall include, at a minimum, an updated version of the information provided in the National Center for Education Statistics report NCES 2019–047 issued in April 2019, and the data described in subsections (b) and (d).

(b) STATISTICS ON SCHOOL SHOOTINGS.—In collecting data on school shootings to be compiled in the annual report described in subsection (a), the National Center for Education Statistics shall collect at a minimum the following data annually:

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

(2) Of the school shootings described in paragraph (1), the number that were mass shootings.

(3) Of the school shootings described in paragraph (1), the number that were suicides.

(4) The number of people killed in each school shooting, including—

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

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

(5) The number of people injured in each school shooting, including—

(A) the number of people wounded by firearm; and

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

(6) The time of the shooting and whether it occurred during school hours.

(7) The demographics of each school, including—

(A) the locale code of the school, as determined by the Secretary of Education; and

(B) student demographic data disaggregated by—
(i) economically disadvantaged students as compared to students who are not economically disadvantaged;
(ii) each major racial and ethnic group;
(iii) children with disabilities as compared to children without disabilities; and
(iv) English proficiency status.

(8) The personal characteristics of each victim in the shooting, including, at a minimum, the victim's—
(A) age;
(B) gender;
(C) race;
(D) ethnicity; and
(E) nationality.

(9) The personal characteristics of the shooter, including, at a minimum the shooter's—
(A) age;
(B) gender;
(C) race;
(D) ethnicity;
(E) nationality; and
(F) relationship to the school.

(10) The motivation of the shooter, including any real or perceived bias based on race, religion, ethnicity, nationality, or sex (including sexual orientation or gender identity).

(11) How the shooting was stopped, including—
(A) whether the shooter was injured or killed, and if so, by whom; and
(B) if not, what was the other outcome of the incident (such as escape, arrest, or suicide).

(12) The number and type of firearms and ammunition that were used in each shooting, including—
(A) the make and model of the firearm;
(B) the manufacturer of the firearm;
(C) the make and model of the ammunition;
(D) the manufacturer of the ammunition;
(E) whether a large capacity ammunition feeding device was present at the scene or used during the shooting; and
(F) the number of rounds of ammunition fired by the shooter over the course of the shooting.

(13) Where each of the firearms used in each shooting was obtained and how, including—
(A) whether the firearm was registered; and
(B) whether the firearm was purchased from a licensed gun dealer or an unlicensed sale.

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

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

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

(17) How long did the shooting last (the approximate elapsed time between the first and last shots fired).

(18) What was the response time of law enforcement.

(c) HISTORIC STATISTICS ON SCHOOL SHOOTINGS.—The Secretary of Education shall direct the National Center for Education Statistics—

(1) to collect, to the extent practicable, the data required in subsection (b) for shootings that occurred before the date of the enactment of this Act; and

(2) to publish such data as revisions to the most applicable annual reports on indicators of school crime and safety issued by the National Center for Education Statistics before the date of the enactment of this Act.

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

(1) Physical security measures, including—
(A) building envelopes and interiors designed to protect occupants from human threats; and
(B) other physical security measures designed to avert and restrict violence.
(2) Other types of security measures, including measures designed to preserve open learning environments that positively influence student behavior.
(3) A communication plan with local law enforcement.
(4) A response plan that includes coordination with local agencies (law enforcement, fire department, hospitals, etc).
(5) An active shooter response plan (including the use of an alert system to notify students, faculty, and parents or guardians).
(6) Any other similar type of safety or prevention measure in place at the time of the school shooting.

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

PURPOSE AND SUMMARY

The purpose of H.R. 4301, the *School Shooting Safety and Preparedness Act*, is to direct the U.S. Department of Education (ED), in consultation with the U.S. Departments of Justice (DOJ) and Health and Human Services (HHS), to annually collect and report on indicators of school safety for all school shootings in prekindergarten through 12th grade (PreK–12) schools and institutions of higher education. The bill creates definitions of "school shooting" and "mass shooting" for the purpose of the data collection. These would be the first time these terms would be defined in federal law. The bill requires that statistics of school shootings to be collected include the number of people killed, the demographics of the shooter and victims, and the type of gun and ammunition used, among others. The bill also requires a historical collection and reporting of data on prior school shootings.

COMMITTEE ACTION

110TH CONGRESS

On May 15, 2007, the Committee held a hearing on "Best Practices for Making College Campuses Safe" to explore how higher education institutions can better prepare for mass casualty events in the wake of the mass shooting at Virginia Tech University on April 16, 2007. Witnesses included: Steven J. Healy, President, International Association of Campus Law Enforcement Administrators (IACLEA) and Director of Department of Safety, Princeton University; Louann Kennedy, former Provost, California State University at Northridge; Dr. Dewey Cornell, Director, Virginia Youth Violence Project, School of Education at the University of Virginia; and, Jan Walbert, President, National Association of Student Personnel Administrators and Vice President for Student Affairs, Arcadia University.

113TH CONGRESS

On February 27, 2013, the Committee held a hearing entitled "Protecting Students and Teachers: A Discussion on School Safety" which followed the mass school shooting at Sandy Hook Elementary School in Newtown, Connecticut on December 14, 2012. The purpose of the hearing was to examine the different facets from

which K–12 schools must approach student safety to prevent and mitigate violence. At the hearing, the Committee heard from six witnesses: Bill Bond, School Safety Specialist, National Association of Secondary School Principals, Paducah, Kentucky; Mo Canady, Executive Director, National Association of School Resource Officers, Hoover, Alabama; Brett Bontrager, Senior Vice President and Group Executive of Stanley Security Solutions, Stanley Black & Decker; Fredrick Ellis, Director of Office of Safety and Security, Fairfax County Public Schools, VA; Vincent Pompei, School Counselor, Val Verde Unified School District, Perris, CA; and, David Osher, Vice President, American Institutes for Research, Washington, DC.

115TH CONGRESS

Other Legislative Action

On February 16, 2018, then-Ranking Member Robert C. "Bobby" Scott (D–VA) and the other 16 Democratic members of the Committee requested a hearing on school shootings and safety. While in direct response to the mass school shooting at Marjory Stoneman Douglas High School in Parkland, Florida on February 14, the request was also made in consideration of the increasing epidemic of school shootings since the Committee held its last school safety hearing in five years prior.[1] In the absence of a hearing, Ranking Member Scott hosted an unofficial Member forum examining evidenced-based violence prevention and school safety measures on March 20, 2018. Panelists included Dr. Dewey G. Cornell, forensic clinical psychologist and professor of education, University of Virginia; Dr. Akil E. Ross, Sr., Principal, Chapin High School, Chapin, SC; and Stacey Lippel, English Teacher and Survivor of Shooting at Marjory Stoneman Douglas High School, Parkland, FL.

116TH CONGRESS

On September 11, 2019, the Committee held a hearing entitled "The Importance of Trauma-Informed Practices in Education to Assist Students Impacted by Gun Violence and Other Adversities". The Committee examined the different ways trauma appears in students who experience mass shootings or high levels of community gun violence. The Committee heard testimony from: Dr. Nadine Burke Harris, Surgeon General, State of California; Dr. Ingrida Barker, Associate Superintendent, McDowell County Schools, Welch, West Virginia; Dr. Janice Jackson, CEO, Chicago Public Schools, Chicago, IL; and Joy Hofmeister, State Superintendent of Public Instruction, State of Oklahoma.

On September 12, 2019, Rep. Tulsi Gabbard (D–HI) introduced H.R. 4301, the *School Shooting Safety and Preparedness Act*, with Reps. Lucy McBath (D–GA) and Jahana Hayes (D–CT) as original co-sponsors. The bill was referred solely to the Committee on Education and Labor.

[1] Letter from Rep. Robert C. "Bobby" Scott, Ranking Member, and 16 other Minority Members of the H. Comm. on Educ. & the Workforce, to Rep. Virginia Foxx, Chairwoman, H. Comm. on Educ. & the Workforce (Feb. 16, 2018) https://edlabor.house.gov/imo/media/doc/2018-02-16%20Committee%20Democrats%20Request%20Hearing%20on%20School%20Shooting.pdf

On September 18, 2019, the Committee considered H.R. 4301 in legislative session and reported it favorably, as amended, to the House of Representatives by a recorded vote of 27–22. The Committee considered the following amendments to H.R. 4301:

- Rep. McBath offered an amendment in the nature of a substitute to make conforming and technical changes. The amendment was adopted by a recorded vote.
- Ranking Member Virginia Foxx (R–NC) offered an amendment to the amendment in the nature of a substitute, representing the minority substitute. The Foxx amendment struck the definitions and mentions of school shootings from the bill. The amendment was defeated by a recorded vote of 22–25.

COMMITTEE VIEWS

The United States experiences 36,000 gun-related deaths and more than 100,000 gun-related injuries on average each year, translating to about 100 deaths every day.[2] Unfortunately, children have not been shielded from this tragic history. Gun violence is the second-leading cause of death among children overall and the first-leading cause of death among Black children.[3] And while schools should be safe havens where children are protected from violence, it is a uniquely American reality that students are injured or killed on their way to and from school, in school, and at school-hosted events. Since the Columbine High School massacre in 1999, mass school shootings have been on the rise. As the Committee discussed during the hearing on "*The Importance of Trauma-Informed Practices in Education to Assist Students Impacted by Gun Violence and Other Adversities*", children in the United States face the devastating trauma of gun violence more frequently than anywhere else in the world. From Sandy Hook to Chicago, gun violence in and around schools is a national crisis that continues to claim the lives of our students and educators and deserves Congressional attention.

Without a concerted response gun violence in schools will continue to be part of life in American schools. According to Everytown for Gun Safety, an advocacy organization founded in response to Sandy Hook which attempts to track gunfire incidents in schools, 2018 was the worst year for school shootings since 2013.[4] The Committee recalls that early in 2018, an announcement by Everytown on the number of school shootings in 2018 became a fierce topic of partisan debate.[5] If policymakers do not have agreed upon statistical data about the nature of the problem of gun violence in schools, there is little chance of developing solutions to the problem. The Committee believes H.R. 4301, the *School Shooting Safety and Preparedness Act*, is a small but crucial first step in making

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[2] EVERYTOWN FOR GUN SAFETY, GUN VIOLENCE IN AMERICA (2020), https://everytownresearch.org/gun-violence-america/.

[3] Centers for Disease Control and Prevention, Web-based Injury Statistics Query and Reporting System (WISQARS), "Fatal Injury Reports," last accessed Feb. 20, 2019, https://www.cdc.gov/injury/wisqars (Calculations include children ages 0–17 and were based on the most recent available data: 2017).

[4] Everytown for Gun Safety, *Gunfire on School Grounds in the United States*, last accessed Dec. 19, 2020, https://maps.everytownresearch.org/gunfire-in-school/#ns.

[5] John Woodrow Cox & Steven Rich, *No, there haven't been 18 school shootings in 2018. That number is flat wrong.*, WASH. POST Feb. 15, 2018, https://www.washingtonpost.com/local/no-there-havent-been-18-school-shooting-in-2018-that-number-is-flat-wrong/2018/02/15/65b6cf72-1264-11e8-8ea1-c1d91fcec3fe_story.html.

sure that a federal response to gun violence in schools is evidence-based instead of politically expedient.

Policymakers can either commit to solving the problem or use it to advance partisan agendas. The Committee has deep concerns that the issue of gun violence in schools is especially susceptible to politicization. When a mass school shooting occurs, it dominates news cycles and drives rash policy. And while no one disagrees that these events deserve attention, they often overshadow the daily incidents of gun violence that occur in and around schools throughout America. Until we have comprehensive data on gun violence in America as proposed in H.R. 4301, we are destined to lurch from one mass casualty event to another, resulting in the politicization of the issue.

The Committee has already seen what playing politics with school shootings looks like. The most recent example occurred in the wake of the school shooting at Marjory Stoneman Douglas High School in Parkland, Florida on February 14, 2018, which took 17 lives.[6] One month after the tragedy, President Trump announced the establishment of the Federal Commission on School Safety (Commission). Chaired by U.S. Secretary of Education Betsy DeVos, the President tasked the Commission with making policy recommendations on the issue of school safety and violence; this charge included everything related to school climate and safety matters except, puzzlingly, for the role of guns in gun violence.[7] Secretary DeVos admitted as much before the Senate Appropriations Subcommittee on Labor, Health, and Human Services that studying guns was not a part of the Commission's charge.[8] In response, then-Ranking Member Scott sent a letter to Secretary DeVos requesting clarification on the discrepancy considering the wide acceptance by school safety professionals that "a core element of combatting school violence is addressing gun violence both in our schools and communities."[9]

Instead, the Commission appeared to focus considerable attention on the Obama Administration's 2014 School Discipline guidance package, which was issued to help schools understand their obligations to administer discipline in schools without discriminating against students on the basis of race, color, or national origin, as required under Title VI of the *Civil Rights Act of 1964*. Long before the tragedy in Parkland, this guidance package had been considered a target for rescission by the Trump Administration.[10] And almost immediately after the shooting at Parkland, some Congressional Republicans wrongly placed blame on the guidance by

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[6] Laurel Wamsley & Richard Gonzales, *17 People Died in the Parkland Shooting. Here Are Their Names*, NPR Feb. 15, 2018, https://www.npr.org/sections/thetwo-way/2018/02/15/586095587/17-people-died-in-the-parkland-shooting-here-are-their-names.

[7] The White House, Factsheet, President Donald J. Trump is Taking Immediate Actions to Secure Our Schools, Mar. 12, 2018 https://www.whitehouse.gov/briefings-statements/president-donald-j-trump-taking-immediate-actions-secure-schools/.

[8] Letter from Rep. Robert C. "Bobby" Scott, Ranking Member and 16 other Minority Members of the H. Comm. on Educ. & the Workforce, to The Honorable Betsy DeVos, Secretary, U.S. Dep't of Educ. (June 8, 2018).

[9] *Id*.

[10] Mark Keirleber, *Is DeVos Near Ending School Discipline Reform After Talks on Race, School Safety?* THE 74 MILLION. (Nov. 20, 2017), https://www.the74million.org/article/is-devos-near-ending-school-discipline-reform-after-talks-on-race-safety/.

questioning whether the shooter evaded police identification as a threat because his school did not appropriately discipline him.[11]

This political approach runs counter to that of the Obama-era discipline guidance package. The 2014 guidance laid out irrefutable facts: Black students are more than three times as likely as their white peers to be disciplined.[12] Students of color are overrepresented in school suspensions and expulsions. Black and Latino students make up over half of all school-related arrests.[13] Contrary to the dubious research on school discipline disparities cited in the Commission's report, these disparities are not a result of more frequent or serious infractions committed by students of color.[14] Nor are these data a result of inherent, temperamental differences between Black and white children. This false assertion has been debunked and its use of in a federal report prompted Congressional requests for the Secretary's resignation.[15]

A Government Accountability Office (GAO) report substantiated those disparate data points a month after the shooting at Parkland.[16] The report found that Black students accounted for 15.5 percent of all public school students, but represented about 39 percent of students suspended from school—an overrepresentation of about 23 percentage points.[17] Differences in discipline were particularly large between Black and White students. Although there were approximately 17.4 million more White students than Black students attending K–12 public schools in 2013–14, nearly 176,000 more Black students than White students were suspended from school that school year.[18] The guidance package, grounded in decades of research, was created to help schools confront those hard facts and the racial bias that perpetuates them.

The Marjory Stoneman Douglas shooting was not committed by a student of color (the little research that exists about school shootings indicate mass school shooters tend to be white males, as in this case).[19] The Commission ultimately recommended in a federal report to rescind the school discipline guidance package without any evidence that the implementation of the guidance causes or contributes to mass school shootings.[20] Indeed, earlier this year, the GAO found no empirical research in the last ten years linking school discipline practices with mass school shootings.[21] Three days after the Commission's recommendation, Secretary DeVos officially rescinded the guidance, less than one year after the Parkland

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[11] *E.g.*, Erica Green, *Trump Finds Unlikely Culprit in School Shootings: Obama Discipline Policies*, N.Y. TIMES A10 (Mar. 14, 2018).

[12] U.S. Department of Education, Office for Civil Rights, *Dear Colleague Letter* (2014) https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201401-title-vi.html

[13] *Id.*

[14] *Id.*

[15] Bailey Vogt, *Katherine Clark calls for Betsy DeVos to resign for 'cherry-picked racist research'*, WASH. TIMES (April 1, 2019).

[16] U.S. GOV'T ACCOUNTABILITY OFF., GAO–18–258, K–12 EDUCATION: DISCIPLINE DISPARITIES FOR BLACK STUDENTS, BOYS, AND STUDENTS WITH DISABILITIES (2018), https://www.gao.gov/products/GAO-18-258.

[17] *Id.* at 12–13.

[18] *Id.* at 13.

[19] Everytown For Gun Safety, Everytown Research & Policy, last accessed Dec. 23, 2020, https://everytownresearch.org/stat/70-of-mass-school-shooters-and-attempted-mass-school-shooters-were-white-males/.

[20] FED. COMM'N ON SCH. SAFETY, FINAL REPORT 72 (2018), https://www2.ed.gov/documents/school-safety/school-safety-report.pdf.

[21] U.S. GOV'T ACCOUNTABILITY OFF., GAO–20–455, K–12 EDUCATION: CHARACTERISTICS OF SCHOOL SHOOTINGS https://www.gao.gov/assets/710/707468.pdf

shooting.[22] The Department used a report on school-targeted shootings, which occur more frequently at schools with predominantly white student populations, to rescind guidance designed in part to ensure equitable treatment for students of color.[23]

When a tragedy occurs that grips the national conscience, Congress holds hearings in which experts explain the same research: though even one mass school shooting is one too many, they are the outlier in a sea of ongoing gun violence in our communities that surround and permeate school grounds. Community gun violence is an adverse childhood experience (ACE) that inflicts trauma and has ripple effects in children's lives, from their school attendance, academic achievement, psychological development, and even their lifetime earnings.[24] Experts have also shared there are multiple ways to do due diligence before the legal sale of firearms such as universal background checks.[25] But each time, Congressmembers listen, raise their fists in fury at the perpetrators, and offer their thoughts and prayers with the victims and a moment of silence.

It is a moral imperative that instead of playing politics when these tragedies occur, Congress follows the evidence offered by the experts to act. H.R. 4301 is a small but crucial step in that direction of following the evidence. Without accurate, comparable data over incidents and years, and without uniform definitions for school shooting and mass school shooting, we will not be properly equipped to make sound policy choices. We will continue to do more of what has already been done: wander aimlessly into prayers instead of evidenced-based solutions, tripping over the facts into pitfalls of politics and opinions. Thousands of students all over the country marched the streets to ask policymakers to pass evidenced-based solutions to shield them from gun violence.[26] Parkland survivor and student activist Emma Gonzalez would not have called on students to "fight for your lives before it's somebody else's job" if "thoughts and prayers" floor speeches were enough to be responsive to the need.[27]

It is the Committee's hope that just as a hard look at ED's data on racial discipline disparities drove evidenced-based policy change, that a federally-recognized data collection on school shootings will help the country face a more pervasive problem than the mass school shootings that make headlines that can spur policy change. They are the daily gun-related violence incidents that occur before

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[22] U.S. Dept's of Educ. & Just., Joint letter rescinding 2014 School Discipline Guidance Package (Dec. 21, 2018) https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201812.pdf.

[23] *See* U.S. GOV'T ACCOUNTABILITY OFFICE GAO–20–455, K–12 EDUCATION: CHARACTERISTICS OF SCHOOL SHOOTINGS 22–23 (2020) (suggesting that schools with higher minority populations had more school shootings generally, but schools with lower minority populations had more "school-targeted" shootings, the FBI term used to describe shootings like Columbine, Parkland, or Sandy Hook); *see also* Letter from Rep. Robert C. "Bobby" Scott, Chrmn., H. Comm. on Educ. & the Workforce, to The Honorable Betsy DeVos, Secretary, U.S. Dep't of Educ. (Sept. 23, 2020) (". . . it is unclear why the Department would use a report on school-targeted shootings, which occur more frequently at schools with predominantly white student populations, to rescind guidance designed in part to ensure equitable treatment for students of color.").

[24] *The Importance of Trauma-Informed Practices in Education to Assist Students Impacted by Gun Violence and Other Adversities: Hearing Before the Subcomm. on Early Childhood, Elementary and Secondary Educ. Of the House Comm. on Educ. & Lab.* 116th Cong., (2019) (testimony of Dr. Nadine Burke Harris, Surgeon General, State of California).

[25] *Markup of H.R. 8, the Bipartisan Background Checks Act of 2019: Markup Hearing Before the H. Comm. on the Judiciary*, 116th Cong. (2019) (opening statement of Chrmn. Jerrold Nadler).

[26] Rebecca Shabad et al., *At March for Our Lives, survivors lead hundreds of thousands in call for change*, MSNBC, (Mar. 24, 2018) https://www.nbcnews.com/news/us-news/march-our-lives-draws-hundreds-thousands-washington-around-nation-n859716.

[27] *Id.*

and after school, on the way to or from school, at school-related events and oftentimes not committed by students, in communities plagued by inequities and trauma which are currently invisible. These types of shootings are actually more prevalent than mass shootings but receive little attention.[28] Collecting data brings to the forefront what we may have otherwise ignored.

H.R. 4301 also directs ED, in consultation with DOJ and HHS, to annually report on indicators of school safety for school shootings that occur. This includes statistics on school shootings, such as the number of shootings, the number of people killed, demographics of shooters and victims, the motivation of shooters, types of firearms and ammunition used, how the firearm was acquired, and more. And to ground this work in education, it is the Committee's intent that local school officials use other relevant sources of pre-existing data to evaluate post-shooting effects on school communities, such as academic achievement, student and teacher absenteeism, and indicators of school climate such as discipline and crime statistics data. By shining a light on how gun violence in schools actually effects the education of students in those schools, the Committee expects this robust data collection to paint a broader, more accurate picture of what gun violence in American schools looks like, in the hope of providing Congress with information necessary to enact meaningful policy to reduce it.

Just a few hours after the markup for H.R. 4301, the same day, the Gun Violence Prevention Task Force chaired by Representative Mike Thompson (D–CA) held a Forum on the impact of gun violence on children. The Task Force, which was established after the tragedy of Sandy Hook, hosted the following panelists: Dr. Garen J. Wintemute, M.D., M.P.H., gun violence researcher at University of California, Davis; Destini Pilpot of Baltimore Students Demand Action; Ray McMurrey, Secretary-Treasurer of the American Federation of Teachers (AFT), Texas; Leslie Boggs, National Parent Teacher Association (PTA) President; and Col. Edwin C. Roessler, Chief of Police in Fairfax, Virginia. Rep. McBath attended the forum and posed a question to Dr. Wintemute about whether data collection would be a helpful first step in addressing gun violence in schools. Dr. Wintemute stressed the importance of data collection, because there are "very limited data" regarding shootings and gun violence in schools and across communities generally. The Committee believes the data collection required under H.R. 4301 would help Congress address not only mass school shootings but also violence in our most underserved communities. Conflicts are rarely confined to just the school or just the community, so data on school shootings will illuminate community violence issues as well, an important benefit to H.R. 4301's data collection. As Rep. Omar said during the markup on H.R. 4301, if Members of Congress are "debating the simple notion of collecting data and what should be included in that data" it is difficult to have a constructive debate on how to solve the underlying issue. With data, Congress can better consider effective policy solutions.

Though H.R. 4301 is not moving forward in the 116th Congress, the Committee is hopeful it can remain as part of the larger conversation to addressing school violence in future Congresses.

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[28] GAO–20–455 at 23.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

This section states that the title of the bill the "School Shooting Safety and Preparedness Act."

Section 2. Definitions

This section defines the terms "firearm" and ammunition" as such terms are defined in criminal code. It also defines the term "large capacity ammunition feeding device" as such term was defined in criminal code prior to the expiration of the assault weapons ban. The section defines the term "school" to be inclusive of educational setting from early childhood through post-secondary education. It creates new definitions for the terms "mass shooting" and "school shooting."

Section 3. Annual report on indicators of school crime and safety

Requires the Secretary of Education, in consultation with the Attorney General and the Secretary of Health and Human Services, to annually publish a report on indicators of school crime and safety. Such report is already produced under existing authority of the National Center for Education Statistics, so the effect of this section is to require future reports to include statistics on school shootings, historic statistics on school shootings, and data on safety and prevention.

EXPLANATION OF AMENDMENTS

The Amendment in the Nature of a Substitute are explained in the descriptive portions of this report.

APPLICATION OF LAW TO THE LEGISLATIVE BRANCH

H.R. 4301 does not apply to terms and conditions of employment or to access to public services or accommodations within the legislative branch.

UNFUNDED MANDATE STATEMENT

The Committee adopts as its own the estimate of federal mandates regarding H.R. 4301, as amended, prepared by the Director of the Congressional Budget Office.

EARMARK STATEMENT

In accordance with clause 9 of rule XXI of the Rules of the House of Representatives, H.R. 4301 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as described in clauses 9(e), 9(f), and 9(g) of rule XXI.

ROLL CALL VOTES

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the Committee advises that the following roll call votes occurred during the Committee's consideration of H.R. 4301:

Date: 9/18/2019

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call: 1 Bill: H.R. 4301 Amendment Number: 2

Disposition: Defeated by a vote of 22 - 25

Sponsor/Amendment: Foxx/ Substitute Amendment to ANS

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mrs. DAVIS (CA)		X		Mr. ROE (TN)	X		
Mr. GRIJALVA (AZ)		X		Mr. THOMPSON (PA)	X		
Mr. COURNTEY (CT)		X		Mr. WALBERG (MI)	X		
Ms. FUDGE (OH)		X		Mr. GUTHRIE (KY)	X		
Mr. SABLAN (MP)		X		Mr. BYRNE (AL)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. SMUCKER (PA)	X		
Mr. DESAULNIER (CA)			X	Mr. BANKS (IN)	X		
Mr. NORCROSS (NJ)			X	Mr. WALKER (NC)	X		
Ms. JAYAPAL (WA)		X		Mr. COMER (KY)	X		
Mr. MORELLE (NY)		X		Mr. CLINE (VA)	X		
Ms. WILD (PA)		X		Mr. FULCHER (ID)	X		
Mr. HARDER (CA)		X		Mr. TAYLOR (TX)	X		
Mrs. MCBATH (GA)		X		Mr. WATKINS (KS)	X		
Ms. SCHRIER (WA)		X		Mr. WRIGHT (TX)	X		
Ms. UNDERWOOD (IL)		X		Mr. MEUSER (PA)	X		
Mrs. HAYES (CT)		X		Mr. TIMMONS (SC)	X		
Ms. SHALALA (FL)		X		Mr. JOHNSON (SD)	X		
Mr. LEVIN (MI)		X		Mr. KELLER (PA)	X		
Ms. OMAR (MN)		X					
Mr. TRONE (MD)			X				
Ms. STEVENS (MI)		X					
Mrs. LEE (NV)		X					
Mrs. TRAHAN (MA)		X					
Mr. CASTRO (TX)		X					

TOTALS: Ayes: 22 Nos: 25 Not Voting: 3

Total: 50 / Quorum: / Report:

(28 D - 22 R)

^Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 9/18/2019

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call: 1 Bill: H.R. 4301 Amendment Number: 2

Disposition: Defeated by a vote of 22 - 25

Sponsor/Amendment: Foxx/ Substitute Amendment to ANS

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mrs. DAVIS (CA)		X		Mr. ROE (TN)	X		
Mr. GRIJALVA (AZ)		X		Mr. THOMPSON (PA)	X		
Mr. COURNTEY (CT)		X		Mr. WALBERG (MI)	X		
Ms. FUDGE (OH)		X		Mr. GUTHRIE (KY)	X		
Mr. SABLAN (MP)		X		Mr. BYRNE (AL)	X		
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)	X		
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. SMUCKER (PA)	X		
Mr. DESAULNIER (CA)			X	Mr. BANKS (IN)	X		
Mr. NORCROSS (NJ)			X	Mr. WALKER (NC)	X		
Ms. JAYAPAL (WA)		X		Mr. COMER (KY)	X		
Mr. MORELLE (NY)		X		Mr. CLINE (VA)	X		
Ms. WILD (PA)		X		Mr. FULCHER (ID)	X		
Mr. HARDER (CA)		X		Mr. TAYLOR (TX)	X		
Mrs. MCBATH (GA)		X		Mr. WATKINS (KS)	X		
Ms. SCHRIER (WA)		X		Mr. WRIGHT (TX)	X		
Ms. UNDERWOOD (IL)		X		Mr. MEUSER (PA)	X		
Mrs. HAYES (CT)		X		Mr. TIMMONS (SC)	X		
Ms. SHALALA (FL)		X		Mr. JOHNSON (SD)	X		
Mr. LEVIN (MI)		X		Mr. KELLER (PA)	X		
Ms. OMAR (MN)		X					
Mr. TRONE (MD)			X				
Ms. STEVENS (MI)		X					
Mrs. LEE (NV)		X					
Mrs. TRAHAN (MA)		X					
Mr. CASTRO (TX)		X					

TOTALS: Ayes: 22 Nos: 25 Not Voting: 3

Total: 50 / Quorum: / Report:

(28 D - 22 R)

^Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

STATEMENT OF PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause (3)(c) of rule XIII of the Rules of the House of Representatives, the goals of H.R. 4301 are to direct the Secretary of Education to collect and report data relevant to school shootings.

DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee states that no provision of H.R. 4301 establishes or reauthorizes a program of the Federal Government known to be duplicative of another federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

HEARINGS

For the purposes of section 103(i) of H. Res. 6 for the 116th Congress, the Committee held a legislative hearing entitled "The Importance of Trauma-Informed Practices in Education to Assist Students Impacted by Gun Violence and Other Adversities" on September 11, 2019, which was used to consider H.R. 4301. The Committee heard testimony on the science of trauma and adverse childhood experiences (ACEs); how gun violence impacts student mental health and achievement; and how schools require more resources to mitigate the effects of gun violence.

The Committee heard testimony from: Dr. Nadine Burke Harris, Surgeon General of California; Dr. Ingrida Barker, Associate Superintendent of McDowell County Schools, West Virginia; Dr. Janice Jackson, CEO of Chicago Public Schools; and Joy Hofmeister, Oklahoma State Superintendent of Public Instruction.

STATEMENT OF OVERSIGHT FINDINGS AND RECOMMENDATIONS OF THE COMMITTEE

In compliance with clause 3(c)(1) of rule XIII and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

NEW BUDGET AUTHORITY AND CBO COST ESTIMATE

Pursuant to clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the *Congressional Budget Act of 1974*, and pursuant to clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the *Congressional Budget Act of 1974*, the Committee has received the following estimate for H.R. 4301 from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, October 11, 2019.

Hon. BOBBY SCOTT,
Chairman, Committee on Education and Labor,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 4301, the School Shooting Safety and Preparedness Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Leah Koestner.

Sincerely,

PHILLIP L. SWAGEL,
Director.

Enclosure.

H.R. 4301, School Shooting Safety and Preparedness Act
As ordered reported by the House Committee on Education and Labor on September 18, 2019

By Fiscal Year, Millions of Dollars	2020	2020-2024	2020-2029
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	*	1	not estimated

		Mandate Effects	
Statutory pay-as-you-go procedures apply?	No		
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2030?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

* = between zero and $500,000.

H.R. 4301 would require the Secretary of Education, in coordination with the Attorney General and the Secretary of Health and Human Services, to publish an annual report on school crime and safety, including statistics on school shootings.

Based on the cost to prepare similar reports, CBO estimates that it would cost less than $500,000 each year and $1 million over the 2020–2024 period to collect data and write the annual report. Any spending would be subject to the availability of appropriated amounts.

The CBO staff contact for this estimate is Leah Koestner. The estimate was reviewed by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

COMMITTEE COST ESTIMATE

Clause 3(d)(1) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison of the costs that would be incurred in carrying out H.R. 4301. However, clause 3(d)(2)(B) of that rule provides that this requirement does not apply when the committee has included in its report a timely sub-

mitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the *Congressional Budget Act*.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, H.R. 4301, as reported, are shown as follows:

MINORITY VIEWS

Every Republican Member on this Committee believes all schools should be safe for our children and any child dealing with trauma should receive the services necessary to heal, but that was not the focus of the markup on September 18, 2019. Instead, the majority brought forward a gun control bill, introduced only one week prior to the markup. This partisan legislation, disguised as a data collection bill, was pushed through the Committee without a single hearing—denying Members an opportunity to thoroughly review the bill's substance. The Democrats' own panelist at a school safety forum in March 2018 rightly noted that "gun safety is not in the purview of this committee . . ."[1] This is probably why the majority brought a bill on statistics that they claimed was about school safety. Committee Republicans worked to improve this flawed bill by offering an amendment that would better provide policymakers, school leaders, families, and other members of the public with accurate information on school crime and safety indicators from the relevant federal agencies already collecting this data.

H.R. 4301 was crafted to fit the majority's narrative by creating new definitions of terms and requiring revisions to past reports. This bill is not about evidence. If it was, then the discussion would have focused on how the Department of Education (Department) can be a helpful partner to law enforcement and health officials in collecting data that all parties understand and agree is valid and reliable, which the Republican substitute included. If the majority wanted a serious discussion on school safety, they could have held a legislative hearing to gain insight from subject matter experts and researchers on identifying what data is unnecessary, what data is useful and already collected, how that data could be improved, what additional data might be needed, and whether or not that data collection is feasible. A hearing on this type of data collection could have also provided an opportunity to talk and listen to school leaders and parents about what information they would like to see so they can better inform themselves and do their part to help schools remain safe. Instead, the majority rushed a bill through the Committee process that is flawed in its design and execution.

CONFUSION IN THE FIELD

In expanding current definitions and creating new definitions, the majority is developing a new collection of information that will likely cause confusion in the broader field of research and lead to further debates without the ability to act on the information. For

[1] Cornell, Dewey G., University of Virginia, PhD, written statement for the "Forum on School Safety," hosted by Committee Democrats and Democratic Leadership, House Committee on Education and the Workforce, March 20, 2018, Page 2.

example, creating a new definition of "mass shooting" or "school shooting" is not simple. Understanding how those or comparable terms are used in other data collections is important to ensure policymakers can crosscheck the data for consistency in both data sets. Otherwise, the same incident could be included in two different collections but not reported consistently because of differing definitions. When one data collection reports four victims of a mass shooting, including the shooter, but another data collection includes the same incident but reports only three victims because it does not count the shooter, the data gets muddled and is unreliable. This bill creates a definition of "school shooting" that includes an event or occurrence that occurred on school grounds even if before or after school hours, which could capture incidents wholly separate from the school or school system. When that definition includes incidents that occurred while a victim was traveling to or from a regular session at school, the data could include a random act of violence that is completely separate from the school or the school system. Without consistent data that experts, schools, parents, and policymakers generally agree is helpful, school and community leaders could establish inappropriate interventions or, worse, could provide parents or students with a false sense of security or insecurity.

DATA COLLECTION CHALLENGES

In addition to concerns about creating new definitions for data collection purposes, the scope of the data collection is equally problematic. When the data collection required is focused just on gun crimes and does not put equal thought or emphasis to other crimes, such as stabbings or sexual assault, the data will be skewed to present an inaccurate picture of what is happening in schools. The over emphasis on gun violence is detrimental to solving problems impacting school safety. The Democrats spent a lot of time talking about using the word "shooting," but that actually highlights the flaw in their proposal. They create new reporting metrics on guns, but never mention sexual assaults, stabbings, bullying, harassment, or assaults. These and other issues are some of the things students and teachers face every day in schools and instead of picking and choosing which issues the federal government deems important, or more important, the Republican substitute amendment required experts to review available data and determine if it provided an accurate picture of what is happening in schools. Further, if the available data did not accurately show what is happening in schools, then the amendment directs researchers to identify what is needed. Instead of being singularly focused on gun control, the Republican substitute amendment was singularly focused on school safety.

Moving beyond the concerns with the data specific elements of the bill, the legislation has several flaws in the execution of the data expected to be collected. Thankfully, the Democrats corrected some errors in the bill in the amendment in the nature of a substitute they offered and was adopted, such as removing the requirement to report the criminal record of the shooter that indicates a tendency toward violence. Unfortunately, the Democrats left in other problematic provisions that a simple call to the Department

could have highlighted as concerns. For instance, the Department cannot reliably determine how guns were stored or the motivation of the shooter. The Department also could not determine the details of how the shooter was stopped beyond reading public media accounts or accessing police records. Requiring the Department to collect data they do not currently have, accessing police records, and creating new definitions are some of the several areas where simple assistance from experts could have improved this bill. Even the privacy protections, while important, were something that should have been discussed considering that these are low incident events, meaning that the sample size is so small it would be hard to report anything that didn't reveal personally identifiable information.

The idea of doing a retroactive collection of all the data on school shootings in the past is equally concerning, even if the information required was easily collected every year moving forward. Had researchers been consulted, the Committee could have discussed the best way to take a historical look at the data. Instead of approaching this issue with the diligence it deserves and at least discussing general feedback from the office tasked with doing this collection under the bill, the Democrats moved forward with a requirement to collect data for shootings that occurred "before the date of the enactment of the Act," meaning going back to the beginning of time trying to gather all the objective and subjective data required under the law. This type of information gathering poses concerns about data reliability and could cause additional trauma to the victims of the past events.

FLAWED DATA ELEMENTS

It is also important to point out the flawed firearm-specific data elements included in the Democrats' bill. The requirements range from possibly helpful information to law enforcement to data requirements that are very personally intrusive in the lives of everyday Americans. For instance, knowing the weapon and ammunition used in a school shooting could help police track down a suspect or prevent a future crime, but it is not likely to help a principal or school board develop or enforce any particular safety policy. Knowing how a gun was purchased—whether it was from a licensed gun dealer or an unlicensed sale—may, again, help law enforcement track down a suspect, or even help policymakers with jurisdiction over criminal activity have a better understanding of where problems may exist in the purchase pipeline, but it does not help educators keep a school safe. Knowing how a gun was stored or if the original purchaser of the firearm was not the shooter but the firearm was obtained from the shooter's home may be of interest to the police or the state, but the Department certainly is not best suited to gather that information. Capturing the motivation of the shooter, including any real or perceived bias, could help improve measures taken by school leaders and parents to improve school safety, but as that is subjective information, it is difficult to include in a data driven report. The Democrats require the report to include the demographics of each victim, the demographics of the shooters, and the relationship to the school of each shooter. This is likely helpful information to schools and policymakers to

understand who is involved in school shootings, but policymakers should be leery of drawing any hard conclusions about who is vulnerable to a possible incident in the future based on such data.

In addition to the firearm related data, the report must include data on the existence or absence of prevention measures at the school which could be helpful information to policymakers and school leaders and why Republicans included similar reporting on these topics in the Republican substitute amendment. The Republican substitute also went one step further in charging researchers with making recommendations on these issues if there is sufficient evidence to inform any such conclusions. The Democrats' bill predetermines the preventive measures schools should take without encouraging the Department to evaluate the effectiveness of the preventative measures.

POLITICS OVER SUBSTANCE

As discussed above, there is no disagreement about whether data on school safety, including data on gun violence, could be helpful which is why it is disappointing that the Democrats took a partisan approach to an inherently nonpartisan issue. If the Committee held a hearing on this bill, then all members could have heard from, and engaged in, a productive, data-driven discussion with real school safety experts. That testimony could have informed us about what data elements to collect, what terms to use, and whom to involve in the report. Instead, the Democrats rushed a gun control bill through under the guise of "school safety."

DATA ALREADY EXISTS

The truth of the matter is that the federal government already has a significant amount of data on school safety. The very report that is codified in the bill and the Republican substitute has been produced for decades and is full of helpful information on school shootings and, importantly, many other crime and safety indicators. In fact, the 2018 indicators report[2] included data points and analysis, such as:

- A total of 38 student, staff, and non-student school-associated violent deaths occurred between July 1, 2015, and June 30, 2016, which included 30 homicides, seven suicides, and one legal intervention death;
- Between July 1, 2015, and June 30, 2016, a total of 18 of the 1,478 homicides of school-age youth (ages 5–18) occurred at school and during the same period, three of the 1,941 total suicides of school-age youth occurred at school;
- The percentage of public school teachers reporting that they had been physically attacked by a student from their school in 2015–16 (6 percent) was higher than in all previous survey years (around 4 percent in each survey year) except in 2011–12, when the percentage was not measurably different from that in 2015–16; and
- In 2017, about 6 percent of students ages 12–18 reported being called hate-related words at school during the school

[2] https://nces.ed.gov/programs/crimeindicators/key.asp

year, representing a decrease from 12 percent in 2001. This percentage also decreased between 2001 and 2017 for male and female students as well as for White, Black, and Hispanic students.

These points are just examples of the breadth of information in this existing report and the material is provided in a way that school leaders, community leaders, and parents can create meaningful school safety policies informed by meaningful data and other information.

In addition, the Federal Bureau of Investigation active shooter report provides specific information on school shootings. That report includes information on the number of active shooter incidents and breaks down where they occurred and what happened. The 2018 active shooter report [3] tells us:

- That five of the 27 incidents in 2018 occurred in educational environments;
- That four occurred in high school and one in middle school;
- That 29 people were killed and 50 people were injured; and
- How the perpetrator was apprehended or the situation ended.

In addition to information from those reports, the Centers for Disease Control has information on school violence [4] that breaks down the causes and trends. It also links to vital resources to help parents, school faculty, officials, and other community leaders address some of the issues affecting their students and schools. Under the Republican substitute, all of these entities would be working together to help disseminate the best available information from each agency.

The Democrats also pointed to other, existing school shooting data. One Member noted that since the Sandy Hook tragedy there have been 473 incidents of gunfire on school grounds resulting in 182 deaths. Another Member noted that since the Sandy Hook tragedy there have been 2,226 mass shootings in America. One Member noted historical trend data and discussed how last year was the worst year on record since 1970 for school shootings. All of this information was provided to them and the source of the information was trusted enough they chose to include it as a part of the debate on the bill. A discussion about the meaning of that data—if it is accurate and reliable—could have occurred at a hearing that would have informed this bill, but that did not occur.

Looking back to the forum the Democrats held in 2018, their panelist again referenced several data points such as that "Over the past 20 years, the United States has experienced an average of 22 students murdered at school each year." He goes on to say though that students are 67 times more likely to be murdered outside of school than at school. He follows up that data to say "we do not have a school violence problem, but a gun violence prob-

[3] FBI Active Shooter Report, 2018, https://www.fbi.gov/file-repository/active-shooter-incidents-in-the-us-2018-041019.pdf/view

[4] https://www.cdc.gov/violenceprevention/youthviolence/schoolviolence/fastfact.html

lem."[5] While Dr. Cornell had recommendations for how to prevent this violence, which perhaps the Committee could have heard more about if the majority had held even a single hearing on this topic, he also had plenty of data to build the case for his recommendations. To pretend this was a table setting bill to gather evidence about school shootings is not accurate as it is apparent that the evidence and data are available leaving a serious discussion on the matter missing.

DEMOCRATS IGNORE BIPARTISAN PROPOSALS

If the majority wanted to address the issue of school safety, then they would have considered any number of bipartisan bills that have already been introduced or consolidated these proposals into a larger school safety package. There are a lot of ideas out there and while Republicans and Democrats might not agree on everything, necessitating tough discussion and compromise, there are proposals that have been introduced that this Committee could considere before rushing through this flawed bill.

REPUBLICAN SUBSTITUTE

The Republican substitute amendment embraced ensuring that this important safety information continues to be provided by the Department. The amendment sought to codify an existing annual, informative report on school crime and safety indicators and provided an opportunity for subject matter experts to determine if the right data is available and being used. This analysis would ensure that the report would be helpful for school officials, parents, and policymakers to determine what is actually happening in schools and informing decisions about what are the best actions to take to best protect students. The amendment also required the Department, in consultation with the Departments of Justice, Homeland Security, and Health and Human Services, to review the available data on safety and prevention measures and, if sufficient evidence exists, make recommendations about measures in schools that could mitigate or prevent crime and safety incidents. This is the better way to help school leaders, communities, students, and families.

CONCLUSION

The majority passed a partisan bill that does little to provide educators or school staff with the tools to help traumatized students. Instead of using the markup to develop real solutions to address school safety, the Democrats sought political points with unnecessary and over-the-top rhetoric. What's left is a flawed bill that includes far-reaching, unworkable, and intrusive data collection requirements. In contrast, Republicans remain ready to engage in a serious conversation on school safety. As demonstrated just last Congress when the leaders of both parties on this Committee worked together to support increased funding to help keep our schools and students safe, when Republicans and Democrats co-

[5] Cornell, Dewey G., University of Virginia, PhD, written statement for the "Forum on School Safety," hosted by Committee Democrats and Democratic Leadership, House Committee on Education and the Workforce, March 20, 2018, Page 2.

operate, we can make a positive difference for American schools and schoolchildren.

VIRGINIA FOXX,
Ranking Member.
GLENN "GT" THOMPSON.
TIM WALBERG.
GLENN GROTHMAN.
JAMES COMER.
BEN CLINE.
DUSTY JOHNSON.

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