

116TH CONGRESS
2D SESSION

S. 3489

To support children and students in responding to safety and health risks
presented by qualifying emergencies, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 12, 2020

Mrs. MURRAY (for herself, Mrs. GILLIBRAND, and Mr. SCHUMER) introduced
the following bill; which was read twice and referred to the Committee
on Health, Education, Labor, and Pensions

A BILL

To support children and students in responding to safety
and health risks presented by qualifying emergencies,
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 “Supporting Students
5 in Response to Coronavirus Act”.

6 **SEC. 2. EDUCATION PREPAREDNESS AND SUPPORT**
7 **GRANTS.**

8 (a) DEFINITIONS.—In this section:

1 (1) CHILD WITH A DISABILITY.—The term
 2 “child with a disability” has the meaning given the
 3 term in section 602 of the Individuals with Disabil-
 4 ities Education Act (20 U.S.C. 1401).

5 (2) DISABILITY.—The term “disability” has the
 6 meaning given the term in section 3 of the Ameri-
 7 cans with Disabilities Act of 1990 (42 U.S.C.
 8 12102).

9 (3) ELEMENTARY SCHOOL.—The term “elemen-
 10 tary school” has the meaning given the term in sec-
 11 tion 8101 of the Elementary and Secondary Edu-
 12 cation Act of 1965 (20 U.S.C. 7801).

13 (4) ELIGIBLE ENTITY.—The term “eligible enti-
 14 ty” means—

15 (A) a Bureau of Indian Education school;

16 (B) a local educational agency, as defined
 17 in section 8101 of the Elementary and Sec-
 18 ondary Education Act of 1965 (20 U.S.C.
 19 7801); or

20 (C) an institution of higher education, as
 21 defined by the Secretary in accordance with the
 22 definitions of the term under title I of the
 23 Higher Education Act of 1965 (20 U.S.C. 1001
 24 et seq.).

1 (5) LOW-INCOME CHILD OR STUDENT.—The
 2 term “low-income child or student” means—

3 (A) a child described under section 1124(c)
 4 of the Elementary and Secondary Education
 5 Act of 1965 (20 U.S.C. 6333(c)); or

6 (B) a student who is eligible for a Federal
 7 Pell Grant under subpart 1 of part A of title
 8 IV (20 U.S.C. 1070a).

9 (6) NON-PUBLIC SCHOOL.—The term “non-pub-
 10 lic school” means a non-public elementary school or
 11 secondary school that—

12 (A) is accredited, licensed, or otherwise op-
 13 erates in accordance with State law; and

14 (B) was in existence prior to the date of
 15 the qualifying emergency for which grants are
 16 awarded under this section.

17 (7) QUALIFYING EMERGENCY.—The term
 18 “qualifying emergency” means—

19 (A) a public health emergency declared by
 20 the Secretary of Health and Human Services
 21 pursuant to section 319 of the Public Health
 22 Service Act (42 U.S.C. 247d);

23 (B) an emergency for which a Governor of
 24 a State or territory has declared a state of
 25 emergency;

1 (C) an event for which the President de-
2 clared a major disaster or an emergency under
3 section 401 or 501, respectively, of the Robert
4 T. Stafford Disaster Relief and Emergency As-
5 sistance Act (42 U.S.C. 5170 and 5191); or

6 (D) a national emergency declared by the
7 President under section 201 of the National
8 Emergencies Act (50 U.S.C. 1621).

9 (8) PUBLIC SCHOOL.—The term “public
10 school” means a public elementary school or sec-
11 ondary school.

12 (9) SECRETARY.—The term “Secretary” means
13 the Secretary of Education.

14 (10) SECONDARY SCHOOL.—The term “sec-
15 ondary school” has the meaning given the term in
16 section 8101 of the Elementary and Secondary Edu-
17 cation Act of 1965 (20 U.S.C. 7801).

18 (11) STATE.—The term “State” has the mean-
19 ing given the term in section 8101 of the Elemen-
20 tary and Secondary Education Act of 1965 (20
21 U.S.C. 7801).

22 (12) STATE EDUCATIONAL AGENCY.—The term
23 “State educational agency” has the meaning given
24 the term in section 8101 of the Elementary and Sec-
25 ondary Education Act of 1965 (20 U.S.C. 7801).

1 (b) AUTHORIZATION OF GRANTS.—

2 (1) IN GENERAL.—From amounts appropriated
3 to carry out this section and not reserved under
4 paragraph (3), the Secretary is authorized to award
5 grants, on a competitive basis, to States and the Bu-
6 reau of Indian Education to enable the States and
7 Bureau of Indian Education to respond to safety
8 and health risks presented by qualifying emer-
9 gencies.

10 (2) GRANT PERIOD.—Grant funds awarded
11 under this section shall be expended not later than
12 2 years after the date on which such funds are
13 awarded.

14 (3) TECHNICAL ASSISTANCE.—The Secretary
15 shall reserve not less than 0.5 percent and not more
16 than 1 percent of amounts appropriated to carry out
17 this section to enable the Department of Edu-
18 cation—

19 (A) to provide technical assistance to eligi-
20 ble entities that request technical assistance;
21 and

22 (B) to coordinate technical assistance that
23 is provided by State, local, tribal, and territorial
24 public health departments and other relevant
25 agencies.

1 (4) NOTICE.—The Secretary shall issue a notice
 2 inviting applications for grants under this section
 3 not later than 30 days after the date of enactment
 4 of this Act.

5 (5) RECEIPT OF APPLICATIONS.—The Secretary
 6 shall accept applications from States and the Bu-
 7 reau of Indian Education under this section on a
 8 rolling basis.

9 (6) RESPONSE.—The Secretary shall approve or
 10 deny applications from States and the Bureau of In-
 11 dian Education under subsection (c) not later than
 12 30 days after the date of the submission of the ap-
 13 plication.

14 (c) APPLICATION REQUIREMENTS FOR STATES AND
 15 BIE.—

16 (1) IN GENERAL.—A State or the Bureau of In-
 17 dian Education shall submit an application to the
 18 Secretary at such time, in such manner, and includ-
 19 ing such information as the Secretary may reason-
 20 ably require. Each application shall include a de-
 21 scription of the competitive grant process the State
 22 or Bureau of Indian Education will establish to
 23 award subgrant funds to eligible entities, includ-
 24 ing—

25 (A) a demonstration of the need for funds;

1 (B) a description of how the State will co-
 2 ordinate with—

3 (i) the State educational agency; and

4 (ii) if applicable, the State agency
 5 with jurisdiction over public higher edu-
 6 cation in the State;

7 (C) a description of how the State or Bu-
 8 reau of Indian Education will make eligible en-
 9 tities aware of available funds;

10 (D) a description of the criteria the State
 11 or Bureau of Indian Education will use to
 12 award the subgrants; and

13 (E) a description of how the subgrant
 14 funds will be allocated.

15 (2) LEAD APPLICANT.—In the case of a State
 16 that is applying for a grant under this section, the
 17 Governor shall be the lead applicant.

18 (d) USE OF FUNDS; SUBGRANTS.—

19 (1) IN GENERAL.—A State or the Bureau of In-
 20 dian Education receiving a grant under this section
 21 shall—

22 (A) reserve 5 percent of grant funds to
 23 provide technical assistance, including providing
 24 technical assistance to eligible entities with lim-
 25 ited administrative capacity, and carry out the

1 reporting requirements described in subsection
2 (h); and

3 (B) use 95 percent of grant funds to
4 award subgrants, on a competitive basis, to eli-
5 gible entities or consortia of eligible entities.

6 (2) APPLICATION.—An eligible entity desiring
7 to receive a subgrant under this section shall submit
8 to the State, or the Bureau of Indian Education, as
9 applicable, an application containing—

10 (A) a description of the need for funds;

11 (B) a description of how the eligible entity
12 will use the funds, including by providing a
13 budget;

14 (C) a description of how the eligible entity
15 will address the unique needs of low-income
16 children or students, children with disabilities
17 and students with disabilities, English learners,
18 racial and ethnic minorities, students experi-
19 encing homelessness, and children in foster
20 care;

21 (D) in the case of an eligible entity that is
22 a local educational agency, an assurance that
23 the local educational agency—

1 (i) has taken the needs of public
 2 schools and non-public schools into account
 3 prior to the application for funds;

4 (ii) will notify all public schools and
 5 non-public schools in its boundaries of the
 6 receipt of grant funds under this section;
 7 and

8 (iii) based on the severity of impact
 9 and demonstrated need, will address the
 10 needs of public schools and non-public
 11 schools in its boundaries; and

12 (E) any other requirements established by
 13 the Governor.

14 (3) PRIORITY.—In awarding subgrants under
 15 this section a grantee shall prioritize the following
 16 eligible entities:

17 (A) Eligible entities with respect to which
 18 a significant percentage of the population
 19 served by the eligible entity is impacted by a
 20 qualifying emergency.

21 (B) Eligible entities serving a high per-
 22 centage of low-income children or students.

23 (e) USES OF FUNDS FOR SUBGRANTS.—An eligible
 24 entity receiving a subgrant under this section shall use

1 subgrant funds to carry out one or more of the following
2 activities:

3 (1) Coordination of preparedness and response
4 efforts of eligible entities with State, local, tribal,
5 and territorial public health departments, and other
6 relevant agencies, to improve coordinated responses
7 to qualifying emergencies among such entities.

8 (2) Activities coordinated with State, local, trib-
9 al, and territorial public health departments to de-
10 tect, prevent, or mitigate the spread of infectious
11 disease or otherwise respond to a qualifying emer-
12 gency.

13 (3) Developing and implementing procedures
14 and systems to improve the preparedness and re-
15 sponse efforts of eligible entities.

16 (4) Providing mental health services and sup-
17 ports, including—

18 (A) counseling, for students and staff of
19 the eligible entity; and

20 (B) mental health crisis response and
21 intervention services for students and staff of
22 the eligible entity affected by a qualifying emer-
23 gency.

1 (5) Training and professional development for
2 staff of the eligible entity on sanitation and mini-
3 mizing the spread of infectious diseases.

4 (6) Purchasing supplies to sanitize and clean
5 the facilities of an eligible entity, including buildings
6 operated by local educational agencies or institutions
7 of higher education.

8 (7) Hiring outside experts to provide training
9 and professional development for staff to mitigate
10 and minimize the spread of infectious disease in ele-
11 mentary schools and secondary schools, and build-
12 ings operated by local educational agencies and insti-
13 tutions of higher education and compensating such
14 staff for any regular or overtime hours spent during
15 such training or professional development and for
16 any duties performed as a result of that training or
17 professional development. If an eligible entity dem-
18 onstrates that the severity of the hazard precludes
19 the feasible use of existing staff and that services by
20 outside experts is necessary to remedy the hazard,
21 such amounts may be utilized for hiring outside ex-
22 perts to mitigate and minimize spread of infectious
23 disease in such facilities.

24 (8) Planning for long-term closures, including
25 planning for how to provide meals to eligible stu-

1 dents, how to provide technology for virtual instruc-
2 tion to all students, how to provide guidance for car-
3 rying out requirements under the Individuals with
4 Disabilities Education Act (20 U.S.C. 1401 et seq.),
5 and how to ensure other educational services can
6 continue to be provided consistent with all Federal,
7 State, and local requirements.

8 (9) Purchasing educational technology for stu-
9 dents who are served by the eligible entity, including
10 low-income students and students with disabilities,
11 which may include assistive technology or adaptive
12 equipment.

13 (10) Other activities that are necessary to
14 maintain the operation of and continuity of services
15 in local educational agencies or institutions of higher
16 education, such as providing information to parents
17 on efforts to prevent and respond to a qualifying
18 emergency.

19 (11) Hiring temporary employees that are nec-
20 essary to maintain the operations of the eligible enti-
21 ty in the event that the employees of the eligible en-
22 tity are unable to work by reason of a qualifying
23 emergency, provided that the eligible entity carries
24 out and agrees to all of the following:

1 (A) The eligible entity compensates any
2 such temporary employees at a minimum
3 amount of the greater of—

4 (i) the regular rate of pay of the em-
5 ployee who is unable to work by reason of
6 the qualifying emergency;

7 (ii) the minimum wage provided by
8 section 6(a)(1) of the Fair Labor Stand-
9 ards Act of 1938 (29 U.S.C. 206(a)(1)); or

10 (iii) the minimum wage amount pro-
11 vided for by the State or locality in which
12 the employee is employed.

13 (B) The eligible entity continues to com-
14 pensate any employee who is unable to work by
15 reason of a qualifying emergency and who is
16 temporarily replaced under this paragraph at a
17 minimum amount of the greater of—

18 (i) the regular rate of pay of the em-
19 ployee who is unable to work because of
20 the qualifying emergency;

21 (ii) the minimum wage provided by
22 section 6(a)(1) of the Fair Labor Stand-
23 ards Act of 1938 (29 U.S.C. 206(a)(1)); or

1 (iii) the minimum wage amount pro-
2 vided for by the State or locality in which
3 the employee is employed.

4 (C) An employee who was unable to work
5 by reason of the qualifying emergency shall not
6 be denied initial employment, reemployment, re-
7 tention in employment, promotion, or any ben-
8 efit of employment by an entity on the basis of
9 the employee's previous absence by reason of
10 the qualifying emergency event.

11 (D) A person who is reemployed under this
12 paragraph is entitled to the seniority and other
13 rights and benefits determined by seniority that
14 the person had on the date of the qualifying
15 emergency plus the additional seniority and
16 rights and benefits that such person would have
17 attained if the person had remained continu-
18 ously employed.

19 (E) In any case in which an employee who
20 is unable to work by reason of the qualifying
21 emergency (or the employee's dependents) is en-
22 rolled in a group health plan (as defined in sec-
23 tion 733 of the Employee Retirement Income
24 Security Act of 1974), including group health
25 insurance coverage (as defined in such section

1 733) offered in connection with such a plan,
2 and such person is absent from such position of
3 employment by reason of the qualifying emer-
4 gency, or such person becomes eligible for med-
5 ical and dental care under chapter 55 of title
6 10 by reason of subsection (d) of section 1074
7 of that title, the plan or coverage shall provide
8 that the person may elect to continue such en-
9 rollment in the plan or coverage for the dura-
10 tion of the qualifying emergency. The eligible
11 entity shall continue to make employer con-
12 tributions on its share of premiums and other
13 amounts on behalf of employees as it may have
14 otherwise have had to pay had the employee not
15 been unavailable by reason of the emergency.

16 (F) The eligible entity may not discrimi-
17 nate in employment against or take any adverse
18 employment action against any person because
19 such person—

20 (i) has taken an action to enforce a
21 protection afforded any person under this
22 paragraph;

23 (ii) has testified or otherwise made a
24 statement in or in connection with any pro-

ceeding to enforce a protection under this paragraph;

(iii) has assisted or otherwise participated in an investigation to enforce a protection under this paragraph; or

(iv) has exercised a right provided for in this paragraph.

(G) An eligible entity shall be considered to have engaged in actions prohibited under this paragraph—

(i) if the employee's inability to work during the qualifying emergency is a motivating factor in the eligible entity's action, unless the program or agency can prove that the action would have been taken in the absence of the employee's inability to work; or

(ii) if the employee's—

(I) action to enforce a protection afforded any person under this paragraph;

(II) testimony or making of a statement in or in connection with any proceeding to enforce a protection under this paragraph;

1 (III) assistance or other partici-
 2 pation in an investigation to enforce a
 3 protection under this paragraph; or

4 (IV) exercise of a right provided
 5 for in this paragraph,
 6 is a motivating factor in the eligible enti-
 7 ty's action, unless the program or agency
 8 can prove that the action would have been
 9 taken in the absence of such person's en-
 10 forcement action, testimony, statement, as-
 11 sistance, participation, or exercise of a
 12 right.

13 (H) An action to recover any damages or
 14 equitable relief for violating this paragraph may
 15 be maintained against the eligible entity in any
 16 Federal or State court of competent jurisdiction
 17 by one or more employees or individuals or
 18 their representative.

19 (f) COLLECTIVE-BARGAINING.—

20 (1) RULE OF CONSTRUCTION.—Nothing in sub-
 21 section (e) shall be construed to displace any other-
 22 wise applicable provision of any collective-bargaining
 23 agreement between the eligible entity and a labor or-
 24 ganization, as defined by section 2(5) of the Na-
 25 tional Labor Relations Act (29 U.S.C. 152(5)) or

1 analogous State law, representing its employees or
2 to otherwise relieve the eligible entity of its duty to
3 bargain with any such labor organization.

4 (2) MAINTENANCE OF WAGES, BENEFITS,
5 TERMS, AND CONDITIONS.—Any eligible entity re-
6 ceiving funds under this section shall maintain the
7 wages, benefits, and other terms and conditions of
8 employment set forth in any collective-bargaining
9 agreement between the eligible entity and a labor or-
10 ganization, as defined in paragraph (1), of its em-
11 ployees or otherwise abide by the terms of any appli-
12 cable law for the duration of the qualifying emer-
13 gency and any such additional period as determined
14 by the Secretary, but not less than 6 months after
15 the declaration of the termination of the qualifying
16 emergency.

17 (g) PUBLIC CONTROL OF FUNDS.—For an eligible
18 entity that is a local educational agency—

19 (1) the control of funds for the services and as-
20 sistance provided to a non-public school under this
21 section, and title to materials, equipment, and prop-
22 erty purchased with such funds, shall be in a public
23 agency, and a public agency shall administer such
24 funds, materials, equipment, and property and shall
25 provide such services (or may contract for the provi-

1 sion of such services with a public or private entity);
 2 and

3 (2) when carrying out subsection (e), the local
 4 educational agency may serve non-public schools
 5 based on demonstrated need and impact.

6 (h) REPORTING.—

7 (1) REPORT TO THE SECRETARY.—At the end
 8 of the grant period, a grantee shall prepare and sub-
 9 mit to the Secretary a report containing the fol-
 10 lowing information:

11 (A) The number of subgrants awarded,
 12 disaggregated by the type of eligible entity.

13 (B) A list of subgrantees.

14 (C) The average subgrant award amount.

15 (D) The number of subgrant applicants.

16 (E) A summary of the activities that eligi-
 17 ble entities carried out using subgrant funds.

18 (2) ELIGIBLE ENTITIES REPORT TO THE STATE
 19 OR BIE.—Not later than 180 days after receiving a
 20 subgrant under this section, and every 180 days
 21 thereafter, an eligible entity shall prepare and sub-
 22 mit to the State or Bureau of Indian Education, as
 23 applicable, a report containing the following infor-
 24 mation:

1 (A) A summary of the activities that the
2 eligible entity carried out using subgrant funds.

3 (B) The number of children or students
4 who were served by such activities, if applicable.

5 (i) AUTHORIZATION OF MANDATORY FUNDING.—
6 There are authorized to be appropriated, and there are
7 appropriated, from amounts in the Treasury not already
8 appropriated, to carry out this section \$600,000,000 for
9 fiscal years 2020 and 2021 (in addition to any other
10 amounts appropriated to carry out this section).

11 **SEC. 3. PREPAREDNESS AND SUPPORT GRANTS FOR EARLY**
12 **CARE AND EDUCATION PROGRAMS AND**
13 **HEAD START AGENCIES.**

14 (a) DEFINITIONS.—In this section:

15 (1) CHILD WITH A DISABILITY.—The term
16 “child with a disability” has the meaning given the
17 term in section 602 of the Individuals with Disabil-
18 ities Education Act (20 U.S.C. 1401).

19 (2) ELIGIBLE EARLY CARE AND EDUCATION
20 PROGRAM.—The term “eligible early care and edu-
21 cation program” means—

22 (A) an eligible child care provider, as de-
23 fined in section 658P of the Child Care and De-
24 velopment Block Grant Act of 1990 (42 U.S.C.
25 9858n);

1 (B) a State prekindergarten program; or

2 (C) a group of entities described in sub-
3 paragraph (A) or (B).

4 (3) HEAD START AGENCY.—The term “Head
5 Start agency” means a Head Start agency, including
6 an Early Head Start agency, designated under sec-
7 tion 641 of the Head Start Act (42 U.S.C. 9836).

8 (4) LEAD AGENCY.—The term “lead agency”
9 means a lead agency under the Child Care and De-
10 velopment Block Grant Act of 1990 (42 U.S.C.
11 9858).

12 (5) LOW-INCOME CHILD.—The term “low-in-
13 come child” means an eligible child as defined in
14 section 658P of the Child Care and Development
15 Block Grant Act of 1990 (42 U.S.C. 9858n).

16 (6) QUALIFYING EMERGENCY.—The term
17 “qualifying emergency” means—

18 (A) a public health emergency declared by
19 the Secretary of Health and Human Services
20 pursuant to section 319 of the Public Health
21 Service Act (42 U.S.C. 247d);

22 (B) an emergency for which a Governor of
23 a State or territory has declared a state of
24 emergency;

1 (C) an event for which the President de-
2 clared a major disaster or an emergency under
3 section 401 or 501, respectively, of the Robert
4 T. Stafford Disaster Relief and Emergency As-
5 sistance Act (42 U.S.C. 5170 and 5191); or

6 (D) a national emergency declared by the
7 President under section 201 of the National
8 Emergencies Act (50 U.S.C. 1621).

9 (7) SECRETARY.—The term “Secretary” means
10 the Secretary of Health and Human Services.

11 (b) AUTHORIZATION OF GRANTS FOR EARLY CARE
12 AND EDUCATION PROGRAMS AND HEAD START AGEN-
13 CIES.—

14 (1) IN GENERAL.—From amounts appropriated
15 to carry out this section and not reserved under
16 paragraph (3) or (4), the Secretary is authorized to
17 award grants, on a competitive basis, to the lead
18 agency to enable the lead agency to respond to safe-
19 ty and health risks presented by qualifying emer-
20 gencies.

21 (2) GRANT PERIOD.—Grant funds awarded
22 under this section shall be expended not later than
23 2 years after the date on which such funds are
24 awarded.

1 (3) RESERVATION.—The Secretary shall reserve
2 10 percent of the amounts appropriated to carry out
3 this section to award competitive grants to Head
4 Start agencies.

5 (4) TECHNICAL ASSISTANCE.—The Secretary
6 shall reserve 0.5 percent of the amounts appro-
7 priated to carry out this section to enable the De-
8 partment of Health and Human Services—

9 (A) to provide technical assistance to eligi-
10 ble early care and education programs that re-
11 quest technical assistance; and

12 (B) to coordinate technical assistance that
13 is provided by State, local, tribal, and territorial
14 public health departments and other relevant
15 agencies.

16 (5) NOTICE.—The Secretary shall issue a notice
17 inviting applications for grants under this section
18 not later than 30 days after the date of enactment
19 of this Act.

20 (6) RECEIPT OF APPLICATIONS.—The Secretary
21 shall accept applications from lead agencies and
22 Head Start agencies under this section on a rolling
23 basis.

24 (7) RESPONSE.—The Secretary shall approve or
25 deny applications from lead agencies and Head Start

1 agencies under subsection (c) not later than 30 days
2 after the date of the submission of the application.

3 (c) APPLICATION REQUIREMENTS.—

4 (1) IN GENERAL.—A lead agency shall submit
5 an application to the Secretary at such time, in such
6 manner, and including such information as the Sec-
7 retary may reasonably require. Each application
8 shall include a description of the competitive grant
9 process the lead agency will establish to award
10 subgrant funds to eligible early care and education
11 programs, including—

12 (A) a demonstration of the need for funds;

13 (B) a description of how the lead agency
14 will make eligible early care and education pro-
15 grams aware of available funds;

16 (C) a description of the criteria the lead
17 agency will use to award the subgrants;

18 (D) a description of how the subgrant
19 funds will be allocated; and

20 (E) an assurance that the lead agency will,
21 for the duration of the qualifying emergency,
22 implement enrollment and eligibility policies
23 that support the fixed costs of providing child
24 care services by delinking provider reimburse-

1 ment rates from an eligible child’s absence due
2 to the qualifying emergency.

3 (2) HEAD START AGENCIES.—A Head Start
4 agency desiring a grant under this section to carry
5 out the activities described in subsection (e) with re-
6 spect to Head Start programs shall submit an appli-
7 cation to the Secretary at such time, in such man-
8 ner, and including such information as the Secretary
9 may reasonably require, including—

10 (A) a description of the need for funds;

11 (B) a description of how the Head Start
12 agency will use the funds, including by pro-
13 viding a budget;

14 (C) a description of how the Head Start
15 agency will address the unique needs of low-in-
16 come children, children with disabilities,
17 English learners, racial and ethnic minorities,
18 and children experiencing homelessness; and

19 (D) any other requirements established by
20 the Secretary.

21 (d) USES OF GRANT FUNDS BY LEAD AGENCY.—

22 (1) IN GENERAL.—The lead agency shall—

23 (A) reserve 5 percent of grant funds to
24 provide technical assistance, including providing
25 technical assistance to eligible early care and

1 education programs with limited administrative
2 capacity, and carry out the reporting require-
3 ments described in subsection (f); and

4 (B) use 95 percent of grant funds to
5 award subgrants, on a competitive basis, to eli-
6 gible early care and education programs.

7 (2) APPLICATION.—An eligible early care and
8 education program desiring to receive a subgrant
9 under this section shall submit to the lead agency an
10 application containing—

11 (A) a description of the need for funds;

12 (B) a description of how the eligible early
13 care and education program will use the funds,
14 including by providing a budget;

15 (C) a description of how the eligible early
16 care and education program will address the
17 unique needs of low-income children, children
18 with disabilities, English learners, racial and
19 ethnic minorities, and children experiencing
20 homelessness; and

21 (D) any other requirements established by
22 the lead agency.

23 (3) PRIORITY.—In awarding subgrants under
24 this section, the lead agency shall prioritize the fol-
25 lowing eligible early care and education programs:

1 (A) Eligible early care and education pro-
2 grams with respect to which a significant per-
3 centage of the population served by the eligible
4 early care and education program is impacted
5 by a qualifying emergency.

6 (B) Eligible early care and education pro-
7 grams serving a high percentage of children re-
8 ceiving child care assistance from State pro-
9 grams funded under the Child Care and Devel-
10 opment Block Grant Act of 1990 (42 U.S.C.
11 9858 et seq.).

12 (e) USES OF FUNDS.—An eligible early care and edu-
13 cation program receiving a subgrant under this section
14 shall carry out one or more of the following activities with
15 respect to such program, and a Head Start agency receiv-
16 ing a grant under this section shall carry out one or more
17 of the following activities with respect to Head Start pro-
18 grams:

19 (1) Coordination of preparedness and response
20 efforts of eligible early care and education programs
21 or Head Start programs with State, local, tribal, and
22 territorial public health departments, and other rel-
23 evant agencies, to improve coordinated responses to
24 qualifying emergencies among such entities.

1 (2) Activities to detect, prevent, or mitigate the
2 spread of infectious disease or otherwise respond to
3 a qualifying emergency based on best practices identified by or in coordination with a State, local, tribal,
4 or territorial public health department.

6 (3) Developing and implementing procedures
7 and systems to improve the preparedness and response efforts of eligible early care and education
8 programs or Head Start programs.

10 (4) Providing mental health services and supports, including—

12 (A) counseling for children and staff of the
13 eligible early care and education program or
14 Head Start program; and

15 (B) mental health crisis response and
16 intervention services for children and staff of
17 the eligible early care and education program or
18 Head Start program affected by a qualifying
19 emergency.

20 (5) Training and professional development for
21 staff of the eligible early care and education program or Head Start program on sanitation, and
22 minimizing the spread of infectious diseases.

24 (6) Purchasing supplies to sanitize and clean
25 the facilities of an eligible early care and education

1 program or Head Start program, or hiring outside
2 experts to mitigate and minimize spread of infec-
3 tious disease in such facilities.

4 (7) Other costs that are necessary to maintain
5 the operation of eligible early care and education
6 programs or Head Start programs, such as sub-
7 stitute staff or other emergency assistance.

8 (8) Hiring temporary employees that are nec-
9 essary to maintain the operations of the eligible
10 early care and education program or Head Start
11 agency in the event that the employees of such pro-
12 gram or agency are unable to work by reason of a
13 qualifying emergency, provided that the eligible enti-
14 ty carries out and agrees to all of the following:

15 (A) The eligible early care and education
16 program or Head Start agency compensates
17 any such temporary employees at a minimum
18 amount of the greater of—

19 (i) the regular rate of pay of the em-
20 ployee who is unable to work by reason of
21 the qualifying emergency;

22 (ii) the minimum wage provided by
23 section 6(a)(1) of the Fair Labor Stand-
24 ards Act of 1938 (29 U.S.C. 206(a)(1)); or

1 (iii) the minimum wage amount pro-
2 vided for by the State or locality in which
3 the employee is employed.

4 (B) The eligible early care and education
5 program or Head Start agency continues to
6 compensate any employee who is unable to work
7 by reason of a qualifying emergency and who is
8 temporarily replaced under this paragraph at a
9 minimum amount of the greater of—

10 (i) the regular rate of pay of the em-
11 ployee who is unable to work because of
12 the qualifying emergency;

13 (ii) the minimum wage provided by
14 section 6(a)(1) of the Fair Labor Stand-
15 ards Act of 1938 (29 U.S.C. 206(a)(1)); or

16 (iii) the minimum wage amount pro-
17 vided for by the State or locality in which
18 the employee is employed.

19 (C) An employee who was unable to work
20 by reason of the qualifying emergency shall not
21 be denied initial employment, reemployment, re-
22 tention in employment, promotion, or any ben-
23 efit of employment by an eligible early care and
24 education program or Head Start agency on the

1 basis of the employee's previous absence by rea-
2 son of the qualifying emergency event.

3 (D) A person who is reemployed under this
4 paragraph is entitled to the seniority and other
5 rights and benefits determined by seniority that
6 the person had on the date of the qualifying
7 emergency plus the additional seniority and
8 rights and benefits that such person would have
9 attained if the person had remained continu-
10 ously employed.

11 (E) In any case in which an employee who
12 is unable to work by reason of the qualifying
13 emergency (or the employee's dependents) is en-
14 rolled in a group health plan (as defined in sec-
15 tion 733 of the Employee Retirement Income
16 Security Act of 1974), including group health
17 insurance coverage (as defined in such section
18 733) offered in connection with such a plan,
19 and such person is absent from such position of
20 employment by reason of the qualifying emer-
21 gency, or such person becomes eligible for med-
22 ical and dental care under chapter 55 of title
23 10 by reason of subsection (d) of section 1074
24 of that title, the plan or coverage shall provide
25 that the person may elect to continue such en-

rollment in the plan or coverage for the duration of the qualifying emergency.

(F) The eligible early care and education program or Head Start agency may not discriminate in employment against or take any adverse employment action against any person because such person—

(i) has taken an action to enforce a protection afforded any person under this paragraph;

(ii) has testified or otherwise made a statement in or in connection with any proceeding to enforce a protection under this paragraph;

(iii) has assisted or otherwise participated in an investigation to enforce a protection under this paragraph; or

(iv) has exercised a right provided for in this paragraph.

(G) An eligible early care and education program or Head Start agency shall be considered to have engaged in actions prohibited under this paragraph—

(i) if the employee's inability to work during the qualifying emergency is a moti-

1 vating factor in the eligible early care and
2 education program or Head Start agency's
3 action, unless the program or agency can
4 prove that the action would have been
5 taken in the absence of the employee's in-
6 ability to work; or

7 (ii) if the employee's—

8 (I) action to enforce a protection
9 afforded any person under this para-
10 graph;

11 (II) testimony or making of a
12 statement in or in connection with
13 any proceeding to enforce a protection
14 under this paragraph;

15 (III) assistance or other partici-
16 pation in an investigation to enforce a
17 protection under this paragraph; or

18 (IV) exercise of a right provided
19 for in this paragraph,

20 is a motivating factor in the eligible early
21 care and education program or Head Start
22 agency's action, unless the program or
23 agency can prove that the action would
24 have been taken in the absence of such
25 person's enforcement action, testimony,

1 statement, assistance, participation, or ex-
 2 ercise of a right.

3 (H) An action to recover any damages or
 4 equitable relief for violating this paragraph may
 5 be maintained against the eligible early care
 6 and education program or Head Start agency in
 7 any Federal or State court of competent juris-
 8 diction by one or more employees or individuals
 9 or their representative.

10 (f) REPORTING.—

11 (1) REPORT TO THE SECRETARY.—At the end
 12 of the grant period, the lead agency shall prepare
 13 and submit to the Secretary a report containing the
 14 following information:

15 (A) The number of subgrants awarded,
 16 disaggregated by the type of eligible early care
 17 and education program.

18 (B) A list of subgrantees.

19 (C) Average subgrant award amount.

20 (D) The number and a list of subgrant ap-
 21 plicants.

22 (E) A summary of the activities that eligi-
 23 ble early care and education programs carried
 24 out using subgrant funds.

1 (2) ELIGIBLE EARLY CARE AND EDUCATION
2 PROGRAMS REPORT TO THE LEAD AGENCY.—Not
3 later than 180 days after receiving a subgrant or
4 grant under this section and every 180 days there-
5 after, an eligible early care and education program
6 shall prepare and submit to the lead agency, and a
7 Head Start agency shall prepare and submit to the
8 Secretary, a report containing the following informa-
9 tion:

10 (A) A summary of the activities that the
11 eligible early care and education program or
12 Head Start agency carried out using those
13 funds.

14 (B) The number of children who were
15 served by such activities, if applicable.

16 (g) AUTHORIZATION OF MANDATORY FUNDING.—
17 There are authorized to be appropriated, and there are
18 appropriated, from amounts in the Treasury not already
19 appropriated, to carry out this section \$300,000,000 for
20 fiscal years 2020 and 2021 (in addition to any other
21 amounts appropriated to carry out this section).

1 **SEC. 4. EMERGENCY FINANCIAL AID GRANTS TO SUPPORT**
 2 **STUDENTS DURING PERIODS OF EMERGENCY**
 3 **OR DISASTER.**

4 Title IV of the Higher Education Act of 1965 (20
 5 U.S.C. 1070 et seq.) is amended by adding at the end
 6 the following:

7 **“PART J—EMERGENCY FINANCIAL AID GRANTS**
 8 **“SEC. 499J. EMERGENCY FINANCIAL AID GRANTS TO SUP-**
 9 **PORT STUDENTS DURING PERIODS OF EMER-**
 10 **GENCY OR DISASTER.**

11 “(a) DEFINITIONS.—In this section:

12 “(1) BASIC NEEDS.—The term ‘basic needs’
 13 means the needs of a student included in any compo-
 14 nent of the student’s cost of attendance that support
 15 the student’s success while enrolled at an institution
 16 of higher education, such as—

17 “(A) food;

18 “(B) housing;

19 “(C) transportation;

20 “(D) child care;

21 “(E) the one-time cost of purchasing a
 22 personal computer or establishing a reliable
 23 internet connection; and

24 “(F) health care.

25 “(2) ELIGIBLE STUDENT.—The term ‘eligible
 26 student’ means a student enrolled in an institution

1 of higher education who has been impacted by a
2 qualifying emergency.

3 “(3) EMERGENCY FINANCIAL AID GRANT.—The
4 term ‘emergency financial aid grant’ means an emer-
5 gency financial aid grant provided to an eligible stu-
6 dent under subsection (d).

7 “(b) GRANTS AUTHORIZED.—The Secretary shall
8 award grants, on a competitive basis, to institutions of
9 higher education to enable institutions of higher education
10 to create or expand emergency financial aid grant pro-
11 grams that address the unexpected expenses related to
12 basic needs of eligible students during a qualifying emer-
13 gency.

14 “(c) APPLICATION.—

15 “(1) IN GENERAL.—Each institution of higher
16 education desiring to create or expand an emergency
17 financial aid grant program under this section shall
18 submit an application to the Secretary, at such time,
19 in such manner, and containing such information as
20 the Secretary may require.

21 “(2) CONTENTS.—Each application under para-
22 graph (1) shall include a description of the emer-
23 gency financial aid grant program to be carried out
24 by the institution of higher education, including—

1 “(A) the amount the institution of higher
2 education is requesting in the application;

3 “(B) an estimate of the number of emer-
4 gency financial aid grants that such institution
5 of higher education will make in an award year
6 and how such institution of higher education
7 assessed such estimate;

8 “(C) the criteria the institution of higher
9 education will use to determine that an eligible
10 student will receive an emergency financial aid
11 grant;

12 “(D) a description of the process by which
13 an eligible student may apply and receive an
14 emergency financial aid grant;

15 “(E) a description of the process by which
16 an institution of higher education will deter-
17 mine the basic needs that will be addressed;

18 “(F) a description of how the institution of
19 higher education will prioritize students with
20 the greatest need;

21 “(G) a description of how the institution of
22 higher education will respond to questions re-
23 garding, and disburse funds from, emergency fi-
24 nancial aid grants outside of normal business
25 hours;

1 “(H) an assurance that the process by
 2 which an eligible student applies for an emer-
 3 gency financial aid grant includes at least 1 op-
 4 portunity to appeal a denial of such grant; and

5 “(I) an assurance that the institution of
 6 higher education, as applicable, will make addi-
 7 tional information available to eligible students
 8 about the eligibility of such students and their
 9 dependents for means-tested benefit programs
 10 and additional Federal, State, or local programs
 11 available to the eligible students and their de-
 12 pendents as a result of the qualifying emer-
 13 gency.

14 “(3) PRIORITIES.—In awarding grants to insti-
 15 tutions of higher education under this section, the
 16 Secretary—

17 “(A) shall give priority to institutions of
 18 higher education most heavily affected by a
 19 qualifying emergency; and

20 “(B) may give priority to institutions of
 21 higher education that are eligible to receive as-
 22 sistance under section 371.

23 “(4) NUMBER OF APPLICATIONS.—An institu-
 24 tion of higher education may submit not more than

1 2 applications under this subsection for each award
2 year.

3 “(d) USE OF FUNDS.—

4 “(1) IN GENERAL.—An institution of higher
5 education shall use funds provided under this section
6 to make emergency financial aid grants to eligible
7 students enrolled at the institution of higher edu-
8 cation at the time of the qualifying emergency to ad-
9 dress the unexpected expenses related to the basic
10 needs of eligible students during a qualifying emer-
11 gency.

12 “(2) NO REPAYMENT.—An eligible student re-
13 ceiving an emergency financial aid grant shall not be
14 required to repay all or any portion of the emer-
15 gency financial aid grant.

16 “(3) LIMITATIONS.—An emergency financial
17 aid grant to an eligible student may not be in an
18 amount greater than \$1,500 per award year.

19 “(4) DETERMINATIONS.—In determining eligi-
20 bility for and awarding emergency financial aid
21 grants under this subsection, an institution of higher
22 education may—

23 “(A) independently assess a student’s
24 unmet financial need and eligibility separate
25 from the student’s expected family contribution

1 (as determined under section 474) for an award
 2 year;

3 “(B) utilize a separate application process
 4 to determine the student’s unmet financial
 5 need; and

6 “(C) utilize a contract with a scholarship-
 7 granting organization designated for the sole
 8 purpose of accepting applications from or dis-
 9 bursing funds to students enrolled in the insti-
 10 tution of higher education, if such scholarship-
 11 granting organization disburses the full allo-
 12 cated amount provided to the institution of
 13 higher education to the recipients (except as
 14 provided under subsection (h)(1)).

15 “(e) REPORTING AND OVERSIGHT.—

16 “(1) IN GENERAL.—Not less frequently than
 17 once annually, each institution of higher education
 18 that receives a grant under this section shall submit
 19 to the Secretary a report on the progress of the in-
 20 stitution of higher education in carrying out the pro-
 21 grams supported by such grant.

22 “(2) FORM OF REPORT.—The report under
 23 paragraph (1) shall be submitted to the Secretary at
 24 such time, in such manner, and containing such in-
 25 formation as the Secretary may require. The Sec-

1 retary shall issue uniform guidelines describing the
2 information that shall be reported by institutions of
3 higher education under such paragraph.

4 “(3) CONTENT OF REPORT.—The report under
5 paragraph (1) shall include, at minimum, the fol-
6 lowing:

7 “(A) The number of students that received
8 an emergency financial aid grant.

9 “(B) The average amount of an emergency
10 financial aid grant awarded to eligible students.

11 “(C) The number of students that applied
12 for emergency financial aid grants.

13 “(D) The number of students that were
14 denied emergency financial aid grants.

15 “(E) The average amount of time it took
16 an institution of higher education to respond to
17 an application for an emergency financial aid
18 grant by an eligible student and the average
19 amount of time it took the institution of higher
20 education to approve or deny the emergency fi-
21 nancial aid grant application.

22 “(F) The number of students that received
23 an emergency financial aid grant disaggregated
24 by—

25 “(i) sex;

1 “(ii) race or ethnicity;

2 “(iii) classification as a student with a
3 disability; and

4 “(iv) recipients of a Federal Pell
5 Grant.

6 “(f) GRANT AMOUNTS; DURATION; DEADLINES.—

7 “(1) AMOUNT.—A grant awarded to an institu-
8 tion of higher education under this section shall not
9 exceed \$750,000.

10 “(2) DURATION.—A grant awarded to an insti-
11 tution of higher education under this section shall be
12 for a period of not more than 2 years.

13 “(3) DEADLINES.—

14 “(A) NOTICE.—The Secretary shall issue a
15 notice inviting applications for grants under
16 this section no later than 30 days after the en-
17 actment of the Supporting Students in Re-
18 sponse to Coronavirus Act.

19 “(B) RECEIPT OF APPLICATIONS.—The
20 Secretary shall accept applications from institu-
21 tions of higher education on a rolling basis.

22 “(C) RESPONSE.—The Secretary shall ap-
23 prove or deny applications from institutions of
24 higher education under subsection (c) within 30
25 days.

1 “(4) REDISTRIBUTION OF EXCESS AMOUNTS.—

2 If an institution of higher education returns to the
3 Secretary any portion of the sums awarded to the el-
4 igible institution under this section for any fiscal
5 year, the Secretary shall redistribute the excess
6 funds to institutions of higher education receiving
7 grants under this section for such year that received
8 and used at least 5 percent of the total amount of
9 funds granted to institutions of higher education
10 under this section.

11 “(g) OUTREACH; TECHNICAL ASSISTANCE.—The
12 Secretary shall—

13 “(1) conduct outreach to institutions of higher
14 education to provide information on the opportunity
15 to apply to carry out an emergency financial aid pro-
16 gram under this section; and

17 “(2) provide technical assistance and outreach
18 to institutions of higher education for the prepara-
19 tion of applications described in subsection (c).

20 “(h) ADMINISTRATION.—

21 “(1) ADMINISTRATION COSTS.—An institution
22 of higher education that receives a grant under this
23 section may use not more than 3 percent of the
24 grant funds to administer such grant.

1 “(2) RESERVATION BY SECRETARY.—The Sec-
 2 retary may reserve not more than $\frac{1}{2}$ of 1 percent
 3 of the grant funds to administer the program under
 4 this section.

5 “(i) APPLICABILITY.—Notwithstanding any other
 6 provision of law, any requirement under this title that ap-
 7 plies to assistance under this title shall not apply with re-
 8 spect to a grant or emergency financial aid grant provided
 9 under this part unless otherwise explicitly provided.

10 “(j) AUTHORIZATION AND APPROPRIATIONS.—

11 “(1) IN GENERAL.—There are authorized to be
 12 appropriated, and there are appropriated, from
 13 amounts in the Treasury not already appropriated
 14 and in addition to any other amounts appropriated
 15 to carry out this section, the following amounts:

16 “(A) \$600,000,000 for fiscal year 2020.

17 “(B) \$600,000,000 for fiscal year 2021.

18 “(2) AVAILABILITY OF FUNDS.—Amounts ap-
 19 propriated under this subsection shall remain avail-
 20 able until expended, except that no sums may be ex-
 21 pended after September 30, 2023.”.

22 **SEC. 5. DEFINITION OF QUALIFYING EMERGENCY.**

23 Section 103 of the Higher Education Act of 1965 (20
 24 U.S.C. 1003) is amended—

1 (1) by redesignating paragraphs (15) through
2 (24) as paragraphs (16) through (25), respectively;
3 and

4 (2) by inserting after paragraph (14) the fol-
5 lowing:

6 “(15) QUALIFYING EMERGENCY.—The term
7 ‘qualifying emergency’ means—

8 “(A) a public health emergency declared by
9 the Secretary of Health and Human Services
10 pursuant to section 319 of the Public Health
11 Service Act (42 U.S.C. 247d);

12 “(B) an emergency for which a governor of
13 a State or territory has declared a state of
14 emergency;

15 “(C) an event for which the President de-
16 clared a major disaster or an emergency under
17 section 401 or 501, respectively, of the Robert
18 T. Stafford Disaster Relief and Emergency As-
19 sistance Act (42 U.S.C. 5170 and 5191); or

20 “(D) a national emergency declared by the
21 President under section 201 of the National
22 Emergencies Act (50 U.S.C. 1601 et seq.).”.

1 **SEC. 6. EXCLUSION OF EMERGENCY FINANCIAL AID FROM**
2 **INCOME.**

3 Section 480(j) of the Higher Education Act of 1965
4 (20 U.S.C. 1087vv(j)) is amended by adding at the end
5 the following:

6 “(5) Notwithstanding paragraph (1), emergency fi-
7 nancial aid grants in an amount less than \$1,500 provided
8 to a student for unexpected expenses that are a component
9 of the student’s cost of attendance, and not otherwise con-
10 sidered when the determination of the student’s need is
11 made, shall not be treated as other financial assistance
12 for purposes of section 471(3).”.

13 **SEC. 7. ADJUSTMENT OF SUBSIDIZED USAGE LIMITS.**

14 Section 484(q)(3) of the Higher Education Act of
15 1965 (20 U.S.C. 1087e(q)(3)) is amended by adding at
16 the end the following:

17 “(C) SPECIAL RULE.—Notwithstanding
18 paragraph (1) or subparagraph (A), the Sec-
19 retary may exclude from a student’s period of
20 enrollment any semester, trimester, quarter, or
21 other appropriate academic period during which
22 the student was unable to remain enrolled in
23 school as a result of a qualifying emergency, if
24 the Secretary is able to administer such policy
25 in a manner that limits complexity and the bur-
26 den on the student.”.

1 **SEC. 8. INSTITUTIONAL REFUND AND FEDERAL STUDENT**
2 **LOAN FLEXIBILITY.**

3 (a) **WAIVERS; CANCELING LOAN OBLIGATION; AP-**
4 **PROVED LEAVE OF ABSENCE.**—Section 484B of the High-
5 er Education Act of 1965 (20 U.S.C. 1091b) is amended
6 by adding at the end the following:

7 “(f) **WAIVER.**—The Secretary may waive the require-
8 ment under this section with respect to an institution, that
9 if a recipient of assistance under this title withdraws from
10 an institution during a payment period or period of enroll-
11 ment in which the recipient began attendance, the amount
12 of grant or loan assistance (other than assistance received
13 under part C) be returned to the title IV programs under
14 this Act, if—

15 “(1) the recipient of assistance withdraws dur-
16 ing a payment period as a result of a qualifying
17 emergency; and

18 “(2) the institution requests such a waiver.

19 “(g) **CANCELING LOAN OBLIGATION.**—Notwith-
20 standing any other provision of this Act, the Secretary
21 shall cancel the obligation to repay the portion of a loan
22 made under part D for a recipient of assistance who with-
23 draws from the institution as a result of a qualifying emer-
24 gency for the payment period for which a waiver for the
25 loan is granted under subsection (f).

1 “(h) APPROVED LEAVE OF ABSENCE.—Notwith-
 2 standing any other provision of law, for purposes of receiv-
 3 ing assistance under this title, an institution of higher
 4 education may, as a result of a qualifying emergency, pro-
 5 vide a student with an approved leave of absence that does
 6 not require the student to return at the same point in the
 7 academic program that the student began the leave of ab-
 8 sence.”.

9 (b) WAIVERS OF FEDERAL PELL GRANT REPAY-
 10 MENT; WAIVERS OF GRANT ASSISTANCE REPAYMENT.—
 11 Section 484B(b)(2) of the Higher Education Act of 1965
 12 (20 U.S.C. 1091b(b)(2)) is amended—

13 (1) in subparagraph (D)—

14 (A) by striking clause (i) and inserting the
 15 following:

16 “(i) who were residing in, employed
 17 in, or attending an institution of higher
 18 education that is located in an area in
 19 which there exists a qualifying emer-
 20 gency;”; and

21 (B) in clause (ii), by inserting “or emer-
 22 gency” after “disaster”; and

23 (2) in subparagraph (E)—

24 (A) by striking clause (i) and inserting the
 25 following:

1 “(i) who were residing in, employed
2 in, or attending an institution of higher
3 education that is located in an area in
4 which there exists a qualifying emer-
5 gency;”; and

6 (B) in clause (ii), by inserting “or emer-
7 gency” after “disaster”.

8 (c) EFFECTIVE DATE.—The amendments made by
9 this section shall take effect on the date of enactment of
10 this Act.

11 **SEC. 9. SATISFACTORY PROGRESS.**

12 Section 484(c) of the Higher Education Act of 1965
13 (20 U.S.C. 1091(c)) is amended by adding at the end the
14 following:

15 “(4) In determining whether a student is maintaining
16 satisfactory progress, an institution of higher education
17 may, as a result of a qualifying emergency, exclude from
18 the quantitative component of the calculation any at-
19 tempted credits that were not completed by such student
20 without requiring an appeal by such student.”.

21 **SEC. 10. CONTINUING EDUCATION AT AFFECTED FOREIGN**
22 **INSTITUTIONS.**

23 (a) ELIGIBLE PROGRAM FLEXIBILITY.—Section
24 481(b) of the Higher Education Act of 1965 (20 U.S.C.
25 1088(b)) is amended—

1 (1) by redesignating paragraph (4) as para-
2 graph (5); and

3 (2) by inserting after paragraph (3) the fol-
4 lowing:

5 “(4) Notwithstanding the restriction in para-
6 graph (3) with respect to a foreign institution, in the
7 case of a public health emergency, major disaster or
8 emergency, or national emergency declared by the
9 applicable government authorities in the country in
10 which the foreign institution is located, the Sec-
11 retary may permit any part of an otherwise eligible
12 program to be offered via distance education for the
13 duration of such emergency or disaster and the fol-
14 lowing payment period.”.

15 **SEC. 11. RESOURCES FOR ADDRESSING CHILD TRAUMATIC**
16 **STRESS.**

17 (a) GRANTS FOR ADDRESSING CHILD TRAUMATIC
18 STRESS.—From funds available under subsection (c), the
19 Secretary of Health and Human Services shall award sup-
20 plemental grants to entities, tribes, and tribal organiza-
21 tions that, on the date of enactment of this Act, have an
22 active grant that was awarded to the entity, tribe, or tribal
23 organization under section 582 of the Public Health Serv-
24 ice Act (42 U.S.C. 290hh–1).

1 (b) GRANT ACTIVITIES.—An entity, tribe, or tribal
2 organization awarded a grant under this section shall de-
3 velop and distribute guidance, training, and other re-
4 sources for early care and education programs, families,
5 caregivers, and teachers, principals or other school leaders,
6 and administrators for addressing challenges related to a
7 qualifying emergency (as defined in section 2). Such re-
8 sources shall—

9 (1) include—

10 (A) training and resources for early care
11 and education programs in what to expect for
12 young children, management of anxiety (includ-
13 ing anxiety for high-risk populations and those
14 that must be in social isolation), and effective
15 strategies for communicating with parents and
16 families in times of stress;

17 (B) best practices for families for dealing
18 with loss of routine, identifying early signs of
19 trauma, and coping with stress;

20 (C) best practices for families with high-
21 risk populations (including multigenerational
22 households or grandparents caring for grand-
23 children, people with disabilities or chronic
24 medical conditions, or households with a preg-
25 nant person); and

1 (D) training and guidance for teachers,
 2 principals or other school leaders, and adminis-
 3 trators about the potential impact of school clo-
 4 sures, social isolation, and other changes of rou-
 5 tine for students and staff; and

6 (2) be—

7 (A) electronic and include web-based re-
 8 sources;

9 (B) culturally competent;

10 (C) evidence-informed or evidence-based;

11 (D) accessible;

12 (E) available in multiple languages; and

13 (F) trauma-informed.

14 (c) APPROPRIATION OF FUNDS.—There are author-
 15 ized to be appropriated, and there are appropriated,
 16 \$3,000,000 to award grants pursuant to subsection (b).

○