

116TH CONGRESS
2D SESSION

S. _____

To support education and child care during the COVID–19 public health emergency, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mrs. MURRAY (for herself, Mr. SCHUMER, Mr. LEAHY, Ms. ROSEN, Mr. KAINE, Ms. BALDWIN, Mr. MERKLEY, Mr. VAN HOLLEN, Mr. SANDERS, Mr. MURPHY, Ms. SMITH, Mr. CASEY, Ms. STABENOW, Mr. MARKEY, Ms. WARREN, and Mr. REED) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To support education and child care during the COVID–19 public health emergency, 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 “Coronavirus Child
5 Care and Education Relief Act”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Definition of qualifying emergency.

2

TITLE I—SUPPORT FOR CHILDREN AND FAMILIES

- Sec. 101. Child Abuse Prevention and Treatment Act.
- Sec. 102. Child Care Stabilization Fund.

TITLE II—SUPPORT FOR STUDENTS AND SCHOOLS

Subtitle A— Education Stabilization Fund Improvements

- Sec. 211. Increase in appropriations.
- Sec. 212. Education stabilization funds.

Subtitle B—Additional Appropriations for Elementary Education, Secondary Education, and Special Education

- Sec. 221. Elementary and secondary education appropriations.
- Sec. 222. Individuals with Disabilities Education Act appropriations.

Subtitle C—Higher Education

CHAPTER 1—HISTORICALLY BLACK COLLEGES AND UNIVERSITIES

- Sec. 231. HBCU endowment challenge grants.
- Sec. 232. Funding for HBCU capital financing.

CHAPTER 2—ADDITIONAL APPROPRIATIONS FOR TRIO PROGRAMS

- Sec. 235. Additional TRIO appropriations.

Subtitle D—Increased Funding for Adult Education and Career and Technical Education

CHAPTER 1—ADULT EDUCATION AND LITERACY QUALIFYING EMERGENCY RESPONSE

- Sec. 241. Definitions.
- Sec. 242. Adult education and literacy response activities.
- Sec. 243. Distribution of funds.

CHAPTER 2—CAREER AND TECHNICAL EDUCATION

- Sec. 245. Definitions and Perkins CTE requirements.
- Sec. 246. COVID–19 career and technical education response flexibility.
- Sec. 247. Perkins career and technical education.

Subtitle E—Community College and Industry Partnership Grants

- Sec. 251. Community college and industry partnership grants.

Subtitle F—E-Rate

- Sec. 255. E-Rate support for Wi-Fi hotspots, other equipment, and connected devices during emergency periods relating to COVID–19.

TITLE III—GENERAL PROVISIONS

- Sec. 301. Protections for children with disabilities.
- Sec. 302. Rule of construction relating to registered apprenticeship programs.

Sec. 303. General Education Provisions Act requirements relating to COVID-19.

Sec. 304. Emergency designation.

1 **SEC. 3. DEFINITION OF QUALIFYING EMERGENCY.**

2 In this Act, the term “qualifying emergency” has the
3 meaning given the term in section 3502 of division A of
4 the Coronavirus Aid, Relief, and Economic Security Act
5 (Public Law 116–136).

6 **TITLE I—SUPPORT FOR**
7 **CHILDREN AND FAMILIES**

8 **SEC. 101. CHILD ABUSE PREVENTION AND TREATMENT**
9 **ACT.**

10 (a) TITLE I APPROPRIATIONS.—

11 (1) IN GENERAL.—There is appropriated to the
12 Secretary of Health and Human Services (referred
13 to in this section as the “Secretary”), out of
14 amounts in the Treasury not otherwise appropriated,
15 \$500,000,000 for fiscal year 2020, for the purpose
16 of providing additional funding for the State grant
17 program under section 106 of the Child Abuse Pre-
18 vention and Treatment Act (42 U.S.C. 5106a).

19 (2) ALLOTMENTS.—The Secretary shall make
20 allotments out of the amounts appropriated under
21 paragraph (1) to each State and territory receiving
22 an allotment under section 106(f) of the Child Abuse
23 Prevention and Treatment Act (42 U.S.C. 5106a(f))
24 for fiscal year 2019, in the same manner that

1 amounts appropriated under section 112 of such Act
2 (42 U.S.C. 5106f)) are allotted to States in accord-
3 ance with section 106(f)(2) of such Act.

4 (3) CHILDREN, FAMILIES, AND CHILD WELFARE
5 WORKERS' HEALTH AND SAFETY.—The Secretary
6 shall allow each State to use amounts appropriated
7 under paragraph (1) and allocated under paragraph
8 (2) to cover costs that the State determines nec-
9 essary to support child welfare workers in pre-
10 venting, investigating, and treating child abuse and
11 neglect in response to a qualifying emergency, in-
12 cluding for the purchase of personal protective
13 equipment and sanitation supplies, consistent with
14 section 106 of the Child Abuse Prevention and
15 Treatment Act (42 U.S.C. 5106a).

16 (b) CHILD ABUSE PREVENTION APPROPRIATION.—

17 (1) IN GENERAL.—There is appropriated to the
18 Secretary, out of amounts in the Treasury not other-
19 wise appropriated, \$1,000,000,000 for fiscal year
20 2020, for the purpose of providing additional fund-
21 ing for the community-based grants for the preven-
22 tion of child abuse and neglect under title II of the
23 Child Abuse Prevention and Treatment Act (42
24 U.S.C. 5116 et seq.).

1 (2) ALLOTMENTS.—The Secretary shall make
2 allotments out of the amounts appropriated under
3 paragraph (1) to each State receiving an allotment
4 under section 203 of the Child Abuse Prevention
5 and Treatment Act (42 U.S.C. 5116b) for fiscal
6 year 2019, in the same manner that amounts appro-
7 priated under section 209 of such Act (42 U.S.C.
8 5116i) are allotted to States in accordance with sec-
9 tion 203 of such Act, except that, in allotting
10 amounts under this subsection—

11 (A) in subsection (a) of such section 203,
12 “1 percent” shall be deemed to be “5 percent”;

13 (B) in subsection (b)(1)(A) of such section
14 203, “70 percent” shall be deemed to be “100
15 percent”; and

16 (C) subsections (b)(1)(B) and (c) of such
17 section 203 shall not apply.

18 (3) COMMUNITY-BASED PROGRAMS AND ACTIVI-
19 TIES HEALTH AND SAFETY.—The Secretary shall
20 allow each State lead entity to use amounts appro-
21 priated under paragraph (1) and allocated to the
22 State under paragraph (2) to cover costs that the
23 lead entity determines necessary to maintain the op-
24 eration of community-based and prevention-focused
25 programs and activities in the State in response to

1 a qualifying emergency, including for the purchase
2 of personal protective equipment and sanitation sup-
3 plies, consistent with title II of Child Abuse Preven-
4 tion and Treatment Act (42 U.S.C. 5116 et seq.).

5 (4) NO STATE MATCHING REQUIREMENT.—Not-
6 withstanding section 204(4) of the Child Abuse Pre-
7 vention and Treatment Act (42 U.S.C. 5116d(4)), a
8 State shall not be required to provide any additional
9 funding for the program under title II of the Child
10 Abuse Prevention and Treatment Act (42 U.S.C.
11 5116 et seq.) as a condition for receiving an alloca-
12 tion under paragraph (1).

13 (c) IN GENERAL.—Any amount appropriated or
14 made available under this section is in addition to other
15 amounts appropriated or made available for the applicable
16 purpose, and shall remain available until expended.

17 **SEC. 102. CHILD CARE STABILIZATION FUND.**

18 (a) DEFINITIONS.—In this section, the terms “eligi-
19 ble child care provider”, “Indian tribe”, “lead agency”,
20 “tribal organization”, “Secretary”, and “State” have the
21 meanings given the terms in section 658P of the Child
22 Care and Development Block Grant Act of 1990 (42
23 U.S.C. 9858n) except as otherwise provided in this sec-
24 tion.

1 (b) GRANTS.—From funds appropriated to carry out
2 this section and under the authority of section 6580 of
3 the Child Care and Development Block Grant Act of 1990
4 (42 U.S.C. 9858m) and this section, the Secretary shall
5 establish a Child Care Stabilization Fund grants program,
6 through which the Secretary shall award child care sta-
7 bilization grants to the lead agency of each State (as de-
8 fined in that section 6580), territory described in sub-
9 section (a)(1) of such section, Indian tribe, and tribal or-
10 ganization from allotments and payments made under
11 subsection (c)(2), not later than 30 days after the date
12 of enactment of this Act.

13 (c) SECRETARIAL RESERVATION AND ALLOT-
14 MENTS.—

15 (1) RESERVATION.—The Secretary shall reserve
16 not more than 1 percent of the funds appropriated
17 to carry out this section for the Federal administra-
18 tion of grants described in subsection (b).

19 (2) ALLOTMENTS.—The Secretary shall use the
20 remainder of the funds appropriated to carry out
21 this section to award allotments to States, as defined
22 in section 6580 of the Child Care Development
23 Block Grant Act of 1990 (42 U.S.C. 9858m), and
24 payments to territories, Indian tribes, and tribal or-
25 ganizations in accordance with paragraphs (1) and

1 (2) of subsection (a), and subsection (b), of section
2 6580 of the Child Care and Development Block
3 Grant Act of 1990 (42 U.S.C. 9858m).

4 (d) STATE RESERVATIONS AND SUBGRANTS.—

5 (1) RESERVATION.—A lead agency for a State
6 that receives a child care stabilization grant pursu-
7 ant to subsection (b) shall reserve not more than 10
8 percent of such grant funds—

9 (A) to administer subgrants made to quali-
10 fied child care providers under paragraph (2),
11 including to carry out data systems building
12 and other activities that enable the disburse-
13 ment of payments of such subgrants;

14 (B) to provide technical assistance and
15 support in applying for and accessing the
16 subgrant opportunity under paragraph (2), to
17 eligible child care providers (including to family
18 child care providers, group home child care pro-
19 viders, and other non-center-based child care
20 providers and providers with limited administra-
21 tive capacity), either directly or through re-
22 source and referral agencies or staffed family
23 child care networks;

24 (C) to publicize the availability of sub-
25 grants under this section and conduct wide-

1 spread outreach to eligible child care providers,
2 including family child care providers, group
3 home child care providers, and other non-cen-
4 ter-based child care providers and providers
5 with limited administrative capacity, either di-
6 rectly or through resource and referral agencies
7 or staffed family child care networks, to ensure
8 eligible child care providers are aware of the
9 subgrants available under this section;

10 (D) to carry out the reporting require-
11 ments described in subsection (f); and

12 (E) to carry out activities to improve the
13 supply and quality of child care during and
14 after the qualifying emergency, such as con-
15 ducting community needs assessments, carrying
16 out child care cost modeling, making improve-
17 ments to child care facilities, increasing access
18 to licensure or participation in the State's
19 tiered quality rating system, and carrying out
20 other activities described in section 658G(b) of
21 the Child Care and Development Block Grant
22 Act of 1990 (42 U.S.C. 9858e(b)), to the extent
23 that the lead agency can carry out activities de-
24 scribed in this subparagraph without preventing
25 the lead agency from fully conducting the ac-

1 activities described in subparagraphs (A) through
2 (D).

3 (2) SUBGRANTS TO QUALIFIED CHILD CARE
4 PROVIDERS.—

5 (A) IN GENERAL.—The lead agency shall
6 use the remainder of the grant funds awarded
7 pursuant to subsection (b) to make subgrants
8 to qualified child care providers described in
9 subparagraph (B), to support the stability of
10 the child care sector during and after the quali-
11 fying emergency. The lead agency shall provide
12 the subgrant funds in advance of provider ex-
13 penditures for costs described in subsection (e),
14 except as provided in subsection (e)(2).

15 (B) QUALIFIED CHILD CARE PROVIDER.—
16 To be qualified to receive a subgrant under this
17 paragraph, a provider shall be an eligible child
18 care provider that—

19 (i) was providing child care services
20 on or before March 1, 2020; and

21 (ii) on the date of submission of an
22 application for the subgrant, was either—

23 (I) open and available to provide
24 child care services; or

1 (II) closed due to the qualifying
2 emergency.

3 (C) SUBGRANT AMOUNT.—The lead agency
4 shall make subgrants, from amounts awarded
5 pursuant to subsection (b), to qualified child
6 care providers, and the amount of such a
7 subgrant to such a provider shall—

8 (i)(I) be based on the provider's stat-
9 ed average operating expenses during the
10 period (of not longer than 6 months) be-
11 fore March 1, 2020 or, for a provider that
12 operates seasonally, during a period (of not
13 longer than 6 months) before the pro-
14 vider's last day of operation; and

15 (II) at minimum cover such operating
16 expenses for the intended length of the
17 subgrant;

18 (ii) account for increased costs of pro-
19 viding or preparing to provide child care as
20 a result of the qualifying emergency, such
21 as provider and employee compensation
22 and existing benefits (existing as of March
23 1, 2020) and the implementation of new
24 practices related to sanitization, group size
25 limits, and social distancing;

1 (iii) be adjusted for payments or reim-
2 bursements made to an eligible child care
3 provider to carry out the Child Care and
4 Development Block Grant Act of 1990 (42
5 U.S.C. 9857 et seq.) or the Head Start
6 Act (42 U.S.C. 9831 et seq.); and

7 (iv) be adjusted for payments or reim-
8 bursements made to an eligible child care
9 provider through the Paycheck Protection
10 Program set forth in section 7(a)(36) of
11 the Small Business Act (15 U.S.C.
12 636(a)(36)), as added by section 1102 of
13 the Coronavirus Aid, Relief, and Economic
14 Security Act (Public Law 116–136).

15 (D) APPLICATION.—

16 (i) ELIGIBILITY.—To be eligible to re-
17 ceive a subgrant under this paragraph, a
18 child care provider shall submit an applica-
19 tion to a lead agency at such time and in
20 such manner as the lead agency may re-
21 quire. Such application shall include—

22 (I) a good-faith certification that
23 the ongoing operations of the child
24 care provider have been impacted as a
25 result of the qualifying emergency;

1 (II) for a provider described in
2 subparagraph (B)(ii)(I), an assurance
3 that, for the duration of the qualifying
4 emergency—

5 (aa) the provider will give
6 priority for available slots (in-
7 cluding slots that are only tempo-
8 rarily available) to—

9 (AA) children of essen-
10 tial workers (such as health
11 care sector employees, emer-
12 gency responders, sanitation
13 workers, farmworkers, child
14 care employees, and other
15 workers determined to be es-
16 sential during the response
17 to COVID-19 by public offi-
18 cials), children of workers
19 whose places of employment
20 require their attendance,
21 children experiencing home-
22 lessness, children with dis-
23 abilities, children at risk of
24 child abuse or neglect, and
25 children in foster care, in

1 States, tribal communities,
2 or localities where stay-at-
3 home or related orders are
4 in effect; or

5 (BB) children of work-
6 ers whose places of employ-
7 ment require their attend-
8 ance, children experiencing
9 homelessness, children with
10 disabilities, children at risk
11 of child abuse or neglect,
12 children in foster care, and
13 children whose parents are
14 in school or a training pro-
15 gram, in States, tribal com-
16 munities, or localities where
17 stay-at-home or related or-
18 ders are not in effect;

19 (bb) the provider will imple-
20 ment policies in line with guid-
21 ance from the Centers for Dis-
22 ease Control and Prevention and
23 the State, tribal, and local health
24 authorities, and in accordance
25 with State, tribal, and local or-

1 ders, for child care providers that
2 remain open, including guidance
3 on sanitization practices, group
4 size limits, and social distancing;

5 (cc) for each employee, the
6 provider will pay the full com-
7 pensation described in subsection
8 (e)(1)(C), including any benefits,
9 that was provided to the em-
10 ployee as of March 1, 2020 (re-
11 ferred to in this clause as “full
12 compensation”), and will not take
13 any action that reduces the week-
14 ly amount of the employee’s com-
15 pensation below the weekly
16 amount of full compensation, or
17 that reduces the employee’s rate
18 of compensation below the rate of
19 full compensation; and

20 (dd) the provider will pro-
21 vide relief from copayments and
22 tuition payments for the families
23 enrolled in the provider’s pro-
24 gram and prioritize such relief

1 for families struggling to make
2 either type of payment;

3 (III) for a provider described in
4 subparagraph (B)(ii)(II), an assur-
5 ance that—

6 (aa) for the duration of the
7 provider's closure due to the
8 qualifying emergency, for each
9 employee, the provider will pay
10 full compensation, and will not
11 take any action that reduces the
12 weekly amount of the employee's
13 compensation below the weekly
14 amount of full compensation, or
15 that reduces the employee's rate
16 of compensation below the rate of
17 full compensation;

18 (bb) children enrolled as of
19 March 1, 2020, will maintain
20 their slots, unless their families
21 choose to disenroll the children;

22 (cc) for the duration of the
23 provider's closure due to the
24 qualifying emergency, the pro-
25 vider will provide relief from co-

1 payments and tuition payments
2 for the families enrolled in the
3 provider's program and prioritize
4 such relief for families struggling
5 to make either type of payment;
6 and

7 (dd) the provider will re-
8 sume operations when the pro-
9 vider is able to safely implement
10 policies in line with guidance
11 from the Centers for Disease
12 Control and Prevention and the
13 State, tribal, and local health au-
14 thorities, and in accordance with
15 State, tribal, and local orders;

16 (IV) information about the child
17 care provider's—

18 (aa) program characteristics
19 sufficient to allow the lead agen-
20 cy to establish the child care pro-
21 vider's priority status, as de-
22 scribed in subparagraph (F);

23 (bb) program operational
24 status on the date of submission
25 of the application;

1 (cc) type of program, includ-
2 ing whether the program is a
3 center-based child care, family
4 child care, group home child care,
5 or other non-center-based child
6 care type program;

7 (dd) total enrollment on the
8 date of submission of the applica-
9 tion and total capacity as allowed
10 by the State and tribal and local
11 authorities; and

12 (ee) receipt of assistance,
13 and amount of assistance,
14 through a payment or reimburse-
15 ment described in subparagraph
16 (C)(iv), and the time period for
17 which the assistance was made;

18 (V) information necessary to de-
19 termine the amount of the subgrant,
20 such as information about the pro-
21 vider's stated average operating ex-
22 penses over the appropriate period de-
23 scribed in subparagraph (C)(i); and

24 (VI) such other limited informa-
25 tion as the lead agency shall deter-

1 mine to be necessary to make sub-
2 grants to qualified child care pro-
3 viders.

4 (ii) FREQUENCY.—The lead agency
5 shall accept and process applications sub-
6 mitted under this subparagraph on a roll-
7 ing basis.

8 (iii) UPDATES.—The lead agency
9 shall—

10 (I) at least once a month, verify
11 by obtaining a self-attestation from
12 each qualified child care provider that
13 received such a subgrant from the
14 agency, whether the provider is open
15 and available to provide child care
16 services or is closed due to the quali-
17 fying emergency;

18 (II) allow the qualified child care
19 provider to update the information
20 provided in a prior application; and

21 (III) adjust the qualified child
22 care provider's subgrant award as
23 necessary, based on changes to the
24 application information, including

1 changes to the provider's operational
2 status.

3 (iv) EXISTING APPLICATIONS.—If a
4 lead agency has established and imple-
5 mented a grant program for child care pro-
6 viders that is in effect on the date of en-
7 actment of this Act, and an eligible child
8 care provider has already submitted an ap-
9 plication for such a grant to the lead agen-
10 cy containing the information specified in
11 clause (i), the lead agency shall treat that
12 application as an application submitted
13 under this subparagraph. If an eligible
14 child care provider has already submitted
15 such an application containing part of the
16 information specified in clause (i), the pro-
17 vider may submit to the lead agency an ab-
18 breviated application that contains the re-
19 maining information, and the lead agency
20 shall treat the 2 applications as an applica-
21 tion submitted under this subparagraph.

22 (E) MATERIALS.—

23 (i) IN GENERAL.—The lead agency
24 shall provide the materials and other re-
25 sources related to such subgrants, includ-

1 ing a notification of subgrant opportunities
2 and application materials, to qualified child
3 care providers in the most commonly spo-
4 ken languages in the State.

5 (ii) APPLICATION.—The application
6 shall be accessible on the website of the
7 lead agency within 30 days after the lead
8 agency receives grant funds awarded pur-
9 suant to subsection (b) and shall be acces-
10 sible to all eligible child care providers, in-
11 cluding family child care providers, group
12 home child care providers, and other non-
13 center-based child care providers and pro-
14 viders with limited administrative capacity.

15 (F) PRIORITY.—In making subgrants
16 under this section, the lead agency shall give
17 priority to qualified child care providers that,
18 prior to or on March 1, 2020—

19 (i) provided child care during non-
20 traditional hours;

21 (ii) served dual language learners,
22 children with disabilities, children experi-
23 encing homelessness, children in foster
24 care, children from low-income families, or
25 infants and toddlers;

1 (iii) served a high proportion of chil-
2 dren whose families received subsidies
3 under the Child Care and Development
4 Block Grant Act of 1990 (42 U.S.C. 9857
5 et seq.) for the child care; or

6 (iv) operated in localities, including
7 rural localities, with a low supply of child
8 care.

9 (G) PROVIDERS RECEIVING OTHER ASSIST-
10 ANCE.—The lead agency, in determining wheth-
11 er a provider is a qualified child care provider,
12 shall not take into consideration receipt of a
13 payment or reimbursement described in clause
14 (iii) or (iv) of subparagraph (C).

15 (H) AWARDS.—The lead agency shall equi-
16 tably make subgrants under this paragraph to
17 center-based child care providers, family child
18 care providers, group home child care providers,
19 and other non-center-based child care providers,
20 such that qualified child care providers are able
21 to access the subgrant opportunity under this
22 paragraph regardless of the providers' setting,
23 size, or administrative capacity.

24 (I) OBLIGATION.—The lead agency shall
25 obligate at least 50 percent of funds available

1 to carry out this section for subgrants described
2 in this paragraph, by December 31, 2020.

3 (e) USES OF FUNDS.—

4 (1) IN GENERAL.—A qualified child care pro-
5 vider that receives funds through such a subgrant
6 may use the funds for the costs of—

7 (A) payroll;

8 (B) employee benefits, including group
9 health plan benefits during periods of paid sick,
10 medical, or family leave, and insurance pre-
11 miums;

12 (C) employee salaries or similar compensa-
13 tion, including any income or other compensa-
14 tion to a sole proprietor or independent con-
15 tractor that is a wage, commission, income, net
16 earnings from self-employment, or similar com-
17 pensation;

18 (D) payment on any mortgage obligation;

19 (E) rent (including rent under a lease
20 agreement);

21 (F) utilities;

22 (G) insurance;

23 (H) providing premium pay for child care
24 providers and other employees who provide
25 services during the qualifying emergency;

1 (I) sanitization and other costs associated
2 with cleaning;

3 (J) personal protective equipment and
4 other equipment necessary to carry out the
5 functions of the child care provider;

6 (K) training and professional development
7 related to health and safety practices, including
8 the proper implementation of policies in line
9 with guidance from the Centers for Disease
10 Control and Prevention and the State, tribal,
11 and local health authorities, and in accordance
12 with State, tribal, and local orders;

13 (L) modifications to child care services as
14 a result of the qualifying emergency, such as
15 limiting group sizes, adjusting staff-to-child ra-
16 tios, and implementing other heightened health
17 and safety measures;

18 (M) mental health services and supports
19 for children and employees; and

20 (N) other goods and services necessary to
21 maintain or resume operation of the child care
22 program, or to maintain the viability of the
23 child care provider as a going concern during
24 and after the qualifying emergency.

1 (2) REIMBURSEMENT.—The qualified child care
2 provider may use the subgrant funds to reimburse
3 the provider for sums obligated or expended before
4 the date of enactment of this Act for the cost of a
5 good or service described in paragraph (1) to re-
6 spond to the qualifying emergency.

7 (f) REPORTING.—

8 (1) INITIAL REPORT.—A lead agency receiving
9 a grant under this section shall, within 60 days after
10 making the agency’s first subgrant under subsection
11 (d)(2) to a qualified child care provider, submit a re-
12 port to the Secretary that includes—

13 (A) data on qualified child care providers
14 that applied for subgrants and qualified child
15 care providers that received such subgrants, in-
16 cluding—

17 (i) the number of such applicants and
18 the number of such recipients;

19 (ii) the number and proportion of
20 such applicants and recipients that re-
21 ceived priority and the characteristic or
22 characteristics of such applicants and re-
23 cipients associated with the priority;

24 (iii) the number and proportion of
25 such applicants and recipients that are—

1 (I) center-based child care pro-
2 viders;

3 (II) family child care providers;

4 (III) group home child care pro-
5 viders; or

6 (IV) other non-center-based child
7 care providers; and

8 (iv) within each of the groups listed in
9 clause (iii), the number of such applicants
10 and recipients that are, on the date of sub-
11 mission of the application—

12 (I) open and available to provide
13 child care services; or

14 (II) closed due to the qualifying
15 emergency;

16 (B) the total capacity of child care pro-
17 viders that are licensed, regulated, or registered
18 in the State on the date of the submission of
19 the report;

20 (C) a description of—

21 (i) the efforts of the lead agency to
22 publicize the availability of subgrants
23 under this section and conduct widespread
24 outreach to eligible child care providers
25 about such subgrants, including efforts to

1 make materials available in languages
2 other than English;

3 (ii) the lead agency's methodology for
4 determining amounts of subgrants under
5 subsection (d)(2);

6 (iii) the lead agency's timeline for dis-
7 bursing the subgrant funds; and

8 (iv) the lead agency's plan for ensur-
9 ing that qualified child care providers that
10 receive funding through such a subgrant
11 comply with assurances described in sub-
12 section (d)(2)(D) and use funds in compli-
13 ance with subsection (e); and

14 (D) such other limited information as the
15 Secretary may require.

16 (2) QUARTERLY REPORT.—The lead agency
17 shall, following the submission of such initial report,
18 submit to the Secretary a report that contains the
19 information described in subparagraphs (A), (B),
20 and (D) of paragraph (1) once a quarter until all
21 funds allotted for activities authorized under this
22 section are expended.

23 (3) FINAL REPORT.—Not later than 60 days
24 after a lead agency receiving a grant under this sec-
25 tion has obligated all of the grant funds (including

1 funds received under subsection (h)), the lead agen-
2 cy shall submit a report to the Secretary, in such
3 manner as the Secretary may require, that in-
4 cludes—

5 (A) the total number of eligible child care
6 providers who were providing child care services
7 on or before March 1, 2020, in the State and
8 the number of such providers that submitted an
9 application under subsection (d)(2)(D);

10 (B) the number of qualified child care pro-
11 viders in the State that received funds through
12 the grant;

13 (C) the lead agency's methodology for de-
14 termining amounts of subgrants under sub-
15 section (d)(2);

16 (D) the average and range of the subgrant
17 amounts by provider type (center-based child
18 care, family child care, group home child care,
19 or other non-center-based child care provider);

20 (E) the percentages, of the child care pro-
21 viders that received such a subgrant, that, on or
22 before March 1, 2020—

23 (i) provided child care during non-
24 traditional hours;

1 (ii) served dual language learners,
2 children with disabilities, children experi-
3 encing homelessness, children in foster
4 care, children from low-income families, or
5 infants and toddlers;

6 (iii) served a high percentage of chil-
7 dren whose families received subsidies
8 under the Child Care and Development
9 Block Grant Act of 1990 (42 U.S.C. 9857
10 et seq.) for the child care; and

11 (iv) operated in localities, including
12 rural localities, with a low supply of child
13 care;

14 (F) the number of children served by the
15 child care providers that received such a
16 subgrant, for the duration of the subgrant;

17 (G) the percentages, of the child care pro-
18 viders that received such a subgrant, that are—

19 (i) center-based child care providers;

20 (ii) family child care providers;

21 (iii) group home child care providers;

22 or

23 (iv) other non-center-based child care
24 providers;

1 (H) the percentages, of the child care pro-
2 viders listed in subparagraph (G) that are, on
3 the date of submission of the application—

4 (i) open and available to provide child
5 care services; or

6 (ii) closed due to the qualifying emer-
7 gency;

8 (I) information about how child care pro-
9 viders used the funds received under such a
10 subgrant;

11 (J) information about how the lead agency
12 used funds reserved under subsection (d)(1);
13 and

14 (K) information about how the subgrants
15 helped to stabilize the child care sector.

16 (4) REPORTS TO CONGRESS.—

17 (A) FINDINGS FROM INITIAL REPORTS.—

18 Not later than 60 days after receiving all re-
19 ports required to be submitted under paragraph
20 (1), the Secretary shall provide a report to the
21 Committee on Education and Labor and the
22 Committee on Appropriations of the House of
23 Representatives and to the Committee on
24 Health, Education, Labor, and Pensions and
25 the Committee on Appropriations of the Senate,

1 summarizing the findings from the reports re-
2 ceived under paragraph (1).

3 (B) FINDINGS FROM FINAL REPORTS.—

4 Not later than 36 months after the date of en-
5 actment of this Act, the Secretary shall provide
6 a report to the Committee on Education and
7 Labor and the Committee on Appropriations of
8 the House of Representatives and to the Com-
9 mittee on Health, Education, Labor, and Pen-
10 sions and the Committee on Appropriations of
11 the Senate, summarizing the findings from the
12 reports received under paragraph (3).

13 (g) SUPPLEMENT NOT SUPPLANT.—Amounts made
14 available to carry out this section shall be used to supple-
15 ment and not supplant other Federal, State, and local
16 public funds expended to provide child care services for
17 eligible individuals, including funds provided under the
18 Child Care and Development Block Grant Act of 1990 (42
19 U.S.C. 9857 et seq.) and State child care programs.

20 (h) REALLOTMENT OF UNOBLIGATED FUNDS.—

21 (1) UNOBLIGATED FUNDS.—A State, Indian
22 tribe, or tribal organization shall return to the Sec-
23 retary any grant funds received under this section
24 that the State, Indian tribe, or tribal organization
25 does not obligate by September 30, 2021.

1 (2) REALLOTMENT.—The Secretary shall award
2 new allotments and payments, in accordance with
3 subsection (c)(2), to covered States, Indian tribes, or
4 tribal organizations from funds that are returned
5 under paragraph (1) within 60 days of receiving
6 such funds. Funds made available through the new
7 allotments and payments shall remain available to
8 each such covered State, Indian tribe, or tribal orga-
9 nization until September 30, 2022.

10 (3) COVERED STATE, INDIAN TRIBE, OR TRIBAL
11 ORGANIZATION.—For purposes of paragraph (2), a
12 covered State, Indian tribe, or tribal organization is
13 a State, Indian tribe, or tribal organization that re-
14 ceived an allotment or payment under this section
15 and was not required to return grant funds under
16 paragraph (1).

17 (i) EXCEPTIONS.—The Child Care and Development
18 Block Grant Act of 1990 (42 U.S.C. 9857 et seq.), exclud-
19 ing requirements in subparagraphs (C) through (E) of sec-
20 tion 658E(c)(3), section 658G, and section 658J(c) of
21 such Act (42 U.S.C. 9858e(c)(3), 9858e, 9858h(c)), shall
22 apply to child care services provided under this section to
23 the extent the application of such Act does not conflict
24 with the provisions of this section. Nothing in this section
25 shall be construed to require a State, Indian tribe, or trib-

1 al organization to submit an application, other than the
2 application described in section 658E or 658O(c) of the
3 Child Care and Development Block Grant Act of 1990 (42
4 U.S.C. 9858e, 9858m(c)), to receive a grant under this
5 section.

6 (j) AUTHORIZATION OF APPROPRIATIONS.—

7 (1) IN GENERAL.—There is authorized to be
8 appropriated, and there is appropriated, out of any
9 money in the Treasury not already appropriated, to
10 carry out this section \$50,000,000,000 for fiscal
11 year 2020, to remain available until expended.

12 (2) APPLICATION.—In carrying out the Child
13 Care and Development Block Grant Act of 1990
14 with funds other than the funds appropriated under
15 paragraph (1), the Secretary shall calculate the
16 amounts of appropriated funds described in sub-
17 sections (a) and (b) of section 658O of such Act (42
18 U.S.C. 9858m) by excluding funds appropriated
19 under paragraph (1).

1 **TITLE II—SUPPORT FOR**
2 **STUDENTS AND SCHOOLS**
3 **Subtitle A— Education**
4 **Stabilization Fund Improvements**

5 **SEC. 211. INCREASE IN APPROPRIATIONS.**

6 There is appropriated, out of amounts in the Treas-
7 ury not otherwise appropriated, for an additional amount
8 for the Education Stabilization Fund, as established under
9 division B of the Coronavirus Aid, Relief, and Economic
10 Security Act (Public Law 116–136), \$345,000,000,000,
11 to remain available through fiscal year 2021, to prevent,
12 prepare for, and respond to COVID–19, domestically or
13 internationally.

14 **SEC. 212. EDUCATION STABILIZATION FUNDS.**

15 (a) EDUCATION STABILIZATION FUNDS.—Section
16 18001 of division B of the Coronavirus Aid, Relief, and
17 Economic Security Act (Public Law 116–136) is amended
18 to read as follows:

19 “EDUCATION STABILIZATION FUND

20 “SEC. 18001. (a) ALLOCATIONS.—

21 “(1) IN GENERAL.—From any amounts made
22 available for this heading to carry out the Education
23 Stabilization Fund, the Secretary shall first allo-
24 cate—

1 “(A) not more than 1/2 of 1 percent to the
2 outlying areas on the basis of their respective
3 needs, as determined by the Secretary, in con-
4 sultation with the Secretary of the Interior; and

5 “(B) one-half of 1 percent for the Sec-
6 retary of Interior, in consultation with the Sec-
7 retary of Education, for programs operated or
8 funded by the Bureau of Indian Education and
9 Tribal Colleges or Universities.

10 “(2) TIMING REQUIREMENT.—By not later
11 than 30 days after the date of enactment of an Act
12 appropriating or otherwise making available
13 amounts to carry out the Education Stabilization
14 Fund, the Secretary shall make the allocations re-
15 quired under paragraph (1).

16 “(b) RESERVATIONS.—After carrying out subsection
17 (a), the Secretary shall reserve the remaining funds made
18 available as follows:

19 “(1) 9.79 percent to carry out section 18002 of
20 this title.

21 “(2) 50.73 percent to carry out section 18003
22 of this title.

23 “(3) 38.48 percent to carry out section 18004
24 of this title.”.

1 (b) GOVERNOR’S EMERGENCY EDUCATION RELIEF
2 FUND.—Section 18002(c) of the Coronavirus Aid, Relief,
3 and Economic Security Act (Public Law 116–136)is
4 amended—

5 (1) in paragraph (2), by striking “and”; and

6 (2) by striking paragraph (3) and inserting the
7 following:

8 “(3) provide support to early childhood edu-
9 cation programs, as defined in section 103 of the
10 Higher Education Act of 1965 (20 U.S.C. 1003), in-
11 cluding State and local prekindergarten programs,
12 within the State that the Governor deems essential
13 for promoting continuity of care and educational
14 services for children; and

15 “(4) provide support to any other institution of
16 higher education, local educational agency, edu-
17 cational service agency, area career and technical
18 education school (as defined in section 3 of the Carl
19 D. Perkins Career and Technical Education Act of
20 2006 (20 U.S.C. 2302)), or eligible provider of adult
21 education and literacy activities (as such terms are
22 defined in section 203 of the Workforce Innovation
23 and Opportunity Act (29 U.S.C. 3272)) within the
24 State that the Governor deems essential for carrying
25 out emergency educational services to students for

1 authorized activities described in section
2 18003(d)(1)(A) of this title or the Higher Education
3 Act of 1965 (20 U.S.C. 1001 et seq.), the provision
4 of child care and early childhood education, social
5 and emotional support, and the protection of edu-
6 cation-related jobs.”.

7 (c) ELEMENTARY AND SECONDARY SCHOOL EMER-
8 GENCY RELIEF FUND.—Subsections (d) and (e) of section
9 18003 of division B of the Coronavirus Aid, Relief, and
10 Economic Security Act are amended to read as follows:

11 “(d) USES OF FUNDS.—

12 “(1) IN GENERAL.—A local educational agency
13 that receives funds under this title may, subject to
14 paragraph (2), use the funds for any of the fol-
15 lowing:

16 “(A) Any activity authorized by the Ele-
17 mentary and Secondary Education Act of 1965,
18 including the Native Hawaiian Education Act
19 and the Alaska Native Educational Equity,
20 Support, and Assistance Act (20 U.S.C. 6301
21 et seq.), the Individuals with Disabilities Edu-
22 cation Act (29 U.S.C. 3271 et seq.), the Adult
23 Education and Family Literacy Act (29 U.S.C.
24 3271 et seq.), the Carl D. Perkins Career and
25 Technical Education Act of 2006 (20 U.S.C.

1 2301 et seq.), or subtitle B of title VII of the
2 McKinney-Vento Homeless Assistance Act (42
3 U.S.C. 11431 et seq.).

4 “(B) Coordination of preparedness and re-
5 sponse efforts of local educational agencies with
6 State, local, Tribal, and territorial public health
7 departments, and other relevant agencies, to
8 improve coordinated responses among such enti-
9 ties to prevent, prepare for, respond to, and
10 mitigate the spread of COVID–19, including—

11 “(i) developing strategies and imple-
12 menting public health protocols for the re-
13 opening and operation of school facilities to
14 effectively maintain the health and safety
15 of students, educators, and other staff; and

16 “(ii) addressing school management
17 and operation issues due to social
18 distancing and the COVID–19 pandemic,
19 including issues related to transportation
20 services, school schedules, food services,
21 the health and safety of students, edu-
22 cators, and other staff, environmental
23 management, and cleaning, sanitizing and
24 disinfecting educational facilities.

1 universal screening and other evidence-
2 based prevention practices;

3 “(ii) measuring students’ current aca-
4 demic progress and addressing learning
5 loss, including using diagnostic assess-
6 ments to identify students’ needs;

7 “(iii) providing professional develop-
8 ment for educators, paraprofessionals,
9 principals, other school leaders, specialized
10 instructional support personnel, and other
11 staff to respond to students’ needs, includ-
12 ing professional development on the use of
13 diagnostic assessments described in para-
14 graph (2)(A); and

15 “(iv) supporting access to school-age
16 child care and services provided by commu-
17 nity learning centers.

18 “(G)(i) Purchasing supplies to sanitize and
19 clean the facilities of a local educational agency,
20 including buildings operated by such agency,
21 and purchasing personal protective equipment
22 for educators and other staff and students.

23 “(ii) Providing training or professional de-
24 velopment to educators, principals, other school
25 leaders, and other staff of the local educational

1 agency on sanitation, the use of personal pro-
2 tective equipment, and minimizing the spread of
3 infectious diseases.

4 “(H) Planning, coordinating, and imple-
5 menting activities during long-term and short-
6 term school closures and staggered school
7 schedules, including—

8 “(i) providing meals to eligible stu-
9 dents;

10 “(ii) providing technology and
11 connectivity for online learning to all stu-
12 dents;

13 “(iii) coordinating with child care pro-
14 viders and community learning centers to
15 provide child care and after-school care;

16 “(iv) providing guidance for carrying
17 out requirements under the Individuals
18 with Disabilities Education Act (20 U.S.C.
19 1401 et seq.); and

20 “(v) ensuring other educational serv-
21 ices can continue to be provided consistent
22 with all Federal, State, and local require-
23 ments.

24 “(I) Purchasing educational technology
25 (including hardware, software, and connectivity)

1 for students who are served by the local edu-
2 cational agency that aids in regular and sub-
3 stantive educational interaction between stu-
4 dents and their classroom instructors, including
5 low-income students and children with disabil-
6 ities, which may include assistive technology or
7 adaptive equipment.

8 “(J) Improving academic instruction pro-
9 vided to students during a qualifying emer-
10 gency, including—

11 “(i) providing professional develop-
12 ment to educators, paraprofessionals, prin-
13 cipals, other school leaders, specialized in-
14 structional support personnel, and other
15 staff on—

16 “(I) effective high-quality and
17 standards-based instruction through
18 distance education, including—

19 “(aa) how to effectively de-
20 liver online and blended learning
21 as a long-term instructional
22 strategy and for supplemental in-
23 struction to address learning loss;
24 and

1 “(bb) how to ensure instruc-
2 tion is accessible to all students,
3 including children with disabili-
4 ties and English learners;

5 “(ii) managing online tools and plat-
6 forms;

7 “(iii) providing students with real-
8 time instruction, progress monitoring, and
9 feedback;

10 “(iv) administering diagnostic assess-
11 ments and using such data to improve in-
12 struction;

13 “(v) tracking student attendance and
14 improving student engagement in distance
15 education; and

16 “(vi) providing resources and assist-
17 ance to parents to support students en-
18 gagement with distance education, includ-
19 ing in online or blended learning environ-
20 ments.

21 “(K) Planning and implementing activities
22 related to summer learning, supplemental after-
23 school programs, and extending the school day
24 or school year, including providing classroom
25 instruction or distance education during the

1 summer months and addressing the needs of
2 low-income students, children with disabilities,
3 English learners, migrant children, students ex-
4 periencing homelessness, children and youth in
5 foster care, and students involved with the juve-
6 nile justice system.

7 “(L) Supporting secondary school students
8 in transitioning from high school to postsec-
9 ondary education, including by—

10 “(i) coordinating with institutions of
11 higher education;

12 “(ii) advising such students on dual
13 enrollment or early college opportunities,
14 and providing such opportunities to such
15 students; and

16 “(iii) advising such students on col-
17 lege enrollment options and policies, the
18 availability of need-based financial aid, and
19 completing the Free Application for Fed-
20 eral Student Aid.

21 “(M) Other activities that are necessary to
22 maintain the operation of and continuity of
23 services in local educational agencies and con-
24 tinuing to employ existing staff of the local edu-
25 cational agency.

1 “(2) ADDRESSING LEARNING LOSS.—A local
2 educational agency that receives funds under this
3 section shall use not less than 20 percent of such
4 funds to measure academic progress and address
5 learning loss among students, including low-income
6 students, students of color, children with disabilities,
7 English learners, migrant children, students experi-
8 encing homelessness, children and youth in foster
9 care, and students involved with the juvenile justice
10 system, of the local educational agency, including
11 by—

12 “(A) administering and using high-quality
13 diagnostic assessments that are valid and reli-
14 able, to accurately assess students’ academic
15 progress and assist educators in meeting stu-
16 dents’ academic needs, including through dif-
17 ferentiating instruction;

18 “(B) implementing evidence-based activi-
19 ties to meet the comprehensive needs of stu-
20 dents, which may include—

21 “(i) implementing any program or ac-
22 tivity described in section 4108 of the Ele-
23 mentary and Secondary Education Act of
24 1965 (20 U.S.C. 7118);

1 “(ii) supporting social-emotional
2 learning;

3 “(iii) implementing universal
4 screenings for adverse childhood experi-
5 ences and trauma and implementing inter-
6 ventions in response to such screenings;

7 “(iv) implementing culturally-respon-
8 sive practices; and

9 “(v) extending instructional time,
10 which may include high-quality distance in-
11 struction, during non-traditional school
12 days and hours (including during the sum-
13 mer);

14 “(C) providing professional development to
15 educators and other staff on how to—

16 “(i) address students’ social, emo-
17 tional, and academic needs;

18 “(ii) modify instruction and sched-
19 uling to accelerate students’ academic
20 progress;

21 “(iii) effectively implement distance
22 learning, including strategies for address
23 the learning needs of low-income students,
24 students of color, children with disabilities,
25 English learners, migrant children, stu-

1 dents experiencing homelessness, children
2 and youth in foster care, and students in-
3 volved in the juvenile justice system; and

4 “(iv) use diagnostic assessments to in-
5 dividualize academic instruction; and

6 “(D) providing information and assistance
7 to parents and families on how they can effec-
8 tively support students, including in a distance
9 learning environment.

10 “(e) STATE FUNDING.—A State receiving a grant
11 under this section—

12 “(1) shall reserve not less than 5 percent of the
13 grant for activities related to addressing learning
14 loss, which—

15 “(A) shall include determining students’
16 academic, social, and emotional needs,
17 through—

18 “(i) ensuring local educational agen-
19 cies implement high-quality diagnostic as-
20 sessments that are valid and reliable;

21 “(ii) developing and implementing
22 methods to periodically measure student
23 academic progress and student engagement
24 and well-being; and

1 “(iii) reporting on the academic
2 progress, engagement, and well-being of
3 students, in accordance with the require-
4 ments under section 444 of the General
5 Education Provisions Act (20 U.S.C.
6 1232g) (commonly known as the ‘Family
7 Educational Rights and Privacy Act of
8 1974’) and in a way that protects stu-
9 dents’ personally identifiable information;
10 and

11 “(B) may include—

12 “(i) implementing policies to support
13 extending instructional time;

14 “(ii) providing professional develop-
15 ment to educators and other staff on how
16 to—

17 “(I) address students’ social,
18 emotional, and academic needs;

19 “(II) modify instruction and
20 scheduling to accelerate students’ aca-
21 demic progress;

22 “(III) effectively implement dis-
23 tance learning, including strategies to
24 address the learning needs of low-in-
25 come students, students of color, chil-

1 dren with disabilities, English learn-
2 ers, migrant children, students experi-
3 encing homelessness, children and
4 youth in foster care, and students in-
5 volved with the juvenile justice sys-
6 tem; and

7 “(IV) use diagnostic assessments
8 to individualize academic instruction;
9 and

10 “(iii) implementing activities to im-
11 prove the quality of distance learning dur-
12 ing a qualifying emergency; and

13 “(2) may reserve—

14 “(A) not more than ½ of 1 percent of the
15 grant for administrative costs; and

16 “(B) the remainder for emergency needs as
17 determined by the State educational agency to
18 address issues responding to COVID–19, which
19 may be addressed through the use of grants or
20 contracts.”.

21 (d) HIGHER EDUCATION EMERGENCY RELIEF
22 FUND.—

23 (1) IN GENERAL.—Section 18004 of division B
24 of the Coronavirus Aid, Relief, and Economic Secu-
25 rity Act (Public Law 116–136) is amended—

- 1 (A) in subsection (a)—
- 2 (i) in paragraph (1)—
- 3 (I) in the matter preceding sub-
- 4 paragraph (A)—
- 5 (aa) by inserting “(defined
- 6 as an institution described in sec-
- 7 tion 101 or section 102(c) of the
- 8 Higher Education Act of 1965
- 9 (20 U.S.C. 1001, 1002(c))” after
- 10 “higher education”; and
- 11 (bb) by striking
- 12 “coronavirus” and inserting “a
- 13 qualifying emergency”; and
- 14 (II) in each of subparagraphs (A)
- 15 and (B)—
- 16 (aa) by striking “full-time
- 17 equivalent” and inserting “the
- 18 total”;
- 19 (bb) by striking “are” and
- 20 inserting “were”; and
- 21 (cc) by striking
- 22 “coronavirus” and inserting
- 23 “qualifying”;
- 24 (ii) in paragraph (2)—

1 (I) by striking “coronavirus” and
2 inserting “the qualifying emergency”;

3 (II) by inserting “mandatory
4 funding and” after “the relative share
5 of”; and

6 (III) by striking “(as defined
7 under” and all that follows through
8 “child care”; and

9 (iii) by striking paragraph (3) and in-
10 sserting the following:

11 “(3) 1 percent, to be distributed among each in-
12 stitution of higher education, as defined by section
13 102 of the Higher Education Act of 1965 (20
14 U.S.C. 1002), that enrolled 100 percent of students
15 of the institution exclusively in distance education
16 prior to the qualifying emergency, by apportioning
17 it—

18 “(A) 75 percent according to the relative
19 share of the total enrollment of Federal Pell
20 Grant recipients who were exclusively enrolled
21 in distance education courses prior to the quali-
22 fying emergency; and

23 “(B) 25 percent according to the relative
24 share of the total enrollment of students who
25 were not Federal Pell Grant recipients and who

1 were exclusively enrolled in distance education
2 courses prior to the qualifying emergency.

3 “(4) 1.5 percent to be distributed among each
4 institution described in section 102(b) of the Higher
5 Education Act of 1965 (20 U.S.C. 1002(b))to pre-
6 vent, prepare for, and respond to the qualifying
7 emergency, by apportioning it—

8 “(A) 75 percent according to the relative
9 share of the total enrollment of Federal Pell
10 Grant recipients who were not exclusively en-
11 rolled in distance education courses prior to the
12 qualifying emergency; and

13 “(B) 25 percent according to the relative
14 share of the total enrollment of students who
15 were not Federal Pell Grant recipients who
16 were not exclusively enrolled in distance edu-
17 cation courses prior to the qualifying emer-
18 gency.”;

19 (B) by striking subsections (b) and (c) and
20 inserting the following:

21 “(b) MINORITY SERVING INSTITUTIONS AND PART A
22 OF TITLE III INSTITUTIONS.—

23 “(1) IN GENERAL.—The funds made available
24 under subsection (a)(2) for awards under part A
25 (other than sections 316 through 320) of title III,

1 sections 317, 318, 319, and 320, and parts A and
2 B of title V, of the Higher Education Act of 1965,
3 shall be distributed by the Secretary through an ap-
4 plication process as described in paragraph (4).

5 “(2) ELIGIBILITY REQUIREMENTS.—The insti-
6 tutions that are eligible to submit an applications for
7 funds made available under subsection (a)(2) are as
8 follows:

9 “(A) An eligible institution that received a
10 ‘5’ or ‘6’ code in the Secretary’s fiscal year
11 2020 Eligibility Matrix.

12 “(B) An eligible institution that success-
13 fully applied for eligibility under part A (other
14 than sections 316 through 320) of title III, sec-
15 tion 317, 318, 319, or 320, or part A or B of
16 title V, of the Higher Education Act of 1965,
17 based on an application submitted—

18 “(i) not later than January 31, 2020;

19 “(ii) after the date of enactment of
20 this Act and before the date of enactment
21 of the Coronavirus Child Care and Edu-
22 cation Relief Act; or

23 “(iii) not later than 45 days after the
24 date of enactment of the Coronavirus Child
25 Care and Education Relief Act.

1 “(3) APPLICATIONS FOR ELIGIBILITY.—The
2 Secretary shall—

3 “(A) make available an application to insti-
4 tutions to apply for eligibility in accordance
5 with paragraph (2)(B)(iii); and

6 “(B) make a determination of eligibility for
7 an institution that applies under paragraph
8 (2)(B)(iii) not later than 10 days after the date
9 of receipt of such application.

10 “(4) ALLOTMENTS.—

11 “(A) IN GENERAL.—In determining the al-
12 lotments for awards under this section for part
13 A (other than sections 316 through 320) of title
14 III, sections 317, 318, 319, and 320, and parts
15 A and B of title V, of the Higher Education
16 Act of 1965, the Secretary shall carry out the
17 following:

18 “(i) Notwithstanding any application
19 requirements under section 318(f), 391, or
20 521 of the Higher Education Act of 1965
21 (20 U.S.C. 1059e(f), 20 U.S.C. 1068, 20
22 U.S.C. 1103), the Secretary shall issue a
23 streamlined common application for all in-
24 stitutions eligible under paragraph (1) to
25 use to—

1 “(I) demonstrate unmet needs as
2 described in subparagraph (B); and

3 “(II) the ways that the institu-
4 tion will use the funds to ameliorate
5 such needs.

6 “(ii) In the case of an institution eligi-
7 ble for an award under section 318 of the
8 Higher Education Act of 1965 (20 U.S.C.
9 1059e) that submits an application under
10 clause (i), the Secretary shall allot funding
11 according to the formula under section
12 318(e) of such Act.

13 “(iii) The Secretary may allow cumu-
14 lative awards to an institution that dem-
15 onstrates significant unmet needs and is
16 eligible for an award under 2 or more of
17 the following: Sections 317, 318, 319, and
18 320, and part A and part B of title V of
19 such Act.

20 “(iv) In the case of an institution that
21 is eligible for 1 or more awards under sec-
22 tion 317, 318, 319, or 320, or part A or
23 B of title V, of such Act, and is eligible for
24 an award under part A (other than sec-
25 tions 316 through 320) of title III of such

1 Act, the Secretary shall award such insti-
2 tution the greater of —

3 “(I) the 1 or more awards under
4 section 317, 318, 319, or 320, or part
5 A or B of title V, of such Act (in ac-
6 cordance with clause (iii)); or

7 “(II) the award under part A
8 (other than sections 316 through 320)
9 of title III of such Act.

10 “(B) UNMET NEEDS.—

11 “(i) IN GENERAL.—In demonstrating
12 unmet needs for purposes of subparagraph
13 (A), an eligible institution shall describe—

14 “(I) the decline in revenues at
15 the institution, on a dollar and per-
16 centage basis;

17 “(II) any exceptional costs or
18 challenges implementing distance edu-
19 cation due to a lack of technological
20 infrastructure, including due to stu-
21 dents who lack access to adequate
22 technology to move to distance edu-
23 cation; and

24 “(III) the outstanding need to
25 provide additional grants for any com-

1 ponent of the student's cost of attend-
2 ance.

3 “(ii) CONSIDERATION BY SEC-
4 RETARY.—Except for institutions eligible
5 for an award under section 318 of the
6 Higher Education Act of 1965, the Sec-
7 retary shall make competitive awards to el-
8 igible institutions under this paragraph
9 based on the criteria described in clause
10 (i).

11 “(5) ALLOTMENTS TO ELIGIBLE INSTITUTIONS
12 UNDER PART b OF TITLE III AND SUBPART 4 OF
13 PART A OF TITLE VII OF THE HIGHER EDUCATION
14 ACT OF 1965.—Notwithstanding the application re-
15 quirements under sections 325, 326(d), and 723(c)
16 of the Higher Education Act of 1965 (20 U.S.C.
17 1063a, 1063b(d), 1136a(c)), from the funds made
18 available under subsection (a)(2) for awards under
19 part B of title III and subpart 4 of part A of title
20 VII of the Higher Education Act of 1965 for a fiscal
21 year, the Secretary shall allot to each institution eli-
22 gible for assistance under any of the programs au-
23 thorized under such provisions an amount from the
24 funds using the following formula:

1 “(A) 70 percent according to a ratio equiv-
2 alent to the number of Federal Pell Grant re-
3 cipients in attendance at such institution at the
4 end of the school year preceding the beginning
5 of that fiscal year and the total number of Fed-
6 eral Pell Grant recipients at all such institu-
7 tions at the end of such school year.

8 “(B) 20 percent according to a ratio equiv-
9 alent to the number of students enrolled at
10 such institution at the end of the school year
11 preceding the beginning of that fiscal year and
12 the total number of students enrolled at all
13 such institutions at the end of such school year.

14 “(C) 10 percent, divided proportionately
15 among all such institutions based on the ratio
16 of the total endowment size at all such institu-
17 tions at the end of the school year preceding
18 the beginning of that fiscal year and the endow-
19 ment size at each such institution.

20 “(6) ALLOTMENTS FOR ELIGIBLE INSTITU-
21 TIONS UNDER SECTION 316 OF HIGHER EDUCATION
22 ACT.—Notwithstanding the application requirement
23 under section 316(d)(2) of the Higher Education
24 Act of 1965 (20 U.S.C. 1059c(d)(2)), from the
25 funds made available under subsection (a)(2) for

1 awards under section 316 of such Act, the Secretary
2 shall allot funding to eligible institutions according
3 to the formula in section 316(d)(3)(B) of such Act.

4 “(7) BRIEFING.—The Secretary shall brief the
5 authorizing committees (as defined in section 103 of
6 the Higher Education Act of 1965 (20 U.S.C.
7 1003)) and the Committee on Appropriations of the
8 Senate and the Committee on Appropriations of the
9 House of Representatives not later than 10 days be-
10 fore the date the applications under paragraphs (3)
11 and (4) are made available and not later than 10
12 days before the date the Secretary announces
13 awards under paragraphs (4), (5), and (6).

14 “(c) USES OF FUNDS.—Except as otherwise specified
15 in subsection (a):

16 “(1) An institution of higher education receiv-
17 ing funds under paragraph (1) and (2) of subsection
18 (a)—

19 “(A) may use the funds received to defray
20 expenses (including lost revenue, reimbursement
21 for expenses already incurred, technology costs
22 associated with a transition to distance edu-
23 cation, faculty and staff trainings, and payroll)
24 incurred by institutions of higher education due
25 to the qualifying emergency; and

1 “(B) notwithstanding any other provision
2 of law, shall use not less than 50 percent of
3 such funds to provide emergency financial aid
4 grants to students—

5 “(i) for any component of the stu-
6 dent’s cost of attendance; and

7 “(ii) with the institution solely deter-
8 mining which students receive such grants,
9 which may include any student enrolled in
10 the institution (including students exclu-
11 sively enrolled in distance education).

12 “(2) An institution of higher education receiv-
13 ing funds under subsection (a)(3) shall, notwith-
14 standing any other provision of law, use all such
15 funds to provide emergency financial aid grants to
16 students for any component of the student’s cost of
17 attendance, with the institution solely determining
18 which students receive such grants, which may in-
19 clude any student enrolled in the institution.

20 “(3) An institution of higher education receiv-
21 ing funds under subsection (a)(4) shall, notwith-
22 standing any other provision of law, use all such
23 funds to provide emergency financial aid grants to
24 students—

1 “(A) for any component of the student’s
2 cost of attendance; and

3 “(B) with the institution solely deter-
4 mining which students receive such grants,
5 which may include any student enrolled in the
6 institution (including students exclusively en-
7 rolled in distance education).

8 “(4) A Historically Black College or University
9 or a Minority Serving Institution may use prior
10 awards provided under titles III, V, and VII of the
11 Higher Education Act of 1965 to prevent, prepare
12 for, and respond to the qualifying emergency.

13 “(5) An institution of higher education shall
14 not use funds awarded under this title for—

15 “(A) payment to contractors for the provi-
16 sion of pre-enrollment recruitment activities;

17 “(B) endowments;

18 “(C) senior administrator or executive sal-
19 aries, benefits, bonuses, contracts, incentives,
20 stock buybacks, shareholder dividends, capital
21 distributions, stock options; or any other cash
22 or other benefit for a senior administrator or
23 executive; or

24 “(D) athletics, sectarian instruction, or re-
25 ligious worship.”;

1 (C) by striking subsection (d); and

2 (D) by inserting after subsection (c) the

3 following:

4 “(d) REALLOCATION.—

5 “(1) INITIAL REALLOCATION.—The Secretary
6 shall reallocate funds remaining under this section
7 within 90 days of making initial allocations available
8 to institutions and receiving applications for funds
9 under this section in accordance with the formula
10 specified in subsection (a)(1).

11 “(2) RETURN AND REALLOCATION.—An institu-
12 tion shall return to the Secretary any funds received
13 under this section that the institution does not
14 award within 1 year of receiving such funds and the
15 Secretary shall reallocate such funds to the remain-
16 ing institutions in accordance with subsection
17 (a)(1).”.

18 (2) INCLUSION OF CARES ACT FUNDS IN 90/10
19 CALCULATION.—For purposes of subsections (a)(24)
20 and (d) of section 487 of the Higher Education Act
21 of 1965 (20 U.S.C. 1094), amounts provided to an
22 institution of higher education under title XVIII of
23 division B of the Coronavirus Aid, Relief, and Eco-
24 nomic Security Act (Public Law 116-136) shall be
25 deemed to be amounts provided under title IV of the

1 Higher Education Act of 1965 (20 U.S.C. 1070 et
2 seq.).

3 (e) **EQUITABLE SERVICES**.—Section 18005 of divi-
4 sion B of the Coronavirus Aid, Relief, and Economic Secu-
5 rity Act (Public Law 116–136) is amended—

6 (1) by striking the section heading and insert-
7 ing “**EQUITABLE SERVICES FOR STUDENTS IN NON-**
8 **PUBLIC SCHOOLS**”; and

9 (2) in subsection (a)—

10 (A) by inserting “(1)” after “**IN GEN-**
11 **ERAL**.—”;

12 (B) by inserting “(including the specific re-
13 quirements of subsections (a)(4)(A)(i) and (c)
14 of such section and subject to paragraph (2))”
15 after “in non-public schools”; and

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

17 “(2) In determining the proportional share of expend-
18 itures for the equitable services described in paragraph
19 (1), a local educational agency shall use the proportion
20 determined under section 1117(a)(4)(A)(i) of the Elemen-
21 tary and Secondary Education Act of 1965 (20 U.S.C.
22 6317(a)(4)(A)(i)) for the purposes of part A of title I of
23 such Act for fiscal year 2019.

24 “(3) A local educational agency required to provide
25 equitable services under paragraph (1) shall provide such

1 services to students and teachers at non-public schools
2 who were eligible to receive equitable services from such
3 local educational agency during fiscal year 2019 under
4 section 1117 of the Elementary and Secondary Education
5 Act of 1965 (20 U.S.C. 6317).”.

6 (f) DEFINITIONS.—Section 18007 of division B of the
7 Coronavirus Aid, Relief, and Economic Security Act (Pub-
8 lic Law 116–136) is amended to read as follows:

9 “DEFINITIONS

10 “SEC. 18007. Except as otherwise provided in sec-
11 tions 18001–18006 of this title, as used in such sections—

12 “(1) the term ‘cost of attendance’ has the
13 meaning given such term in section 472 of the High-
14 er Education Act of 1965;

15 “(2) the term ‘community learning center’ has
16 the meaning given the term in section 4201(b) of
17 the Elementary and Secondary Education Act of
18 1965 (20 U.S.C.7171(b));

19 “(3) the terms ‘elementary education’ and ‘sec-
20 ondary education’ have the meanings given such
21 terms under State law;

22 “(4) the term ‘institution of higher education’
23 means an institution defined under title I of the
24 Higher Education Act of 1965 (20 U.S.C. 1001 et
25 seq.);

1 “(5) the term ‘non-public school’ means a non-
2 public elementary and secondary school that (A) is
3 accredited, licensed, or otherwise operates in accord-
4 ance with State law; and (B) was in existence prior
5 to the date of the qualifying emergency for which
6 grants are awarded under this section;

7 “(6) the term ‘outlying areas’ includes the Fed-
8 erated States of Micronesia, the Republic of the
9 Marshall Islands, and the Republic of Palau and
10 notwithstanding section 105(f)(1)(B)(v) of the Com-
11 pact of Free Association Amendments Act of 2003
12 (48 U.S.C. 1921d(f)(1)(B)(v)) or any other law;

13 “(7) the term ‘public school’ means a public ele-
14 mentary school or secondary school;

15 “(8) the term ‘qualifying emergency’ has the
16 meaning given the term in section 3502(a)(4) of di-
17 vision A of this Act;

18 “(9) the term ‘Secretary’ means the Secretary
19 of Education;

20 “(10) the term ‘State’ means each of the 50
21 States, the District of Columbia, and the Common-
22 wealth of Puerto Rico;

23 “(11) the term ‘Tribal College or University’
24 has the meaning given such term in section

1 316(b)(3) of the Higher Education Act of 1965 (20
2 U.S.C. 1059c(b)(3)); and

3 “(12) any other term used that is defined in
4 section 8101 of the Elementary and Secondary Edu-
5 cation Act of 1965 (20 U.S.C. 7801) shall have the
6 meaning given the term in such section.”.

7 (g) CONFORMING AMENDMENT.—Section 18006 of
8 division B of the Coronavirus Aid, Relief, and Economic
9 Security Act (Public Law 116–136) is amended by strik-
10 ing “coronavirus” and inserting “a qualifying emergency”.

11 (h) MAINTENANCE OF EFFORT; SUPPLEMENT NOT
12 SUPPLANT.—Section 18008 of the Coronavirus Aid, Re-
13 lief, and Economic Security Act (Public Law 116–136) is
14 amended to read as follows:

15 “MAINTENANCE OF EFFORT; SUPPLEMENT NOT

16 SUPPLANT

17 “SEC. 18008. (a) MAINTENANCE OF EFFORT.—A
18 State’s application for funds under 18002 or 18003 of this
19 title shall include assurances that the State will—

20 “(1) maintain support for elementary and sec-
21 ondary education in fiscal years 2020, 2021, and
22 2022, at least at the levels of such State’s support
23 for elementary and secondary education provided in
24 the State’s fiscal year 2019 or fiscal year 2020,
25 whichever is greater; and

1 “(2) maintain support for higher education
2 (which shall include State funding to institutions of
3 higher education and State financial aid, and shall
4 not include support for capital projects, research and
5 development, or tuition and fees paid by students) in
6 fiscal years 2020, 2021, and 2022, at least at the
7 levels of such State’s support for higher education
8 provided in the State’s fiscal year 2019 or fiscal
9 year 2020, whichever is greater.

10 “(b) SUPPLEMENT, NOT SUPPLANT.—Funds made
11 available to States under this title shall be used to supple-
12 ment, and not supplant, non-Federal funds that would
13 otherwise be used for activities authorized under this
14 title.”.

15 (i) REPORTING AND DISCLOSURE REQUIREMENTS.—
16 Title XVIII of division B of the Coronavirus Aid, Relief,
17 and Economic Security Act (Public Law 116–136) is
18 amended by inserting after section 18008 the following:

19 “REPORTING AND DISCLOSURE REQUIREMENTS

20 “SEC. 18009. (a) IN GENERAL.—

21 “(1) ALLOCATIONS.—Not later than 30 days
22 after the date of enactment of the Coronavirus Child
23 Care and Education Relief Act, the Secretary shall
24 announce allocations to entities under sections
25 18001 through 18006 on a publicly accessible

1 website, including allocations made before such date
2 of enactment.

3 “(2) REPORT FROM SECRETARY.—The Sec-
4 retary shall submit a report to the Committee on
5 Health, Education, Labor, and Pensions of the Sen-
6 ate, the Committee on Appropriations of the Senate,
7 the Committee on Education and Labor of the
8 House of Representatives, and the Committee on
9 Appropriations of the House of Representatives—

10 “(A) not later than 180 days after the date
11 of enactment of the Coronavirus Child Care and
12 Education Relief Act and quarterly thereafter
13 until all funds allocated under section 18001(a)
14 are expended, which shall include for all alloca-
15 tions under section 18001(a)(1)—

16 “(i) the outlying areas to which the
17 Secretary allocated funds;

18 “(ii) the outlying areas to which the
19 Department did not allocate funds;

20 “(iii) the allocation amounts, by each
21 outlying area; and

22 “(iv) the Secretary’s rationale for de-
23 termining the allocation amount;

24 “(B) not later than 10 days after the date
25 of enactment of the Coronavirus Child Care and

1 Education Relief Act and quarterly thereafter
2 until all funds allocated under section 18001(a)
3 are expended, which shall include for all alloca-
4 tions under section 18001(a)(2)—

5 “(i) the programs operated or funded
6 by the Bureau of Indian Education and
7 Tribal Colleges or Universities to which the
8 Secretary of the Interior, in consultation
9 with the Secretary of Education, allocated
10 funds;

11 “(ii) the programs operated or funded
12 by the Bureau of Indian Education and
13 Tribal Colleges or Universities to which the
14 Secretary of the Interior, in consultation
15 with the Secretary of Education, did not
16 allocate funds;

17 “(iii) the allocation amounts by each
18 program; and

19 “(iv) the methodology and rationale
20 for determining the allocation amounts;
21 and

22 “(C) not later than 180 days after the date
23 of enactment of the Coronavirus Child Care and
24 Education Relief Act and quarterly thereafter
25 until all funds allocated under section 18001(a)

1 are expended, which shall include for all grants
2 under section 18001(a)(3)—

3 “(i) the Secretary’s methodology and
4 rationale for distributing such grants, in-
5 cluding how the Secretary determined
6 which States have the highest COVID–19
7 burden;

8 “(ii) the name of any grantee;

9 “(iii) a summary of the grantee’s ap-
10 plication;

11 “(iv) the award amount per grantee,
12 the allowable uses of funds, and any limi-
13 tations on such uses of funds; and

14 “(v) for all for all service providers
15 and subgrantees selected by the grantee
16 under section 18001(a)(3), the following
17 information, which shall be collected by the
18 grantee and made publicly available on the
19 grantee’s website and reported to the Sec-
20 retary for inclusion in the Secretary’s re-
21 port:

22 “(I) The name of any service
23 providers or subgrantees.

24 “(II) A summary of the service
25 provider or subgrantee’s application.

1 “(III) How much funding was
2 distributed to public and non-public
3 entities, further disaggregated by
4 funding to private nonprofit and pri-
5 vate for-profit entities.

6 “(IV) How much funding was re-
7 served for State-level activities.

8 “(V) A summary of the use of
9 funds provided to service providers or
10 subgrantees.

11 “(VI) The methodology adopted
12 by grantees in selecting and reviewing
13 service providers and course offerings
14 and ensuring funded activities are
15 high-quality.

16 “(VII) the percentage of funds
17 spent serving low-income students by
18 each service provider or subgrantee.

19 “(3) GRANTEE REPORTING.—Not later than
20 120 days after receiving a grant under section
21 18001(a)(3), each grantee shall submit a report to
22 the Secretary containing the information described
23 in paragraph (2)(C)(v) and make such information
24 publicly available on the grantee’s website.

1 “(4) BUREAU OF INDIAN EDUCATION.—Not
2 later than 120 days after receiving an allocation
3 under section 18001(a)(2), the Director of the Bu-
4 reau of Indian Education shall—

5 “(A) submit a report to the Secretary con-
6 taining information about which programs were
7 funded with such allocation and a summary of
8 the uses of funds by such programs; and

9 “(B) make such report publicly available
10 on the website of the Bureau of Indian Edu-
11 cation.

12 “(b) GOVERNOR’S EMERGENCY RELIEF FUND RE-
13 PORTS.—

14 “(1) INITIAL REPORT.—Each Governor that re-
15 ceives a grant under section 18002(a) shall, not
16 later than 90 days after the date of the disbursement of
17 the Governor’s first grant under section 18002(c) if
18 such first grant is made after the date of enactment
19 of the Coronavirus Child Care and Education Relief
20 Act or not later than 90 days after such date of en-
21 actment if such first grant was made before such
22 date of enactment, submit a report to the Secretary
23 that includes the methodology the State used to dis-
24 tribute grants under paragraphs (1) through (3) of
25 section 18002(c), and—

1 “(A) for each such grant made by Gov-
2 ernor—

3 “(i) a summary of the grant applica-
4 tion and whether the Governor provided
5 the grant under paragraph (1), (2), or (3)
6 of section 18002(c);

7 “(ii) the name of the grantee, the
8 amount of the grant, the allowable uses of
9 grant funds, and any limitations to such
10 uses of funds;

11 “(iii) whether the grantee is a public
12 or non-public entity, further disaggregated
13 by private nonprofit and private for-profit
14 entities;

15 “(iv) what percentage of grant funds
16 were spent serving low-income students;

17 “(B) a summary of how the State grant
18 funds were distributed within the State to enti-
19 ties serving high-poverty areas; and

20 “(C) a summary of how the Governor used
21 funds to meet the academic and social and emo-
22 tional needs of low-income students, first-gen-
23 eration college students, children and students
24 with disabilities, English learners, students of
25 color, students experiencing homelessness, chil-

1 dren or youth in foster care, migrant children,
2 and students involved with the juvenile justice
3 system.

4 “(2) QUARTERLY GOVERNOR’S EMERGENCY RE-
5 LIEF FUNDS REPORT.—Each Governor that receives
6 a grant under section 18002(a) shall, following the
7 submission of the report described in paragraph (1),
8 submit to the Secretary a report that contains the
9 information described in paragraph (1), once a quar-
10 ter until all funds allocated under section 18002 are
11 expended.

12 “(3) GRANTEE REPORTING.—Each grantee that
13 receives a grant from a Governor under section
14 18002(c) shall submit a report to the Governor, not
15 later than 30 days after receiving the grant, con-
16 taining the information described in paragraph
17 (1)(A).

18 “(4) PUBLICATION OF REPORTS.—The Sec-
19 retary shall publish each report under paragraphs
20 (1) and (2) on a publicly accessible website not later
21 than 30 days after the date of receipt of the report.

22 “(5) FINDINGS FROM GOVERNOR’S EMERGENCY
23 RELIEF FUNDS REPORTING.—Not later than 12
24 months after the date of enactment of the
25 Coronavirus Child Care and Education Relief Act,

1 the Secretary shall provide a report to the Com-
2 mittee on Health, Education, Labor, and Pensions
3 of the Senate, the Committee on Appropriations of
4 the Senate, the Committee on Education and Labor
5 of the House of Representatives, and the Committee
6 on Appropriations of the House of Representatives
7 summarizing the findings from the reports received
8 under this subsection.

9 “(c) ELEMENTARY AND SECONDARY SCHOOL EMER-
10 GENCY RELIEF FUND REPORTS.—

11 “(1) INITIAL STATE REPORTING.—Each State
12 educational agency that receives a grant under sec-
13 tion 18003 shall, not later than 180 days after the
14 making the State educational agency’s first subgrant
15 under section 18003(c) if such first subgrant is
16 made after the date of enactment of the Coronavirus
17 Child Care and Education Relief Act or not later
18 than 90 days after such date of enactment if such
19 first subgrant was made before such date of enact-
20 ment, submit a report to the Secretary that in-
21 cludes—

22 “(A) the number of subgrants awarded
23 and the amount of funding awarded to each
24 subgrantee;

1 “(B) a summary of the activities that sub-
2 grantees will carry out using subgrant funds,
3 including for any focus areas identified by the
4 State educational agency;

5 “(C) the percentage of funds the State
6 educational agency is retaining at the State-
7 level and what the State educational agency in-
8 tends to spend such reservation on;

9 “(D) a summary of how the State edu-
10 cational agency intends to ensure that local
11 educational agencies that received funds en-
12 sured higher-poverty schools served by the local
13 educational agency received access to the funds
14 and how the local educational agency is meeting
15 the educational needs of low-income students,
16 children with disabilities, English learners, stu-
17 dents of color, students experiencing homeless,
18 children and youth in foster care, migrant chil-
19 dren, and students involved with the juvenile
20 justice system;

21 “(E) what percentage allocation of the
22 State-set-aside the State is using to address
23 learning loss as required under section
24 18003(e) and a summary of what the funds
25 were spent on;

1 “(F) how the State is prioritizing serving
2 high concentrations of students from families
3 with low-incomes and students who have been
4 disproportionately affected by COVID–19 and
5 school closures, including students of color, chil-
6 dren with disabilities, English learners, migrant
7 children, students experiencing homelessness,
8 children and youth in foster care, and students
9 involved with the juvenile justice system in the
10 funds set aside under section 18003(e); and

11 “(G) a summary of reports submitted by
12 subgrantees in accordance with paragraph (2).

13 “(2) LOCAL EDUCATIONAL AGENCY REPORT-
14 ING.—Each local educational agency receiving a
15 subgrant under section 18003 shall submit a report
16 to its State educational agency, not later than 90
17 days after receiving such subgrant, that includes—

18 “(A) a summary of the activities or serv-
19 ices that the local educational agency carried
20 out using subgrant funds, including for any
21 focus areas identified by the State educational
22 agency;

23 “(B) the percentage of funds being spent
24 on each activity described in section 18003(d),
25 including the percentage of funds spent on

1 maintaining current staffing levels as provided
2 under section 18003(d)(1)(M);

3 “(C) a description of how the local edu-
4 cational agency distributed funds, including any
5 formula or methodology that was used, to
6 schools within their boundaries to meet the aca-
7 demic and social and emotional needs of low-in-
8 come students, children with disabilities,
9 English learners, students of color, students ex-
10 perienceing homelessness, children and youth in
11 foster care, migrant children, and students in-
12 volved with the juvenile justice system;

13 “(D) a summary of how the local edu-
14 cational agency used funds to ensure all stu-
15 dents, including low-income students, children
16 with disabilities, English learners, students of
17 color, students experienceing homelessness, chil-
18 dren and youth in foster care, migrant children,
19 and students involved with the juvenile justice
20 system, have access to learning opportunities
21 during in-person, distance, and hybrid learning
22 options, including access to technology, high-
23 quality instructional materials, and high-quality
24 instruction;

1 “(E) the per-pupil expenditure data for
2 each school served by the local educational
3 agency for the 2020–2021 school year,
4 disaggregated by Federal, State, and local ex-
5 penditures, with funds provided under sections
6 18002 and 18003 included under Federal ex-
7 penditures;

8 “(F) the dollar amount and percentage of
9 subgrant funds that were spent on equitable
10 services from funds available under sections
11 18002 and 18003;

12 “(G) the percentage of funds used to ad-
13 dress learning loss;

14 “(H) how the local educational agency im-
15 plemented the requirement described under sec-
16 tion 18003(d)(2), including serving low-income
17 students, students of color, children with dis-
18 abilities, English learners, migrant children,
19 students experiencing homelessness, children
20 and youth in foster care, and students involved
21 in the juvenile justice system; and

22 “(I) how much instructional time was in-
23 creased as a result of activities implemented
24 under the subgrant.

1 “(3) QUARTERLY ELEMENTARY AND SEC-
2 ONDARY SCHOOL EMERGENCY RELIEF FUND RE-
3 PORTS.—

4 “(A) STATE REPORT.—Each State edu-
5 cational agency that receives a grant under sec-
6 tion 18003 shall, following the submission of
7 the initial report described in paragraph (1),
8 submit to the Secretary a report that contains
9 the information described in paragraph (1) once
10 a quarter until all funds allocated to the State
11 under section 18003 are expended.

12 “(B) LOCAL EDUCATIONAL AGENCY RE-
13 PORT.—Each local educational agency receiving
14 a subgrant under section 18003 shall, following
15 the submission of the initial report described in
16 paragraph (2), submit to the Secretary a report
17 that contains the information described in para-
18 graph (2) once a quarter until all subgrant
19 funds are expended.

20 “(4) PUBLICATION OF REPORTS.—The Sec-
21 retary shall publish each report under paragraphs
22 (1) and (2) on a publicly accessible website not later
23 than 30 days after the date of receipt of the report.

24 “(5) FINDINGS FROM ELEMENTARY AND SEC-
25 ONDARY SCHOOL EMERGENCY RELIEF FUND.—Not

1 later than 12 months after the date of enactment of
2 the Coronavirus Child Care and Education Relief
3 Act, the Secretary shall provide a report to the Com-
4 mittee on Health, Education, Labor, and Pensions
5 of the Senate, the Committee on Appropriations of
6 the Senate, the Committee on Education and Labor
7 of the House of Representatives, and the Committee
8 on Appropriations of the House of Representatives
9 summarizing the findings from the reports received
10 under this subsection.

11 “(d) HIGHER EDUCATION EMERGENCY RELIEF
12 FUND REPORTS.—

13 “(1) INITIAL SECRETARY REPORT.—Not later
14 than 120 days after the Secretary announces alloca-
15 tions under section 18004, the Secretary shall sub-
16 mit to the authorizing committees (as defined in sec-
17 tion 103 of the Higher Education Act of 1965 (20
18 U.S.C. 1003)) a summary of applications from, and
19 disbursements made to, institutions of higher edu-
20 cation, which shall include—

21 “(A) for emergency financial aid grant
22 funding provided in accordance with section
23 18004(c)—

24 “(i) the institutions that applied for
25 such funds;

1 “(ii) the institutions that received
2 such funds;

3 “(iii) the institutions that did not
4 apply for such funds;

5 “(iv) the institutions that applied for,
6 but did not receive, such funds;

7 “(v) the institutions that returned
8 such funds to the Department, including
9 the amount returned;

10 “(vi) the actual or projected number
11 of students the Department estimates re-
12 ceived emergency financial aid grants in
13 accordance with such section;

14 “(vii) the actual or projected number
15 of students the Department estimates did
16 not receive emergency financial aid grants
17 in accordance with such section; and

18 “(viii) the actual or projected number
19 of students that received emergency finan-
20 cial aid grants in accordance with such
21 section; and

22 “(B) for institutional funds (not including
23 emergency financial aid) provided in accordance
24 with section 18004(c)—

1 “(i) the institutions that applied for
2 such funds;

3 “(ii) the institutions that received
4 such funds;

5 “(iii) the institutions that did not
6 apply for such funds;

7 “(iv) the institutions that applied for,
8 but did not receive, such funds; and

9 “(v) the institutions that returned
10 such funds to the Department, including
11 the amount returned.

12 “(2) INSTITUTIONAL REPORTS.—Each institu-
13 tion of higher education receiving a grant under sec-
14 tion 18004 shall submit a report to the Secretary,
15 not later than 90 days after receiving the grant, that
16 includes, in addition to the requirements of the Sec-
17 retary under section 18004(e)—

18 “(A) a summary of how the institution of
19 higher education allocated emergency financial
20 aid grants to students in accordance with sec-
21 tion 18004(c) for any component of a student’s
22 cost of attendance, including—

23 “(i) whether the institution required
24 an application for emergency financial aid
25 grants and, if the institution required an

1 application for emergency financial aid
2 grants, how many students applied, how
3 many students had applications that were
4 approved, and how many students had ap-
5 plications that were denied;

6 “(ii) the minimum and maximum
7 amount of grants made available to stu-
8 dents, including any minimum or max-
9 imum grant levels made to any specific
10 subgroups of students, including the sub-
11 groups listed in clause (iii);

12 “(iii) a description of any specific sub-
13 groups of students that were prioritized for
14 the emergency financial aid grants, includ-
15 ing students of color, low-income students,
16 first-generation college students, students
17 with disabilities, English learners, students
18 experiencing homelessness, former foster
19 youth, or student parents;

20 “(iv) the total number of enrolled stu-
21 dents that received emergency financial aid
22 grants;

23 “(v) the total number of enrolled stu-
24 dents that did not receive emergency finan-
25 cial aid grants;

1 “(iii) such tuition and fees planned or
2 enacted for the 2021–2022 school year;
3 and

4 “(iv) such tuition and fees planned or
5 enacted for the 2022–2023 school year;
6 and

7 “(D) a summary of how the institution en-
8 sured funds received under section 18004 did
9 not go to prohibited uses of funds specified in
10 section 18004(c)(5).

11 “(3) PUBLICATION OF REPORTS.—The Sec-
12 retary shall publish each report under paragraphs
13 (1) and (2) on a publicly accessible website not later
14 than 30 days after the date of receipt of the report.

15 “(e) MAINTENANCE OF EFFORT.—Not later than
16 120 days after the date of the award of a grant to a State
17 under section 18002 or 18003, the Secretary shall publish
18 a report for the State describing how the State has com-
19 plied with the maintenance of effort requirement under
20 section 18008, including—

21 “(1) the amount of support for higher edu-
22 cation provided by such State for fiscal years 2017,
23 2018, 2019, and 2020, respectively;

24 “(2) the amount of support for elementary and
25 secondary education provided by such State for fis-

1 cal years 2017, 2018, 2019, and 2020, respectively;
2 and

3 “(3) enforcement actions taken by the Sec-
4 retary for any violation of section 18008.”.

5 (j) EFFECTIVE DATES.—

6 (1) IN GENERAL.—Except as otherwise pro-
7 vided, the amendments made by this section shall
8 take effect with respect to amounts made available
9 for title XVIII of division B of the Coronavirus Aid,
10 Relief, and Economic Security Act (Public Law
11 116–136) on or after the date of enactment of this
12 Act.

13 (2) EQUITABLE SERVICES.—The amendment
14 made by subsection (e) shall take effect on the date
15 of enactment of the Coronavirus Aid, Relief, and
16 Economic Security Act (Public Law 116–136) as if
17 such amendment was incorporated in section
18 18005(a) of division B of such Act.

19 (3) REPORTING AND DISCLOSURE REQUIRE-
20 MENTS.—The amendment made by subsection (i)
21 shall take effect on the date of enactment of the
22 Coronavirus Aid, Relief, and Economic Security Act
23 (Public Law 116–136) as if such amendment was
24 incorporated in title XVIII of division B of such Act,
25 except that any report due before the date of enact-

1 ment of this Act or the 90-day period following the
2 date of enactment shall instead be due on the last
3 day of such 90-day period.

4 (4) FIPSE AND SPECIAL PROVISIONS.—Not-
5 withstanding paragraph (1) or any other provision of
6 law, if any amounts are available and not obligated
7 under section 18004(a)(3) of division B of the
8 Coronavirus Aid, Relief, and Economic Security Act
9 (Public Law 116–136) as of the day before the date
10 of enactment of this Act—

11 (A) such amounts shall be deemed to be
12 amounts made available under section
13 18004(a)(2) of division B of the Coronavirus
14 Aid, Relief, and Economic Security Act (Public
15 Law 116–136) after the date of enactment of
16 this Act; and

17 (B) the Secretary shall use all such
18 amounts for grants in accordance with section
19 18004(b) of division B of the Coronavirus Aid,
20 Relief, and Economic Security Act (Public Law
21 116–136), as amended by this Act.

22 (5) USES OF FUNDS.—The authority and re-
23 quirements of paragraphs (1) and (5) of section
24 18004(c) of division B of the Coronavirus Aid, Re-
25 lief, and Economic Security Act (Public Law 116–

1 136), as amended by this Act, shall apply to funds
2 made available to institutions under such section
3 18004 on and after the date of enactment of the
4 Coronavirus Aid, Relief, and Economic Security Act.

5 **Subtitle B—Additional Appropriations for Elementary Education,**
6 **Secondary Education, and Spe-**
7 **cial Education**

9 **SEC. 221. ELEMENTARY AND SECONDARY EDUCATION AP-**
10 **PROPRIATIONS.**

11 (a) TITLE I—A.—There are appropriated to the Sec-
12 retary of Education, out of amounts in the Treasury not
13 otherwise appropriated, for fiscal year 2020,
14 \$11,000,000,000 for grants to local educational agencies
15 under part A of title I of the Elementary and Secondary
16 Education Act of 1965 (20 U.S.C. 6311 et seq.). All terms
17 and conditions that apply to grants under part A of such
18 title shall apply to grants made with funds made available
19 under this subsection.

20 (b) MIGRANT EDUCATION.—There are appropriated
21 to the Secretary of Education, out of amounts in the
22 Treasury not otherwise appropriated, for fiscal year 2020,
23 \$300,000,000 for the program under part C of title I of
24 the Elementary and Secondary Education Act of 1965 (20
25 U.S.C. 6391 et seq.). All terms and conditions that apply

1 to the program under part C of such title shall apply with
2 respect to support provided through funds made available
3 under this subsection.

4 (c) TITLE I—D.—There are appropriated to the Sec-
5 retary of Education, out of amounts in the Treasury not
6 otherwise appropriated, for fiscal year 2020,
7 \$100,000,000 for programs under part D of title I of the
8 Elementary and Secondary Education Act of 1965 (20
9 U.S.C. 6421 et seq.). All terms and conditions that apply
10 to programs under part D of such title shall apply with
11 respect to support provided through funds made available
12 under this subsection.

13 (d) ENGLISH LANGUAGE ACQUISITION.—There are
14 appropriated to the Secretary of Education, out of
15 amounts in the Treasury not otherwise appropriated, for
16 fiscal year 2020, \$1,000,000,000 for programs under part
17 A of title III of the Elementary and Secondary Education
18 Act of 1965 (20 U.S.C. 6811 et seq.). All terms and condi-
19 tions that apply to programs under part A of such title
20 shall apply with respect to support provided through funds
21 made available under this subsection.

22 (e) SUPPORTS FOR STUDENTS EXPERIENCING
23 HOMELESSNESS.—There are appropriated to the Sec-
24 retary of Education, out of amounts in the Treasury not
25 otherwise appropriated, for fiscal year 2020,

1 \$500,000,000 for the program under subtitle B of title
2 VII of the McKinney-Vento Homeless Assistance Act (42
3 U.S.C. 11431 et seq.). All terms and conditions that apply
4 to the program under subtitle B of such title shall apply
5 with respect to support provided through funds made
6 available under this subsection.

7 (f) GENERAL PROVISIONS.—Any amount appro-
8 priated under this section is in addition to other amounts
9 appropriated or made available for the applicable purpose.

10 **SEC. 222. INDIVIDUALS WITH DISABILITIES EDUCATION**
11 **ACT APPROPRIATIONS.**

12 (a) IN GENERAL.—There are appropriated to the
13 Secretary of Education, out of any amount in the Treas-
14 ury not otherwise appropriated, for fiscal year 2020—

15 (1) \$11,000,000,000 for grants to States under
16 part B of the Individuals with Disabilities Education
17 Act (20 U.S.C. 1411 et seq.); and

18 (2) for early childhood education programs—

19 (A) \$500,000,000 for programs for infants
20 and toddlers under part C of the Individuals
21 with Disabilities Education Act (20 U.S.C.
22 1431 et seq.); and

23 (B) \$400,000,000 for preschool grants
24 under section 619 of the Individuals with Dis-
25 abilities Education Act (20 U.S.C. 1419).

1 (b) APPLICABILITY OF ALL TERMS AND CONDI-
2 TIONS.—All terms and conditions that apply to a program
3 under the Individuals with Disabilities Education Act (20
4 U.S.C. 1400 et seq.) shall apply with respect to support
5 provided for the program through funds made available
6 under subsection (a).

7 (c) GENERAL PROVISIONS.—Any amount appro-
8 priated under this section is in addition to other amounts
9 appropriated or made available for the applicable purpose.

10 **Subtitle C—Higher Education**

11 **CHAPTER 1—HISTORICALLY BLACK**

12 **COLLEGES AND UNIVERSITIES**

13 **SEC. 231. HBCU ENDOWMENT CHALLENGE GRANTS.**

14 Notwithstanding any restrictions and repayment pro-
15 visions placed on an institution that is still in its grant
16 period in accordance with subsection (b)(3), (c)(3)(B), and
17 (d) of section 331 of the Higher Education Act of 1965
18 (20 U.S.C. 1065), the institution may use the endowment
19 fund corpus plus any endowment fund income for any edu-
20 cational purpose or to defray any expenses necessary to
21 the operation of the institution, including expenses of op-
22 erations and maintenance, administration, academic and
23 support personnel, construction and renovation, commu-
24 nity and student services programs, and technical assist-
25 ance.

1 **SEC. 232. FUNDING FOR HBCU CAPITAL FINANCING.**

2 (a) IN GENERAL.—Section 3512 of division A of the
3 Coronavirus Aid, Relief, and Economic Security Act (Pub-
4 lic Law 116–136) is amended—

5 (1) in subsection (a)(1), by striking “may” and
6 inserting “shall”; and

7 (2) in subsection (d), by striking
8 “\$62,000,000” and inserting “such sums as may be
9 necessary”.

10 (b) EFFECTIVE DATE.—The amendments made by
11 subsection (a) shall take effect as if included in the enact-
12 ment of the Coronavirus Aid, Relief, and Economic Secu-
13 rity Act (Public Law 116–136).

14 **CHAPTER 2—ADDITIONAL**
15 **APPROPRIATIONS FOR TRIO PROGRAMS**

16 **SEC. 235. ADDITIONAL TRIO APPROPRIATIONS.**

17 (a) IN GENERAL.—

18 (1) AMOUNTS APPROPRIATED.—There is appro-
19 priated to the Secretary of Education, out of
20 amounts in the Treasury not otherwise appropriated,
21 \$450,000,000 for fiscal year 2020, for grants and
22 contracts under chapter 1 of subpart 2 of part A of
23 title IV of the Higher Education Act of 1965 (20
24 U.S.C. 1070a–11 et seq.), for the purpose of ex-
25 panding program capacity to serve more low-income,
26 first-generation students, students with disabilities,

1 veterans, unemployed adults, and other qualified in-
2 dividuals, and to provide such students technology
3 support.

4 (2) ALLOCATION OF FUNDS.—From the
5 amounts appropriated under paragraph (1), the Sec-
6 retary shall allot—

7 (A) \$250,000,000 for grants to each re-
8 cipient receiving funding under such chapter for
9 fiscal year 2020 to expand program capacity to
10 serve more qualified individuals, of which—

11 (i) \$32,000,000 shall be for Edu-
12 cational Opportunity Centers programs
13 under section 402F of the Higher Edu-
14 cation Act of 1965 (20 U.S.C. 1070a–16);

15 (ii) \$54,000,000 shall be for Talent
16 Search programs under section 402B of
17 the Higher Education Act of 1965 (20
18 U.S.C. 1070a–12); and

19 (iii) the remainder of such funds shall
20 be for all programs under chapter 1 of
21 subpart 2 of part A of title IV of the High-
22 er Education Act of 1965 (20 U.S.C.
23 1070a–11 et seq.); and

24 (B) notwithstanding any other provision of
25 law, \$200,000,000 for grants to each recipient

1 receiving funding under such chapter for fiscal
2 year 2020 to allow those recipients to provide
3 technology support to students, which may in-
4 clude support for broadband access and com-
5 puter hardware and software.

6 (b) **APPLICABILITY OF TERMS AND CONDITIONS.**—
7 Except as specified in subsection (a)(2)(B), the terms and
8 conditions that apply to grants under chapter 1 of subpart
9 2 of part A of title IV of the Higher Education Act of
10 1965 (20 U.S.C. 1070a–11 et seq.) shall apply to grants
11 made with funds made available under subsection (a).

12 (c) **GENERAL PROVISIONS.**—Any amount appro-
13 priated under this section is in addition to other amounts
14 appropriated or made available for the applicable purpose.

15 **Subtitle D—Increased Funding for**
16 **Adult Education and Career and**
17 **Technical Education**

18 **CHAPTER 1—ADULT EDUCATION AND LIT-**
19 **ERACY QUALIFYING EMERGENCY RE-**
20 **SPONSE**

21 **SEC. 241. DEFINITIONS.**

22 In this chapter, the terms “adult education”, “adult
23 education and literacy activities”, “eligible agency”, “eligi-
24 ble provider”, and “integrated education and training”
25 have the meanings given the terms in section 203 of the

1 Workforce Innovation and Opportunity Act (29 U.S.C.
2 3272).

3 **SEC. 242. ADULT EDUCATION AND LITERACY RESPONSE AC-**
4 **TIVITIES.**

5 (a) ONLINE SERVICE DELIVERY OF ADULT EDU-
6 CATION AND LITERACY ACTIVITIES.—During the quali-
7 fying emergency, an eligible agency may use funds avail-
8 able to such agency under paragraphs (2) and (3) of sec-
9 tion 222(a) of the Workforce Innovation and Opportunity
10 Act (20 U.S.C. 3302(a)), for the administrative expenses
11 of the eligible agency related to transitions to online serv-
12 ice delivery of adult education and literacy activities.

13 (b) SECRETARIAL RESPONSIBILITIES.—Not later
14 than 30 days after the date of enactment of this Act, the
15 Secretary of Labor shall, in carrying out section
16 242(c)(2)(G) of the Workforce Innovation Opportunity
17 Act (29 U.S.C. 3332(c)(2)(G)), identify and disseminate
18 to States strategies and virtual proctoring tools to—

19 (1) assess the progress of learners in programs
20 of adult education and literacy activities, on the
21 basis of valid research, as appropriate; and

22 (2) measure the performance of such programs
23 in a manner consistent with section 243(d).

1 **SEC. 243. DISTRIBUTION OF FUNDS.**

2 (a) RESERVATION OF FUNDS; GRANTS TO ELIGIBLE
3 AGENCIES.—From the amounts appropriated under sub-
4 section (e), the Secretary of Labor shall—

5 (1) reserve and use funds in accordance with
6 section 211(a) of the Workforce Innovation and Op-
7 portunity Act (29 U.S.C. 3291); and

8 (2) award grants to eligible agencies in accord-
9 ance with section 211(b) of the Workforce Innova-
10 tion and Opportunity Act (29 U.S.C. 3291), ensur-
11 ing that not less than 10 percent of the total funds
12 awarded through those grants shall be used to pro-
13 vide adult education and literacy activities in correc-
14 tional facilities.

15 (b) USES OF FUNDS.—Each eligible agency or eligi-
16 ble provider shall use the funds received through sub-
17 section (a)(2) to expand the capacity of adult education
18 providers to prioritize serving adults with low literacy or
19 numeracy levels negatively impacted by the economic con-
20 sequences of the qualifying emergency, which may in-
21 clude—

22 (1) expanding the infrastructure needed for the
23 provision of services and educational resources on-
24 line or through digital means, including the provi-
25 sion of technology or internet access to students and

1 instructional staff to enable virtual or distance learn-
2 ing;

3 (2) creating or expanding digital literacy cur-
4 ricula and resources, including professional develop-
5 ment activities to aid instructional and program
6 staff in providing online or digital training to stu-
7 dents; and

8 (3) equipping adult education providers to part-
9 ner more closely with partners in workforce develop-
10 ment systems on implementation strategies such as
11 provision of integrated education and training to
12 prepare adult learners on an accelerated timeline for
13 high-skill, high-wage, or in-demand industry sectors
14 and occupations.

15 (c) SUPPLEMENT, NOT SUPPLANT.—Any Federal
16 funds made available under this chapter shall be used only
17 to supplement and not supplant the funds that would, in
18 the absence of such Federal funds, be made available from
19 State or local public funds for adult education and literacy
20 activities.

21 (d) EVALUATIONS.—The Secretary of Labor shall
22 measure the performance of any activity or program car-
23 ried out with funds made available under this chapter
24 using indicators of performance applicable to adult edu-
25 cation and literacy activities in accordance with section

1 116(b)(2) of the Workforce Innovation and Opportunity
2 Act (29 U.S.C. 3141(b)(2)).

3 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated, and there is appropriated,
5 out of any money in the Treasury not otherwise appro-
6 priated, to carry out this section \$1,000,000,000 for fiscal
7 year 2020, to remain available until expended.

8 **CHAPTER 2—CAREER AND TECHNICAL**
9 **EDUCATION**

10 **SEC. 245. DEFINITIONS AND PERKINS CTE REQUIREMENTS.**

11 Except as otherwise provided, in this subtitle—

12 (1) the terms have the meanings given the
13 terms in section 3 of the Carl D. Perkins Career and
14 Technical Education Act of 2006 (20 U.S.C. 2302);
15 and

16 (2) an allotment, allocation, or other provision
17 of funds made under this subtitle in accordance with
18 a provision of the Carl D. Perkins Career and Tech-
19 nical Education Act of 2006 (20 U.S.C. 2301 et
20 seq.) shall be made in compliance with the applicable
21 requirements of such Act (20 U.S.C. 2301 et seq.).

22 **SEC. 246. COVID-19 CAREER AND TECHNICAL EDUCATION**
23 **RESPONSE FLEXIBILITY.**

24 (a) RETENTION OF FUNDS.—Notwithstanding sec-
25 tion 133(b)(1) of the Carl D. Perkins Career and Tech-

1 nical Education Act of 2006 (29 U.S.C. 2353(b)(1)), with
2 respect to an eligible recipient that, due to a qualifying
3 emergency, does not expend all of the amounts that the
4 eligible recipient is allocated for academic year 2019–2020
5 under section 131 or 132 of the Carl D. Perkins Career
6 and Technical Education Act of 2006 (20 U.S.C. 2351;
7 2352), the eligible agency that allocated such funds to the
8 eligible recipient may authorize the eligible recipient to re-
9 tain such amounts to carry out, during academic year
10 2020–2021, any activities described in the application of
11 the eligible recipient submitted under 134(b) of such Act
12 (29 U.S.C. 2354(b)) that such eligible recipient had in-
13 tended to carry out during academic year 2019–2020.

14 (b) POOLING OF FUNDS.—An eligible recipient may,
15 in accordance with section 135(c) of the Carl D. Perkins
16 Career and Technical Education Act of 2006 (20 U.S.C.
17 2355(c)), pool a portion of funds received under such Act
18 with a portion of funds received under such Act available
19 to one or more eligible recipients to support the transition
20 from secondary education to postsecondary education or
21 employment for CTE participants whose academic year
22 was interrupted by a qualifying emergency.

23 (c) PROFESSIONAL DEVELOPMENT.—During a quali-
24 fying emergency, section 3(40)(B) of the Carl D. Perkins
25 Career and Technical Education Act of 2006 (20 U.S.C.

1 2302(40)(B)) shall apply as if “sustained (not stand-
2 alone, 1-day, or short- term workshops), intensive, collabo-
3 rative, job-embedded, data-driven, and classroom-fo-
4 cused,” were struck.

5 **SEC. 247. PERKINS CAREER AND TECHNICAL EDUCATION.**

6 (a) DISTRIBUTION OF FUNDS.—

7 (1) STATES.—From the amounts appropriated
8 under subsection (d), the Secretary shall make allot-
9 ments to eligible agencies in accordance with section
10 111(a)(3) of the Carl D. Perkins Career and Tech-
11 nical Education Act of 2006 (20 U.S.C. 2321(a)(3)).

12 (2) LOCAL AREAS.—

13 (A) IN GENERAL.—Not later than 30 days
14 after an eligible agency receives an allotment
15 under paragraph (1), the eligible agency shall
16 make available such funds in accordance with
17 section 112(a) of the Carl D. Perkins Career
18 and Technical Education Act of 2006 (20
19 U.S.C. 2322(a)), including making such funds
20 available for distribution to eligible recipients in
21 accordance with sections 131 and 132 of such
22 Act.

23 (B) RESERVED FUNDS.—An eligible agen-
24 cy that reserves funds in accordance with sec-
25 tion 112(a)(1) of the Carl D. Perkins Career

1 and Technical Education Act of 2006 (20
2 U.S.C. 2322(a)) to be used in accordance with
3 section 112(c) of such Act, may also use such
4 reserved funds for digital, physical, or tech-
5 nology infrastructure related projects to im-
6 prove career and technical education offerings
7 within the State.

8 (b) USES OF FUNDS.—Each eligible agency and eligi-
9 ble recipient shall use the funds received under this section
10 to carry out activities improving or expanding career and
11 technical education programs and programs of study to
12 adequately respond to State and local needs as a result
13 of a qualifying emergency, including—

14 (1) expanding and modernizing digital, physical,
15 or technology infrastructure to deliver in-person, on-
16 line, virtual, and simulated educational and work-
17 based learning experiences;

18 (2) acquiring appropriate equipment, tech-
19 nology, supplies, and instructional materials aligned
20 with business and industry needs, including machin-
21 ery, testing equipment, tools, hardware, software,
22 and other new and emerging instructional materials;

23 (3) providing incentives to employers and CTE
24 participants facing economic hardships due to a

1 qualifying emergency to participate in work-based
2 learning programs;

3 (4) expanding or adapting program offerings or
4 supports based on an updated comprehensive needs
5 assessment to systemically respond to employers'
6 and CTE participants' changing needs as a result of
7 a qualifying emergency; or

8 (5) providing for professional development and
9 training activities for career and technical education
10 teachers, faculty, school leaders, administrators, spe-
11 cialized instructional support personnel, career guid-
12 ance and academic counselors, and paraprofessionals
13 to support activities carried out under this section.

14 (c) SUPPLEMENT, NOT SUPPLANT.—Any Federal
15 funds provided under this subtitle shall be used only to
16 supplement the funds that would, in the absence of such
17 Federal funds, be made available from non-Federal
18 sources for career and technical education programs or
19 other activities carried out under the Carl D. Perkins Ca-
20 reer and Technical Education Act of 2006 (20 U.S.C.
21 2301 et seq.), and not to supplant such funds.

22 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
23 authorized to be appropriated, and there is appropriated,
24 out of any money in the Treasury not otherwise appro-

1 priated, to carry out this section \$1,000,000,000 for fiscal
2 year 2020, to remain available until expended.

3 **Subtitle E—Community College**
4 **and Industry Partnership Grants**

5 **SEC. 251. COMMUNITY COLLEGE AND INDUSTRY PARTNER-**
6 **SHIP GRANTS.**

7 (a) DEFINITIONS.—In this section:

8 (1) ELIGIBLE ENTITY.—The term “eligible enti-
9 ty” means an eligible institution or a consortium of
10 such eligible institutions, which may include a
11 multistate consortium of such eligible institutions.

12 (2) ELIGIBLE INSTITUTION.—The term “eligi-
13 ble institution” means a public institution of higher
14 education (as defined in section 101(a) of the High-
15 er Education Act of 1965 (20 U.S.C. 1001(a)) at
16 which the highest degree that is predominantly
17 awarded to students is an associate degree, including
18 a 2-year Tribal College or University (as defined in
19 section 316 of such Act (20 U.S.C. 1059c)).

20 (3) PERKINS CTE DEFINITIONS.—The terms
21 “career and technical education”, “dual or concur-
22 rent enrollment program”, and “work-based learn-
23 ing” have the meanings given the in terms in section
24 3 of the Carl D. Perkins Career and Technical Edu-
25 cation Act of 2006 (20 U.S.C. 2302).

1 (4) SECRETARY.—The term “Secretary” means
2 the Secretary of Labor.

3 (b) GRANT AUTHORITY.—

4 (1) IN GENERAL.—From the funds appro-
5 priated under subsection (h) and not reserved under
6 subsection (f), the Secretary, in collaboration with
7 the Secretary of Education (acting through the Of-
8 fice of Career, Technical, and Adult Education) shall
9 award, on a competitive basis, grants, contracts, or
10 cooperative agreements, in accordance with section
11 169(b)(5) of the Workforce Innovation and Oppor-
12 tunity Act (29 U.S.C. 3224(b)(5)), to eligible enti-
13 ties to assist such eligible entities in—

14 (A) establishing and scaling career training
15 programs, including career and technical edu-
16 cation programs, and industry and sector part-
17 nerships to inform such programs; and

18 (B) providing necessary student supports.

19 (2) AWARD AMOUNTS.—The total amount of
20 funds awarded under this section to an eligible enti-
21 ty shall not exceed—

22 (A) in the case of an eligible entity that is
23 eligible institution, \$2,500,000; and

24 (B) in the case of an eligible entity that is
25 a consortium, \$15,000,000.

1 (3) AWARD PERIOD.—A grant, contract, or co-
2 operative agreement awarded under this section shall
3 be for a period of not more than 4 years, except that
4 the Secretary may extend such a grant, contract, or
5 agreement for an additional 2-year period.

6 (4) EQUITABLE DISTRIBUTION.—In awarding
7 grants under this section, the Secretary shall ensure,
8 to the extent practicable, the equitable distribution
9 of grants, based on—

10 (A) geography (such as urban and rural
11 distribution); and

12 (B) States and local areas significantly im-
13 pacted by a qualifying emergency.

14 (c) PRIORITY.—In awarding funds under this section,
15 the Secretary shall give priority to eligible entities that
16 will use such funds to serve individuals impacted by a
17 qualifying emergency, as demonstrated by providing an as-
18 surance in the application submitted under subsection (d)
19 that the eligible entity will use such funds to—

20 (1) serve such individuals with barriers to em-
21 ployment, veterans, spouses of members of the
22 Armed Forces, Native Americans, Alaska Natives,
23 Native Hawaiians, or incumbent workers who are
24 low-skilled and who need to increase their employ-
25 ability skills;

1 (2) serve such individuals from each major ra-
2 cial and ethnic group or gender with lower than av-
3 erage educational attainment in the State or employ-
4 ment in the in-demand industry sector or occupation
5 that such award will support; or

6 (3) serve areas with high unemployment rates
7 or high levels of poverty, including rural areas.

8 (d) APPLICATION.—An eligible entity seeking an
9 award of funds under this section shall submit to the Sec-
10 retary an application containing a grant proposal at such
11 time and in such manner, and containing such informa-
12 tion, as required by the Secretary, including a detailed de-
13 scription of the following:

14 (1) Each entity (and the roles and responsibil-
15 ities of each entity) with which the eligible entity will
16 partner to carry out activities under this section, in-
17 cluding each of the following:

18 (A) An industry or sector partnership rep-
19 resenting a high-skill, high-wage, or in-demand
20 industry sector or occupation.

21 (B) A State higher education agency or a
22 State workforce agency.

23 (C) To the extent practicable—

24 (i) State or local workforce develop-
25 ment systems;

1 (ii) economic development and other
2 relevant State or local agencies;

3 (iii) 1 or more community-based orga-
4 nizations;

5 (iv) 1 or more institutions of higher
6 education that primarily award 4-year de-
7 grees with which the eligible institution has
8 developed or will develop articulation
9 agreements for programs created or ex-
10 panded using funds under this section;

11 (v) 1 or more providers of adult edu-
12 cation; and

13 (vi) 1 or more labor organizations or
14 joint labor-management partnerships.

15 (2) The programs that will be supported with
16 such award, including a description of—

17 (A) each program that will developed or
18 expanded, and how the program will be respon-
19 sive to the high-skill, high-wage, or in-demand
20 industry sectors or occupations in the geo-
21 graphic region served by the eligible entity
22 under this section, including—

23 (i) how the eligible entity will collabo-
24 rate with employers to ensure each such
25 program will provide the skills and com-

1 petencies necessary to meet future employ-
2 ment demand; and

3 (ii) the quantitative data and evidence
4 that demonstrates the extent to which each
5 such program will meet the needs of em-
6 ployers in the geographic area served by
7 the eligible entity under this section;

8 (B) the recognized postsecondary creden-
9 tials to be awarded under each program de-
10 scribed in subparagraph (A);

11 (C) how each such program will facilitate
12 cooperation between representatives of workers
13 and employers in the local areas to ensure a
14 fair and engaging workplace that balances the
15 priorities and well-being of workers with the
16 needs of businesses;

17 (D) the extent to which each such program
18 aligns with a statewide or regional workforce
19 development strategy, including such strategies
20 established under section 102(b)(1) of the
21 Workforce Innovation and Opportunity Act (29
22 U.S.C. 3112(b)(1)); and

23 (E) how the eligible entity will ensure the
24 quality of each such program, the career path-
25 ways within such programs, and the jobs in the

1 industry sectors or occupations to which the
2 program is aligned.

3 (3) The extent to which the eligible entity can
4 leverage additional resources, and demonstration of
5 the future sustainability of each such program.

6 (4) How each such program and activities car-
7 ried out under the grant will include evidence-based
8 practices, including a description of such practices.

9 (5) The student populations that will be served
10 by the eligible entity, including—

11 (A) an analysis of any barriers to employ-
12 ment or barriers to postsecondary education
13 that such populations face, and an analysis of
14 how the services to be provided by the eligible
15 entity under this section will address such bar-
16 riers; and

17 (B) how the eligible entity will support
18 such populations to establish a work history,
19 demonstrate success in the workplace, and de-
20 velop the skills and competencies that lead to
21 entry into and retention in unsubsidized em-
22 ployment.

23 (6) Assurances the eligible entity will partici-
24 pate in and comply with third-party evaluations de-
25 scribed in subsection (f)(3).

1 (e) USE OF FUNDS.—

2 (1) IN GENERAL.—An eligible entity shall use a
3 grant awarded under this section to establish and
4 scale career training programs, including career and
5 technical education programs, and career pathways
6 and supports for students participating in such pro-
7 grams.

8 (2) STUDENT SUPPORT AND EMERGENCY SERV-
9 ICES.—Not less than 15 percent of the grant award-
10 ed to an eligible entity under this section shall be
11 used to carry out student support services which
12 may include the following:

13 (A) Supportive services, including
14 childcare, transportation, mental health serv-
15 ices, substance use disorder prevention and
16 treatment, assistance in obtaining health insur-
17 ance coverage, housing, and assistance in ac-
18 cessing the supplemental nutrition assistance
19 program established under the Food and Nutri-
20 tion Act of 2008 (7 U.S.C. 2011 et seq.), the
21 special supplemental nutrition program for
22 women, infants, and children established by sec-
23 tion 17 of the Child Nutrition Act of 1966 (42
24 U.S.C. 1786), and other benefits, as appro-
25 priate.

1 (B) Connecting students to State or Fed-
2 eral means-tested benefits programs, including
3 the means-tested Federal benefits programs de-
4 scribed in subparagraphs (A) through (F) of
5 section 479(d)(2) of the Higher Education Act
6 of 1965 (20 U.S.C. 1087ss(d)(2)).

7 (C) The provision of direct financial assist-
8 ance to help students facing financial hardships
9 that may impact enrollment in or completion of
10 a program assisted with such funds.

11 (D) Navigation, coaching, mentorship, and
12 case management services, including providing
13 information and outreach to populations de-
14 scribed in subsection (c) to take part in a pro-
15 gram supported with such funds.

16 (E) Providing access to necessary supplies,
17 materials, or technological devices, and required
18 equipment, and other supports necessary to
19 participate in such programs.

20 (3) **ADDITIONAL REQUIRED PROGRAM ACTIVI-**
21 **TIES.**—The funds awarded to an eligible entity
22 under this section that remain after carrying out
23 paragraph (2) shall be used to—

24 (A) create, develop, or expand articulation
25 agreements (as defined in section 486A(a) of

1 the Higher Education Act of 1965 (20 U.S.C.
2 1093a(a)), credit transfer agreements, policies
3 to award credit for prior learning, corequisite
4 remediation, dual or concurrent enrollment pro-
5 grams, career pathways, and competency-based
6 education;

7 (B) establish or expand industry or sector
8 partnerships to develop or expand academic
9 programs and curricula;

10 (C) establish or expand work-based learn-
11 ing opportunities, including apprenticeship pro-
12 grams or paid internships;

13 (D) establish or implement plans for pro-
14 grams supported with funds under this section
15 to be included on the eligible training provider,
16 as described under section 122(d) of the Work-
17 force Innovation and Opportunity Act (29
18 U.S.C. 3152(d));

19 (E) award academic credit or provide for
20 academic alignment towards credit pathways for
21 programs assisted with such funds, including
22 industry recognized credentials, competency-
23 based education, or work-based learning;

24 (F) make available open, searchable, and
25 comparable information on the recognized post-

1 secondary credentials awarded under such pro-
2 grams, including the related skills or com-
3 petencies, related employment, and earnings
4 outcomes; or

5 (G) acquiring equipment necessary to sup-
6 port activities permitted under this section.

7 (f) SECRETARIAL RESERVATIONS.—Not more than 5
8 percent of the funds appropriated for a fiscal year may
9 be used by the Secretary for—

10 (1) the administration of the program under
11 this section, including providing technical assistance
12 to eligible entities;

13 (2) targeted outreach to eligible institutions
14 serving a high number or high percentage of low-in-
15 come populations, and rural serving eligible institu-
16 tions to provide guidance and assistance in the grant
17 application process under this section; and

18 (3) a rigorous, third-party evaluation that uses
19 experimental or quasi-experimental design or other
20 research methodologies that allow for the strongest
21 possible causal inferences to determine whether each
22 eligible entity carrying out a program supported
23 under this section has met the goals of such pro-
24 gram as described in the application submitted by el-
25 ible entity, including through a national assess-

1 ment of all such programs at the conclusion of each
2 4-year grant period.

3 (g) REPORTS AND DISSEMINATION.—

4 (1) REPORTS.—Each eligible entity receiving
5 funds under this section shall report to the Sec-
6 retary annually on—

7 (A) a description of the programs sup-
8 ported with such funds, including activities car-
9 ried out directly by the eligible entity and ac-
10 tivities carried out by each partner of the eligi-
11 ble entity described in subsection (d)(1);

12 (B) data on the population served with the
13 funds and labor market outcomes of popu-
14 lations served by the funds;

15 (C) resources leveraged by the eligible enti-
16 ty to support activities under this section; and

17 (D) the performance of each such program
18 with respect to the indicators of performance
19 under section 116(b)(2)(A)(i) of the Workforce
20 Innovation and Opportunity Act (29 U.S.C.
21 3141(b)(2)(A)(i)).

22 (2) DISSEMINATION.—Each eligible entity re-
23 ceiving funds under this section shall—

1 (A) participate in activities regarding the
2 dissemination of related research, best prac-
3 tices, and technical assistance; and

4 (B) to the extent practicable, and as deter-
5 mined by the Secretary, make available to the
6 public any materials created under the grant.

7 (h) AUTHORIZATION OF APPROPRIATIONS.—There is
8 authorized to be appropriated, and there is appropriated,
9 out of any money in the Treasury not already appro-
10 priated, to carry out this section \$2,000,000,000 for fiscal
11 year 2020, to remain available through fiscal year 2024.

12 **Subtitle F—E-Rate**

13 **SEC. 255. E-RATE SUPPORT FOR WI-FI HOTSPOTS, OTHER** 14 **EQUIPMENT, AND CONNECTED DEVICES DUR-** 15 **ING EMERGENCY PERIODS RELATING TO** 16 **COVID-19.**

17 (a) DEFINITIONS.—In this section:

18 (1) ADVANCED TELECOMMUNICATIONS AND IN-
19 FORMATION SERVICES.—The term “advanced tele-
20 communications and information services” means
21 advanced telecommunications and information serv-
22 ices, as that term is used in section 254(h) of the
23 Communications Act of 1934 (47 U.S.C. 254(h)).

24 (2) COMMISSION.—The term “Commission”
25 means the Federal Communications Commission.

1 (3) CONNECTED DEVICE.—The term “con-
2 nected device” means a laptop computer, tablet com-
3 puter, or similar device that is capable of connecting
4 to advanced telecommunications and information
5 services.

6 (4) COVERED REGULATIONS.—The term “cov-
7 ered regulations” means the regulations promul-
8 gated under subsection (b).

9 (5) EMERGENCY CONNECTIVITY FUND.—The
10 term “Emergency Connectivity Fund” means the
11 fund established under subsection (h)(1).

12 (6) ELIGIBLE EQUIPMENT.—The term “eligible
13 equipment” means the following:

14 (A) Wi-Fi hotspots.

15 (B) Modems.

16 (C) Routers.

17 (D) Devices that combine a modem and
18 router.

19 (E) Connected devices.

20 (7) LIBRARY.—The term “library” includes a
21 library consortium.

22 (8) WI-FI.—The term “Wi-Fi” means a wire-
23 less networking protocol based on Institute of Elec-
24 trical and Electronics Engineers standard 802.11
25 (or any successor standard).

1 (9) WI-FI HOTSPOT.—The term “Wi-Fi
2 hotspot” means a device that is capable of—

3 (A) receiving mobile advanced tele-
4 communications and information services; and

5 (B) sharing such services with another de-
6 vice through the use of Wi-Fi.

7 (b) REGULATIONS REQUIRED.—Not later than 7
8 days after the date of enactment of this Act, the Commis-
9 sion shall promulgate regulations providing for the provi-
10 sion, from amounts made available from the Emergency
11 Connectivity Fund, of support under section 254(h)(1)(B)
12 of the Communications Act of 1934 (47 U.S.C.
13 254(h)(1)(B)) to an elementary school, secondary school,
14 or library (including a Tribal elementary school, Tribal
15 secondary school, or Tribal library) eligible for support
16 under that section, during a qualifying emergency (includ-
17 ing any portion of the qualifying emergency occurring be-
18 fore the date of enactment of this Act) of eligible equip-
19 ment or advanced telecommunications and information
20 services, for use by—

21 (1) in the case of a school, students and staff
22 of the school at locations that include locations other
23 than the school; and

1 (2) in the case of a library, patrons of the li-
2 brary at locations that include locations other than
3 the library.

4 (c) ELIGIBILITY OF TRIBAL LIBRARIES.—For pur-
5 poses of determining the eligibility of a Tribal library for
6 support under the covered regulations, the portion of para-
7 graph (4) of section 254(h) of the Communications Act
8 of 1934 (47 U.S.C. 254(h)) relating to eligibility for as-
9 sistance from a State library administrative agency under
10 the Library Services and Technology Act (20 U.S.C. 9121
11 et seq.) shall not apply.

12 (d) PRIORITIZATION OF SUPPORT.—The Commission
13 shall provide in the covered regulations for a mechanism
14 to require a school or library to prioritize the provision
15 of eligible equipment or advanced telecommunications and
16 information services (or both), for which support is re-
17 ceived under those regulations, to students and staff or
18 patrons (as the case may be) that the school or library
19 believes do not have access to eligible equipment or ad-
20 vanced telecommunications and information services (or
21 do not have access to either), respectively, at the resi-
22 dences of the students and staff or patrons.

23 (e) TREATMENT OF EQUIPMENT AFTER QUALIFYING
24 EMERGENCY.—The Commission shall provide in the cov-
25 ered regulations that, in the case of a school or library

1 that purchases eligible equipment using support received
2 under the covered regulations, the school or library—

3 (1) may, after the qualifying emergency with
4 respect to which the support is received, use the
5 equipment for any purposes that the school or li-
6 brary considers appropriate, subject to any restric-
7 tions provided in the covered regulations (or any
8 successor regulation); and

9 (2) may not sell or otherwise transfer the equip-
10 ment in exchange for any thing (including a service)
11 of value, except that the school or library may ex-
12 change the equipment for upgraded equipment of
13 the same type.

14 (f) **RULE OF CONSTRUCTION.**—Nothing in this sec-
15 tion shall be construed to affect any authority of the Com-
16 mission under section 254(h)(1)(B) of the Communica-
17 tions Act of 1934 (47 U.S.C. 254(h)(1)(B)) to allow sup-
18 port under that section to be used for the purposes de-
19 scribed in subsection (b) of this section other than as re-
20 quired by that subsection.

21 (g) **PROCEDURAL MATTERS.**—

22 (1) **PART 54 REGULATIONS.**—Nothing in this
23 section shall be construed to prevent the Commission
24 from providing that the regulations in part 54 of
25 title 47, Code of Federal Regulations—

1 (A) shall apply in whole or in part to sup-
2 port provided under the covered regulations;

3 (B) shall not apply in whole or in part to
4 support provided under the covered regulations;
5 or

6 (C) shall be modified in whole or in part
7 for purposes of application to support provided
8 under the covered regulations.

9 (2) EXEMPTION FROM CERTAIN RULEMAKING
10 REQUIREMENTS.—Subsections (b), (c), and (d) of
11 section 553 of title 5, United States Code, shall not
12 apply to the covered regulations or a rulemaking to
13 promulgate the covered regulations.

14 (3) PAPERWORK REDUCTION ACT EXEMP-
15 TION.—A collection of information conducted or
16 sponsored under the covered regulations, or under
17 section 254 of the Communications Act of 1934 (47
18 U.S.C. 254) in connection with support provided
19 under the covered regulations, shall not constitute a
20 collection of information for the purposes of sub-
21 chapter I of chapter 35 of title 44, United States
22 Code (commonly referred to as the “Paperwork Re-
23 duction Act”).

24 (h) EMERGENCY CONNECTIVITY FUND.—

1 (1) ESTABLISHMENT.—There is established in
2 the Treasury of the United States a fund to be
3 known as the “Emergency Connectivity Fund”.

4 (2) APPROPRIATION.—There is appropriated to
5 the Emergency Connectivity Fund, out of any money
6 in the Treasury not otherwise appropriated,
7 \$4,000,000,000 for fiscal year 2020, to remain
8 available through fiscal year 2021.

9 (3) USE OF FUNDS.—Amounts in the Emer-
10 gency Connectivity Fund shall be available to the
11 Commission to provide support under the covered
12 regulations.

13 (4) RELATIONSHIP TO UNIVERSAL SERVICE
14 CONTRIBUTIONS.—Support provided under the cov-
15 ered regulations shall be provided from amounts
16 made available under paragraph (3) and not from
17 contributions under section 254(d) of the Commu-
18 nications Act of 1934 (47 U.S.C. 254(d)).

19 **TITLE III—GENERAL** 20 **PROVISIONS**

21 **SEC. 301. PROTECTIONS FOR CHILDREN WITH DISABIL-** 22 **ITIES.**

23 The Secretary of Education shall ensure that, in
24 order for a State to receive any portion of amounts made
25 available under this Act or the amendments made by this

1 Act for elementary education, secondary education, or
2 early childhood education, the State shall provide an as-
3 surance to the Secretary that all children with disabilities,
4 as defined in section 602 of the Individuals with Disabil-
5 ities Education Act (20 U.S.C. 1401), are afforded their
6 full rights under—

7 (1) the Individuals with Disabilities Education
8 Act, including all rights and services outlined in in-
9 dividualized education programs (as defined in sec-
10 tion 614(d) of such Act (20 U.S.C. 1414(d)) and in-
11 dividualized family service plans (as described in sec-
12 tion 636 of such Act (20 U.S.C. 1436)); and

13 (2) section 504 of the Rehabilitation Act of
14 1973 (29 U.S.C. 794).

15 **SEC. 302. RULE OF CONSTRUCTION RELATING TO REG-**
16 **ISTERED APPRENTICESHIP PROGRAMS.**

17 If funds awarded under this Act, including all funds
18 awarded for the purposes of grants, contracts, or coopera-
19 tive agreements, or the development, implementation, or
20 administration of apprenticeship programs, are used to
21 fund apprenticeship programs, those funds shall only be
22 provided to apprenticeship programs that are registered
23 by the Office of Apprenticeship or a State apprenticeship
24 agency under the Act of August 16, 1937 (commonly
25 known as the “National Apprenticeship Act”) (50 Stat.

1 664, chapter 663; 29 U.S.C. 50 et seq.), including, as in
2 effect on December 30, 2019, any requirement, standard,
3 or rule promulgated under that Act.

4 **SEC. 303. GENERAL EDUCATION PROVISIONS ACT RE-**
5 **QUIREMENTS RELATING TO COVID-19.**

6 Notwithstanding any other provision of law, if deter-
7 mined necessary and appropriate due to a qualifying emer-
8 gency by the Secretary of Education, the Secretary may
9 waive, for a period not to exceed academic year 2019–
10 2020—

11 (1) upon the request of a State or Indian Tribe
12 receiving funds under title I of the Carl D. Perkins
13 Career and Technical Education Act of 2006 (20
14 U.S.C. 2321 et seq.), the limited period for obliga-
15 tions and expenditures under section 421(b)(1) of
16 the General Education Provisions Act (20 U.S.C.
17 1225(b(1)) for the State or Indian Tribe with re-
18 spect to such funds; and

19 (2) upon the request of an eligible agency re-
20 ceiving funds under the Adult Education and Family
21 Literacy Act (29 U.S.C. 3271 et seq.), the limited
22 period under section 421(b)(1) of the General Edu-
23 cation Provisions Act (20 U.S.C. 1225(b)) for that
24 eligible agency with respect to such funds.

1 **SEC. 304. EMERGENCY DESIGNATION.**

2 (a) IN GENERAL.—The amounts provided by this Act
3 are designated as an emergency requirement pursuant to
4 section 4(g) of the Statutory Pay-As-You-Go Act of 2010
5 (2 U.S.C. 933(g)).

6 (b) DESIGNATION IN SENATE.—In the Senate, this
7 Act is designated as an emergency requirement pursuant
8 to section 4112(a) of H. Con. Res. 71 (115th Congress),
9 the concurrent resolution on the budget for fiscal year
10 2018.