

116TH CONGRESS
2D SESSION

S. _____

To provide resources for States, State educational agencies, local educational agencies, educators, school leaders, and others to measure and address instructional loss in students in kindergarten through grade 12.

IN THE SENATE OF THE UNITED STATES

Ms. HIRONO introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To provide resources for States, State educational agencies, local educational agencies, educators, school leaders, and others to measure and address instructional loss in students in kindergarten through grade 12.

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 “Learning Opportunity
5 and Achievement Act”.

6 **SEC. 2. PURPOSE.**

7 It is the purpose of this Act to provide resources for
8 States, State educational agencies, local educational agen-

1 cies, educators, school leaders, and others to measure and
2 address instructional loss in students in kindergarten
3 through grade 12.

4 **SEC. 3. FINDINGS.**

5 Congress finds the following:

6 (1) Children in every State were affected by
7 school closures during the 2019-2020 school year,
8 which resulted in fewer instructional days for the
9 Nation's 56,400,000 students in Kindergarten
10 through grade 12, and caused instructional loss for
11 these students.

12 (2) Instructional loss for certain students, in-
13 cluding Black and Hispanic students, low-income
14 students, children with disabilities, English learners,
15 Native students, migratory students, students expe-
16 riencing homelessness, children and youth in foster
17 care, and others, could be especially severe,
18 compounding existing opportunity and achievement
19 gaps.

20 (3) Instructional loss for students who lack ac-
21 cess to broadband connectivity and mobile devices,
22 or who otherwise lack access to high-quality remote
23 learning, remote instruction, and conducive learning
24 environments, could also be severe.

1 (4) Before the coronavirus pandemic, oppor-
2 tunity and achievement gaps between Black and
3 Hispanic students and White students deprived the
4 economy of the United States of between
5 \$310,000,000,000 and \$525,000,000,000 per year
6 in productivity, equivalent to 2 percent to 4 percent
7 of gross domestic product. Furthermore, achieve-
8 ment gaps between low-income students and high-in-
9 come students deprived the United States economy
10 of between \$400,000,000,000 and \$670,000,000,000
11 per year in productivity, equivalent to 3 percent to
12 5 percent of gross domestic product.

13 (5) Preliminary estimates indicate students will
14 return for the 2020-2021 school year with roughly
15 70 percent of learning gains in reading relative to a
16 typical school year, and, in some grades, with less
17 than 50 percent of learning gains in mathematics,
18 nearly a full year behind where they would have
19 been under normal circumstances.

20 (6) The average instructional loss due to recent
21 school closures could be 7 months for all students,
22 10.3 months for Black students, 9.2 months for His-
23 panic students, and more than a year for low-income
24 students.

1 (7) Students in Kindergarten through grade 12
2 in the United States could lose between \$61,000 and
3 \$82,000 in lifetime earnings solely due to
4 coronavirus-related instructional loss.

5 (8) Coronavirus-related instructional loss could
6 result in reduced annual earnings for White students
7 (\$1,348 per year), but even further reduced earnings
8 for Black students (\$2,186 per year) and Hispanic
9 students (\$1,809 per year), resulting in
10 \$98,800,000,000 in reduced earnings per year.

11 (9) Instructional loss caused by school closures
12 and disruptions in learning could further compound
13 learning, achievement, and opportunity gaps, reduce
14 lifetime earnings, and harm competitiveness between
15 the United States and other countries that mitigated
16 the pandemic.

17 (10) The pandemic has created new challenges
18 for education, but educators have performed admi-
19 rably and adjusted accordingly to educate students.
20 However, more resources are needed to make sure
21 the Nation's 3,700,000 educators have the necessary
22 tools to address instructional loss in students, espe-
23 cially at-risk or marginalized students.

24 (11) Specifically, more resources are needed to
25 support evidence-based approaches to professional

1 development that will help educators in their efforts
2 to more effectively use technology, address equity
3 gaps in learning, and provide personalized instruc-
4 tion within continually changing learning environ-
5 ments.

6 (12) Research has shown that, among other
7 things, effective professional development for edu-
8 cators should be collaborative, job-embedded, con-
9 tent-based, and sustained.

10 (13) Research has also shown that effective
11 professional development for educators should be in-
12 tensive, provide opportunities for coaching and ex-
13 pert support, and offer opportunities for feedback.

14 **SEC. 4. DEFINITIONS.**

15 In this Act:

16 (1) ESEA DEFINITIONS.—The terms “Depart-
17 ment”, “elementary school”, “evidence-based”, “in-
18 stitution of higher education”, “local educational
19 agency”, “outlying area”, “paraprofessional”, “pro-
20 fessional development”, “school leader”, “secondary
21 school”, “Secretary”, “State”, and “State edu-
22 cational agency” have the meanings given those
23 terms in section 8101 of the Elementary and Sec-
24 ondary Education Act of 1965 (20 U.S.C. 7801).

1 (2) ALASKA NATIVE AND ALASKA NATIVE ORGA-
2 NIZATION.—The terms “Alaska Native” and “Alas-
3 ka Native organization” have the meanings given
4 those terms in section 6306 of the Elementary and
5 Secondary Education Act of 1965 (20 U.S.C. 7546).

6 (3) AT-RISK OR MARGINALIZED STUDENTS.—
7 The term “at-risk or marginalized students” means
8 students in elementary or secondary school who
9 are—

10 (A) low-income students;

11 (B) minority students;

12 (C) children with disabilities;

13 (D) English learners;

14 (E) migratory students;

15 (F) homeless children and youth; or

16 (G) children or youth in foster care.

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

21 (5) COMMUNITY-BASED ORGANIZATION.—The
22 term “community-based organization” means a pub-
23 lic or private nonprofit organization with dem-
24 onstrated effectiveness that—

1 (A) is representative of a community or
2 significant segments of a community; and

3 (B) provides educational or related services
4 to individuals in the community.

5 (6) DISTANCE LEARNING.—The term “distance
6 learning” means the transmission of educational or
7 instructional programming to geographically dis-
8 persed individuals and groups via telecommuni-
9 cations or physical materials that is aligned to the
10 requirements of the Elementary and Secondary Edu-
11 cation Act of 1965 (20 U.S.C. 6301 et seq.).

12 (7) ENGLISH LEARNER.—The term “English
13 learner” has the meaning given that term in section
14 8101 of the Elementary and Secondary Education
15 Act of 1965 (20 U.S.C. 7801).

16 (8) HOMELESS CHILDREN AND YOUTH.—The
17 term “homeless children and youth” has the mean-
18 ing given the term “homeless children or youths” in
19 section 725 of the McKinney-Vento Homeless Assist-
20 ance Act (42 U.S.C. 11434a).

21 (9) HYBRID LEARNING.—The term “hybrid
22 learning” means any combination of distance and in-
23 person learning where distance learning represents a
24 substantial component of the instructional model.

1 (10) MIGRATORY CHILD.—The term “migratory
2 child” means a child or youth who made a qualifying
3 move (as defined in section 1309 of the Elementary
4 and Secondary Education Act of 1965 (20 U.S.C.
5 6399) in the preceding 36 months—

6 (A) as a migratory agricultural worker or
7 a migratory fisher (as those terms are defined
8 in such section); or

9 (B) with, or to join, a parent or spouse
10 who is a migratory agricultural worker or a mi-
11 gratory fisher (as those terms are defined in
12 such section).

13 (11) NATIVE HAWAIIAN, NATIVE HAWAIIAN
14 COMMUNITY-BASED ORGANIZATION AND NATIVE HA-
15 WAIIAN EDUCATIONAL ORGANIZATION.—The terms
16 “Native Hawaiian”, “Native Hawaiian community-
17 based organization” and “Native Hawaiian edu-
18 cational organization” have the meanings given
19 those terms in section 6207 of the Elementary and
20 Secondary Education Act of 1965 (20 U.S.C. 7517).

21 (12) NATIVE STUDENTS.—The term “Native
22 students” means students in elementary or sec-
23 ondary school who are American Indian, Alaska Na-
24 tive, or Native Hawaiian.

1 (13) POVERTY LINE.—The term “poverty line”
2 means the poverty line (as defined by the Office of
3 Management and Budget and revised annually in ac-
4 cordance with section 673(2) of the Community
5 Services Block Grant Act) applicable to a family of
6 the size involved.

7 **SEC. 5. PROFESSIONAL DEVELOPMENT TO ADDRESS IN-**
8 **STRUCTIONAL LOSS IN STUDENTS.**

9 (a) IN GENERAL.—There are authorized to be appro-
10 priated, and there are appropriated, out of any amounts
11 in the Treasury not otherwise appropriated,
12 \$2,250,000,000 to carry out part A of title II of the Ele-
13 mentary and Secondary Education Act of 1965 (20 U.S.C.
14 6611 et seq.) for fiscal year 2022, of which, not less than
15 10 percent shall be used for activities under that part for
16 school leaders (as such term is defined in that Act).

17 (b) EMERGENCY DESIGNATION.—

18 (1) IN GENERAL.—The amounts provided by
19 this section are designated as an emergency require-
20 ment pursuant to section 4(g) of the Statutory Pay-
21 As-You-Go Act of 2010 (2 U.S.C. 933(g)).

22 (2) DESIGNATION IN SENATE.—In the Senate,
23 this section is designated as an emergency require-
24 ment pursuant to section 4112(a) of H. Con. Res.

1 71 (115th Congress), the concurrent resolution on
2 the budget for fiscal year 2018.

3 **SEC. 6. PROFESSIONAL DEVELOPMENT GRANTS.**

4 (a) GRANTS AUTHORIZED.—From amounts made
5 available under subsection (d), the Secretary shall award
6 grants, on a competitive basis, to States to enable States
7 to provide funds to local educational agencies for supple-
8 mental professional development opportunities for edu-
9 cators, paraprofessionals, specialized instructional support
10 personnel, and school leaders regarding how to effectively
11 deliver distance learning and hybrid learning models.

12 (b) APPLICATION.—Not later than 30 days after the
13 date of enactment of this Act, the Secretary shall request
14 applications for grants under this section. Each State de-
15 siring a grant under this section shall submit an applica-
16 tion to the Secretary at such time, in such manner, and
17 containing such information as the Secretary may reason-
18 ably require, including—

19 (1) a plan to ensure that local educational
20 agencies use evidence-based approaches to profes-
21 sional development, and approaches that are collabo-
22 rative, job-embedded, content-based, and sustained
23 in duration;

24 (2) a description of how the local educational
25 agencies in the State provide evidence-based profes-

1 sional development, at the time the application is
2 submitted; and

3 (3) a description of how the State will ensure
4 that local educational agencies use grant funds to
5 provide evidence-based professional development—

6 (A) focused on distance learning and hy-
7 brid learning;

8 (B) that supports at-risk and marginalized
9 students, including low-income students, minor-
10 ity students, children with disabilities, English
11 learners, migratory students, homeless children
12 and youth, and children or youth in foster care;
13 and

14 (C) that is collaborative, job-embedded,
15 content-based, and sustained in duration.

16 (c) USES OF FUNDS.—

17 (1) IN GENERAL.—A State receiving a grant
18 under this section shall use grant funds to provide
19 funds to local educational agencies for supplemental
20 professional development opportunities for edu-
21 cators, paraprofessionals, specialized instructional
22 support personnel, and school leaders regarding how
23 to effectively deliver distance learning and hybrid
24 learning models.

1 (2) ADMINISTRATIVE COSTS.—A State may re-
2 serve not more than 10 percent of grant funds for
3 administrative costs.

4 (d) AUTHORIZATION OF APPROPRIATIONS.—There
5 are authorized to be appropriated to carry out this section
6 \$50,000,000.

7 **SEC. 7. TRAINING RESOURCE GRANTS.**

8 (a) GRANTS AUTHORIZED.—From amounts made
9 available under subsection (e), the Secretary shall award
10 grants, on a competitive basis, to eligible entities to enable
11 those eligible entities to develop training resources for edu-
12 cators, paraprofessionals, specialized instructional support
13 personnel, and school leaders, including online training re-
14 sources.

15 (b) ELIGIBLE ENTITY.—In this section, the term “el-
16 igible entity” means—

17 (1) a State educational agency;

18 (2) a local educational agency; or

19 (3) an entity described in paragraph (1) or (2)
20 in partnership with one or more of the following:

21 (A) A public elementary school or sec-
22 ondary school.

23 (B) A nonprofit institution of higher edu-
24 cation.

1 (C) A national nonprofit organization with
2 experience researching, evaluating, and pro-
3 viding information and guidance, including best
4 practices, on professional development or train-
5 ing programs or professional enhancement ac-
6 tivities, which may include activities that lead
7 to an advanced credential, for educators, para-
8 professionals, specialized instructional support
9 personnel, or school leaders.

10 (D) An Alaska Native organization.

11 (E) A Native Hawaiian community-based
12 organization or Native Hawaiian educational
13 organization.

14 (F) A community-based nonprofit organi-
15 zation.

16 (c) APPLICATION; PRIORITY.—

17 (1) APPLICATION.—Not later than 30 days
18 after the date of enactment of this Act, the Sec-
19 retary shall request applications for grants under
20 this section. Each eligible entity desiring a grant
21 under this section shall submit an application to the
22 Secretary at such time, in such manner, and con-
23 taining such information as the Secretary may rea-
24 sonably require, including—

1 (A) a plan to develop evidence-based train-
2 ing resources;

3 (B) a description of the eligible entity's ex-
4 perience creating evidence-based training re-
5 sources; and

6 (C) a description of how the eligible entity
7 will use grant funds to create evidence-based
8 training resources—

9 (i) focused on distance learning and
10 hybrid learning;

11 (ii) that support at-risk and
12 marginalized students, including low-in-
13 come students, minority students, children
14 with disabilities, English learners, migra-
15 tory students, homeless children and
16 youth, and children or youth in foster care;
17 and

18 (iii) that support approaches to pro-
19 fessional development that are collabo-
20 rative, job-embedded, content-based, and
21 sustained in duration.

22 (2) PRIORITY.—In awarding grants under this
23 section, the Secretary shall give priority to eligible
24 entities—

1 (A) that serve a high rate of students who
2 are from families at or below the poverty line;

3 or

4 (B) that serve a population with a high
5 rate of COVID–19 infection.

6 (d) USES OF FUNDS.—

7 (1) IN GENERAL.—An eligible entity receiving a
8 grant under this section shall use grant funds to de-
9 velop evidence-based training resources for edu-
10 cators, paraprofessionals, specialized instructional
11 support personnel, and school leaders, including on-
12 line training resources.

13 (2) ADMINISTRATIVE COSTS.—An eligible entity
14 receiving a grant under this section may reserve not
15 more than 5 percent of grant funds for administra-
16 tive costs.

17 (e) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated to carry out this section
19 \$100,000,000.

20 **SEC. 8. STUDENT SUPPORT GRANTS.**

21 (a) GRANTS AUTHORIZED.—From amounts made
22 available under subsection (e), the Secretary shall award
23 grants, on a competitive basis, to eligible entities to enable
24 those eligible entities to provide evidence-based tutoring
25 services and related academic supports for at-risk or

1 marginalized students, including low-income students, mi-
2 nority students, children with disabilities, English learn-
3 ers, migratory students, homeless children and youth, and
4 children or youth in foster care, and Native students.

5 (b) ELIGIBLE ENTITY.—In this section, the term “el-
6 igible entity” means—

7 (1) a State educational agency;

8 (2) a local educational agency; or

9 (3) an entity described in paragraphs (1) or (2)

10 in partnership with one or more of the following:

11 (A) A public elementary school or sec-
12 ondary school.

13 (B) A nonprofit institution of higher edu-
14 cation.

15 (C) A national nonprofit organization with
16 experience researching, evaluating, and pro-
17 viding information and guidance, including best
18 practices, on evidence-based professional devel-
19 opment or training programs or professional en-
20 hancement activities, which may include activi-
21 ties that lead to an advanced credential, for
22 educators, paraprofessionals, specialized in-
23 structional support personnel, or school leaders.

24 (D) An Alaska Native organization.

1 (E) A Native Hawaiian community-based
2 organization or Native Hawaiian educational
3 organization.

4 (F) A community-based nonprofit organi-
5 zation.

6 (c) APPLICATION.—Not later than 30 days after the
7 date of enactment of this Act, the Secretary shall request
8 applications for grants under this section. Each eligible
9 entity desiring a grant under this section shall submit an
10 application to the Secretary at such time, in such manner,
11 and containing such information as the Secretary may rea-
12 sonably require, including—

13 (1) a description of the eligible entity’s experi-
14 ence providing evidence-based tutoring services or
15 related academic supports; and

16 (2) a description of how the eligible entity will
17 use grant funds to provide evidence-based tutoring
18 services or related academic supports—

19 (A) focused on addressing instructional
20 loss due to COVID-19; and

21 (B) that support at-risk and marginalized
22 students, including low-income students, minor-
23 ity students, children with disabilities, English
24 learners, migratory students, homeless children

1 and youth, and children or youth in foster care,
2 and Native students.

3 (d) USES OF FUNDS.—

4 (1) IN GENERAL.—An eligible entity receiving a
5 grant under this section shall use grant funds to
6 provide evidence-based tutoring services and related
7 academic supports for at-risk or marginalized stu-
8 dents, including low-income students, minority stu-
9 dents, children with disabilities, English learners,
10 migratory students, homeless children and youth,
11 and children or youth in foster care, and Native stu-
12 dents.

13 (2) ADMINISTRATIVE COSTS.—An eligible entity
14 receiving a grant under this section may reserve not
15 more than 10 percent of grant funds for administra-
16 tive costs.

17 (e) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated to carry out this section
19 \$50,000,000.

20 **SEC. 9. INNOVATION GRANTS.**

21 (a) GRANTS AUTHORIZED.—From amounts made
22 available under subsection (d), the Secretary shall award
23 grants, on a competitive basis, to local educational agen-
24 cies to enable those local educational agencies to carry out
25 the activities described in subsection (c).

1 (b) APPLICATION.—Not later than 30 days after the
2 date of enactment of this Act, the Secretary shall request
3 applications for grants under this section. Each local edu-
4 cational agency desiring a grant under this section shall
5 submit an application to the Secretary at such time, in
6 such manner, and containing such information as the Sec-
7 retary may reasonably require, including a description of
8 how the local educational agency will use grant funds to—

9 (1) support evidence-based approaches to ad-
10 dressing instructional loss due to COVID-19; and

11 (2) support evidence-based approaches to ad-
12 dressing instructional loss due to COVID-19 in at-
13 risk and marginalized students, including low-income
14 students, minority students, children with disabili-
15 ties, English learners, migratory students, homeless
16 children and youth, and children or youth in foster
17 care.

18 (c) USES OF FUNDS.—

19 (1) IN GENERAL.—A local educational agency
20 receiving a grant under this section shall use grant
21 funds (in an amount of not more than \$50,000
22 each)—

23 (A) to purchase evidence-based training re-
24 sources for educators, paraprofessionals, spe-

1 cialized instructional support personnel, and
2 school leaders;

3 (B) to develop evidence-based training re-
4 sources for educators, paraprofessionals, spe-
5 cialized instructional support personnel, and
6 school leaders; or

7 (C) to propose innovative, evidence-based
8 projects to improve distance learning and hy-
9 brid learning for students.

10 (2) PRIORITY.—In awarding grants under this
11 section, the Secretary shall give priority to local edu-
12 cational agencies—

13 (A) that serve a high percentage of at-risk
14 or marginalized students, including low-income
15 students, minority students, children with dis-
16 abilities, English learners, migratory students,
17 homeless children and youth, or children or
18 youth in foster care, or Native students; or

19 (B) who plan to engage in projects that
20 address instructional loss for at-risk or
21 marginalized students, including low-income
22 students, minority students, children with dis-
23 abilities, English learners, migratory students,
24 homeless children and youth, and children or
25 youth in foster care, and Native students.

1 (3) ADMINISTRATIVE COSTS.—A local edu-
2 cational agency receiving a grant under this section
3 may reserve not more than 5 percent of grant funds
4 for administrative costs.

5 (d) AUTHORIZATION OF APPROPRIATIONS.—There
6 are authorized to be appropriated to carry out this section
7 \$25,000,000.

8 **SEC. 10. LEARNING HUBS.**

9 (a) DEFINITIONS.—In this section:

10 (1) ELIGIBLE SCHOOL.—The term “eligible
11 school” means a public elementary or secondary
12 school—

13 (A) with respect to which not less than 40
14 percent of students enrolled are children count-
15 ed under section 1124(c) of the Elementary and
16 Secondary Education Act of 1965 (20 U.S.C.
17 6333(c)); and

18 (B) that is in compliance with the require-
19 ments of the Americans with Disabilities Act of
20 1990 (42 U.S.C. 12101 et seq.).

21 (2) LEARNING HUB.—The term “learning hub”
22 means a supervised, on-campus learning environ-
23 ment where students, during times of physical school
24 closure, have access to broadband connectivity (such
25 as Wi-Fi), laptop computers, assistive technology de-

1 vices, and other devices necessary for distance learn-
2 ing, school supplies, and technology and digital sup-
3 port services.

4 (b) PROGRAM AUTHORIZED.—From amounts made
5 available under subsection (f), the Secretary shall award
6 grants, on a competitive basis, to local educational agen-
7 cies to enable those local educational agencies to carry out
8 the activities described in subsection (d) at eligible schools.

9 (c) APPLICATION.—

10 (1) IN GENERAL.—Not later than 30 days after
11 the date of enactment of this Act, the Secretary
12 shall request applications for grants under this sec-
13 tion. Each local educational agency desiring a grant
14 under this section shall submit an application to the
15 Secretary at such time, in such manner, and con-
16 taining such information as the Secretary may rea-
17 sonably require, including, at a minimum—

18 (A) an assurance that the local educational
19 agency has developed a high-quality distance
20 learning curriculum for students in the learning
21 hubs; and

22 (B) an assurance that learning hubs will
23 be required to meet Federal, State, Tribal, and
24 local public health and safety guidelines, as ap-
25 plicable.

1 (2) PRIORITY.—In providing funds under this
2 section, the Secretary shall give priority to local edu-
3 cational agencies that—

4 (A) plan to serve a high percentage of at-
5 risk or marginalized students, including—

6 (i) low-income students, minority stu-
7 dents, children with disabilities, English
8 learners, migratory students, homeless
9 children and youth, and children or youth
10 in foster care;

11 (ii) Native students; or

12 (iii) students who lack internet and
13 device access; and

14 (B) have adopted high-quality distance
15 learning models.

16 (d) USES OF FUNDS.—A local educational agency re-
17 ceiving a grant under this section shall use grant funds
18 to pay expenses related to the administration of learning
19 hubs at eligible schools, including—

20 (1) the cost of paying instructors who are edu-
21 cators, paraprofessionals, or specialized instructional
22 support personnel who are employed by the local
23 educational agency or eligible school receiving grant
24 funds; or

1 (2) the cost of broadband connectivity, laptop
2 computers and other devices necessary for distance
3 learning, school supplies, and technology and digital
4 support services.

5 (e) REPORT.—Not later than 180 days after receiving
6 a grant under this section, a local educational agency re-
7 ceiving a grant under this section shall submit a report
8 to the Secretary containing information about the effec-
9 tiveness of learning hubs at eligible schools that are sup-
10 ported with funds under the grant, including the number
11 of students served.

12 (f) AUTHORIZATION OF APPROPRIATIONS.—There
13 are authorized to be appropriated to carry out this section
14 \$25,000,000.

15 **SEC. 11. BEST PRACTICES.**

16 (a) BEST PRACTICES.—The Secretary, acting
17 through the Director of the Institute of Education
18 Sciences, shall identify information about best practices
19 for schools to measure and address instructional loss dur-
20 ing the period of the public health emergency declared by
21 the Secretary of Health and Human Services under sec-
22 tion 319 of the Public Health Service Act (42 U.S.C.
23 247d) with respect to COVID–19, especially for at-risk or
24 marginalized students, including low-income students, mi-
25 nority students, children with disabilities, English learn-

1 ers, migratory students, homeless children and youth, and
2 children or youth in foster care, and Native students.

3 (b) REPORT.—Not later than 1 year after the date
4 of enactment of this Act, the Secretary shall—

5 (1) prepare and submit a report to Congress
6 containing the information about best practices iden-
7 tified under subsection (a);

8 (2) widely disseminate such information to
9 States; and

10 (3) make such information available on the De-
11 partment’s website.

12 **SEC. 12. STUDY ON INSTRUCTIONAL LOSS.**

13 Not later than 1 year after the date of enactment
14 of this Act, the Secretary, acting through the Director of
15 the Institute of Education Sciences, shall—

16 (1) carry out a study to determine instructional
17 loss in at-risk or marginalized students, including
18 low-income students, minority students, children
19 with disabilities, English learners, migratory stu-
20 dents, homeless children and youth, and children or
21 youth in foster care, during the period of the public
22 health emergency declared by the Secretary of
23 Health and Human Services under section 319 of
24 the Public Health Service Act (42 U.S.C. 247d) with
25 respect to COVID–19; and

- 1 (2) prepare and submit a report to Congress
- 2 containing the results of that study.