

116TH CONGRESS  
2D SESSION

# H. R. 7152

To prohibit the Secretary of Education from providing funding to certain educational institutions unless the institutions return to in-person instruction, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 11, 2020

Mr. BANKS (for himself and Mr. TIFFANY) introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To prohibit the Secretary of Education from providing funding to certain educational institutions unless the institutions return to in-person instruction, 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 “Reopen Our Schools  
5 Act”.

6 **SEC. 2. PROHIBITION ON FUNDING FOR SCHOOLS FAILING**  
7 **TO PROVIDE IN-PERSON INSTRUCTION.**

8 (a) PROHIBITION ON FUNDING.—

1           (1) IN GENERAL.—With respect to academic  
2       year or school year 2020–2021, no funds shall be  
3       made available under any applicable program to an  
4       educational agency or institution unless the edu-  
5       cational agency or institution provides a certification  
6       to the Secretary of Education that the educational  
7       agency or institution—

8           (A) will begin providing in-person instruc-  
9       tion not later than September 8, 2020, and in  
10      a manner substantially similar to that provided  
11      in previous academic years or school years; and

12          (B) has a detailed plan in place to protect  
13      the health of students and personnel.

14          (2) EXCEPTION.—Paragraph (1) does not apply  
15      to any funds (including loans made under part D of  
16      title IV of the Higher Education Act of 1965) made  
17      available under any applicable program that an edu-  
18      cational agency or institution provides to a student  
19      attending such agency or institution.

20          (3) WAIVER.—The Secretary may waive the re-  
21      quirements of paragraph (1) with respect to an edu-  
22      cational agency or institution if the Secretary deter-  
23      mines that doing so is in the public interest.

24          (b) PROHIBITION ON LIABILITY.—An educational  
25      agency or institution that provides a certification under

1 subsection (a)(1), including personnel thereof, may not be  
2 held liable in any cause of action before a State or Federal  
3 court for any act or omission related to in-person instruc-  
4 tion that results in an alleged exposure to coronavirus.

5 (c) DEFINITIONS.—In this section:

6 (1) APPLICABLE PROGRAM.—The term “appli-  
7 cable program” has the meaning given such term in  
8 section 400(c) of the General Education Provisions  
9 Act (20 U.S.C. 1221(c)).

10 (2) CORONAVIRUS.—The term “coronavirus”  
11 means SARS-CoV-2 or another coronavirus with  
12 pandemic potential.

13 (3) EDUCATIONAL AGENCY OR INSTITUTION.—  
14 The term “educational agency or institution” means  
15 the following:

16 (A) An elementary school (as such term is  
17 defined in section 8101 of the Elementary and  
18 Secondary Education Act of 1965 (20 U.S.C.  
19 7801)).

20 (B) A secondary school (as such term is  
21 defined in such section 8101).

22 (C) An institution of higher education (as  
23 such term is defined in section 101 of the High-  
24 er Education Act of 1965 (20 U.S.C. 1001)).

1                   (D) A local educational agency (as such  
2 term is defined in such section 8101).

3                   (E) A State educational agency (as such  
4 term is defined in such section 8101).

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