

117TH CONGRESS
2D SESSION

S. 3862

To authorize the Department of Education, in coordination with other relevant Federal agencies, to include a longitudinal component on the impact of the COVID–19 pandemic on student outcomes and well-being on an existing longitudinal educational study.

IN THE SENATE OF THE UNITED STATES

MARCH 17, 2022

Mr. RUBIO (for himself, Mr. CASEY, Mr. SCOTT of South Carolina, and Ms. HASSAN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To authorize the Department of Education, in coordination with other relevant Federal agencies, to include a longitudinal component on the impact of the COVID–19 pandemic on student outcomes and well-being on an existing longitudinal educational study.

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 “Assessing Children’s
5 Academic Development and the Emotional and Mental
6 Health Implications of COVID–19 Act” or the “ACA-
7 DEMIC Act”.

1 **SEC. 2. INTERAGENCY LONGITUDINAL COMPONENT ON**
2 **THE IMPACT OF THE COVID-19 PANDEMIC ON**
3 **STUDENT OUTCOMES AND WELL-BEING.**

4 (a) AUTHORIZATION OF COMPONENT.—

5 (1) IN GENERAL.—Not later than 2 years after
6 the date of enactment of this Act, the Secretary of
7 Education, in coordination with the heads of other
8 relevant Federal agencies, shall include in a pre-
9 kindergarten through grade 12 longitudinal edu-
10 cational study that was authorized before the date of
11 enactment of this Act and that is active on such
12 date of enactment, to the extent practicable and ap-
13 propriate, a longitudinal component on the impact of
14 the COVID-19 pandemic and the associated school
15 closures, remote learning, and other factors, on stu-
16 dent outcomes and well-being.

17 (2) IMPACTS.—

18 (A) IN GENERAL.—The longitudinal com-
19 ponent authorized under paragraph (1) shall in-
20 clude the impact on students’—

- 21 (i) academic achievement, including
22 any learning loss;
- 23 (ii) social and emotional well-being;
- 24 (iii) mental health;
- 25 (iv) behavioral health; and
- 26 (v) physical health.

1 (B) HIPAA COMPLIANCE.—The longitu-
2 dinal component authorized under paragraph
3 (1) shall comply with the regulations promul-
4 gated under section 264(c) of the Health Insur-
5 ance Portability and Accountability Act of
6 1996.

7 (3) STUDY ON SPECIFIC SUBGROUPS.—

8 (A) IN GENERAL.—The longitudinal com-
9 ponent authorized under paragraph (1) shall ex-
10 amine the impact on specific subgroups of stu-
11 dents (except as provided in subparagraph (B)),
12 including on each of those subgroups described
13 in section 1111(b)(2)(B)(xi) of the Elementary
14 and Secondary Education Act of 1965 (20
15 U.S.C. 6311(b)(2)(B)(xi)) and on each of the
16 following:

17 (i) Status as a student with a parent
18 who is a member of the armed forces (as
19 defined in section 101(a)(4) of title 10,
20 United States Code) on active duty (as de-
21 fined in section 101(d)(1) of title 10,
22 United States Code) or serves on full-time
23 National Guard duty (as defined in section
24 101(d)(5) of title 10, United States Code).

1 (ii) Status as a homeless child or
2 youth, as defined in section 725(2) of the
3 McKinney-Vento Homeless Assistance Act
4 (42 U.S.C. 11434a(2)).

5 (iii) Status as a child in foster care.
6 In this clause, the term “foster care”
7 means 24-hour substitute care for children
8 placed away from their parents and for
9 whom the agency under part E of title IV
10 of the Social Security Act (42 U.S.C. 670
11 et seq.) has placement and care responsi-
12 bility. This includes, but is not limited to,
13 placements in foster family homes, foster
14 homes of relatives, group homes, emer-
15 gency shelters, residential facilities, child
16 care institutions, and preadoptive homes. A
17 child is in foster care in accordance with
18 this definition regardless of whether the
19 foster care facility is licensed and pay-
20 ments are made by the State, Tribal, or
21 local agency for the care of the child,
22 whether adoption subsidy payments are
23 being made prior to the finalization of an
24 adoption, or whether there is Federal
25 matching of any payments that are made.

1 (iv) Status as a neglected, delinquent,
2 or at-risk student, as described in part D
3 of title I of the Elementary and Secondary
4 Education Act of 1965 (20 U.S.C. 6421 et
5 seq.).

6 (v) Students from different grade lev-
7 els.

8 (B) EXCEPTION.—The requirement under
9 subparagraph (A) to examine the impact on a
10 specific subgroup of students shall not be re-
11 quired in the case in which the number of stu-
12 dents in a subgroup is insufficient to yield sta-
13 tistically reliable information or the results
14 would reveal personally identifiable information
15 about an individual student.

16 (4) NATIONAL REPRESENTATION.—The longitu-
17 dinal component authorized under paragraph (1)
18 shall be nationally representative and include dif-
19 ferent geographic areas, including rural and urban
20 localities.

21 (b) PRIVACY LAWS.—In carrying out this section, the
22 Secretary of Education, in coordination with the heads of
23 other relevant Federal agencies, shall act in accordance
24 with section 444 of the General Education Provisions Act

1 (20 U.S.C. 1232g, commonly known as the “Family Edu-
2 cational Rights and Privacy Act of 1974”).

3 (c) RELEASE OF SUMMARY OF FINDINGS.—Not later
4 than 1 year after the end of the data collection under the
5 longitudinal component authorized under subsection
6 (a)(1), the Secretary of Education shall release a prelimi-
7 nary summary of findings from the longitudinal compo-
8 nent to the public.

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