

117TH CONGRESS
2D SESSION

H. R. 6564

To require educational agencies and institutions to provide in-person instruction to students as a condition of receiving Federal education funds, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 2022

Mr. GREEN of Tennessee (for himself, Mr. DESJARLAIS, Mr. FLEISCHMANN, Mrs. MILLER of Illinois, Mr. TIFFANY, Mrs. BOEBERT, Mr. BUDD, Mr. MOONEY, Mr. WEBER of Texas, Mr. BISHOP of North Carolina, Ms. TENNEY, and Ms. MACE) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To require educational agencies and institutions to provide in-person instruction to students as a condition of receiving Federal education funds, 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 “Keep Schools Open
5 Act”.

1 **SEC. 2. PROHIBITION ON FEDERAL FUNDING FOR EDU-**
2 **CATIONAL AGENCIES AND INSTITUTIONS**
3 **THAT DO NOT PROVIDE IN-PERSON INSTRUCC-**
4 **TION.**

5 (a) **IN GENERAL.**—Beginning on the date of the en-
6 actment of this Act and subject to subsection (b), no Fed-
7 eral education funds may be provided to an educational
8 agency or institution unless the educational agency or in-
9 stitution—

10 (1) demonstrates to the Secretary of Education
11 that the agency or institution provides in-person in-
12 struction to students; and

13 (2) certifies to the Secretary that the agency or
14 institution will not discontinue in-person instruction
15 for students due to COVID–19.

16 (b) **EXCEPTION.**—The prohibition in subsection (a)
17 shall not apply to an educational agency or institution that
18 provides distance education or other virtual instruction to
19 students in the regular course of operations for reasons
20 unrelated to COVID–19.

21 (c) **DEFINITIONS.**—In this section:

22 (1) The term “educational agency or institu-
23 tion” means the following:

24 (A) An elementary school (as such term is
25 defined in section 8101 of the Elementary and

1 Secondary Education Act of 1965 (20 U.S.C.
2 7801)).

3 (B) A secondary school (as such term is
4 defined in such section 8101).

5 (C) A local educational agency (as such
6 term is defined in such section 8101).

7 (D) A State educational agency (as such
8 term is defined in such section 8101).

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

12 (2) The term “Federal education funds” means
13 any funds made available—

14 (A) under the Elementary and Secondary
15 Education Act of 1965 (20 U.S.C. 6301 et
16 seq.);

17 (B) under the Higher Education Act of
18 1965 (20 U.S.C. 1001 et seq.); or

19 (C) for purposes relating to education
20 under any other provision of Federal law.

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