

118TH CONGRESS
2D SESSION

H. R. 7704

To require the Secretary of Education to conduct a study and submit a report on the effect of education policies during the COVID–19 pandemic on the academic achievement and functional performance of students with an individualized education program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 15, 2024

Mr. MOLINARO (for himself and Ms. PEREZ) introduced the following bill;
which was referred to the Committee on Education and the Workforce

A BILL

To require the Secretary of Education to conduct a study and submit a report on the effect of education policies during the COVID–19 pandemic on the academic achievement and functional performance of students with an individualized education program, 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 “Think DIF-
5 FERENTLY About Ending Learning Loss Act”.

1 **SEC. 2. STUDY AND REPORT ON THE EFFECT OF COVID-19**
2 **PANDEMIC POLICIES ON STUDENTS WITH AN**
3 **IEP.**

4 (a) STUDY.—Not later than 1 year after the date of
5 enactment of this section, the Secretary shall conduct a
6 study on the effect of Federal and State education policies
7 during the COVID-19 pandemic on the academic achieve-
8 ment and functional performance of students with an IEP,
9 including policies related to remote learning and the sus-
10 pension or reduction of special education and related serv-
11 ices.

12 (1) SCOPE.—Such study shall be conducted
13 with respect to the 2018–2019 school year through
14 the 2023–2024 school year, and shall compare—

15 (A) the academic achievement and func-
16 tional performance of students with an IEP be-
17 fore, during, and after the COVID-19 pan-
18 demic; and

19 (B) the access of such students to special
20 education and related services before, during,
21 and after the COVID-19 pandemic.

22 (2) METRICS.—For the purposes of such study,
23 the Secretary shall measure academic achievement
24 and functional performance, and access to special
25 education and related services, of students with an
26 IEP using metrics that include—

1 (A) results of any standardized testing and
2 assessments available for the school years de-
3 scribed in paragraph (1);

4 (B) hours of special education and related
5 services provided to such students in accordance
6 with their individualized education programs
7 during the school years described in paragraph
8 (1);

9 (C) reports on the progress of such stu-
10 dents toward meeting the annual goals and, if
11 appropriate, benchmarks or short-term objec-
12 tives, of an individualized education program
13 pursuant to subclauses (I) and (II) of section
14 614(d)(1)(A)(i) of the Individuals with Disabil-
15 ities Act (20 U.S.C. 1414(d)(1)(A)(i)(I) and
16 (II)) during the school years described in para-
17 graph (1) of this subsection; and

18 (D) consultation with stakeholders, includ-
19 ing educators, family members, service pro-
20 viders, and students.

21 (b) REPORT.—Not later than 30 days after the com-
22 pletion of the study conducted under subsection (a), the
23 Secretary shall submit a summary of the findings of such
24 study to the Committee on Education and the Workforce

1 of the House of Representatives and the Committee on
2 Health, Education, Labor, and Pensions of the Senate.

3 (c) DEFINITIONS.—In this section:

4 (1) INDIVIDUALIZED EDUCATION PROGRAM;
5 IEP.—The term “individualized education program”
6 or “IEP” means an individualized education pro-
7 gram defined in section 614(d) of the Individuals
8 with Disabilities Education Act (20 U.S.C. 1414(d)).

9 (2) OTHER IDEA TERMS.—The terms “special
10 education” and “related services” have the meanings
11 given such terms, respectively, in section 602 of the
12 Individuals with Disabilities Education Act (20
13 U.S.C. 1401).

14 (3) SECRETARY.—The term “Secretary” means
15 the Secretary of Education.

16 (4) STUDENTS WITH AN IEP.—The term “stu-
17 dents with an IEP” means students enrolled in a
18 public school in kindergarten through grade 12 who
19 have an individualized education program.

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