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United States Senate

COMMITTEE ON HEALTH, EDUCATION,
LABOR, AND PENSIONS

WASHINGTON, DC 20510-6300

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<http://help.senate.gov>

March 2, 2020

The Honorable Betsy DeVos
Secretary of Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Secretary DeVos:

As public health officials warn about the likely spread of the 2019 Novel Coronavirus (COVID-19) in the United States, we write to understand how the U.S. Department of Education (the Department) is preparing for the possible spread of the virus and communicating with frontline stakeholders, school districts, state educational agencies, and institutions of higher education about how to best protect students, teachers, and other staff. Federal government agencies must closely coordinate, rely on science and public health experts to drive decision-making, and communicate with families, school staff, and the public in a clear and timely fashion. We therefore seek to understand how the Department is accomplishing these goals.

On January 29, 2020, President Trump announced the formation of the President's Coronavirus Task Force led by Secretary of Health and Human Services Alex Azar and coordinated through the National Security Council.¹ The Task Force is charged with "leading the United States Government response to the novel 2019 coronavirus and with keeping [President Trump] apprised of developments." On February 26, 2020, President Trump announced Vice President Pence will oversee the Administration's response to the outbreak.² On February 27, 2020, Vice President Pence appointed Ambassador-at-Large Deborah Birx to be the White House coronavirus response coordinator and a member of the President's Task Force.³ Additionally, on February 27, you announced you had appointed Mick Zais, the Deputy Secretary of Education, to lead a Department of Education task force on COVID-19, and the Department subsequently launched a webpage to provide information and resources.⁴

Earlier this week, Dr. Nancy Messonnier, Director of the Centers for Disease Control and Prevention's (CDC) National Center for Immunization and Respiratory Diseases, urged schools to prepare for the spread of COVID-19 in the United States. Dr. Messonnier said schools should create plans for how they will respond if the virus spreads in their community, and families

¹ <https://www.whitehouse.gov/briefings-statements/statement-press-secretary-regarding-presidents-coronavirus-task-force/>

² <https://www.cnn.com/2020/02/26/politics/trump-coronavirus-stock-market/index.html>

³ <https://www.whitehouse.gov/briefings-statements/vice-president-pence-announces-ambassador-debbie-birx-serve-white-house-coronavirus-response-coordinator/>

⁴ <https://www.politico.com/news/2020/02/27/coronavirus-updates-latest-news-usa-response-117870#toc-update-4;>
<https://www.ed.gov/coronavirus>

should begin planning for how they will provide care for their children in the event of school closures.⁵ School districts, state educational agencies, and institutions of higher education are working to develop those plans and seeking to understand how best to address the needs of students, teachers, other staff, and families. It is critical the Department provide accurate and up-to-date information so that community members can make science- and fact-based decisions regarding the public health of children, families, and school staff.

Additionally, we are concerned by media reports documenting bullying, harassment, and discrimination in schools targeted at students on the basis of race and national origin, particularly students of Asian descent.⁶ During past disease outbreaks, including H1N1, Ebola, and measles, the Department has issued guidance regarding nondiscrimination in schools and the legal requirements for continuing education for students exposed to such viruses.⁷ The Department should issue similar guidance reminding schools of their legal obligations and responsibility to prevent and address discrimination.

It is essential that experts across the federal government work together to disseminate accurate information to the public as decisions are made. As guidance and communications are developed, it is also important to engage teachers, school health professionals, and other frontline educators to understand the needs of schools and ensure messages are reaching their intended audience. In order to understand better the Department's role in this process, and how the Department's task force will work with other federal agencies and stakeholders, we request a response to the following questions no later than March 9, 2020:

- 1) What is the role and responsibility of the Department of Education's COVID-19 task force?
- 2) Who are the members of the Department's COVID-19 task force, and how many Department officials are working on the Department's response to the outbreak?
- 3) How is the Department communicating with federal public health officials about issues related to COVID-19 that particularly impact institutions of higher education, school districts, students, teachers, and other school staff?
 - a. From what agencies and which officials are you receiving guidance or direction about the necessary steps to respond?
 - b. Have you been directed to seek approval or to report all decisions, including guidance, through an individual federal government agency or official?
 - c. What communication have you had to date with the CDC or other federal agencies about responding to COVID-19?

⁵ <https://www.cdc.gov/media/releases/2020/t0225-cdc-telebriefing-covid-19.html>

⁶ See, for example, <https://www.cbsnews.com/news/coronavirus-bullies-attack-asian-teen-los-angeles-accusing-him-of-having-coronavirus/>; <https://www.nbcnews.com/news/asian-america/some-students-say-colleges-not-doing-enough-combat-coronavirus-fueled-n1137246>

⁷ <https://www2.ed.gov/about/offices/list/ocr/docs/ocr-factsheet-measles-201503.pdf>;
https://remis.ed.gov/Docs/DoE_Questions_and_Answers_on_Providing_Services_to_Children.pdf;
<https://www2.ed.gov/about/offices/list/ocr/docs/ocr-factsheet-ebola-201412.pdf>;
<https://www2.ed.gov/policy/elsec/guid/secletter/090611.html>

- d. What communication have you had to date with the President's Coronavirus Task Force?
- 4) Has the Department directly provided any guidance to school districts and institutions of higher education about how they can prepare to respond to COVID-19?
- a. What guidance has the Department provided?
 - b. In addition to the website, what methods is the Department using to communicate with school districts, state educational agencies, and institutions of higher education about responding to COVID-19?
 - c. How frequently does the Department intend to provide information to school districts, state educational agencies, and institutions of higher education?
 - d. Does the Department have plans to disseminate information, including travel guidance, to study abroad and student exchange programs? What types of support will the Department provide to institutions that may choose to relocate students based on that guidance?
- 5) How is the Department including teachers, school health professionals, and other staff in assessing needs, developing guidance, and disseminating communications? Please also list representative groups the Department has consulted or invited to join the COVID-19 task force.
- 6) Has the Department considered how to address the impact of COVID-19 on students, teachers, other staff, and families that may have particular needs related to the possible spread of the virus, including students with disabilities, students from food-insecure families, and students experiencing homelessness?
- 7) Does the Department intend to issue similar guidance for how schools and institutions of higher education can address the risk of COVID-19 while protecting the civil rights of students and school staff, in line with previous actions by the Department during the H1N1, Ebola, and measles outbreaks?

Sincerely,



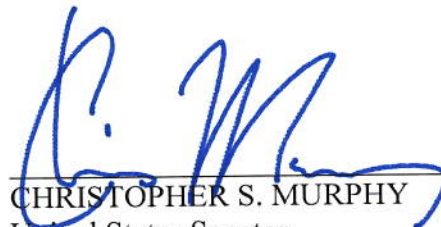
PATTY MURRAY
Ranking Member, Senate Committee on
Health, Education, Labor & Pensions



MARGARET WOOD HASSAN
United States Senator




ROBERT P. CASEY, JR.
United States Senator

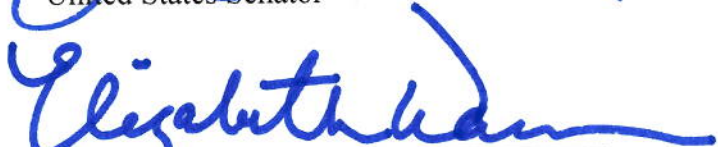


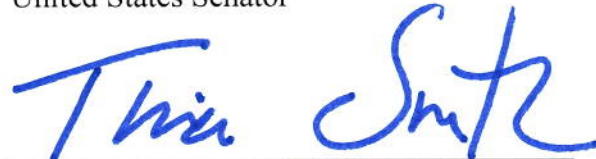
CHRISTOPHER S. MURPHY
United States Senator

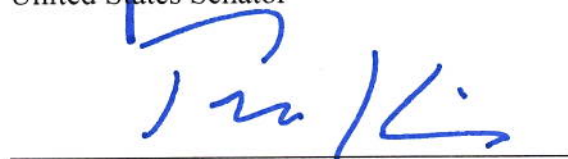

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