

## Federal Register – March 2021

[ED Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Higher Education Act \(HEA\) Title II Report Cards on State Teacher Credentialing and Preparation, 86 Federal Register 12663, March 4, 2021](#)

**NOTICE:** This request is a revision that includes COVID-19 guidance and to approve the state report card and institution and program report cards required by the Higher Education Act of 1965, as amended in 2008 by the Higher Education Opportunity Act (HEOA). States must report annually on criteria and assessments required for initial teacher credentials using a State Report Card (SRC), and institutions of higher education (IHEs) with teacher preparation programs (TPP), and TPPs outside of IHEs, must report on key program elements on an Institution and Program Report Card (IPRC). IHEs and TPPs outside of IHEs report annually to their states on program elements, including program numbers, type, enrollment figures, demographics, completion rates, goals and assurances to the state. States, in turn, must report on TPP elements to the Secretary of Education in addition to information on assessment pass rates, state standards, initial credential types and requirements, numbers of credentials issued, TPP classification as at-risk or low-performing. The information from states, institutions, and programs is published annually in The Secretary's Report to Congress on Teacher Quality. The Department plans to use the SRC and IPRC current instruments, unchanged, for the FY21 through FY23 data collections, in order to maintain continuity in the information available. There is no change in burden due to the addition of Institutions with Teacher Preparation Programs. The Department has included additional instruction to aid institutions in reporting data that may differ from usual data due to COVID restrictions.

**COMMENTS DUE:** April 5, 2021

[ED Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request on proposed revision of the College Affordability and Transparency Explanation Form \(CATEF\) 2021-2023, 86 Federal Register 12929, March 5, 2021](#)

**NOTICE:** This submission is for the 2021-22, 2022-23, and 2023-24 collection years. CATEF collects follow-up information from institutions that appear on the tuition and fees and/or net price increase College Affordability and Transparency Center (CATC) Lists for being in the five percent of institutions in their institutional sector that have the highest increases, expressed as a percentage change, over the three-year time period for which the most recent data are available. The information collected through CATEF is used to write a summary report for Congress which is also posted on the CATC website (accessible through the College Navigator).

Minor changes are being requested to the data collection instruments that were approved in November 2012 (OMB# 1840-0822 v.2). We will continue to use two CATEF forms: (1) Net Price and (2) Tuition and Fees. Analysis of past open-ended data questions in both surveys revealed that the open-ended items could be replaced with multi-choice items, resulting in burden reduction of 812 hours.

**COMMENTS DUE:** April 5, 2021

<p><a href="#">Operation of Small Unmanned Aircraft Systems Over People; Delay; Withdrawal; Correction, 86 Federal Register 13630, March 10, 2021</a></p>	<p><b>FINAL RULE-DELAY:</b> In accordance with the memorandum of January 20, 2021, from the Assistant to the President and Chief of Staff, titled “Regulatory Freeze Pending Review,” the Agency delays the effective date of the final rule, “Operation of Small Unmanned Aircraft Systems Over People”, until April 21, 2021, except for certain provisions pertaining to remote pilot certification and qualification, which are delayed until April 6, 2021. As a result of the delay in the effective dates, several compliance dates are also delayed by correcting the regulatory text.</p> <p><b>EFFECTIVE DATES:</b> April 6, 2021 (Amendments to §§ 107.61, 107.63, 107.65, 107.73, and 107.74); Withdrawn as of March 10, 2021 (Final Rule <a href="#">86 FR 4314</a> ); April 21, 2021 (effective date for corrections to §§ 107.29 and 107.140)</p>
<p><a href="#">Remote Identification of Unmanned Aircraft; Delay, 86 Federal Register 13629, March 10, 2021</a></p>	<p><b>FINAL RULE - DELAY:</b> In accordance with the memorandum of January 20, 2021, from the Assistant to the President and Chief of Staff, titled “Regulatory Freeze Pending Review,” the Agency delays the March 16, 2021, effective date of the final rule, “Remote Identification of Unmanned Aircraft”, until April 21, 2021. As a result of the delay in the effective date, the Agency is also delaying the compliance date for the production requirements for remote identification broadcast modules by correcting the regulatory text.</p> <p><b>NEW EFFECTIVE DATE:</b> April 21, 2021</p>
<p><a href="#">Modifications to the HIPAA Privacy Rule to Support, and Remove Barriers to, Coordinated Care and Individual Engagement, 86 Federal Register 13683, March 10, 2021</a></p>	<p><b>PROPOSED RULE:</b> The Department of Health and Human Services (the Department) is extending the comment period for the proposed rule entitled “Proposed Rulemaking (NPRM) to modify the Standards for the Privacy of Individually Identifiable Health Information (Privacy Rule) under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the Health Information Technology for Economic and Clinical Health Act of 2009 (HITECH Act),” published in the Federal Register on January 21, 2021. The comment period for the proposed rule, which would end March 22, 2021, is extended to May 6, 2021.</p> <p><b>EXTENSION OF COMMENTS DEADLINE:</b> May 6, 2021</p>
<p><a href="#">FCC Information Collection Being Reviewed by the Federal Communications Commission, 86 Federal Register 13900, March 11, 2021</a></p>	<p><b>NOTICE:</b> Section 90.25 adopted in Order DA 18-282, requires any non-federal public safety entity seeking to license mobile and portable units on the Federal Interoperability Channels to obtain written concurrence from its Statewide Interoperability Coordinator (SWIC) or a state appointed official and include such written concurrence with its application for license. A non-federal public safety entity may communicate on designated Federal Interoperability Channels for joint federal/non-federal operations, provided it first obtains a license from the Commission authorizing use of the channels. Statutory authority for these collections are contained in 47 U.S.C. 151, 154, 301, 303, and 332 of the Communications Act of 1934.</p> <p><b>COMMENTS DUE:</b> May 10, 2021</p>
<p><a href="#">Executive Order 14021 - Guaranteeing an Educational Environment Free From Discrimination on the Basis of Sex, Including Sexual Orientation or Gender Identity, 86 Federal Register 13803, March 11, 2021</a></p>	<p><b>EXECUTIVE ORDER:</b> Students should be guaranteed an educational environment free from discrimination on the basis of sex, including discrimination in the form of sexual harassment, which encompasses sexual violence, and including discrimination on the basis of sexual orientation or gender identity. For</p>

	<p>students attending schools and other educational institutions that receive Federal financial assistance, this guarantee is codified, in part, in Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 et seq., which prohibits discrimination on the basis of sex in education programs or activities receiving Federal financial assistance. The EO includes the following provisions:</p> <ol style="list-style-type: none"> <li>1) Within 100 days of the date of this order, the Secretary of Education, in consultation with the Attorney General, shall review all existing regulations, orders, guidance documents, policies, and any other similar agency actions (collectively, agency actions) that are or may be inconsistent with the policy set forth in section 1 of this order, and provide the findings of this review to the Director of the Office of Management and Budget.</li> <li>2) The Secretary of Education shall consider taking additional enforcement actions, as appropriate and consistent with applicable law, to enforce the policy set forth in section 1 of this order as well as legal prohibitions on sex discrimination in the form of sexual harassment, which encompasses sexual violence, to the fullest extent permissible under law, to account for intersecting forms of prohibited discrimination that can affect the availability of resources and support for students who have experienced sex discrimination, including discrimination on the basis of race, disability, and national origin; to account for the significant rates at which students Start Printed Page 13804who identify as lesbian, gay, bisexual, transgender, and queer (LGBTQ+) are subject to sexual harassment, which encompasses sexual violence; to ensure that educational institutions are providing appropriate support for students who have experienced sex discrimination; and to ensure that their school procedures are fair and equitable for all.</li> </ol> <p><b>EFFECTIVE DATE:</b> March 8, 2021</p>
<p><a href="#">Rescission of Joint Employer Status Under the Fair Labor Standards Act Rule, 86 Federal Register 14038, March 12, 2021</a></p>	<p><b>PROPOSED RULE:</b> This notice of proposed rulemaking (NPRM) proposes to rescind the final rule entitled “Joint Employer Status Under the Fair Labor Standards Act,” which published on January 16, 2020 and took effect on March 16, 2020. The proposed rescission would remove the regulations established by that rule.</p> <p><b>COMMENTS DUE:</b> April 12, 2021</p>
<p><a href="#">Independent Contractor Status Under the Fair Labor Standards Act; Withdrawal, 86 Federal Register 14038, March 12, 2021</a></p>	<p><b>PROPOSED RULE:</b> This notice of proposed rulemaking (NPRM) proposes to withdraw the final rule titled “Independent Contractor Status under the Fair Labor Standards Act,” which was published on January 7, 2021 and the effective date of which is currently May 7, 2021.</p> <p><b>COMMENTS DUE:</b> April 12, 2021</p>
<p><a href="#">Jurisdiction-Nonemployee Status of University and College Students Working in Connection With Their Studies - Withdrawal, 86 Federal Register 14297, March 15, 2021</a></p>	<p><b>WITHDRAWAL of PROPOSED RULE:</b> This document withdraws a proposed rule that was published in the Federal Register on September 23, 2019, as corrected on October 16, 2019. The proposed rule would have established that students who perform any services for compensation, including, but not</p>

	<p>limited to, teaching or research, at a private college or university in connection with their studies are not “employees” within the meaning of the National Labor Relations Act.</p> <p><b>DATE WITHDRAWN:</b> March 15, 2021</p>
<p><a href="#">Request for Information on Supporting the Reopening and Continuing Operation of Schools, Colleges and Universities, and Early Childhood Education Providers, 86 Federal Register 14616, March 17, 2021</a></p>	<p><b>REQUEST FOR INFORMATION:</b> Consistent with the President’s Executive order titled “Supporting the Reopening and Continuing Operation of Schools and Early Childhood Education Providers,” the U.S. Department of Education (Department) is requesting information to enable teachers, faculty, staff, schools, districts, institutions of higher education (IHEs), early childhood education providers, other places of educational instruction, and States to share lessons learned and best practices for operating safely and supporting all children and students, including children and students with disabilities, English learners, racial and ethnic minorities, and other underserved children and students, teachers, faculty, and staff during the pandemic. We will consider this information when populating a Safer Schools and Campuses Best Practices Clearinghouse. Responding to the request for information or undertaking any of the lessons learned included in the Clearinghouse are completely voluntary activities and are not prerequisites to receipt of any Federal funding.</p> <p><b>COMMENTS DUE:</b> September 2021</p>
<p><a href="#">Notice of Interpretation Regarding Period of Allowable Expenses for Funds Administered Under the Higher Education Emergency Relief (HEERF) Program, 86 Federal Register 15208, March 22, 2021</a></p>	<p><b>NOTICE OF INTERPRETATION:</b> The Department of Education (Department) is issuing this notice of interpretation regarding the allowable time period for which grantees may charge costs and lost revenue to their HEERF grant. That period is from March 13, 2020 onward.</p> <p><b>EFFECTIVE DATE:</b> March 22, 2021</p>
<p><a href="#">Strengthening Wage Protections for the Temporary and Permanent Employment of Certain Immigrants and Non-Immigrants in the United States: Proposed Delay of Effective and Transition Dates, 86 Federal Register 15154, March 22, 2021</a></p>	<p><b>PROPOSED DELAY of EFFECTIVE DATE:</b> On March 12, 2021, the Department of Labor (Department or DOL) published a final rule delaying the effective date of the rule entitled Strengthening Wage Protections for the Temporary and Permanent Employment of Certain Aliens in the United States (the rule or Final Rule), published in the Federal Register on January 14, 2021, from March 15, 2021 until May 14, 2021. This action proposes to further delay the effective date of the rule by eighteen months or until November 14, 2022, along with corresponding proposed delays to the rule’s transition dates. This additional delay will provide a sufficient amount of time to thoroughly consider the legal and policy issues raised in the rule, and offer the public, through the issuance of a separate Request for Information, an opportunity to provide information on the sources and methods for determining prevailing wage levels covering employment opportunities that United States (U.S.) employers seek to fill with foreign workers on a permanent or temporary basis through certain employment-based immigrant visas or through H-1B, H-1B1, or E-3 nonimmigrant visas. This proposed delay will also provide agency officials with a sufficient amount of time to compute and validate prevailing wage data covering specific occupations and geographic areas, complete and thoroughly test system modifications, train staff, and</p>

	<p>conduct public outreach to ensure an effective and orderly implementation of any revisions to the prevailing wage levels.  <b>COMMENTS DUE:</b> April 21, 2021</p>
<p><a href="#">Business Loan Program Temporary Changes; Paycheck Protection Program as Amended by American Rescue Plan Act, 86 Federal Register 15083, March 22, 2021</a></p>	<p><b>INTERIM FINAL RULE:</b> This interim final rule revises the PPP rules to incorporate the American Rescue Plan Act's amendments to the PPP. Additionally, this interim final rule clarifies the eligibility for first draw PPP loans for applicants that are assigned a North American Industry Classification System (NAICS) code beginning with 72 and have more than one physical location and clarifies certain payroll cost exclusions included in the Economic Aid Act.  <b>EFFECTIVE DATE:</b> March 18, 2021</p>
<p><a href="#">Information Collection Requirement; Defense Federal Acquisition Regulation Supplement; Requests for Reimbursement Under Section 3610 of the CARES Act, 86 Federal Register 15469, March 23, 2021</a></p>	<p><b>NOTICE:</b> A contractor request for reimbursement under section 3610 must include sufficient documentation to support the request and enable the contracting officer to determine whether a contractor is eligible for reimbursement under section 3610 and, if so, the amount of reimbursement to provide to a contractor. Contractors' requests for reimbursement under section 3610 will vary in dollar amount and complexity; as such, so will the amount and type of information needed from a contractor to support their reimbursement request. Based on this variation, contracting officers will use one of three DoD reimbursement checklists to advise contractors of the information needed to support their request. The information described in the checklists is necessary to collect from contractors in order to ensure that contracting officers are able to determine whether to approve the request for reimbursement and expediently modify the affected contract(s) for the authorized reimbursement amount.  <b>COMMENTS DUE:</b> April 22, 2021</p>
<p><a href="#">Emergency Alert System, Wireless Emergency Alerts; National Defense Authorization Act for Fiscal Year 2021, Delivering Alerts Via the Internet, Including Through Streaming Services, 86 Federal Register 16565, March 30, 2021</a></p>	<p><b>PROPOSED RULE AND INQUIRY:</b> In this document, the Commission, takes actions implementing section 9201 of the National Defense Authorization Act for Fiscal Year 2021, exploring opportunities to improve the way the public receives emergency alerts from the nation's Emergency Alert System (EAS) and Wireless Emergency Alerts System (WEA) on their mobile phones, televisions, and radios. We propose rules to ensure that more people receive relevant emergency alerts, to enable EAS and WEA participants to report false alerts when they occur, and to improve the way states plan for emergency alerts. In addition, we initiate an inquiry to examine the feasibility of updating the EAS to enable or improve alerts to consumers provided through the internet, including through streaming services, and from radio and television stations, cable systems, satellite radio and television providers, and wireline video providers that currently participate in EAS. As directed by Congress, after the conclusion of this inquiry the Commission will submit a report on its findings and conclusions to specified Committees of the U.S. Senate and House of Representatives.  <b>EFFECTIVE DATE:</b> April 20, 2021  <b>COMMENTS DUE (Proposed Rule):</b> April 20, 2021  <b>COMMENTS DUE (Notice of Inquiry):</b> May 14, 2021</p>

## Virginia Register – March 2021

[12VAC5-416, Sexual Assault Survivor Treatment and Transfer Regulation, Volume 37, Issue 14, March 1, 2021](#)

**NOTICE:** Notice is hereby given in accordance with § 2.2-4007.01 of the Code of Virginia that the State Board of Health intends to consider promulgating 12VAC5-416, Sexual Assault Survivor Treatment and Transfer Regulation. The purpose of the proposed action is to implement Chapter 725 of the 2020 Acts of Assembly, which requires the board to promulgate regulations to effectuate the act, specifically to establish the standards for review and approval of sexual assault survivor transfer plans, pediatric sexual assault survivor transfer plans, sexual assault survivor treatment plans, and pediatric sexual assault survivor treatment plans. As the requirement to have such plans extends to hospitals, clinics, and physician's offices, no existing regulatory chapter best fits this mandate; therefore the board intends to promulgate a new regulatory chapter for these standards.

**COMMENTS DUE:** March 31, 2021

[13VAC5-51. Virginia Statewide Fire Prevention Code \(amending 13VAC5-51-11, 13VAC5-51-21, 13VAC5-51-31, 13VAC5-51-61, 13VAC5-51-81, 13VAC5-51-91, 13VAC5-51-101, 13VAC5-51-111, 13VAC5-51-121, 13VAC5-51-130, 13VAC5-51-131, 13VAC5-51-132, 13VAC5-51-133, 13VAC5-51-134, 13VAC5-51-135, 13VAC5-51-138, 13VAC5-51-139, 13VAC5-51-140, 13VAC5-51-141, 13VAC5-51-142, 13VAC5-51-143, 13VAC5-51-144, 13VAC5-51-145, 13VAC5-51-146, 13VAC5-51-147, 13VAC5-51-150, 13VAC5-51-151, 13VAC5-51-152, 13VAC5-51-153, 13VAC5-51-154, 13VAC5-51-155; adding 13VAC5-51-137, 13VAC5-51-144\), Volume 37, Issue 14, March 1, 2021](#)

**NOTICE:** The Statewide Fire Prevention Code (SFPC) is a regulation governing the maintenance of the fire protection aspects of existing structures and operational functions relating to fire safety wherever located, including the regulation of the use of explosives and blasting and fireworks displays. The SFPC uses a nationally recognized model code produced by the International Code Council as the basis for the technical provisions of the regulation. Every three years, a new edition of the model code becomes available. At that time, the Board of Housing and Community Development initiates a regulatory action to incorporate the newest edition of the model code into the regulation as well as accepting proposals for changes to the regulation from affected stakeholder groups and the public. See notice for specific amendments to these regulations.

**EFFECTIVE DATE:** July 1, 2021

[18VAC90-27. Regulations for Nursing Education Programs \(amending 18VAC90-27-10, 18VAC90-27-60, 18VAC90-27-100\), Volume 37, Issue 14, March 1, 2021](#)

**PROPOSED RULE:** The proposed amendments (i) define direct client care and simulation terms used in the amended regulations; (ii) require faculty who supervise clinical practice by simulation demonstrate knowledge and skills in the methodology; (iii) require simulation to account for no more than 50% of the total clinical hours in different clinical specialties and population groups across the life span; and (iv) require

