To require public institutions of higher education to disseminate information on the rights of, and accommodations and resources for, pregnant students, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 19 (legislative day, MAY 17), 2022

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

A BILL

To require public institutions of higher education to disseminate information on the rights of, and accommodations and resources for, pregnant students, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Pregnant Students’ Rights Act”.

SECTION 2. FINDINGS.

Congress finds the following:
(1) Female students who are enrolled at institutions of higher education and experiencing unplanned pregnancies may face pressure that their only option is to receive an abortion or risk academic failure.

(2) 27.6 percent of all abortions in the United States are performed on women of college age, between the ages of 20 and 24, according to a 2019 report by the Centers for Disease Control and Prevention.

(3) A significant proportion of abortions in the United States are performed on women of college age who may be unaware of their rights under title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) or deprived of an alternative to receiving an abortion.

(4) Additionally, women on college campuses may fear institutional reprisal, loss of athletic scholarship, and possible negative impact on academic opportunities.

(5) An academic disparity exists because of the lack of resources, support, and notifications available for female college students who do not wish to receive an abortion or who carry their unborn babies to term.
SEC. 3. NOTICE OF PREGNANT STUDENT RIGHTS, ACCOMMODATIONS, AND RESOURCES.

Section 485 of the Higher Education Act of 1965 (20 U.S.C. 1092) is amended by adding at the end the following:

“(n) PREGNANT STUDENTS’ RIGHTS, ACCOMMODATIONS, AND RESOURCES.—

“(1) INFORMATION DISSEMINATION ACTIVITIES;

ESTABLISHMENT OF PROTOCOL.—

“(A) IN GENERAL.—Each public institution of higher education participating in any program under this title shall—

“(i) in a manner consistent with title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), carry out the information dissemination activities described in subparagraph (B) for admitted but not enrolled and enrolled students (including those attending or planning to attend less than full time) on the rights and resources (including protections and accommodations) for pregnant students (or students who may become pregnant) while enrolled at such institution of higher education that—

“(I) exclude abortion services;
“(II) may help such a student carry their unborn babies to term; and

“(III) include information on how to file a complaint with the Department if such a student believes there was a violation of title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) by the institution on account of such student’s pregnancy; and

“(ii) establish a protocol to meet with a student described in clause (i)(III), which shall include a meeting with relevant leadership at the institution of higher education, and other relevant parties.

“(B) Description of information dissemination requirements.—The information dissemination activities described in this sub-paragraph shall include—

“(i) annual campus-wide emails; or

“(ii) the provision of information in student handbooks, at each orientation for enrolled students, or on the publicly available website of the institution of higher education.
“(2) *Annual report to Congress.*—

“(A) In general.—Each public institution of higher education participating in any program under this title shall—

“(i) on an annual basis, compile and submit to the Secretary—

“(I) responses to the questions described in subparagraph (B) from students enrolled at such institution of higher education who voluntarily provided such responses; and

“(II) a description of any actions taken by the institution of higher education to address each complaint by a student that there was a violation of title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) by the institution on account of such student’s pregnancy, including any actions taken in accordance with the protocol established under paragraph (1)(A)(ii); and

“(ii) ensure that any such responses remain confidential and do not reveal any
personally identifiable information with respect to a student.

“(B) Questions for Enrolled Students.—The questions described in this sub-
paragraph shall include—

“(i) if such student experienced an unexpected pregnancy while enrolled at the institution of higher education;

“(ii) if such student felt there were adequate resources on campus relating to protections, accommodations, and other resources for pregnant students besides abortion-related services;

“(iii) if such a student believes there was a violation of title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) by the institution on account of such student’s pregnancy; and

“(iv) if such student considered dropping out or withdrawing from classes because of pregnancy, new motherhood, still-birth, or miscarriage.

“(C) Report.—The Secretary shall, on an annual basis—
“(i) prepare a report that compiles the responses received under subparagraph (A) from each public institution of higher education participating in any program under this title; and

“(ii) submit such report to the authorizing committees, and the Committees on Appropriations of the House of Representatives and the Senate.”.