

117TH CONGRESS  
2D SESSION

# S. 4277

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.

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## 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

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## 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.

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 “Pregnant Students’  
5 Rights Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1           (1) Female students who are enrolled at institu-  
2           tions of higher education and experiencing un-  
3           planned pregnancies may face pressure that their  
4           only option is to receive an abortion or risk academic  
5           failure.

6           (2) 27.6 percent of all abortions in the United  
7           States are performed on women of college age, be-  
8           tween the ages of 20 and 24, according to a 2019  
9           report by the Centers for Disease Control and Pre-  
10          vention.

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

17          (4) Additionally, women on college campuses  
18          may fear institutional reprisal, loss of athletic schol-  
19          arship, and possible negative impact on academic op-  
20          portunities.

21          (5) An academic disparity exists because of the  
22          lack of resources, support, and notifications available  
23          for female college students who do not wish to re-  
24          ceive an abortion or who carry their unborn babies  
25          to term.

1 **SEC. 3. NOTICE OF PREGNANT STUDENT RIGHTS, ACCOM-**  
 2 **MODATIONS, AND RESOURCES.**

3 Section 485 of the Higher Education Act of 1965 (20  
 4 U.S.C. 1092) is amended by adding at the end the fol-  
 5 lowing:

6 “(n) PREGNANT STUDENTS’ RIGHTS, ACCOMMODA-  
 7 TIONS, AND RESOURCES.—

8 “(1) INFORMATION DISSEMINATION ACTIVITIES;  
 9 ESTABLISHMENT OF PROTOCOL.—

10 “(A) IN GENERAL.—Each public institu-  
 11 tion of higher education participating in any  
 12 program under this title shall—

13 “(i) in a manner consistent with title  
 14 IX of the Education Amendments of 1972  
 15 (20 U.S.C. 1681 et seq.), carry out the in-  
 16 formation dissemination activities de-  
 17 scribed in subparagraph (B) for admitted  
 18 but not enrolled and enrolled students (in-  
 19 cluding those attending or planning to at-  
 20 tend less than full time) on the rights and  
 21 resources (including protections and ac-  
 22 commodations) for pregnant students (or  
 23 students who may become pregnant) while  
 24 enrolled at such institution of higher edu-  
 25 cation that—

26 “(I) exclude abortion services;

1           “(II) may help such a student  
2           carry their unborn babies to term; and

3           “(III) include information on how  
4           to file a complaint with the Depart-  
5           ment if such a student believes there  
6           was a violation of title IX of the Edu-  
7           cation Amendments of 1972 (20  
8           U.S.C. 1681 et seq.) by the institution  
9           on account of such student’s preg-  
10          nancy; and

11          “(ii) establish a protocol to meet with  
12          a student described in clause (i)(III),  
13          which shall include a meeting with relevant  
14          leadership at the institution of higher edu-  
15          cation, and other relevant parties.

16          “(B) DESCRIPTION OF INFORMATION DIS-  
17          SEMINATION REQUIREMENTS.—The information  
18          dissemination activities described in this sub-  
19          paragraph shall include—

20                 “(i) annual campus-wide emails; or

21                 “(ii) the provision of information in  
22                 student handbooks, at each orientation for  
23                 enrolled students, or on the publicly avail-  
24                 able website of the institution of higher  
25                 education.

1           “(2) ANNUAL REPORT TO CONGRESS.—

2                   “(A) IN GENERAL.—Each public institu-  
3           tion of higher education participating in any  
4           program under this title shall—

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

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

12                                   “(II) a description of any actions  
13                                  taken by the institution of higher edu-  
14                                  cation to address each complaint by a  
15                                  student that there was a violation of  
16                                  title IX of the Education Amendments  
17                                  of 1972 (20 U.S.C. 1681 et seq.) by  
18                                  the institution on account of such stu-  
19                                  dent’s pregnancy, including any ac-  
20                                  tions taken in accordance with the  
21                                  protocol established under paragraph  
22                                  (1)(A)(ii); and

23                                   “(ii) ensure that any such responses  
24                                  remain confidential and do not reveal any

1 personally identifiable information with re-  
2 spect to a student.

3 “(B) QUESTIONS FOR ENROLLED STU-  
4 DENTS.—The questions described in this sub-  
5 paragraph shall include—

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

9 “(ii) if such student felt there were  
10 adequate resources on campus relating to  
11 protections, accommodations, and other re-  
12 sources for pregnant students besides abor-  
13 tion-related services;

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

19 “(iv) if such student considered drop-  
20 ping out or withdrawing from classes be-  
21 cause of pregnancy, new motherhood, still-  
22 birth, or miscarriage.

23 “(C) REPORT.—The Secretary shall, on an  
24 annual basis—

1           “(i) prepare a report that compiles  
2           the responses received under subparagraph  
3           (A) from each public institution of higher  
4           education participating in any program  
5           under this title; and

6           “(ii) submit such report to the author-  
7           izing committees, and the Committees on  
8           Appropriations of the House of Represent-  
9           atives and the Senate.”.

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