

PREGNANT STUDENTS' RIGHTS ACT

JANUARY 12, 2024.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Ms. Foxx, from the Committee on Education and the Workforce,
submitted the following

R E P O R T

together with

MINORITY VIEWS

[To accompany H.R. 6914]

[Including cost estimate of the Congressional Budget Office]

The Committee on Education and the Workforce, to whom was referred the bill (H.R. 6914) to require institutions of higher education to disseminate information on the rights of, and accommodations and resources for, pregnant students, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Pregnant Students' Rights Act".

SEC. 2. FINDINGS.

Congress finds the following:

(1) Female students enrolled at institutions of higher education and experiencing an unplanned pregnancy may face pressure that their only option is to receive an abortion or risk academic failure.

(2) Almost 30 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 2021 report by the Centers for Disease Control and Prevention.

(3) Scientific evidence and personal testimonies document that women who have abortions can be at risk of mental health issues. Studies show that after an abortion, women are 34 percent more likely to develop anxiety disorders, 37 percent more likely to develop depression, 110 percent more likely to rely on alcohol use or abuse, 115 percent more likely to develop suicidal behavior, and 220 percent more likely to take on marijuana use or abuse. As many as 60 percent of women having an abortion experience some level of emotional distress

afterwards, with 30 percent being classified as severe distress. Potential complications of abortions include heavy or persistent bleeding, damage to cervix, abdominal pain or cramping, scarring of uterine lining, breast cancer, future premature births or miscarriages, infection or sepsis, placenta previa, perforation of uterus, damage to other organs, and even death.

(4) A significant proportion of abortions in the United States are performed on women of college age who may be unaware of their rights to accommodation and prohibitions against discrimination due to pregnancy under title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) or deprived of information about abortion alternatives.

(5) Additionally, women on college campuses may fear institutional reprisal, loss of athletic scholarship, and possible negative impact on academic opportunities during the pregnancy and after childbirth.

(6) 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) IN GENERAL.—Each institution of higher education participating in any program under this title shall carry out the information dissemination activities described in paragraph (3) for prospective and enrolled students (including those attending or planning to attend less than full time) regarding the information described in paragraph (2) on the rights to, and resources (including protections and accommodations) for, pregnant students to carry a baby to term and students who may become pregnant while enrolled at such institution of higher education to carry a baby to term.

“(2) INFORMATION CONTENT.—The information described in this paragraph is the following:

“(A) A list of resources on campus and in the community that exist to help a pregnant student in carrying the baby to term and caring for the baby after birth.

“(B) Information about the accommodations available to help a pregnant student carry the baby to term and parent the baby after birth.

“(C) Information on how to file a complaint with—

“(i) the Department of Education, if a student believes there was a violation by the institution of title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) on account of such student’s determination to carry a baby to term; and

“(ii) the institution, if a student believes the student has been discriminated against in violation of such title IX on account of the student’s determination to carry a baby to term.

“(3) INFORMATION DISSEMINATION ACTIVITIES.—The information dissemination activities described in this paragraph shall include—

“(A) an email to each enrolled student at the start of each period of study during an academic year; and

“(B) the provision of information—

“(i) in student handbooks, if any;

“(ii) at each orientation for enrolled students;

“(iii) at student health or counseling centers, if any; and

“(iv) on the publicly available website of the institution of higher education.

“(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to authorize the Secretary to require the dissemination of additional information, or establish additional rights, beyond the information and rights included in this subsection.”.

PURPOSE

The purpose of H.R. 6914, the *Pregnant Students’ Rights Act*, is to require institutions of higher education to disseminate information on the rights of, and accommodations and resources for, pregnant students to carry a baby to term.

COMMITTEE ACTION

118TH CONGRESS

First Session—Hearings

On May 16, 2023, the Committee on Education and the Workforce held a hearing on “Examining the Policies and Priorities of the U.S. Department of Education.” The purpose of the hearing was to examine the policies and the budget priorities of the U.S. Department of Education. During the hearing, Representative Aaron Bean (R-FL), when questioning Secretary Cardona, stated that policies need to be created to help non-traditional students, specifically single mothers, complete their postsecondary education. Testifying before the Committee was Miguel Cardona, Secretary, U.S. Department of Education, Washington, DC.

On June 14, 2023, the Subcommittee on Higher Education and Workforce Development held a hearing on “Postsecondary Innovation: Preparing Today’s Students for Tomorrow’s Opportunities.” During the hearing, Subcommittee Chairman Burgess Owens (R-UT) identified lingering issues that non-traditional students face. Testifying before the Committee were Dr. Tim Renick, Executive Director, National Institute for Student Success, Georgia State University, Atlanta, GA; Mr. Keith Shoates, Chief Operating Officer, Student Freedom Initiative, Washington, DC; Ms. Lanae Erickson, Senior Vice President for Social Policy, Education and Politics, Third Way, Washington, DC; Dr. Lori Carrell, Chancellor, University of Minnesota Rochester and Co-Director, College-in-3 Initiative, Rochester, MN.

Legislative Action

On January 5, 2024, Representative Ashley Hinson (R-IA) introduced H.R. 6914, the *Pregnant Students’ Rights Act*. The bill was referred solely to the Committee on Education and the Workforce. On January 10, 2024, the Committee considered H.R. 6914 in legislative session and reported it favorably, as amended, to the House of Representatives by a recorded vote of 24 yeas and 17 nays. The Committee considered the following amendments to H.R. 6914:

1. Amendment in the Nature of a Substitute—Representative Mary Miller (R-IL) offered an Amendment in the Nature of a Substitute (ANS) that further clarifies that the purpose of the required information dissemination is to support pregnant students carrying a pregnancy to term. The substitute amendment also adds a rule of construction to prohibit the Secretary from requiring institutions to disseminate additional information or establish additional rights. The amendment was adopted by voice vote.

2. Representative Suzanne Bonamici (D-OR) offered an amendment that adds a rule of construction that nothing prevents institutions of higher education from providing medically accurate and comprehensive information about abortion services. The amendment failed by a recorded vote of 15–23.

3. Representative Bob Good (R-VA) offered an amendment that adds data to the findings section of the bill on the impact of abortion on women’s mental and physical health. The amendment was adopted by a recorded vote of 23–17.

4. Representative Kathy Manning (D-NC) offered an amendment that adds a rule of construction that nothing prevents an institution of higher education from providing medically accurate and comprehensive information about sexual and reproductive health services, including contraception. The amendment failed by a recorded vote of 17–23.

5. Representative Pramila Jayapal (D-WA) offered an amendment that requires institutions of higher education to also disseminate information on access to the Medicaid program, the supplemental nutrition assistance program (SNAP), and programs under Title X of the *Public Health Services Act*. The amendment failed by a recorded vote of 17–24.

6. Representative Haley Stevens (D-MI) offered an amendment that adds a rule of construction that nothing prevents an institution of higher education from disseminating information on resources (including available rights, protections and accommodations afforded to students under Title IX) regarding pregnancy and related medical conditions, including miscarriage. This amendment failed by a recorded vote of 17–24.

7. Representative Jahana Hayes (D-CT) offered an amendment that would incorporate the text of the *American Family Act* which creates a new program for the refundable child tax credit. This amendment was withdrawn.

COMMITTEE VIEWS

INTRODUCTION

Pregnancy should not discourage a student from completing her education. Federal law prohibits discrimination against pregnant students and many resources are available to help expectant mothers through childbirth and parenting in college. Despite this, pregnant students are too often unaware of the rights and resources available to them, negatively impacting their ability to navigate options for balancing college and pregnancy. The *Pregnant Students Rights' Act* aims to empower pregnant women to choose the best future for themselves and their child by having this information more easily accessible.

Mothers in Postsecondary Education

Today, policies at every level of government have enabled almost unfettered access to postsecondary education for many aspiring students. With increased access, 30 percent of enrolled students are now considered non-traditional students, meaning they are older, enrolled part-time, work full-time, or are financially independent but supporting dependents.¹ Student parents are a core component of the postsecondary education student body, as over 20 percent of all undergraduate students are parents.² Of these student parents, 43 percent are single mothers.³ Overall, 10 percent, or 1.7 million, of all undergraduate students are single mothers, many of whom may no longer face access barriers to a college education but face uphill challenges when completing their education compared to

¹ https://pnpi.org/wp-content/uploads/2023/03/PostTraditional_FactSheet_Mar2023.pdf.

² https://iwpr.org/wp-content/uploads/2020/08/C481_Parents-in-College-By-the-Numbers-Aspen-Ascend-and-IWPR.pdf.

³ *Ibid.*

women in college who are not mothers.⁴ However, even with additional obstacles, such as more frequent absences from class, that often hinder their ability to graduate on time, student parents maintain higher grade point averages than other students.⁵ This shows that student mothers are dedicated to excelling in their academic pursuits.

Title IX

Congress has acknowledged the importance of protecting equal access to postsecondary education for pregnant students. Title IX of the *Education Amendments of 1972* (Title IX) prohibits recipients of federal funds from discriminating against students on the basis of sex.⁶ Longstanding Title IX regulations from the Department of Education (Department) explicitly prohibit discrimination against pregnant women and the exclusion of pregnant women from an institution's education program because of pregnancy.⁷ A student's rights under Title IX allow for protections and accommodations both in and out of the classroom, including the ability to take medically necessary leave and excused absences for pregnancy, childbirth, or related conditions.⁸ Pregnant students are also protected from discrimination in institution-sponsored extracurricular activities, including internships, athletics, financial aid and scholarships, career counseling, and lab and clinical work.⁹ Accommodations available to a pregnant student must be at least the same accommodations available to another student that has a temporary condition.

These robust protections for a woman's education during pregnancy allow her to successfully carry a baby to term without much additional worry about the impact on her education. However, almost 30 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 2021 report by the Centers for Disease Control and Prevention. Pregnant students should never feel obligated to seek an abortion to continue their education, but there are instances where students describe this type of pressure.¹⁰

Title IX also includes explicit statutory language regarding abortion that was added to the statute in 1988 and states, "Nothing in this title shall be construed to require or prohibit any person, or public or private entity, to provide or pay for any benefit or service, including the use of facilities, related to an abortion."¹¹ The intent of this language is to ensure that recipients of federal funds cannot be required to provide or pay for an abortion or abortion-related service under Title IX or be charged with violating Title IX if they choose to provide or pay for an abortion or abortion-related service.

Depending on the pregnancy, a student may also be covered by disability protections and services under the *Americans with Disabilities Act*. A postsecondary institution must also provide a Title IX complaint process for when a student believes their Title IX

⁴ https://iwpr.org/wp-content/uploads/2020/07/R600_Investing-in-Single-Moms-National.pdf.

⁵ https://iwpr.org/wp-content/uploads/2020/08/C481_Parents-in-College-By-the-Numbers-Aspen-Ascend-and-IWPR.pdf.

⁶ Title IX of the *Education Amendments of 1972*.

⁷ 34 CFR 106.

⁸ <https://thepregnantscholar.org/title-ix-basics/>.

⁹ *Ibid.*

¹⁰ <https://www.foxnews.com/us/pro-life-group-mom-college-pregnant-parenting-rights>.

¹¹ *Education Amendments of 1972*, § 909.

rights have been violated. These current protections and accommodations for pregnant students can be utilized to ensure a pregnant student has the same opportunity to continue her education as any other student.

Lack of Awareness

While pregnant students' rights to postsecondary education exist, many students may be unaware of these rights or lack full information about possible accommodations or how to file a complaint. There are still instances in which students are advised to drop out because of their pregnancy, despite being allowed reasonable accommodation. In 2022, the Department's Office for Civil Rights determined that Salt Lake Community College violated both Title IX and Section 504 of the *Rehabilitation Act of 1973* after a professor encouraged a pregnant student to drop a course because of ongoing absences due to her pregnancy.¹² The student had also informed the college's disability resource center and Title IX coordinator because she knew she was entitled to course modifications, but the college did not offer alternatives and the Title IX coordinator did not create an investigation file to look into the professor's actions. Additionally, in the Department's findings, the college's Code of Student Rights and Responsibilities did not provide information about the rights of pregnant students.¹³ Transparent information is needed to ensure students know their rights and can navigate Title IX complaint and other campus processes. It is also needed to serve as an accountability mechanism for colleges and universities to not ignore their responsibility to provide these rights and accommodations.

Resources

There are many resources for pregnant students both on and off campus. These resources include between 2,600 and 2,700 pregnancy resource centers across the country in communities of all sizes. Pregnancy resource centers offer classes focused on the skills a pregnant mother may need and often serve as a place where mothers can receive basic baby items like diapers, formula, and clothing at no cost.¹⁴

Postsecondary education students are often already making a sacrifice of their time and finances in paying for college and an unplanned pregnancy can mean a pregnant student may need to draw upon even more outside resources. An estimated 12 percent of college students report experiencing an unplanned pregnancy.¹⁵ There are other organizations that serve pregnant students, and some institutions are also focusing on reducing the stigma of unplanned pregnancy and creating a family-friendly campus environment.¹⁶ A program known as Baby Steps at Auburn University serves both campus residents and community moms by providing housing, meals, access to pediatric care, counseling, academic advising, and

¹² <https://www.ed.gov/news/press-releases/us-department-educations-office-civil-rights-announces-resolution-pregnancy-discrimination-investigation-salt-lake-community-college>.

¹³ <https://www.bsk.com/news-events-videos/office-for-civil-rights-faults-college-for-failing-to-accommodate-a-pregnant-student>.

¹⁴ <https://www.focustonthefamily.com/pro-life/alternatives-to-abortion-pregnancy-resource-centers/>.

¹⁵ <https://vttechworks.lib.vt.edu/items/747550b6-c0a8-4e66-b6d3-7f9c29e08596>.

¹⁶ <https://www.npr.org/2019/05/02/716123170/do-they-kick-out-pregnant-people-navigating-college-with-kids>.

tutoring, as well as by providing more information to students on education scholarships.¹⁷ Belmont Abbey College hosts MiraVia, an on-campus maternity home that gives expectant mothers a place to live and care for their baby. Mothers at MiraVia work with staff to set goals for their education and future independence after they graduate. Belmont Abbey College allows pregnant mothers at MiraVia to enroll tuition-free.¹⁸ Additionally, in Wyoming, the Adopt-a-College-Student program has developed a relationship with a local community college and the University of Wyoming to pair pregnant students with sponsors who provide mentorship and help with educational expenses.¹⁹ These examples of partnerships to support pregnant mothers have been integral in furthering each parent's academic career.

Information Disclosure in Postsecondary Education

Section 485 of the *Higher Education Act* requires colleges and universities that receive Title IV funding to provide information on a variety of topics to prospective and enrolled students. This section of the law initially focused on disseminating information on the student financial assistance programs available to students but also requires institutions to disclose information about academic programs, costs of attending an institution, accreditation or licensing of an institution, standards for making satisfactory academic progress, and completion or graduation rates of an institution. Section 485 also requires institutions to provide disclosures through entrance and exit counseling to borrowers, disclosures on the number of students on athletically related student aid, transfer credit policies, fire safety standards, missing persons procedures, penalties for drug violations, and disclosures of campus crime statistics. This section ensures students have complete information on the costs and characteristics of the education an institution provides, as well as topics that affect campus life and may be adjacent to helping the student complete his or her education. Pregnant students' rights should be more publicly available as this growing student population seeks to obtain postsecondary education.

CONCLUSION

Students cannot assert their rights or seek helpful accommodations if these rights are not known. By ensuring pregnant students have information on available rights, accommodations, and resources, the *Pregnant Students' Rights Act* will ensure that all collegiate women are equipped with beneficial information to guide them on their path to becoming a mother and a graduate.

SUMMARY

The *Pregnant Students' Rights Act* (H.R. 6914), introduced by Representative Hinson, would, as a condition of receiving Title IV funding, require colleges and universities to disseminate information to prospective and enrolled students on the rights of, and resources for, pregnant students and students who may become preg-

¹⁷ <https://erlc.com/resource-library/articles/the-need-to-serve-pregnant-women-on-college-campuses/>.

¹⁸ <https://www.liveaction.org/news/campus-maternity-home-support-pregnant/>.

¹⁹ <https://pregnancyhelpnews.com/mommies-can-graduate-adopt-a-college-student-programs-help-pregnant-women-attend-college/>.

nant to carry a baby to term. The required information is a list of on-campus and community resources and accommodations available to help a pregnant student carry a baby to term and care for the baby after birth. The bill also requires institutions to disclose information on how to file a Title IX complaint with the Department or with the institution if a student believes that her Title IX rights were violated on account of her determination to carry a baby to term. The bill specifies that the required information dissemination must include an email to enrolled students at the start of each period of study during an academic year and the information to appear in student handbooks, at each orientation, at student health or counseling centers, as well as on the institution's website. A rule of construction clarifies that nothing in the new subsection created by this bill shall be construed to authorize the Secretary to require the dissemination of additional information, or establish additional rights, beyond the information and rights included in the subsection.

H.R. 6914 SECTION-BY-SECTION SUMMARY

Section 1. Short title

The short title is "Pregnant Students' Rights Act."

Section 2. Findings

This section describes the challenges pregnant college students may face when experiencing an unplanned pregnancy, including pressure to receive an abortion or lack of accommodations, which ultimately have a negative impact on the student's ability to continue her education.

Section 3. Notice of pregnant students' rights, accommodations, and resources

As a condition of receiving Title IV funding, this section requires colleges and universities to disseminate information to prospective and enrolled students on the rights of, and resources for, pregnant students and students who may become pregnant to carry a baby to term. The required information is a list of on-campus and community resources and accommodations available to help a pregnant student carry a baby to term and care for the baby after birth. This section also requires institutions to also disclose information on how to file a Title IX complaint with the Department or with the institution if a student believes that her Title IX rights were violated on account of her determination to carry a baby to term. The section specifies that the required information dissemination must include an email to enrolled students at the start of each period of study during an academic year and the information to appear in student handbooks, at each orientation, at student health or counseling centers, as well as on the institution's website. A rule of construction clarifies that nothing in the new subsection created by this bill shall be construed to authorize the Secretary to require the dissemination of additional information, or establish additional rights, beyond the information and rights included in the subsection.

EXPLANATION OF AMENDMENTS

The amendments, including the amendment in the nature of a substitute, are explained in the body of this report.

APPLICATION OF LAW TO THE LEGISLATIVE BRANCH

Section 102(b)3 of Public Law 104-1 requires a description of the application of this bill to the Legislative Branch. H.R. 6914 requires institutions of higher education to disseminate information on the rights to, and accommodations and resources for, pregnant students to carry a baby to term. H.R. 6914 is applicable to institutions of higher education and therefore does not apply to the Legislative Branch.

EARMARK STATEMENT

H.R. 6914 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the House of Representatives.

UNFUNDED MANDATE STATEMENT

Pursuant to Section 423 of the Congressional Budget and Impoundment Control Act (as amended by Section 101(a)(2) of the Unfunded Mandates Reform Act, P.L. 104-4) the Committee adopts as its own the cost estimate prepared by the Congressional Budget Office (CBO) pursuant to section 402 of the Congressional Budget and Impoundment Control Act of 1974.

ROLL CALL VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires the Committee Report to include for each record vote on a motion to report the measure or matter and on any amendments offered to the measure or matter the total number of votes for and against and the names of the Members voting for and against.

Date: 1/10/24

COMMITTEE ON EDUCATION AND THE WORKFORCE RECORD OF COMMITTEE VOTE

Roll Call: 1 Bill: H.R. 6914 Amendment Number: n/a

Disposition: Not adopted by a Full Committee Roll Call Vote (15 y -23 n)

Sponsor/Amendment: Rep. Bonamici / AMD_01

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mrs. FOXX (NC) (Chairwoman)	X			Mr. SCOTT (VA) (Ranking)	X		
Mr. WILSON (SC)	X			Mr. GRIJALVA (AZ)	X		
Mr. THOMPSON (PA)	X			Mr. COURNTEY (CT)	X		
Mr. WALBERG (MI)	X			Mr. SABLAR (MP)	X		
Mr. GROTHMAN (WI)	X			Ms. WILSON (FL)			X
Ms. STEFANIK (NY)	X			Ms. BONAMICI (OR)	X		
Mr. ALLEN (GA)	X			Mr. TAKANO (CA)	X		
Mr. BANKS (IN)	X			Ms. ADAMS (NC)	X		
Mr. COMER (KY)		X		Mr. DESAULNIER (CA)	X		
Mr. SMUCKER (PA)		X		Mr. NORCROSS (NJ)	X		
Mr. OWENS (UT)	X			Ms. JAYAPAL (WA)	X		
Mr. GOOD (VA)	X			Ms. WILD (PA)			X
Mrs. MCCLAIN (MI)	X			Ms. MCBATH (GA)			X
Mrs. MILLER (IL)	X			Mrs. HAYES (CT)	X		
Mrs. STEEL (CA)	X			Ms. OMAR (MN)			X
Mr. ESTES (KS)	X			Ms. STEVENS (MI)	X		
Ms. LETLOW (LA)	X			Ms. LEGER FERNÁNDEZ (NM)	X		
Mr. KILEY (CA)	X			Ms. MANNING (NC)	X		
Mr. BEAN (FL)	X			Mr. MRVAN (IN)	X		
Mr. BURLISON (MO)	X			Mr. BOWMAN (NY)			X
Mr. MORAN (TX)	X						
Mr. JAMES (MI)	X						
Ms. CHAVEZ-DEREMER (OR)	X						
Mr. WILLIAMS (NY)	X						
Ms. HOUCHEIN (IN)	X						

TOTALS: Ayes: 15

Nos: 23

Not Voting: 7

Total: 45 / Quorum: 38 / Report:

(25 R - 20 D)

Date: 1/10/24

COMMITTEE ON EDUCATION AND THE WORKFORCE RECORD OF COMMITTEE VOTE

Roll Call: 2

Bill: H.R. 6914

Amendment Number: n/a

Disposition: Adopted by a Full Committee Roll Call Vote (23 y – 17 n)

Sponsor/Amendment: Rep. Good / GOOD_125

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mrs. FOXX (NC) (Chairwoman)	X			Mr. SCOTT (VA) (Ranking)		X	
Mr. WILSON (SC)	X			Mr. GRIJALVA (AZ)		X	
Mr. THOMPSON (PA)	X			Mr. COURNTEY (CT)		X	
Mr. WALBERG (MI)	X			Mr. SABLAR (MP)		X	
Mr. GROTHMAN (WI)	X			Ms. WILSON (FL)			X
Ms. STEFANIK (NY)	X			Ms. BONAMICI (OR)		X	
Mr. ALLEN (GA)	X			Mr. TAKANO (CA)		X	
Mr. BANKS (IN)	X			Ms. ADAMS (NC)		X	
Mr. COMER (KY)		X		Mr. DESAULNIER (CA)		X	
Mr. SMUCKER (PA)	X			Mr. NORCROSS (NJ)		X	
Mr. OWENS (UT)	X			Ms. JAYAPAL (WA)		X	
Mr. GOOD (VA)	X			Ms. WILD (PA)			X
Mrs. MCCLAIN (MI)	X			Ms. MCBATH (GA)			X
Mrs. MILLER (IL)	X			Mrs. HAYES (CT)		X	
Mrs. STEEL (CA)	X			Ms. OMAR (MN)		X	
Mr. ESTES (KS)	X			Ms. STEVENS (MI)			X
Ms. LETLOW (LA)	X			Ms. LEGER FERNÁNDEZ (NM)		X	
Mr. KILEY (CA)	X			Ms. MANNING (NC)			X
Mr. BEAN (FL)	X			Mr. MRVAN (IN)		X	
Mr. BURLISON (MO)	X			Mr. BOWMAN (NY)			X
Mr. MORAN (TX)	X						
Mr. JAMES (MI)	X						
Ms. CHAVEZ-DEREMER (OR)		X					
Mr. WILLIAMS (NY)	X						
Ms. HOUCHIN (IN)	X						

TOTALS: Ayes: 23

Nos: 17

Not Voting: 5

Total: 45 / Quorum: 40 / Report:

(25 R - 20 D)

Date: 1/10/24

COMMITTEE ON EDUCATION AND THE WORKFORCE RECORD OF COMMITTEE VOTE

Roll Call: 3 Bill: H.R. 6914 Amendment Number: n/a

Disposition: Not adopted by a Full Committee Roll Call Vote (17 y – 23 n)

Sponsor/Amendment: Rep. Manning / AMD_02

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mrs. FOXX (NC) (Chairwoman)	X			Mr. SCOTT (VA) (Ranking)	X		
Mr. WILSON (SC)	X			Mr. GRIJALVA (AZ)	X		
Mr. THOMPSON (PA)	X			Mr. COURNTEY (CT)	X		
Mr. WALBERG (MI)	X			Mr. SABLAN (MP)	X		
Mr. GROTHMAN (WI)	X			Ms. WILSON (FL)			X
Ms. STEFANIK (NY)	X			Ms. BONAMICI (OR)	X		
Mr. ALLEN (GA)	X			Mr. TAKANO (CA)	X		
Mr. BANKS (IN)	X			Ms. ADAMS (NC)	X		
Mr. COMER (KY)		X		Mr. DESAULNIER (CA)	X		
Mr. SMUCKER (PA)	X			Mr. NORCROSS (NJ)	X		
Mr. OWENS (UT)	X			Ms. JAYAPAL (WA)	X		
Mr. GOOD (VA)	X			Ms. WILD (PA)			X
Mrs. MCCLAIN (MI)	X			Ms. MCBATH (GA)			X
Mrs. MILLER (IL)	X			Mrs. HAYES (CT)	X		
Mrs. STEEL (CA)	X			Ms. OMAR (MN)	X		
Mr. ESTES (KS)	X			Ms. STEVENS (MI)	X		
Ms. LETLOW (LA)	X			Ms. LEGER FERNÁNDEZ (NM)	X		
Mr. KILEY (CA)	X			Ms. MANNING (NC)	X		
Mr. BEAN (FL)	X			Mr. MRVAN (IN)	X		
Mr. BURLISON (MO)	X			Mr. BOWMAN (NY)			X
Mr. MORAN (TX)	X						
Mr. JAMES (MI)	X						
Ms. CHAVEZ-DEREMER (OR)	X						
Mr. WILLIAMS (NY)	X						
Ms. HOUCHIN (IN)	X						

TOTALS: Ayes: 17

Nos: 23

Not Voting: 5

Total: 45 / Quorum: 40/ Report:
(25 R - 20 D)

Date: 1/10/24

COMMITTEE ON EDUCATION AND THE WORKFORCE RECORD OF COMMITTEE VOTE

Roll Call: 4

Bill: H.R. 6914

Amendment Number: n/a

Disposition: Not Adopted by a Full Committee Roll Call Vote (17 y – 24 n)

Sponsor/Amendment: Rep. Jayapal / AMD_04

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mrs. FOXX (NC) (Chairwoman)		X		Mr. SCOTT (VA) (Ranking)	X		
Mr. WILSON (SC)		X		Mr. GRIJALVA (AZ)	X		
Mr. THOMPSON (PA)		X		Mr. COURNTEY (CT)	X		
Mr. WALBERG (MI)		X		Mr. SABLON (MP)	X		
Mr. GROTHMAN (WI)		X		Ms. WILSON (FL)			X
Ms. STEFANIK (NY)		X		Ms. BONAMICI (OR)	X		
Mr. ALLEN (GA)		X		Mr. TAKANO (CA)	X		
Mr. BANKS (IN)		X		Ms. ADAMS (NC)	X		
Mr. COMER (KY)			X	Mr. DESAULNIER (CA)	X		
Mr. SMUCKER (PA)		X		Mr. NORCROSS (NJ)	X		
Mr. OWENS (UT)		X		Ms. JAYAPAL (WA)	X		
Mr. GOOD (VA)		X		Ms. WILD (PA)	X		
Mrs. MCCLAIN (MI)		X		Ms. MCBATH (GA)			X
Mrs. MILLER (IL)		X		Mrs. HAYES (CT)	X		
Mrs. STEEL (CA)		X		Ms. OMAR (MN)	X		
Mr. ESTES (KS)		X		Ms. STEVENS (MI)	X		
Ms. LETLOW (LA)		X		Ms. LEGER FERNÁNDEZ (NM)	X		
Mr. KILEY (CA)		X		Ms. MANNING (NC)	X		
Mr. BEAN (FL)		X		Mr. MRVAN (IN)	X		
Mr. BURLISON (MO)		X		Mr. BOWMAN (NY)			X
Mr. MORAN (TX)		X					
Mr. JAMES (MI)		X					
Ms. CHAVEZ-DEREMER (OR)		X					
Mr. WILLIAMS (NY)		X					
Ms. HOUCHIN (IN)		X					

TOTALS: Ayes: 17

Nos: 24

Not Voting: 4

Total: 45 / Quorum: 41 / Report:

(25 R - 20 D)

Date: 1/10/24

COMMITTEE ON EDUCATION AND THE WORKFORCE RECORD OF COMMITTEE VOTE

Roll Call: 5

Bill: H.R. 6914

Amendment Number: n/a

Disposition: Not Adopted by a Full Committee Roll Call Vote (17 y – 24 n)

Sponsor/Amendment: Rep. Stevens / AMD_05

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mrs. FOXX (NC) (Chairwoman)	X			Mr. SCOTT (VA) (Ranking)	X		
Mr. WILSON (SC)	X			Mr. GRIJALVA (AZ)	X		
Mr. THOMPSON (PA)	X			Mr. COURNTEY (CT)	X		
Mr. WALBERG (MI)	X			Mr. SABLAR (MP)	X		
Mr. GROTHMAN (WI)	X			Ms. WILSON (FL)			X
Ms. STEFANIK (NY)	X			Ms. BONAMICI (OR)	X		
Mr. ALLEN (GA)	X			Mr. TAKANO (CA)	X		
Mr. BANKS (IN)	X			Ms. ADAMS (NC)	X		
Mr. COMER (KY)		X		Mr. DESAULNIER (CA)	X		
Mr. SMUCKER (PA)	X			Mr. NORCROSS (NJ)	X		
Mr. OWENS (UT)	X			Ms. JAYAPAL (WA)	X		
Mr. GOOD (VA)	X			Ms. WILD (PA)	X		
Mrs. MCCLAIN (MI)	X			Ms. MCBATH (GA)			X
Mrs. MILLER (IL)	X			Mrs. HAYES (CT)	X		
Mrs. STEEL (CA)	X			Ms. OMAR (MN)	X		
Mr. ESTES (KS)	X			Ms. STEVENS (MI)	X		
Ms. LETLOW (LA)	X			Ms. LEGER FERNÁNDEZ (NM)	X		
Mr. KILEY (CA)	X			Ms. MANNING (NC)	X		
Mr. BEAN (FL)	X			Mr. MRVAN (IN)	X		
Mr. BURLISON (MO)	X			Mr. BOWMAN (NY)			X
Mr. MORAN (TX)	X						
Mr. JAMES (MI)	X						
Ms. CHAVEZ-DEREMER (OR)	X						
Mr. WILLIAMS (NY)	X						
Ms. HOUCHIN (IN)	X						

TOTALS: Ayes: 17

Nos: 24

Not Voting: 4

Total: 45 / Quorum: 41 / Report:

(25 R - 20 D)

Date: 1/10/24

COMMITTEE ON EDUCATION AND THE WORKFORCE RECORD OF COMMITTEE VOTE

Roll Call: 6 Bill: H.R 6914 Amendment Number: n/a

Disposition: Adopted by a Full Committee Roll Call Vote (24 y -17 n)

Sponsor/Amendment: Rep. Miller / ANS_01 / Motion to Report

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mrs. FOXX (NC) (Chairwoman)	X			Mr. SCOTT (VA) (Ranking)		X	
Mr. WILSON (SC)	X			Mr. GRIJALVA (AZ)		X	
Mr. THOMPSON (PA)	X			Mr. COURNTEY (CT)		X	
Mr. WALBERG (MI)	X			Mr. SABLAR (MP)		X	
Mr. GROTHMAN (WI)	X			Ms. WILSON (FL)			X
Ms. STEFANIK (NY)	X			Ms. BONAMICI (OR)		X	
Mr. ALLEN (GA)	X			Mr. TAKANO (CA)		X	
Mr. BANKS (IN)	X			Ms. ADAMS (NC)		X	
Mr. COMER (KY)		X		Mr. DESAULNIER (CA)		X	
Mr. SMUCKER (PA)	X			Mr. NORCROSS (NJ)		X	
Mr. OWENS (UT)	X			Ms. JAYAPAL (WA)		X	
Mr. GOOD (VA)	X			Ms. WILD (PA)		X	
Mrs. MCCLAIN (MI)	X			Ms. MCBATH (GA)			X
Mrs. MILLER (IL)	X			Mr. HAYES (CT)		X	
Mrs. STEEL (CA)	X			Ms. OMAR (MN)		X	
Mr. ESTES (KS)	X			Ms. STEVENS (MI)		X	
Ms. LETLOW (LA)	X			Ms. LEGER FERNÁNDEZ (NM)		X	
Mr. KILEY (CA)	X			Ms. MANNING (NC)		X	
Mr. BEAN (FL)	X			Mr. MRVAN (IN)		X	
Mr. BURLISON (MO)	X			Mr. BOWMAN (NY)			X
Mr. MORAN (TX)	X						
Mr. JAMES (MI)	X						
Ms. CHAVEZ-DEREMER (OR)	X						
Mr. WILLIAMS (NY)	X						
Ms. HOUCHIN (IN)	X						

TOTALS: Ayes: 24

Nos: 17

Not Voting: 4

Total: 45 / Quorum: 41 / Report:

(25 R - 20 D)

NEW BUDGET AUTHORITY AND CBO COST ESTIMATE

With respect to the requirements of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974 and with respect to requirements of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has received the following estimate for H.R. 6914 from the Director of the Congressional Budget Office:

H.R. 6914, Pregnant Students' Rights Act			
As ordered reported by the House Committee on Education and the Workforce on January 10, 2024			
By Fiscal Year, Millions of Dollars	2024	2024-2028	2024-2033
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	*	*	not estimated
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2034?	No	Statutory pay-as-you-go procedures apply?	No
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2034?	No	Mandate Effects Contains intergovernmental mandate?	No Contains private-sector mandate?

* = between zero and \$500,000.

H.R. 6914 would require institutions of higher education that receive federal student aid under title IV of the Higher Education Act to provide specific information on the rights of pregnant students. Those requirements include a list of on-campus and community resources that exist to help pregnant students carry a baby to term, information about accommodations available to students during and after pregnancy, and information on how to report a violation of those rights.

CBO expects that institutions would comply with the requirements in the bill to remain eligible for federal student aid. As a result, CBO estimates enacting the bill would have no effect on federal spending for student aid.

Based on the cost of similar activities, CBO estimates that the Department of Education's cost to implement H.R. 6914 would not be significant; any spending would be subject to the availability of appropriated funds.

The CBO staff contact for this estimate is Leah Koestner. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

PHILLIP L. SWAGEL,
Director, Congressional Budget Office.

COMMITTEE COST ESTIMATE

Clause 3(d)(1) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison of the costs that would be incurred in carrying out H.R. 6914. However, clause 3(d)(2)(B) of that rule provides that this requirement does not

apply when, as with the present report, the Committee adopts as its own the cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

In accordance with clause (3)(c) of rule XIII of the Rules of the House of Representatives, the goal of H.R. 6914 is to ensure pregnant students attending institutions of higher education receive information on the rights of, and accommodations and resources for, pregnant students.

DUPLICATION OF FEDERAL PROGRAMS

No provision of H.R. 6914 establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

STATEMENT OF OVERSIGHT FINDINGS AND RECOMMENDATIONS OF THE COMMITTEE

In compliance with clause 3(c)(1) of rule XIII and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the committee's oversight findings and recommendations are reflected in the body of this report.

REQUIRED COMMITTEE HEARING AND RELATED HEARINGS

In compliance with clause 3(c)(6) of rule XIII of the Rules of the House of Representatives the following hearings held during the 118th Congress were used to develop or consider H.R. 6914: On May 16, 2023, the Committee on Education and the Workforce held a hearing on “Examining the Policies and Priorities of the U.S. Department of Education”; on June 14, 2023, the Subcommittee on Higher Education and Workforce Development held a hearing on “Postsecondary Innovation: Preparing Today’s Students For Tomorrow’s Opportunities.”

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italics and existing law in which no change is proposed is shown in roman):

HIGHER EDUCATION ACT OF 1965

* * * * *

TITLE IV—STUDENT ASSISTANCE

* * * * *

**PART G—GENERAL PROVISIONS RELATING TO STUDENT ASSISTANCE
PROGRAMS**

* * * * *

**SEC. 485. INSTITUTIONAL AND FINANCIAL ASSISTANCE INFORMATION
FOR STUDENTS.**

(a) INFORMATION DISSEMINATION ACTIVITIES.—(1) Each eligible institution participating in any program under this title shall carry out information dissemination activities for prospective and enrolled students (including those attending or planning to attend less than full time) regarding the institution and all financial assistance under this title. The information required by this section shall be produced and be made readily available upon request, through appropriate publications, mailings, and electronic media, to an enrolled student and to any prospective student. Each eligible institution shall, on an annual basis, provide to all enrolled students a list of the information that is required to be provided by institutions to students by this section and section 444 of the General Education Provisions Act (commonly known as the “Family Educational Rights and Privacy Act of 1974”), together with a statement of the procedures required to obtain such information. The information required by this section shall accurately describe—

- (A) the student financial assistance programs available to students who enroll at such institution;
- (B) the methods by which such assistance is distributed among student recipients who enroll at such institution;
- (C) any means, including forms, by which application for student financial assistance is made and requirements for accurately preparing such application;
- (D) the rights and responsibilities of students receiving financial assistance under this title;
- (E) the cost of attending the institution, including (i) tuition and fees, (ii) books and supplies, (iii) estimates of typical student room and board costs or typical commuting costs, and (iv) any additional cost of the program in which the student is enrolled or expresses a specific interest;
- (F) a statement of—
 - (i) the requirements of any refund policy with which the institution is required to comply;
 - (ii) the requirements under section 484B for the return of grant or loan assistance provided under this title; and
 - (iii) the requirements for officially withdrawing from the institution;
- (G) the academic program of the institution, including (i) the current degree programs and other educational and training programs, (ii) the instructional, laboratory, and other physical plant facilities which relate to the academic program, (iii) the faculty and other instructional personnel, and (iv) any plans by the institution for improving the academic program of the institution;
- (H) each person designated under subsection (c) of this section, and the methods by which and locations in which any person so designated may be contacted by students and prospective students who are seeking information required by this subsection;

- (I) special facilities and services available to students with disabilities;
- (J) the names of associations, agencies, or governmental bodies which accredit, approve, or license the institution and its programs, and the procedures under which any current or prospective student may obtain or review upon request a copy of the documents describing the institution's accreditation, approval, or licensing;
- (K) the standards which the student must maintain in order to be considered to be making satisfactory progress, pursuant to section 484(a)(2);
- (L) the completion or graduation rate of certificate- or degree-seeking, full-time, undergraduate students entering such institutions;
- (M) the terms and conditions of the loans that students receive under parts B, D, and E;
- (N) that enrollment in a program of study abroad approved for credit by the home institution may be considered enrollment in the home institution for purposes of applying for Federal student financial assistance;
- (O) the campus crime report prepared by the institution pursuant to subsection (f), including all required reporting categories;
- (P) institutional policies and sanctions related to copyright infringement, including—
 - (i) an annual disclosure that explicitly informs students that unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, may subject the students to civil and criminal liabilities;
 - (ii) a summary of the penalties for violation of Federal copyright laws; and
 - (iii) a description of the institution's policies with respect to unauthorized peer-to-peer file sharing, including disciplinary actions that are taken against students who engage in unauthorized distribution of copyrighted materials using the institution's information technology system;
- (Q) student body diversity at the institution, including information on the percentage of enrolled, full-time students who—
 - (i) are male;
 - (ii) are female;
 - (iii) receive a Federal Pell Grant; and
 - (iv) are a self-identified member of a major racial or ethnic group;
- (R) the placement in employment of, and types of employment obtained by, graduates of the institution's degree or certificate programs, gathered from such sources as alumni surveys, student satisfaction surveys, the National Survey of Student Engagement, the Community College Survey of Student Engagement, State data systems, or other relevant sources;
- (S) the types of graduate and professional education in which graduates of the institution's four-year degree pro-

grams enrolled, gathered from such sources as alumni surveys, student satisfaction surveys, the National Survey of Student Engagement, State data systems, or other relevant sources;

(T) the fire safety report prepared by the institution pursuant to subsection (i);

(U) the retention rate of certificate- or degree-seeking, first-time, full-time, undergraduate students entering such institution; and

(V) institutional policies regarding vaccinations.

(2) For the purpose of this section, the term "prospective student" means any individual who has contacted an eligible institution requesting information concerning admission to that institution.

(3) In calculating the completion or graduation rate under subparagraph (L) of paragraph (1) of this subsection or under subsection (e), a student shall be counted as a completion or graduation if, within 150 percent of the normal time for completion of or graduation from the program, the student has completed or graduated from the program, or enrolled in any program of an eligible institution for which the prior program provides substantial preparation. The information required to be disclosed under such subparagraph—

(A) shall be made available by July 1 each year to enrolled students and prospective students prior to the students enrolling or entering into any financial obligation; and

(B) shall cover the one-year period ending on August 31 of the preceding year.

(4) For purposes of this section, institutions may—

(A) exclude from the information disclosed in accordance with subparagraph (L) of paragraph (1) the completion or graduation rates of students who leave school to serve in the Armed Forces, on official church missions, or with a recognized foreign aid service of the Federal Government; or

(B) in cases where the students described in subparagraph (A) represent 20 percent or more of the certificate- or degree-seeking, full-time, undergraduate students at the institution, recalculate the completion or graduation rates of such students by excluding from the calculation described in paragraph (3) the time period during which such students were not enrolled due to their service in the Armed Forces, on official church missions, or with a recognized foreign aid service of the Federal Government.

(5) The Secretary shall permit any institution of higher education that is a member of an athletic association or athletic conference that has voluntarily published completion or graduation rate data or has agreed to publish data that, in the opinion of the Secretary, is substantially comparable to the information required under this subsection, to use such data to satisfy the requirements of this subsection; and

(6) Each institution may provide supplemental information to enrolled and prospective students showing the completion or graduation rate for students described in paragraph (4) or for students transferring into the institution or information showing the rate at which students transfer out of the institution.

(7)(A)(i) Subject to clause (ii), the information disseminated under paragraph (1)(L), or reported under subsection (e), shall be disaggregated by gender, by each major racial and ethnic subgroup, by recipients of a Federal Pell Grant, by recipients of a loan made under part B or D (other than a loan made under section 428H or a Federal Direct Unsubsidized Stafford Loan) who did not receive a Federal Pell Grant, and by recipients of neither a Federal Pell Grant nor a loan made under part B or D (other than a loan made under section 428H or a Federal Direct Unsubsidized Stafford Loan), if the number of students in such subgroup or with such status is sufficient to yield statistically reliable information and reporting will not reveal personally identifiable information about an individual student. If such number is not sufficient for such purposes, then the institution shall note that the institution enrolled too few of such students to so disclose or report with confidence and confidentiality.

(ii) The requirements of clause (i) shall not apply to two-year, degree-granting institutions of higher education until academic year 2011-2012.

(B)(i) In order to assist two-year degree-granting institutions of higher education in meeting the requirements of paragraph (1)(L) and subsection (e), the Secretary, in consultation with the Commissioner for Education Statistics, shall, not later than 90 days after the date of enactment of the Higher Education Opportunity Act, convene a group of representatives from diverse institutions of higher education, experts in the field of higher education policy, state higher education officials, students, and other stakeholders in the higher education community, to develop recommendations regarding the accurate calculation and reporting of the information required to be disseminated or reported under paragraph (1)(L) and subsection (e) by two-year, degree-granting institutions of higher education. In developing such recommendations, the group of representatives shall consider the mission and role of two-year degree-granting institutions of higher education, and may recommend additional or alternative measures of student success for such institutions in light of the mission and role of such institutions.

(ii) The Secretary shall widely disseminate the recommendations required under this subparagraph to two-year, degree-granting institutions of higher education, the public, and the authorizing committees not later than 18 months after the first meeting of the group of representatives convened under clause (i).

(iii) The Secretary shall use the recommendations from the group of representatives convened under clause (i) to provide technical assistance to two-year, degree-granting institutions of higher education in meeting the requirements of paragraph (1)(L) and subsection (e).

(iv) The Secretary may modify the information required to be disseminated or reported under paragraph (1)(L) or subsection (e) by a two-year, degree-granting institution of higher education—

(I) based on the recommendations received under this subparagraph from the group of representatives convened under clause (i);

(II) to include additional or alternative measures of student success if the goals of the provisions of paragraph (1)(L) and subsection (e) can be met through additional means or comparable alternatives; and

(III) during the period beginning on the date of enactment of the Higher Education Opportunity Act, and ending on June 30, 2011.

(b) EXIT COUNSELING FOR BORROWERS.—(1)(A) Each eligible institution shall, through financial aid offices or otherwise, provide counseling to borrowers of loans that are made, insured, or guaranteed under part B (other than loans made pursuant to section 428C or loans under section 428B made on behalf of a student) or made under part D (other than Federal Direct Consolidation Loans or Federal Direct PLUS Loans made on behalf of a student) or made under part E of this title prior to the completion of the course of study for which the borrower enrolled at the institution or at the time of departure from such institution. The counseling required by this subsection shall include—

(i) information on the repayment plans available, including a description of the different features of each plan and sample information showing the average anticipated monthly payments, and the difference in interest paid and total payments, under each plan;

(ii) debt management strategies that are designed to facilitate the repayment of such indebtedness;

(iii) an explanation that the borrower has the options to prepay each loan, pay each loan on a shorter schedule, and change repayment plans;

(iv) for any loan forgiveness or cancellation provision of this title, a general description of the terms and conditions under which the borrower may obtain full or partial forgiveness or cancellation of the principal and interest, and a copy of the information provided by the Secretary under section 485(d);

(v) for any forbearance provision of this title, a general description of the terms and conditions under which the borrower may defer repayment of principal or interest or be granted forbearance, and a copy of the information provided by the Secretary under section 485(d);

(vi) the consequences of defaulting on a loan, including adverse credit reports, delinquent debt collection procedures under Federal law, and litigation;

(vii) information on the effects of using a consolidation loan under section 428C or a Federal Direct Consolidation Loan to discharge the borrower's loans under parts B, D, and E, including at a minimum—

(I) the effects of consolidation on total interest to be paid, fees to be paid, and length of repayment;

(II) the effects of consolidation on a borrower's underlying loan benefits, including grace periods, loan forgiveness, cancellation, and deferment opportunities;

(III) the option of the borrower to prepay the loan or to change repayment plans; and

(IV) that borrower benefit programs may vary among different lenders;

(viii) a general description of the types of tax benefits that may be available to borrowers;

(ix) a notice to borrowers about the availability of the National Student Loan Data System and how the system can be used by a borrower to obtain information on the status of the borrower's loans; and

(x) an explanation that—

- (I) the borrower may be contacted during the repayment period by third-party student debt relief companies;
- (II) the borrower should use caution when dealing with those companies; and
- (III) the services that those companies typically provide are already offered to borrowers free of charge through the Department or the borrower's servicer; and

(B) In the case of borrower who leaves an institution without the prior knowledge of the institution, the institution shall attempt to provide the information described in subparagraph (A) to the student in writing.

(2)(A) Each eligible institution shall require that the borrower of a loan made under part B, D, or E submit to the institution, during the exit interview required by this subsection—

- (i) the borrower's expected permanent address after leaving the institution (regardless of the reason for leaving);
- (ii) the name and address of the borrower's expected employer after leaving the institution;
- (iii) the address of the borrower's next of kin; and
- (iv) any corrections in the institution's records relating the borrower's name, address, social security number, references, and driver's license number.

(B) The institution shall, within 60 days after the interview, forward any corrected or completed information received from the borrower to the guaranty agency indicated on the borrower's student aid records.

(C) Nothing in this subsection shall be construed to prohibit an institution of higher education from utilizing electronic means to provide personalized exit counseling.

(c) **FINANCIAL ASSISTANCE INFORMATION PERSONNEL.**—Each eligible institution shall designate an employee or group of employees who shall be available on a full-time basis to assist students or potential students in obtaining information as specified in subsection (a). The Secretary may, by regulation, waive the requirement that an employee or employees be available on a full-time basis for carrying out responsibilities required under this section whenever an institution in which the total enrollment, or the portion of the enrollment participating in programs under this title at that institution, is too small to necessitate such employee or employees being available on a full-time basis. No such waiver may include permission to exempt any such institution from designating a specific individual or a group of individuals to carry out the provisions of this section.

(d) DEPARTMENTAL PUBLICATION OF DESCRIPTIONS OF ASSISTANCE PROGRAMS.—(1) The Secretary shall make available to eligible institutions, eligible lenders, and secondary schools descriptions of Federal student assistance programs including the rights and responsibilities of student and institutional participants, in order to (A) assist students in gaining information through institutional sources, and (B) assist institutions in carrying out the provisions of this section, so that individual and institutional participants will be fully aware of their rights and responsibilities under such programs. In particular, such information shall include information to enable students and prospective students to assess the debt burden and monthly and total repayment obligations that will be incurred as a result of receiving loans of varying amounts under this title. Such information shall also include information on the various payment options available for student loans, including income-sensitive and income-based repayment plans for loans made, insured, or guaranteed under part B and income-contingent and income-based repayment plans for loans made under part D. In addition, such information shall include information to enable borrowers to assess the practical consequences of loan consolidation, including differences in deferment eligibility, interest rates, monthly payments, and finance charges, and samples of loan consolidation profiles to illustrate such consequences. The Secretary shall provide information concerning the specific terms and conditions under which students may obtain partial or total cancellation or defer repayment of loans for service, shall indicate (in terms of the Federal minimum wage) the maximum level of compensation and allowances that a student borrower may receive from a tax-exempt organization to qualify for a deferment, and shall explicitly state that students may qualify for such partial cancellations or deferments when they serve as a paid employee of a tax-exempt organization. The Secretary shall also provide information on loan forbearance, including the increase in debt that results from capitalization of interest. Such information shall be provided by eligible institutions and eligible lenders at any time that information regarding loan availability is provided to any student.

(2) The Secretary, to the extent the information is available, shall compile information describing State and other prepaid tuition programs and savings programs and disseminate such information to States, eligible institutions, students, and parents in departmental publications.

(3) The Secretary, to the extent practicable, shall update the Department's Internet site to include direct links to databases that contain information on public and private financial assistance programs. The Secretary shall only provide direct links to databases that can be accessed without charge and shall make reasonable efforts to verify that the databases included in a direct link are not providing fraudulent information. The Secretary shall prominently display adjacent to any such direct link a disclaimer indicating that a direct link to a database does not constitute an endorsement or recommendation of the database, the provider of the database, or any services or products of such provider. The Secretary shall provide additional direct links to information resources from which students may obtain information about fraudulent and deceptive

practices in the provision of services related to student financial aid.

(4) The Secretary shall widely publicize the location of the information described in paragraph (1) among the public, eligible institutions, and eligible lenders, and promote the use of such information by prospective students, enrolled students, families of prospective and enrolled students, and borrowers.

(e) **DISCLOSURES REQUIRED WITH RESPECT TO ATHLETICALLY RELATED STUDENT AID.**—(1) Each institution of higher education which participates in any program under this title and is attended by students receiving athletically related student aid shall annually submit a report to the Secretary which contains—

(A) the number of students at the institution of higher education who received athletically related student aid broken down by race and sex in the following sports: basketball, football, baseball, cross country/track, and all other sports combined;

(B) the number of students at the institution of higher education, broken down by race and sex;

(C) the completion or graduation rate for students at the institution of higher education who received athletically related student aid broken down by race and sex in the following sports: basketball, football, baseball, cross country/track and all other sports combined;

(D) the completion or graduation rate for students at the institution of higher education, broken down by race and sex;

(E) the average completion or graduation rate for the 4 most recent completing or graduating classes of students at the institution of higher education who received athletically related student aid broken down by race and sex in the following categories: basketball, football, baseball, cross country/track, and all other sports combined; and

(F) the average completion or graduation rate for the 4 most recent completing or graduating classes of students at the institution of higher education broken down by race and sex.

(2) When an institution described in paragraph (1) of this subsection offers a potential student athlete athletically related student aid, such institution shall provide to the student and the student's parents, guidance counselor, and coach the information contained in the report submitted by such institution pursuant to paragraph (1). If the institution is a member of a national collegiate athletic association that compiles graduation rate data on behalf of the association's member institutions that the Secretary determines is substantially comparable to the information described in paragraph (1), the distribution of the compilation of such data to all secondary schools in the United States shall fulfill the responsibility of the institution to provide information to a prospective student athlete's guidance counselor and coach.

(3) For purposes of this subsection, institutions may—

(A) exclude from the reporting requirements under paragraphs (1) and (2) the completion or graduation rates of students and student athletes who leave school to serve in the Armed Forces, on official church missions, or with a recognized foreign aid service of the Federal Government; or

(B) in cases where the students described in subparagraph (A) represent 20 percent or more of the certificate- or degree-seeking, full-time, undergraduate students at the institution, calculate the completion or graduation rates of such students by excluding from the calculations described in paragraph (1) the time period during which such students were not enrolled due to their service in the Armed Forces, on official church missions, or with a recognized foreign aid service of the Federal Government.

(4) Each institution of higher education described in paragraph (1) may provide supplemental information to students and the Secretary showing the completion or graduation rate when such completion or graduation rate includes students transferring into and out of such institution.

(5) The Secretary, using the reports submitted under this subsection, shall compile and publish a report containing the information required under paragraph (1) broken down by—

- (A) individual institutions of higher education; and
- (B) athletic conferences recognized by the National Collegiate Athletic Association and the National Association of Intercollegiate Athletics.

(6) The Secretary shall waive the requirements of this subsection for any institution of higher education that is a member of an athletic association or athletic conference that has voluntarily published completion or graduation rate data or has agreed to publish data that, in the opinion of the Secretary, is substantially comparable to the information required under this subsection.

(7) The Secretary, in conjunction with the National Junior College Athletic Association, shall develop and obtain data on completion or graduation rates from two-year colleges that award athletically related student aid. Such data shall, to the extent practicable, be consistent with the reporting requirements set forth in this section.

(8) For purposes of this subsection, the term “athletically related student aid” means any scholarship, grant, or other form of financial assistance the terms of which require the recipient to participate in a program of intercollegiate athletics at an institution of higher education in order to be eligible to receive such assistance.

(9) The reports required by this subsection shall be due each July 1 and shall cover the 1-year period ending August 31 of the preceding year.

(f) DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS.—(1) Each eligible institution participating in any program under this title, other than a foreign institution of higher education, shall on August 1, 1991, begin to collect the following information with respect to campus crime statistics and campus security policies of that institution, and beginning September 1, 1992, and each year thereafter, prepare, publish, and distribute, through appropriate publications or mailings, to all current students and employees, and to any applicant for enrollment or employment upon request, an annual security report containing at least the following information with respect to the campus security policies and campus crime statistics of that institution:

- (A) A statement of current campus policies regarding procedures and facilities for students and others to report criminal

actions or other emergencies occurring on campus and policies concerning the institution's response to such reports.

(B) A statement of current policies concerning security and access to campus facilities, including campus residences, and security considerations used in the maintenance of campus facilities.

(C) A statement of current policies concerning campus law enforcement, including—

(i) the law enforcement authority of campus security personnel;

(ii) the working relationship of campus security personnel with State and local law enforcement agencies, including whether the institution has agreements with such agencies, such as written memoranda of understanding, for the investigation of alleged criminal offenses; and

(iii) policies which encourage accurate and prompt reporting of all crimes to the campus police and the appropriate law enforcement agencies, when the victim of such crime elects or is unable to make such a report.

(D) A description of the type and frequency of programs designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others.

(E) A description of programs designed to inform students and employees about the prevention of crimes.

(F) Statistics concerning the occurrence on campus, in or on noncampus buildings or property, and on public property during the most recent calendar year, and during the 2 preceding calendar years for which data are available—

(i) of the following criminal offenses reported to campus security authorities or local police agencies:

(I) murder;

(II) sex offenses, forcible or nonforcible;

(III) robbery;

(IV) aggravated assault;

(V) burglary;

(VI) motor vehicle theft;

(VII) manslaughter;

(VIII) arson;

(IX) arrests or persons referred for campus disciplinary action for liquor law violations, drug-related violations, and weapons possession; and

(ii) of the crimes described in subclauses (I) through (VIII) of clause (i), of larceny-theft, simple assault, intimidation, and destruction, damage, or vandalism of property, and of other crimes involving bodily injury to any person, in which the victim is intentionally selected because of the actual or perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, or disability of the victim that are reported to campus security authorities or local police agencies, which data shall be collected and reported according to category of prejudice; and

(iii) of domestic violence, dating violence, and stalking incidents that were reported to campus security authorities or local police agencies.

(G) A statement of policy concerning the monitoring and recording through local police agencies of criminal activity at off-campus student organizations which are recognized by the institution and that are engaged in by students attending the institution, including those student organizations with off-campus housing facilities.

(H) A statement of policy regarding the possession, use, and sale of alcoholic beverages and enforcement of State underage drinking laws and a statement of policy regarding the possession, use, and sale of illegal drugs and enforcement of Federal and State drug laws and a description of any drug or alcohol abuse education programs as required under section 120 of this Act.

(I) A statement advising the campus community where law enforcement agency information provided by a State under section 170101(j) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071(j)), concerning registered sex offenders may be obtained, such as the law enforcement office of the institution, a local law enforcement agency with jurisdiction for the campus, or a computer network address.

(J) A statement of current campus policies regarding immediate emergency response and evacuation procedures, including the use of electronic and cellular communication (if appropriate), which policies shall include procedures to—

(i) immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring on the campus, as defined in paragraph (6), unless issuing a notification will compromise efforts to contain the emergency;

(ii) publicize emergency response and evacuation procedures on an annual basis in a manner designed to reach students and staff; and

(iii) test emergency response and evacuation procedures on an annual basis.

(2) Nothing in this subsection shall be construed to authorize the Secretary to require particular policies, procedures, or practices by institutions of higher education with respect to campus crimes or campus security.

(3) Each institution participating in any program under this title, other than a foreign institution of higher education, shall make timely reports to the campus community on crimes considered to be a threat to other students and employees described in paragraph (1)(F) that are reported to campus security or local law police agencies. Such reports shall be provided to students and employees in a manner that is timely, that withholds the names of victims as confidential, and that will aid in the prevention of similar occurrences.

(4)(A) Each institution participating in any program under this title, other than a foreign institution of higher education, that

maintains a police or security department of any kind shall make, keep, and maintain a daily log, written in a form that can be easily understood, recording all crimes reported to such police or security department, including—

- (i) the nature, date, time, and general location of each crime; and
- (ii) the disposition of the complaint, if known.

(B)(i) All entries that are required pursuant to this paragraph shall, except where disclosure of such information is prohibited by law or such disclosure would jeopardize the confidentiality of the victim, be open to public inspection within two business days of the initial report being made to the department or a campus security authority.

(ii) If new information about an entry into a log becomes available to a police or security department, then the new information shall be recorded in the log not later than two business days after the information becomes available to the police or security department.

(iii) If there is clear and convincing evidence that the release of such information would jeopardize an ongoing criminal investigation or the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence, such information may be withheld until that damage is no longer likely to occur from the release of such information.

(5) On an annual basis, each institution participating in any program under this title, other than a foreign institution of higher education, shall submit to the Secretary a copy of the statistics required to be made available under paragraph (1)(F). The Secretary shall—

- (A) review such statistics and report to the authorizing committees on campus crime statistics by September 1, 2000;
- (B) make copies of the statistics submitted to the Secretary available to the public; and
- (C) in coordination with representatives of institutions of higher education, identify exemplary campus security policies, procedures, and practices and disseminate information concerning those policies, procedures, and practices that have proven effective in the reduction of campus crime.

(6)(A) In this subsection:

- (i) The terms “dating violence”, “domestic violence”, and “stalking” have the meaning given such terms in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).

(ii) The term “campus” means—

- (I) any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and

- (II) property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students, and supports institutional purposes (such as a food or other retail vendor).

(iii) The term “noncampus building or property” means—
 (I) any building or property owned or controlled by a student organization recognized by the institution; and

(II) any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution’s educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution.

(iv) The term “public property” means all public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution’s educational purposes.

(v) The term “sexual assault” means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

(B) In cases where branch campuses of an institution of higher education, schools within an institution of higher education, or administrative divisions within an institution are not within a reasonably contiguous geographic area, such entities shall be considered separate campuses for purposes of the reporting requirements of this section.

(7) The statistics described in clauses (i) and (ii) of paragraph (1)(F) shall be compiled in accordance with the definitions used in the uniform crime reporting system of the Department of Justice, Federal Bureau of Investigation, and the modifications in such definitions as implemented pursuant to the Hate Crime Statistics Act. For the offenses of domestic violence, dating violence, and stalking, such statistics shall be compiled in accordance with the definitions used in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)). Such statistics shall not identify victims of crimes or persons accused of crimes.

(8)(A) Each institution of higher education participating in any program under this title and title IV of the Economic Opportunity Act of 1964, other than a foreign institution of higher education, shall develop and distribute as part of the report described in paragraph (1) a statement of policy regarding—

(i) such institution’s programs to prevent domestic violence, dating violence, sexual assault, and stalking; and

(ii) the procedures that such institution will follow once an incident of domestic violence, dating violence, sexual assault, or stalking has been reported, including a statement of the standard of evidence that will be used during any institutional conduct proceeding arising from such a report.

(B) The policy described in subparagraph (A) shall address the following areas:

(i) Education programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking, which shall include—

(I) primary prevention and awareness programs for all incoming students and new employees, which shall include—

- (aa) a statement that the institution of higher education prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking;
- (bb) the definition of domestic violence, dating violence, sexual assault, and stalking in the applicable jurisdiction;
- (cc) the definition of consent, in reference to sexual activity, in the applicable jurisdiction;
- (dd) safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such individual;
- (ee) information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks; and
- (ff) the information described in clauses (ii) through (vii); and

(II) ongoing prevention and awareness campaigns for students and faculty, including information described in items (aa) through (ff) of subclause (I).

- (ii) Possible sanctions or protective measures that such institution may impose following a final determination of an institutional disciplinary procedure regarding rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking.
- (iii) Procedures victims should follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking has occurred, including information in writing about—
 - (I) the importance of preserving evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order;
 - (II) to whom the alleged offense should be reported;
 - (III) options regarding law enforcement and campus authorities, including notification of the victim's option to—
 - (aa) notify proper law enforcement authorities, including on-campus and local police;
 - (bb) be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and
 - (cc) decline to notify such authorities; and
 - (IV) where applicable, the rights of victims and the institution's responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.
- (iv) Procedures for institutional disciplinary action in cases of alleged domestic violence, dating violence, sexual assault, or stalking, which shall include a clear statement that—
 - (I) such proceedings shall—
 - (aa) provide a prompt, fair, and impartial investigation and resolution; and
 - (bb) be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how

to conduct an investigation and hearing process that protects the safety of victims and promotes accountability;

(II) the accuser and the accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice; and

(III) both the accuser and the accused shall be simultaneously informed, in writing, of—

(aa) the outcome of any institutional disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking;

(bb) the institution's procedures for the accused and the victim to appeal the results of the institutional disciplinary proceeding;

(cc) of any change to the results that occurs prior to the time that such results become final; and

(dd) when such results become final.

(v) Information about how the institution will protect the confidentiality of victims, including how publicly-available recordkeeping will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law.

(vi) Written notification of students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims both on-campus and in the community.

(vii) Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if so requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

(C) A student or employee who reports to an institution of higher education that the student or employee has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, shall be provided with a written explanation of the student or employee's rights and options, as described in clauses (ii) through (vii) of subparagraph (B).

(9) The Secretary, in consultation with the Attorney General of the United States, shall provide technical assistance in complying with the provisions of this section to an institution of higher education who requests such assistance.

(10) Nothing in this section shall be construed to require the reporting or disclosure of privileged information.

(11) The Secretary shall report to the appropriate committees of Congress each institution of higher education that the Secretary determines is not in compliance with the reporting requirements of this subsection.

(12) For purposes of reporting the statistics with respect to crimes described in paragraph (1)(F), an institution of higher education shall distinguish, by means of separate categories, any criminal offenses that occur—

(A) on campus;

- (B) in or on a noncampus building or property;
- (C) on public property; and
- (D) in dormitories or other residential facilities for students on campus.

(13) Upon a determination pursuant to section 487(c)(3)(B) that an institution of higher education has substantially misrepresented the number, location, or nature of the crimes required to be reported under this subsection, the Secretary shall impose a civil penalty upon the institution in the same amount and pursuant to the same procedures as a civil penalty is imposed under section 487(c)(3)(B).

(14)(A) Nothing in this subsection may be construed to—

- (i) create a cause of action against any institution of higher education or any employee of such an institution for any civil liability; or
- (ii) establish any standard of care.

(B) Notwithstanding any other provision of law, evidence regarding compliance or noncompliance with this subsection shall not be admissible as evidence in any proceeding of any court, agency, board, or other entity, except with respect to an action to enforce this subsection.

(15) The Secretary shall annually report to the authorizing committees regarding compliance with this subsection by institutions of higher education, including an up-to-date report on the Secretary's monitoring of such compliance.

(16)(A) The Secretary shall seek the advice and counsel of the Attorney General of the United States concerning the development, and dissemination to institutions of higher education, of best practices information about campus safety and emergencies.

(B) The Secretary shall seek the advice and counsel of the Attorney General of the United States and the Secretary of Health and Human Services concerning the development, and dissemination to institutions of higher education, of best practices information about preventing and responding to incidents of domestic violence, dating violence, sexual assault, and stalking, including elements of institutional policies that have proven successful based on evidence-based outcome measurements.

(17) No officer, employee, or agent of an institution participating in any program under this title shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of this subsection.

(18) This subsection may be cited as the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act".

(g) DATA REQUIRED.—

(1) IN GENERAL.—Each coeducational institution of higher education that participates in any program under this title, and has an intercollegiate athletic program, shall annually, for the immediately preceding academic year, prepare a report that contains the following information regarding intercollegiate athletics:

(A) The number of male and female full-time undergraduates that attended the institution.

(B) A listing of the varsity teams that competed in inter-collegiate athletic competition and for each such team the following data:

- (i) The total number of participants, by team, as of the day of the first scheduled contest for the team.
- (ii) Total operating expenses attributable to such teams, except that an institution may also report such expenses on a per capita basis for each team and expenditures attributable to closely related teams such as track and field or swimming and diving, may be reported together, although such combinations shall be reported separately for men's and women's teams.
- (iii) Whether the head coach is male or female and whether the head coach is assigned to that team on a full-time or part-time basis. Graduate assistants and volunteers who serve as head coaches shall be considered to be head coaches for the purposes of this clause.
- (iv) The number of assistant coaches who are male and the number of assistant coaches who are female for each team and whether a particular coach is assigned to that team on a full-time or part-time basis. Graduate assistants and volunteers who serve as assistant coaches shall be considered to be assistant coaches for the purposes of this clause.

(C) The total amount of money spent on athletically related student aid, including the value of waivers of educational expenses, separately for men's and women's teams overall.

(D) The ratio of athletically related student aid awarded male athletes to athletically related student aid awarded female athletes.

(E) The total amount of expenditures on recruiting, separately for men's and women's teams overall.

(F) The total annual revenues generated across all men's teams and across all women's teams, except that an institution may also report such revenues by individual team.

(G) The average annual institutional salary of the head coaches of men's teams, across all offered sports, and the average annual institutional salary of the head coaches of women's teams, across all offered sports.

(H) The average annual institutional salary of the assistant coaches of men's teams, across all offered sports, and the average annual institutional salary of the assistant coaches of women's teams, across all offered sports.

(I)(i) The total revenues, and the revenues from football, men's basketball, women's basketball, all other men's sports combined and all other women's sports combined, derived by the institution from the institution's intercollegiate athletics activities.

(ii) For the purpose of clause (i), revenues from inter-collegiate athletics activities allocable to a sport shall include (without limitation) gate receipts, broadcast revenues, appearance guarantees and options, concessions, and advertising, but revenues such as student activities fees or

alumni contributions not so allocable shall be included in the calculation of total revenues only.

(J)(i) The total expenses, and the expenses attributable to football, men's basketball, women's basketball, all other men's sports combined, and all other women's sports combined, made by the institution for the institution's inter-collegiate athletics activities.

(ii) For the purpose of clause (i), expenses for intercollegiate athletics activities allocable to a sport shall include (without limitation) grants-in-aid, salaries, travel, equipment, and supplies, but expenses such as general and administrative overhead not so allocable shall be included in the calculation of total expenses only.

(2) SPECIAL RULE.—For the purposes of paragraph (1)(G), if a coach has responsibilities for more than one team and the institution does not allocate such coach's salary by team, the institution should divide the salary by the number of teams for which the coach has responsibility and allocate the salary among the teams on a basis consistent with the coach's responsibilities for the different teams.

(3) DISCLOSURE OF INFORMATION TO STUDENTS AND PUBLIC.— An institution of higher education described in paragraph (1) shall make available to students and potential students, upon request, and to the public, the information contained in the report described in paragraph (1), except that all students shall be informed of their right to request such information.

(4) SUBMISSION; REPORT; INFORMATION AVAILABILITY.—(A) On an annual basis, each institution of higher education described in paragraph (1) shall provide to the Secretary, within 15 days of the date that the institution makes available the report under paragraph (1), the information contained in the report.

(B) The Secretary shall ensure that the reports described in subparagraph (A) are made available to the public within a reasonable period of time.

(C) Not later than 180 days after the date of enactment of the Higher Education Amendments of 1998, the Secretary shall notify all secondary schools in all States regarding the availability of the information made available under paragraph (1), and how such information may be accessed.

(5) DEFINITION.—For the purposes of this subsection, the term "operating expenses" means expenditures on lodging and meals, transportation, officials, uniforms and equipment.

(h) TRANSFER OF CREDIT POLICIES.—

(1) DISCLOSURE.—Each institution of higher education participating in any program under this title shall publicly disclose, in a readable and comprehensible manner, the transfer of credit policies established by the institution which shall include a statement of the institution's current transfer of credit policies that includes, at a minimum—

(A) any established criteria the institution uses regarding the transfer of credit earned at another institution of higher education; and

(B) a list of institutions of higher education with which the institution has established an articulation agreement.

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to—

(A) authorize the Secretary or the National Advisory Committee on Institutional Quality and Integrity to require particular policies, procedures, or practices by institutions of higher education with respect to transfer of credit;

(B) authorize an officer or employee of the Department to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any institution of higher education, or over any accrediting agency or association;

(C) limit the application of the General Education Provisions Act; or

(D) create any legally enforceable right on the part of a student to require an institution of higher education to accept a transfer of credit from another institution.

(i) DISCLOSURE OF FIRE SAFETY STANDARDS AND MEASURES.—

(1) ANNUAL FIRE SAFETY REPORTS ON STUDENT HOUSING REQUIRED.—Each eligible institution participating in any program under this title that maintains on-campus student housing facilities shall, on an annual basis, publish a fire safety report, which shall contain information with respect to the campus fire safety practices and standards of that institution, including—

(A) statistics concerning the following in each on-campus student housing facility during the most recent calendar years for which data are available:

(i) the number of fires and the cause of each fire;
(ii) the number of injuries related to a fire that result in treatment at a medical facility;
(iii) the number of deaths related to a fire; and
(iv) the value of property damage caused by a fire;

(B) a description of each on-campus student housing facility fire safety system, including the fire sprinkler system;

(C) the number of regular mandatory supervised fire drills;

(D) policies or rules on portable electrical appliances, smoking, and open flames (such as candles), procedures for evacuation, and policies regarding fire safety education and training programs provided to students, faculty, and staff; and

(E) plans for future improvements in fire safety, if determined necessary by such institution.

(2) REPORT TO THE SECRETARY.—Each institution described in paragraph (1) shall, on an annual basis, submit to the Secretary a copy of the statistics required to be made available under paragraph (1)(A).

(3) CURRENT INFORMATION TO CAMPUS COMMUNITY.—Each institution described in paragraph (1) shall—

(A) make, keep, and maintain a log, recording all fires in on-campus student housing facilities, including the nature, date, time, and general location of each fire; and

(B) make annual reports to the campus community on such fires.

(4) **RESPONSIBILITIES OF THE SECRETARY.**—The Secretary shall—

- (A) make the statistics submitted under paragraph (1)(A) to the Secretary available to the public; and
- (B) in coordination with nationally recognized fire organizations and representatives of institutions of higher education, representatives of associations of institutions of higher education, and other organizations that represent and house a significant number of students—
 - (i) identify exemplary fire safety policies, procedures, programs, and practices, including the installation, to the technical standards of the National Fire Protection Association, of fire detection, prevention, and protection technologies in student housing, dormitories, and other buildings;
 - (ii) disseminate the exemplary policies, procedures, programs and practices described in clause (i) to the Administrator of the United States Fire Administration;
 - (iii) make available to the public information concerning those policies, procedures, programs, and practices that have proven effective in the reduction of fires; and
 - (iv) develop a protocol for institutions to review the status of their fire safety systems.

(5) **RULES OF CONSTRUCTION.**—Nothing in this subsection shall be construed to—

- (A) authorize the Secretary to require particular policies, procedures, programs, or practices by institutions of higher education with respect to fire safety, other than with respect to the collection, reporting, and dissemination of information required by this subsection;
- (B) affect section 444 of the General Education Provisions Act (commonly known as the “Family Educational Rights and Privacy Act of 1974”) or the regulations issued under section 264 of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note);
- (C) create a cause of action against any institution of higher education or any employee of such an institution for any civil liability; or
- (D) establish any standard of care.

(6) **COMPLIANCE REPORT.**—The Secretary shall annually report to the authorizing committees regarding compliance with this subsection by institutions of higher education, including an up-to-date report on the Secretary’s monitoring of such compliance.

(7) **EVIDENCE.**—Notwithstanding any other provision of law, evidence regarding compliance or noncompliance with this subsection shall not be admissible as evidence in any proceeding of any court, agency, board, or other entity, except with respect to an action to enforce this subsection.

(j) **MISSING PERSON PROCEDURES.**—

(1) OPTION AND PROCEDURES.—Each institution of higher education that provides on-campus housing and participates in any program under this title shall—

(A) establish a missing student notification policy for students who reside in on-campus housing that—

(i) informs each such student that such student has the option to identify an individual to be contacted by the institution not later than 24 hours after the time that the student is determined missing in accordance with official notification procedures established by the institution under subparagraph (B);

(ii) provides each such student a means to register confidential contact information in the event that the student is determined to be missing for a period of more than 24 hours;

(iii) advises each such student who is under 18 years of age, and not an emancipated individual, that the institution is required to notify a custodial parent or guardian not later 24 hours after the time that the student is determined to be missing in accordance with such procedures;

(iv) informs each such residing student that the institution will notify the appropriate law enforcement agency not later than 24 hours after the time that the student is determined missing in accordance with such procedures; and

(v) requires, if the campus security or law enforcement personnel has been notified and makes a determination that a student who is the subject of a missing person report has been missing for more than 24 hours and has not returned to the campus, the institution to initiate the emergency contact procedures in accordance with the student's designation; and

(B) establish official notification procedures for a missing student who resides in on-campus housing that—

(i) includes procedures for official notification of appropriate individuals at the institution that such student has been missing for more than 24 hours;

(ii) requires any official missing person report relating to such student be referred immediately to the institution's police or campus security department; and

(iii) if, on investigation of the official report, such department determines that the missing student has been missing for more than 24 hours, requires—

(I) such department to contact the individual identified by such student under subparagraph (A)(i);

(II) if such student is under 18 years of age, and not an emancipated individual, the institution to immediately contact the custodial parent or legal guardian of such student; and

(III) if subclauses (I) or (II) do not apply to a student determined to be a missing person, inform the appropriate law enforcement agency.

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed—

(A) to provide a private right of action to any person to enforce any provision of this subsection; or

(B) to create a cause of action against any institution of higher education or any employee of the institution for any civil liability.

(k) NOTICE TO STUDENTS CONCERNING PENALTIES FOR DRUG VIOLATIONS.—

(1) NOTICE UPON ENROLLMENT.—Each institution of higher education shall provide to each student, upon enrollment, a separate, clear, and conspicuous written notice that advises the student of the penalties under section 484(r).

(2) NOTICE AFTER LOSS OF ELIGIBILITY.—An institution of higher education shall provide in a timely manner to each student who has lost eligibility for any grant, loan, or work-study assistance under this title as a result of the penalties listed under section 484(r)(1) a separate, clear, and conspicuous written notice that notifies the student of the loss of eligibility and advises the student of the ways in which the student can regain eligibility under section 484(r)(2).

(l) ENTRANCE COUNSELING FOR BORROWERS.—

(1) DISCLOSURE REQUIRED PRIOR TO DISBURSEMENT.—

(A) IN GENERAL.—Each eligible institution shall, at or prior to the time of a disbursement to a first-time borrower of a loan made, insured, or guaranteed under part B (other than a loan made pursuant to section 428C or a loan made on behalf of a student pursuant to section 428B) or made under part D (other than a Federal Direct Consolidation Loan or a Federal Direct PLUS loan made on behalf of a student), ensure that the borrower receives comprehensive information on the terms and conditions of the loan and of the responsibilities the borrower has with respect to such loan in accordance with paragraph (2). Such information—

(i) shall be provided in a simple and understandable manner; and

(ii) may be provided—

(I) during an entrance counseling session conducted in person;

(II) on a separate written form provided to the borrower that the borrower signs and returns to the institution; or

(III) online, with the borrower acknowledging receipt of the information.

(B) USE OF INTERACTIVE PROGRAMS.—The Secretary shall encourage institutions to carry out the requirements of subparagraph (A) through the use of interactive programs that test the borrower's understanding of the terms and conditions of the borrower's loans under part B or D, using simple and understandable language and clear formatting.

(2) INFORMATION TO BE PROVIDED.—The information to be provided to the borrower under paragraph (1)(A) shall include the following:

(A) To the extent practicable, the effect of accepting the loan to be disbursed on the eligibility of the borrower for other forms of student financial assistance.

(B) An explanation of the use of the master promissory note.

(C) Information on how interest accrues and is capitalized during periods when the interest is not paid by either the borrower or the Secretary.

(D) In the case of a loan made under section 428B or 428H, a Federal Direct PLUS Loan, or a Federal Direct Unsubsidized Stafford Loan, the option of the borrower to pay the interest while the borrower is in school.

(E) The definition of half-time enrollment at the institution, during regular terms and summer school, if applicable, and the consequences of not maintaining half-time enrollment.

(F) An explanation of the importance of contacting the appropriate offices at the institution of higher education if the borrower withdraws prior to completing the borrower's program of study so that the institution can provide exit counseling, including information regarding the borrower's repayment options and loan consolidation.

(G) Sample monthly repayment amounts based on—

- (i) a range of levels of indebtedness of—
 - (I) borrowers of loans under section 428 or 428H; and
 - (II) as appropriate, graduate borrowers of loans under section 428, 428B, or 428H; or
- (ii) the average cumulative indebtedness of other borrowers in the same program as the borrower at the same institution.

(H) The obligation of the borrower to repay the full amount of the loan, regardless of whether the borrower completes or does not complete the program in which the borrower is enrolled within the regular time for program completion.

(I) The likely consequences of default on the loan, including adverse credit reports, delinquent debt collection procedures under Federal law, and litigation.

(J) Information on the National Student Loan Data System and how the borrower can access the borrower's records.

(K) The name of and contact information for the individual the borrower may contact if the borrower has any questions about the borrower's rights and responsibilities or the terms and conditions of the loan.

(m) **DISCLOSURES OF REIMBURSEMENTS FOR SERVICE ON ADVISORY BOARDS.**—

(1) **DISCLOSURE.**—Each institution of higher education participating in any program under this title shall report, on an annual basis, to the Secretary, any reasonable expenses paid or provided under section 140(d) of the Truth in Lending Act to any employee who is employed in the financial aid office of the institution, or who otherwise has responsibilities with re-

spect to education loans or other financial aid of the institution. Such reports shall include—

- (A) the amount for each specific instance of reasonable expenses paid or provided;
- (B) the name of the financial aid official, other employee, or agent to whom the expenses were paid or provided;
- (C) the dates of the activity for which the expenses were paid or provided; and
- (D) a brief description of the activity for which the expenses were paid or provided.

(2) REPORT TO CONGRESS.—The Secretary shall summarize the information received from institutions of higher education under paragraph (1) in a report and transmit such report annually to the authorizing committees.

(n) *PREGNANT STUDENTS' RIGHTS, ACCOMMODATIONS, AND RESOURCES.*—

(1) *IN GENERAL.*—Each institution of higher education participating in any program under this title shall carry out the information dissemination activities described in paragraph (3) for prospective and enrolled students (including those attending or planning to attend less than full time) regarding the information described in paragraph (2) on the rights to, and resources (including protections and accommodations) for, pregnant students to carry a baby to term and students who may become pregnant while enrolled at such institution of higher education to carry a baby to term.

(2) *INFORMATION CONTENT.*—The information described in this paragraph is the following:

- (A) A list of resources on campus and in the community that exist to help a pregnant student in carrying the baby to term and caring for the baby after birth.
- (B) Information about the accommodations available to help a pregnant student carry the baby to term and parent the baby after birth.
- (C) Information on how to file a complaint with—
 - (i) the Department of Education, if a student believes there was a violation by the institution of title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) on account of such student's determination to carry a baby to term; and
 - (ii) the institution, if a student believes the student has been discriminated against in violation of such title IX on account of the student's determination to carry a baby to term.

(3) *INFORMATION DISSEMINATION ACTIVITIES.*—The information dissemination activities described in this paragraph shall include—

- (A) an email to each enrolled student at the start of each period of study during an academic year; and
- (B) the provision of information—
 - (i) in student handbooks, if any;
 - (ii) at each orientation for enrolled students;
 - (iii) at student health or counseling centers, if any; and

(iv) on the publicly available website of the institution of higher education.

(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to authorize the Secretary to require the dissemination of additional information, or establish additional rights, beyond the information and rights included in this subsection.

* * * * *

MINORITY VIEWS

H.R. 6914, the *Pregnant Students' Rights Act*, introduced by Rep. Ashley Hinson (R-IA), requires institutions of higher education, as a condition of their receipt of funds under Title IV of the *Higher Education Act*,¹ to inform potential and current students of the rights and resources available for pregnant students to carry a baby to term and students who may become pregnant. On its face, this bill may appear to ensure students are well-informed about available resources and the ways students can continue to access their education while pregnant, but in fact, it is an attempt to dissuade students from considering or utilizing abortion services and make it more difficult for students to receive full and accurate information on their rights. This is why dozens of health and reproductive rights organizations have asserted that the bill "falls far short of the protections that are actually necessary for pregnant and parenting students and their children" and "is a thinly veiled anti-abortion [bill] which would not address the key barriers to pregnant students' educational attainment, and instead would further shame and stigmatize people for their pregnancy outcomes."²

The *Pregnant Students' Rights Act* explicitly requires that the information shared with potential and current students be related to carrying a baby to term and caring for a baby after birth. The bill conspicuously omits any requirement for institutions of higher education to distribute medically accurate and comprehensive information regarding pregnancy, including information on abortion services. Nor does the bill require these schools to provide information on access to comprehensive sexual health and reproductive health services, including contraception, which could help students avoid unplanned pregnancies. Importantly, the bill fails to require schools to provide information on rights and resources for students who terminate a pregnancy or students who face a pregnancy loss. Troublingly, the bill does not provide any additional resources or grant additional rights to pregnant and parenting students, leaving those the bill purports to help with the same inadequate resources, such as unaffordable child care, as without the bill.

Section 2 of the bill includes a number of anti-abortion findings, which allege without supporting data, in part, that "female students enrolled at institutions of higher education and experiencing an unplanned pregnancy may face pressure that their only option is to receive an abortion or risk academic failure."³ Unfortunately, the Committee adopted an amendment offered by Rep. Bob Good (R-VA) adding a number of unsubstantiated claims regarding the purported harms of abortion to the findings section. During the

¹ Higher Education Act of 1965, Pub. L. No. 89-329, as amended.

² Letter to the Honorable Virginia Foxx and the Honorable Robert "Bobby" Scott from the Coalition for Pregnant and Parenting Students Advocacy, et. al (Jan. 10, 2024), *on file with author*.

³ Pregnant Students' Rights Act, H.R. 6915, 118th Cong. § 2 (2024).

Committee's consideration of the Good amendment, an inquiry was made by Rep. Suzanne Bonamici (D-OR) to provide sources for the claims in the findings. Rep. Good was unable to provide the source for the information.

It is worth noting that longstanding regulations implementing Title IX of the *Education Amendments of 1972*⁴ (Title IX), which prohibits discrimination on the basis of sex in education programs or activities that receive federal funding, forbid discriminating against students on the basis of the student's pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom.⁵ These requirements ensure that students are not denied or otherwise limited access to educational programs or activities based on their pregnancy or related medical conditions. The U.S. Department of Education (Department) recognizes the role that Title IX plays in protecting pregnant students. In fact, in October 2022, the Department issued a resource to students and schools to reinforce protections for pregnancy and related medical conditions, including abortion, under Title IX in light of the Supreme Court's ruling in *Dobbs v. Jackson Women's Health Organization*.⁶ Specifically, the Department indicated that relevant regulations "provide . . . [that] schools must not discriminate against any student, or exclude any student from their education program or activity, including any class or extracurricular activity, based on a student's pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom."⁷ Therefore, current law protects students from discriminatory actions regarding pregnancy in educational settings.

Further, in 2022 the Department issued a proposed rule to strengthen Title IX protections, including a number of substantive steps to support students regarding a full range of pregnancy related conditions.⁸ For example, the proposed rule strengthens training requirements for employees, including the Title IX Coordinator at the respective institutions of higher education, on their obligations to pregnant and parenting students.⁹ To support student parents who are nursing, the proposed rule adds "lactation" as a related condition alongside childbirth and other pregnancy related conditions that should be protected under Title IX to ensure that parenting students can receive accommodations, including access to lactation space.¹⁰ In addition, the proposed rule requires employees who become aware of a student's pregnancy or related condition to

⁴ Education Amendments of 1972, Pub. L. No. 92-318, §§ 901-07, 86 Stat. 235, 373-74 (1972).

⁵ 34 C.F.R. §§ 106.21, 106.40, 106.51, 106.57. The verbatim language first appeared in the 1975 regulations implementing Title IX promulgated in 45 C.F.R. §§ 86.21, 40, 51, 57 for the U.S. Department of Health, Education, and Welfare. (Nondiscrimination on the Basis of Sex in Education Programs and Activities Receiving or Benefiting from Federal Financial Assistance, 40 Fed. Reg. 24128 (June 4, 1975) (codified at 45 C.F.R. pt. 86).) These regulations were subject to a statutory "laying before" provision which afforded Congress the opportunity to review and possibly reject the regulations within a 45 day period if found to be inconsistent with Title IX. Ultimately, Congress did not disapprove of the regulations. In *Grove City College v. Bell*, the U.S. Supreme Court found that Congress' failure to act "strongly implies" that the regulations reflect congressional intent. (*Grove City Coll. v. Bell*, 465 U.S. 555, 568 (1984).)

⁶ *Dobbs v. Jackson Women's Health Organization*, 597 U.S. 215 (2022).

⁷ U.S. Department of Education Office of Civil Rights, *Discrimination Based on Pregnancy and Related Conditions A Resource for Students and Schools*, ED OCR (Oct. 4, 2022), <https://www2.ed.gov/about/offices/list/ocr/docs/ocr-pregnancy-resource.pdf>.

⁸ Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 87 Fed. Reg. 41390 (proposed July 12, 2022) (to be codified at 34 C.F.R. pt. 106), <https://federalregister.gov/d/2022-13734>.

⁹ *Id.* at 41570 (proposed 34 C.F.R. § 106.8(d)).

¹⁰ *Id.* at 41568 (proposed 34 C.F.R. § 106.2).

connect that student with the school's Title IX Coordinator,¹¹ and subsequently, requires those Title IX Coordinators to notify those students of their rights under Title IX.¹² Importantly, the proposed rule offers substantive and meaningful updates to strengthen Title IX's protections of students who are pregnant or experiencing pregnancy related conditions.

Committee Democrats remain committed to ensuring that all students—including those who choose to become parents—are set up for educational success. Students undeniably face a host of challenges during their academic pursuits. Research, including reports from the Government Accountability Office (GAO), have assessed the challenges of students' meeting basic needs and costs of living¹³ as well as high child care costs for parenting students.¹⁴ Low-income parenting students often face barriers to finding affordable child care services.¹⁵ In short, much more needs to be done to support the financial security of our nation's students. Committee Democrats have introduced numerous pieces of legislation that would better support parents—including students who are parents—such as through the expansion of affordable child care¹⁶ and raising the federal minimum wage to provide family-sustaining pay.¹⁷

Preserving access to quality and comprehensive reproductive health care is also critical for the overall wellbeing and academic success of all students, including those who are pregnant or parenting. For over a decade, the *Affordable Care Act* (ACA)¹⁸ has increased the number of affordable health coverage options available to students and their families, including those who rely on access to contraception, prenatal care, and other essential health care services. Unfortunately, anti-choice efforts, such as those underpinning this bill, only make it harder for students to succeed, and many students are experiencing new and added stress when navigating their health and access to health care. In the wake of *Dobbs*, many states have prohibited health care providers from offering certain reproductive health care services.¹⁹ New state restrictions have limited access to contraception and other preventive services as well as the availability of providers.²⁰ Some students may be

¹¹ *Id.* at 41571 (proposed 34 C.F.R. § 106.40(b)(2)).

¹² *Id.* at 41571–72 (proposed 34 C.F.R. § 106.40(b)(3)(i)).

¹³ *Better Information Could Help Eligible College Students Access Federal Food Assistance Benefits*, U.S. Government Accountability Office (Jan. 9, 2019), <https://www.gao.gov/products/gao-19-95>.

¹⁴ *Information Could Help Student Parents Access Additional Federal Student Aid*, U.S. Government Accountability Office (Sept. 12, 2019), <https://www.gao.gov/products/gao-19-522>.

¹⁵ Brittni Williams, Jinann Bitar, Portia Polk, Andre Nguyen, Gabriel Montague, Carrie Gillispie, Antoinette Waller, Azeb Tadesse, and Kayla C. Elliott, *For Student Parents, The Biggest Hurdles to A Higher Education are Costs and Finding Child Care*, The Education Trust (Aug. 17, 2022), <https://edtrust.org/resource/for-student-parents-the-biggest-hurdles-to-a-higher-education-are-costs-and-finding-child-care/>.

¹⁶ Child Care for Working Families Act, H.R. 2976, 118th Cong. (2023).

¹⁷ Raise the Wage Act of 2023, H.R. 4889, 118th Cong. (2023).

¹⁸ 42 U.S.C. 300gg–14.

¹⁹ Kimya Forouzan & Isabel Guarnieri, *State Policy Trends 2023: In the First Full Year Since Roe Fell, a Tumultuous Year for Abortion and Other Reproductive Health Care*, The Guttmacher Institute (Dec. 2023), <https://www.guttmacher.org/2023/12/state-policy-trends-2023-first-full-year-roe-fell-tumultuous-year-abortion-and-other>.

²⁰ See, Max G. Levy, *At Some Colleges, the Fall of Roe Will Weaken Student Health Care*, WIRED (Aug. 23, 2022), <https://www.wired.com/story/at-some-colleges-the-fall-of-roes-will-weaken-student-health-care/>; Oriana González, *Post-Dobbs birth control fight heads to college campuses*, AXIOS (Oct. 2, 2022), <https://wwwaxios.com/2022/09/30/dobbs-roes-abortion-university-birth-control-fight-heads-to-college-campuses>.

disproportionately affected by geographical barriers unique to their institutions that only reinforce structural inequities. For example, approximately 80 percent of Historically Black Colleges and Universities (HBCUs) are located in states that have passed restrictions or bans on abortion care, pushing services further out of reach for hundreds of thousands of students.²¹

During the markup of H.R. 6914, Committee Democrats re-affirmed their commitment to ensuring that students have the tools and resources they need to succeed. Democratic Members of the Committee offered amendments to ensure that students receive more comprehensive and well-rounded information about their rights and available resources. Specifically, Rep. Bonamici offered an amendment to add a rule of construction that would ensure that nothing in the bill prevents institutions of higher education from providing medically accurate and comprehensive information about abortion services. Rep. Kathy Manning (D-NC) offered an amendment to add a rule of construction that would clarify that nothing in the bill prevents schools from providing students information on access to comprehensive sexual health and reproductive health services, including contraception. To better ensure that pregnant students would receive helpful information on services to support them, Rep. Pramila Jayapal (D-WA) offered an amendment to add a requirement to provide information on access to federal programs that support the health and wellbeing of pregnant women and children, including Medicaid, the Supplemental Nutrition Assistance Program (SNAP), Title X of the *Public Health Service Act*,²² and the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC). Rep. Haley Stevens (D-MI) offered an amendment to add a rule of construction that would clarify that nothing in the bill prevents schools from disseminating information on resources (including available rights, protections, and accommodations afforded to students under Title IX) regarding pregnancy and related medical conditions, including miscarriage. Committee Republicans rejected all of these Democratic amendments. Finally, Rep. Jahana Hayes (D-CT) offered an amendment to expand the Child Tax Credit (CTC); the amendment was withdrawn.

House Republicans have been relentless in their attempts to take away reproductive freedom. They have attempted to “defund” Planned Parenthood,²³ which would prevent people from accessing critical preventive services such as breast and cervical cancer screenings, and eliminate funding for the Teen Pregnancy Prevention Program (TPPP), which provides honest and accurate sex edu-

control; Julie Rovner, *Abortion bans drive off doctors and close clinics, putting other health care at risk*, NPR (May 23, 2023), <https://www.npr.org/sections/health-shots/2023/05/23/1177542605/abortion-bans-drive-off-doctors-and-put-other-health-care-at-risk>.

²¹ See, Lauren Lumpkin, *HBCU students are being disproportionately affected by Roe’s reversal*, THE WASHINGTON POST (Jul. 20, 2022), <https://www.washingtonpost.com/education/2022/07/20/abortion-access-hbcus-roewade/>; Caroline Kitchener et al., *States where abortion is legal, banned or under threat*, THE WASHINGTON POST, <https://www.washingtonpost.com/politics/2022/06/24/abortion-state-laws-criminalization-roe/> (last visited Jan. 5, 2024). Since July 20, 2022, North Carolina and Florida have enacted abortion bans and Ohio has reversed its law; the number of HBCUs impacted increased from 72 to at least 80.

²² 42 U.S.C. 300 *et seq.*

²³ Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2024, and for other purposes, H.R. 5894, 118th Cong. § 240 (2023).

cation programs to prevent unintended pregnancies.²⁴ Not only have Republicans directly targeted reproductive rights, they have relentlessly targeted the programs and services that actually support women, children, and families. For example, the Republicans' Fiscal Year 2024 Agriculture appropriations bill proposed drastic cuts to WIC,²⁵ despite the increased need facing parents and children. Republican opposition to expansions of the CTC included in the *American Rescue Plan Act of 2021*,²⁶ which increased the value of the credit and crucially ensured that the full value of the credit was available to all lower- and middle-income families, allowed those temporary provisions to expire.²⁷ The CTC alone was estimated to have kept 2.1 million children out of poverty in 2021.²⁸ If the expanded CTC were reinstated in 2024, nearly 60 million children would benefit.²⁹ In addition, the House Republicans' Labor, Health and Human Services, Education, and Related Agencies appropriations bill for Fiscal Year 2024 cuts billions in programs that support education, job opportunities, and maternal health.³⁰

H.R. 6914 is not an earnest attempt to support students. As we continue to fight for abortion rights and reproductive autonomy, we must ensure that students are fully informed of all options regarding their reproductive health and wellness. At the same time, it is important to recognize that Title IX protects pregnant students' ability to pursue an education. For these reasons, we urge the House of Representatives to oppose H.R. 6914.

ROBERT C. "BOBBY" SCOTT,
Ranking Member.
 RAÚL M. GRIJALVA,
 JOE COURTNEY,
 GREGORIO KILILI CAMACHO
 SABLAN,
 FREDERICA S. WILSON,
 SUZANNE BONAMICI,
 MARK TAKANO,
 ALMA S. ADAMS,
 MARK DESAULNIER,
 DONALD NORCROSS,

²⁴ See House Committee on Appropriations—Chairwoman Kay Granger, *Explanatory Materials for the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Bill, 2024—H.R. 5894* (2023), <https://appropriations.house.gov/sites/republicans.appropriations.house.gov/files/FY24-LHHS-Explanatory-Materials.pdf>.

²⁵ Katie Bergh & Lauren Hall, *Looming WIC Funding Shortfall Would Jeopardize Access to WIC's Proven Benefits and Disproportionately Harm Black and Hispanic Families*, CTR. ON BUDGET AND POL'Y PRIORITIES (Oct. 26, 2023), <https://www.cbpp.org/blog/looming-wic-funding-shortfall-would-jeopardize-access-to-wics-proven-benefits-and>.

²⁶ American Rescue Plan Act of 2021, Pub. L. No. 117-2.

²⁷ Joe Hughes and Emma Sifre, *Expanding the Child Tax Credit Would Advance Racial Equity in the Tax Code*, INST. ON TAX'N AND ECON. POL'Y (Aug. 29, 2023), <https://itep.org/expanding-the-child-tax-credit-would-advance-racial-equity-in-the-tax-code/>.

²⁸ Joe Hughes, *Census Data Shows Need to Make 2021 Child Tax Credit Expansion Permanent*, INST. ON TAX'N AND ECON. POL'Y (Sept. 14, 2022), <https://itep.org/census-data-shows-need-to-make-2021-child-tax-credit-expansion-permanent/>.

²⁹ Joe Hughes and Emma Sifre, *Expanding the Child Tax Credit Would Advance Racial Equity in the Tax Code*, INST. ON TAX'N AND ECON. POL'Y (Aug. 29, 2023), <https://itep.org/expanding-the-child-tax-credit-would-advance-racial-equity-in-the-tax-code/>.

³⁰ House Committee on Appropriations—Ranking Member Rosa DeLauro, *Fact Sheet: Labor, Health and Human Services, Education, and Related Agencies* (2023), <https://democrats-appropriations.house.gov/sites/democrats.appropriations.house.gov/files/FY24%20LHHS%20Summary.pdf>.

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