

Pregnant and Parenting Students Access to Education Act

S. 870 / H.R.1845

Section-by-Section Summary

A bill to authorize the Secretary of Education to make grants to promote the education of pregnant and parenting students.

Section 1 – Short Title

- “Pregnant and Parenting Students Access to Education Act of 2013”

Section 2 – Findings and Purposes

- House bill contains Findings; Senate bill does not (otherwise bills are identical)
- The purposes of this Act are:
 - To ensure that all pregnant and parenting students have equal access to the same educational opportunities that are provided to other students;
 - To improve high school graduation rates, career readiness, access to postsecondary educational opportunities, and outcomes for pregnant and parenting students and their children;
 - To assist State and Local Education Agencies (SEAs and LEAs) in fulfilling their responsibilities to pregnant and parenting students under Title IX of the Education Amendments of 1972 (which prohibits discrimination on the basis of sex in schools that receive federal funding).

Section 3 – Grants for States and Local Activities

Section 3(a) – General

- The Secretary of Education is authorized to make grants to States to carry out this Act. Grants shall be for a minimum of three years and are renewable thereafter.

Section 3(b) – Application

- States desiring to receive grants must submit an application including the information required in the State Plan as described in subsection (f).

Section 3(c) – Allocation of Funds

- No more than 5 percent of the funds made available to carry out this Act may go to national activities.

- The Secretary of Education shall allot to the Department of the Interior sufficient funds from this Act to serve Indian students attending secondary schools for Indian children operated or supported by the Department of the Interior and in elementary and secondary schools under special contracts with the Dept. of the Interior.
- The remainder of the funds from this Act, after the provision of funds for national activities and for the Department of the Interior, shall be divided between States whose applications have been approved, based on the percentage of the State's number of teen births compared to the number of teen births nationally, except that the minimum grant for a State shall be \$300,000.
- These funds can only be used to supplement, not supplant, funds provided for the same activities by non-federal sources.

Section 3(d) – Use of Funds

- Funds made available under this Act may be used for the following purposes:
 - To provide or enhance educational programs and related services that enable pregnant and parenting students, (PPS), to enroll, attend and succeed in school and that are culturally and linguistically competent;
 - To designate a Coordinator for the Education of Pregnant and Parenting Students within the State agency to direct and manage the SEA's activities related to this Act, and to collaborate with the SEA employee designated for implementing Title IX of the Education Amendments of 1972 (Note: the Act does not require the SEA to designate a full-time coordinator);
 - To prepare and carry out the State plan;
 - To develop and implement high-quality professional development programs for educational personnel;
 - To direct grants to rural and other LEAs without capacity to prepare an application for funds so that such LEAs may carry out the activities of the Act;
 - To disseminate and make publicly available on the State agency's website the following information: the name and contact information for the PPS coordinator and the Title IX coordinator, a list of subgrantees, and an explanation of the rights and responsibilities of schools under Title IX.
- States may reserve no more than 10 percent of funds made available under this Act for State-level activities. The remainder of the grants shall be distributed to LEAs.

Section 3(e) – Coordinator for Education of Pregnant and Parenting Students

- The designated State PPS coordinator shall be responsible for:
 - Gathering information regarding the efforts of State and local authorities to prevent teen pregnancy and the barriers to educational access and success faced by pregnant and parenting students;
 - Developing and carrying out the State plan;
 - Collecting and reporting information to the U.S. Secretary of Education;
 - Coordinating with State agencies that administer programs serving families and youth, including TANF, Medicaid, CHIP, teen pregnancy prevention, family planning, and maternal and child health programs, WIC, SNAP, child care programs, early childhood education, workforce investment, housing and homeless assistance, school-based health services, and primary health care centers.
 - Coordinating and collaborating with educators, service providers, and LEA pregnant and parenting student liaisons;
 - Providing technical assistance and training to LEAs; and
 - Reporting complaints of discrimination based on pregnancy or parenting status to the U.S. Secretary of Education.

Section 3(f) – State Plan

- States must submit a State plan for the education of pregnant and parenting students that includes the following information:
 - How the State intends to implement the Act, including a description of how the State will identify potential students, inform them of their rights under Title IX, ensure that eligible students are able to enroll, and provide the students with the opportunity to meet the same rigorous college and career-readiness standards that all students are expected to meet;
 - Description of training programs for educators and school personnel;
 - Description of procedures to ensure that students eligible for Federal, State, or local programs are informed of their eligibility for assisted in enrolling in, and able to participate in such programs.
 - Demonstration that the State and LEAs have developed policies to remove barriers for PPS;
 - Assurances that the State and LEAs will not discriminate or otherwise mistreat PPS;
 - Assurances that LEAs will designate a PPS liaison;
 - Assurances that SEAs and LEAs will ensure that transportation is provided for students who have inability to pay for transportation and who choose to attend programs for pregnant and parenting students located outside their school of origin or who need transportation to and from school and the student's child care provider for the student and the student's child.

- Description of how the State will ensure that LEAs comply with the requirements of this Act
- Description of technical assistance provided to the LEAs.

Section 3(g) – Professional Development and Public Education

Each State and LEA will undertake efforts to educate the students, school staff, and families regarding Title IX of the Education Amendments of 1972 and its implementing regulations, which set forth the federal civil right to be free from discrimination on the basis of a student’s pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom.

Section 3(h) – Coordination for Support Services

- LEAs may coordinate with local public or private nonprofit organizations in order to (1) ensure that pregnant and parenting students have access to the academic and related support services they need, and (2) raise awareness among agencies about the rights and educational opportunities of pregnant and parenting students.

Section 3(i)

- Each LEA shall have a Pregnant and Parenting Student Liaison. The duties of the LEA PPS Liaison shall include:
 - Identification of pregnant and parenting students to help them stay in school and succeed;
 - Gathering information on the nature and extent of barriers to educational access and success facing pregnant and parenting students in the geographic area served by the LEA, including information on reported incidents of discrimination;
 - Ensuring continued enrollment of pregnant and parenting students;
 - Ensuring the cultural and linguistic competence of services provided to pregnant and parenting students;
 - Informing pregnant and parenting students of their rights under Title IX;
 - Coordinating the provision of services in conjunction with the State PPS coordinator and with community organizations and partners.

Section 4 – LEA Subgrants for the Education of Pregnant and Parenting Students

Section 4(a) – General

- SEAs shall distribute funds to LEAs in the form of competitive grants.

Section 4(b) – Application

- LEAs shall submit applications for the grants as required by the State and including a description of their plans to carry out this Act, using information obtained from their local needs (and resources) assessment.

Section 4(c) – Awards

- Subgrants shall be awarded on the basis of need and the strength of the application. Priority shall be given to LEAs in geographic areas with teen birth rates above the State average, or, if teen birth rates are below the State average, having one or more racial or ethnic group with a rate of teen births above the State average.

Section 4(d) – Duration

- Subgrants shall be awarded for a period not to exceed three years.

Section 4(e) – Required Activities

- Subgrants shall be expended for activities that include:
 - The provision of academic support services, including but not limited to, academic counseling, the development of individualized graduation plans, assistance with class scheduling, assistance with planning for post-secondary opportunities, tutoring, supplemental instruction, homebound instruction services, etc.;
 - Assistance to pregnant and parenting students in gaining access to high quality and affordable childcare and early childhood education services;
 - The provision of transportation services for student parents to and from school and childcare;
 - The provision of services and programs to attract, engage and retain pregnant and parenting students in school, inform them of their right to continue their education and the importance of doing so;
 - The provision of educational programs for students, parents, and the community regarding the rights of pregnant and parenting students;
 - The professional development of school personnel regarding the educational rights of pregnant and parenting students;
 - Proactive outreach and dropout recovery efforts to pregnant or parenting teens who have dropped out or are at-risk for dropping out;
 - The revision of school policies and programs that create barriers for pregnant and parenting students, such as (1) the revision of attendance policies so that absences related to pregnancy or the fulfillment of parenting responsibilities, (such as pregnancy-related appointments for expectant mothers and fathers, caring for sick children, etc.) are counted as excused absences; and (2) the creation and implementation of a policy to meet the lactation needs of student mothers.

- The provision to student parents and, at the student's request, to other family members of parenting and life skills training, including financial literacy, career mentoring, healthy relationship skills, and strategies to prevent future unplanned pregnancy,;
- The provision to pregnant and parenting students of education and career mentoring services and peer groups.

Section 4(f) – Allowable Activities

- Funds from subgrants may be used for the following activities:
 - The provision of child care or early childhood education services for the children of teen parents;
 - The provision of case management services such as assistance with applying for and accessing public benefits and Federal financial aid;
 - The provision of or referrals to services including primary health care, pregnancy prevention, family planning, mental health, substance abuse, housing assistance, legal aid services, including paternity testing, establishing parental rights and child custody arrangements.
 - Provision of emergency financial or in-kind assistance;
 - Efforts to create a positive school climate for pregnant or parenting students;
 - Provision of training practicums for graduate students in social work to carry out the purpose of this grant.
- All information provided in the course of these services or activities shall be medically accurate, complete, and developmentally appropriate for the intended audience.
- LEAs may provide services funded and authorized by this Act through contracts or arrangements with local agencies, service providers, and nonprofit community-based organizations, as appropriate.

Section 5 – Conversion to Categorical Program in Event of Failure of State Regarding Expenditure of Grants.

- In the event that a state fails to submit an application, prepare an acceptable application, or notifies the Secretary of Education that it does not expect to utilize its full allocation, the Secretary may make grants to LEAs from within the State. LEAs shall submit an application to the Secretary

Section 6 – National Activities

Section 6(a) – General

- The Secretary of Education shall:
 - Review the State plans;
 - Provide technical assistance to SEAs;
 - Provide guidance to Federal programs and grantees likely to have contact with pregnant and parenting students and family members;
 - Conduct a comprehensive and evidence-based evaluation of the subgrantee programs and their effectiveness in improving graduation rates and educational outcomes - including acceptance and enrollment in higher education - for pregnant and parenting teens, the results of which shall be provided to Congress;
 - Conduct a one-time national evaluation of pregnant and parenting student access to education programs and services delivery models;
 - Identify and disseminate the best practices and findings of the evaluation to State and local agencies;
 - Create an online best practices clearinghouse as a resource for State and local agencies;
 - Annually collect and disseminate non-personally identifiable data, in a manner that protects student privacy, on the number of pregnant and parenting students, their rates and participation in both mainstream and alternative schools, their performance in academic assessments, the rates of usage of services or assistance offered, and other relevant information, disaggregated by school or program and with an indication as to whether services were offered in school or off-site.

Section 6(b) – Reporting Rates

- If the number of PPS in a particular school or program in a State is smaller than a size determined by such State, it shall be reported by the LEA. If the number of pregnant or parenting students under an LEA's jurisdiction is smaller than a size determined by its State, it shall be reported by the State.

Section 7 – Effect on Federal and State Nondiscrimination Laws

- Nothing in this Act shall be construed to preempt, invalidate, or limit the rights, remedies, procedures or legal standards available to victims of discrimination or retaliation under any Federal, State or local law.
- The obligations imposed by this Act are in addition to those already in existence.

Section 8 - Definition of State

- The definition of "State" includes each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, and the United States Virgin Islands.

Section 9 – Authorization of Appropriations

- There is authorized to be appropriated such sums as may be necessary to carry out this Act for fiscal years 2014 through 2018.