

112TH CONGRESS
1ST SESSION

H. R. 2617

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

IN THE HOUSE OF REPRESENTATIVES

JULY 21, 2011

Mr. POLIS (for himself and Ms. CHU) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Pregnant and Par-
5 enting Students Access to Education Act of 2011”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—The Congress finds the following:

8 (1) There are approximately 750,000 teen preg-
9 nancies and 400,000 teen births annually in the
10 United States.

1 (2) Although teen pregnancy rates in the
2 United States have declined by about a third since
3 the early 1990s, 3 in 10 girls in the U.S. will be-
4 come pregnant before age 20, which is the highest
5 rate of teen pregnancy in the developed world.

6 (3) The teen pregnancy and birth rates in the
7 United States are higher than in any other Western
8 industrialized country.

9 (4) Fifty-two percent of Latina teens and 50
10 percent of African-American teen girls will become
11 pregnant at least once before they are 20 years old.
12 Birth rates among Latina and African-American
13 youth ages 15 through 17 are more than twice the
14 birth rates of Caucasian youth in the same age
15 range.

16 (5) Many pregnant and parenting students face
17 significant barriers in enrolling, attending, and suc-
18 ceeding in school, including—

19 (A) discrimination in violation of title IX
20 of the Education Amendments of 1972, includ-
21 ing stigmatization at school by administrators,
22 teachers, and peer students;

23 (B) a lack of consistent policies at the
24 State, district, and school levels that allow for
25 excused absences for prenatal and postnatal

1 health care appointments in order for teen par-
2 ents to successfully complete their education;

3 (C) difficulty maintaining academic
4 progress while out of school leading up to or
5 following the birth of a child;

6 (D) juggling school work with parenting
7 responsibilities;

8 (E) lack of access to affordable quality
9 child care and transportation to and from the
10 child care arrangement and school, which can,
11 as a practical matter, make it virtually impos-
12 sible for a parenting student to attend school
13 regularly; and

14 (F) stereotypes that future opportunities
15 for postsecondary education or careers are lim-
16 ited for pregnant and parenting students, which
17 can diminish students' motivation to stay en-
18 gaged in school.

19 (6) Only about half of teen mothers earned a
20 high school diploma by age 22 compared to 89 per-
21 cent of women who didn't have a teen birth.

22 (7) Only 2 percent of all teenagers who have a
23 baby before age 18 complete college by age 30.

24 (8) Studies of females and males who dropped
25 out of high school indicate that becoming a parent

1 played a role in their discontinuation of school, and
2 in many cases it played a major role. For example,
3 nearly half of all female dropouts and one-third of
4 male dropouts said that becoming a parent played a
5 role in their decision to leave school.

6 (9) Teen pregnancy prevention should address
7 subsequent pregnancies, which substantially increase
8 dropout risks for teen mothers and accounted for
9 85,000, or almost 20 percent, of all teen preg-
10 nancies.

11 (10) Because teen pregnancy and parenting are
12 significant risk factors for dropout, teen pregnancy
13 prevention can go a long way toward improving high
14 school graduation rates.

15 (11) Females who do not earn a high school di-
16 ploma are especially likely to face severe economic
17 consequences—to be unemployed, to earn very low
18 wages, and to have to rely on public support pro-
19 grams—that significantly affect not only individual
20 students and their families, but also our national
21 economy as a whole.

22 (12) Teen childbearing in the United States
23 cost taxpayers (Federal, State and local) at least
24 \$10.9 billion in 2008.

1 (13) Title IX of the Education Amendments of
2 1972 (20 U.S.C. 1681 et seq.) prohibits educational
3 institutions that receive Federal funding from dis-
4 criminating against pregnant and parenting stu-
5 dents, and its implementing regulations detail
6 schools' obligations to ensure that pregnant and par-
7 enting students have access to equal educational op-
8 portunities.

9 (14) Some States currently collect data about
10 the pregnancy and parenting status of secondary
11 school students, but most do not, and there is no na-
12 tionwide data collection on this important dimension
13 of the student population.

14 (15) Some local educational agencies are mak-
15 ing active efforts to engage and re-engage pregnant
16 and parenting youth in secondary education by im-
17 plementing voluntary programs that provide or ar-
18 range academic and support services for them, in-
19 cluding individualized graduation plans, flexible
20 scheduling, homebound instruction for extended ab-
21 sences, school-based child care, transportation assist-
22 ance, health and social service referrals, and parent
23 education courses.

24 (16) The responsibilities of pregnancy and par-
25 enting can also interfere with the attainment of a

1 college degree. Sixty-one percent of women who have
2 children after enrolling in community college do not
3 graduate. Women who do not have children after en-
4 rollment graduate at a 65 percent higher rate than
5 women who do.

6 (17) Federal financial assistance to local edu-
7 cational agencies to start or expand voluntary stu-
8 dent academic and support service programs and ini-
9 tiatives for pregnant and parenting students is im-
10 perative to helping these students prepare for ca-
11 reers and post-secondary education opportunities,
12 and care for their children without need for long-
13 term public assistance.

14 (b) PURPOSES.—The purposes of this Act are—

15 (1) to ensure that each pregnant and parenting
16 student has equal access to the same free, appro-
17 priate, high-quality public education that is provided
18 to other students;

19 (2) to improve high school graduation rates, ca-
20 reer-readiness, access to postsecondary educational
21 opportunities, and outcomes for pregnant and par-
22 enting students and their children; and

23 (3) to assist each State and local educational
24 agency in improving its graduation rates and ful-
25 filling its responsibilities under title IX of the Edu-

1 cation Amendments of 1972 (20 U.S.C. 1681 et
2 seq.) with respect to pregnant and parenting stu-
3 dents.

4 **SEC. 3. GRANTS FOR STATE AND LOCAL ACTIVITIES FOR**
5 **THE EDUCATION OF PREGNANT AND PAR-**
6 **ENTING STUDENTS.**

7 (a) IN GENERAL.—The Secretary of Education is au-
8 thorized to make grants to States to carry out the activi-
9 ties described in subsection (d). A grant made under this
10 section shall be for a minimum of three years, and the
11 Secretary shall have the discretion to renew the grant at
12 the end of the grant period.

13 (b) APPLICATION.—A State desiring to receive a
14 grant under this section shall submit an application to the
15 Secretary at such time, in such manner, and containing
16 such information as the Secretary may reasonably require,
17 including, at a minimum, the State plan described in sub-
18 section (f).

19 (c) ALLOCATION OF FUNDS.—

20 (1) RESERVATION OF FUNDS FOR NATIONAL
21 ACTIVITIES.—From the funds made available to
22 carry out this Act, the Secretary may reserve not
23 more than 5 percent for national activities.

24 (2) ALLOTMENT TO THE SECRETARY OF THE
25 INTERIOR.—The amount allocated for payments

1 under this Act to the Secretary of the Interior for
2 any fiscal year shall be, as determined pursuant to
3 criteria established by the Secretary, the amount
4 necessary to meet the needs of—

5 (A) Indian children on reservations served
6 by secondary schools for Indian children oper-
7 ated or supported by the Department of the In-
8 terior; and

9 (B) out-of-State Indian children in elemen-
10 tary schools and secondary schools in local edu-
11 cational agencies under special contracts with
12 the Department of the Interior.

13 (3) FORMULA GRANTS TO STATES.—The Sec-
14 retary shall allocate to States having approved appli-
15 cations the funds remaining after the application of
16 paragraphs (1) and (2) based on the percentage of
17 the State's number of teen births compared to the
18 number of teen births nationally, except that the
19 minimum grant for a State shall be \$300,000.

20 (4) SUPPLEMENT NOT SUPPLANT.—Grant
21 funds provided under paragraph (3) shall be used
22 only to supplement the funds that would, in the ab-
23 sence of such Federal funds, be made available from
24 non-Federal sources for the education of pupils par-

1 participating in programs assisted under this Act, and
2 not to supplant such funds.

3 (d) USE OF FUNDS.—

4 (1) IN GENERAL.—Funds made available to a
5 State under this Act shall be used for the following:

6 (A) To provide or enhance educational pro-
7 grams and related services that enable pregnant
8 and parenting students to enroll in, attend, and
9 succeed in school, and that are culturally and
10 linguistically competent.

11 (B) To designate a Coordinator for Edu-
12 cation of Pregnant and Parenting Students in
13 the State educational agency to direct and man-
14 age the State educational agency’s activities re-
15 lated to this Act, in collaboration with the
16 State’s designated employee responsible for the
17 State’s efforts to comply with and carry out, to
18 the fullest extent, its responsibilities under title
19 IX of the Education Amendments of 1972 (20
20 U.S.C. 1681 et seq.).

21 (C) To prepare and carry out a State plan
22 described in subsection (f).

23 (D) To develop and implement high-quality
24 professional development programs for local
25 educational agencies and school personnel.

1 (E) To direct grants to rural and other
2 local educational agencies without capacity to
3 prepare an application for funds.

4 (F) To ensure that information about the
5 program is disseminated to all local educational
6 agencies and made publicly and readily avail-
7 able on the State educational agency's Web site,
8 including—

9 (i) the name and contact information
10 for the individuals described in subpara-
11 graph (B);

12 (ii) a list of subgrantees; and

13 (iii) an explanation of the rights of
14 students and responsibilities of schools
15 under title IX of the Education Amend-
16 ments of 1972 (20 U.S.C. 1681 et seq.),
17 including investigation and complaint pro-
18 cedures as required under subsection (a)
19 and (b) of section 106.8 of title 34, Code
20 of Federal Regulations (as in effect on the
21 date of the enactment of this Act).

22 (2) RESERVATION FOR STATE-LEVEL ACTIVI-
23 TIES.—From the funds made available to a State
24 under this Act, a State may reserve not more than
25 10 percent for State-level activities.

1 (3) SUBGRANTS.—The State shall distribute at
2 least 90 percent of each State grant as subgrants to
3 local educational agencies in accordance with section
4 4.

5 (e) COORDINATOR FOR EDUCATION OF PREGNANT
6 AND PARENTING STUDENTS.—The Coordinator for Edu-
7 cation of Pregnant and Parenting Students in the State
8 educational agency described in subsection (d)(1)(B)
9 shall—

10 (1) gather information on the nature and extent
11 of State and local efforts to prevent teen pregnancy
12 and the nature and extent of barriers to educational
13 access and success facing pregnant and parenting
14 students in the State, including information on re-
15 ported incidents of discrimination;

16 (2) develop and carry out the State plan de-
17 scribed in subsection (f);

18 (3) collect and report information to the Sec-
19 retary of Education, such as that which is listed in
20 subparagraphs (A) through (G) of section 6(a)(6);

21 (4) facilitate the coordination of services with
22 the State agencies responsible for administering pro-
23 grams affecting children, youth, and families (in-
24 cluding for the purposes of maximizing the

1 leveraging of resources from such agencies), includ-
2 ing—

3 (A) Temporary Assistance for Needy Fam-
4 ilies;

5 (B) Medicaid;

6 (C) Children’s Health Insurance Program;

7 (D) teen pregnancy prevention, family
8 planning, and maternal and child health pro-
9 grams;

10 (E) Women, Infants and Children Food
11 and Nutrition Service;

12 (F) Supplemental Nutrition Assistance
13 Program;

14 (G) child care;

15 (H) early childhood education, home visita-
16 tion, and child welfare programs;

17 (I) workforce investment programs and
18 postsecondary education; and

19 (J) housing assistance and homeless assist-
20 ance programs;

21 (5) coordinate and collaborate with educators,
22 service providers, and local educational agency preg-
23 nant and parenting student liaisons;

1 (6) provide technical assistance and training to
2 local educational agencies, including the dissemina-
3 tion of best practices; and

4 (7) report to the Secretary any complaints re-
5 ceived by the State about discrimination based on
6 pregnancy or parenting status and what actions
7 were taken to address those complaints.

8 (f) STATE PLAN.—Pursuant to subsection (d)(1)(C),
9 each State shall submit a plan to provide for the education
10 of pregnant and parenting students. Such plan shall in-
11 clude the following:

12 (1) A description of how such students will be
13 given the opportunity to meet the same rigorous aca-
14 demic achievement and college and career-readiness
15 standards that all students are expected to meet.

16 (2) The policy, protocol, or procedure that each
17 district or State implements once a pregnancy has
18 been discovered on campus; including how each dis-
19 trict ensures the student understands his or her
20 rights under title IX of the Education Amendments
21 of 1972 (20 U.S.C. 1681 et seq.).

22 (3) A description of how the State will identify
23 such students.

24 (4) A description of training programs to raise
25 awareness of school personnel regarding the rights

1 and educational needs of pregnant and parenting
2 students.

3 (5) A description of procedures designed to en-
4 sure that students eligible for Federal, State, or
5 local food, housing, health care, or child care pro-
6 grams are enrolled and able to participate in such
7 programs.

8 (6) A description of procedures designed to en-
9 sure that students eligible for Federal, State, or
10 local after-school programs or supplemental edu-
11 cational services are enrolled in and able to partici-
12 pate in such programs.

13 (7) Strategies that respond to the problems
14 identified under subsection (e)(1).

15 (8) A demonstration that the State and its local
16 educational agencies have developed, reviewed, and
17 revised policies to remove barriers to enrollment and
18 retention of pregnant and parenting students in
19 schools in the State.

20 (9) Assurances that—

21 (A) State educational agencies and local
22 educational agencies will not stigmatize, dis-
23 criminate against, or involuntarily segregate
24 students on the basis of pregnancy or par-
25 enting;

1 (B) local educational agencies will des-
2 ignate a pregnant and parenting student liaison
3 to communicate with the Coordinator for Edu-
4 cation of Pregnant and Parenting Students in
5 the State educational agency and oversee the
6 provision of services at the local educational
7 agency and school levels; and

8 (C) State educational agencies and local
9 educational agencies will ensure that transpor-
10 tation is provided for students who have an in-
11 ability to pay for transportation and who—

12 (i) choose to attend programs for
13 pregnant and parenting students located
14 outside of their school of origin; or

15 (ii) need transportation to and from
16 school and the student's child care provider
17 for the student and the student's child, re-
18 spectively.

19 (10) Description of how the State will ensure
20 that local educational agencies comply with require-
21 ments of this Act.

22 (11) A description of technical assistance to be
23 provided to local educational agencies.

24 (g) PROFESSIONAL DEVELOPMENT AND PUBLIC
25 EDUCATION.—Each State and each local educational

1 agency shall include in professional development and pub-
2 lic education materials reference to, and shall ensure that
3 school personnel, students, and family members of stu-
4 dents are aware of title IX of the Education Amendments
5 of 1972 (20 U.S.C. 1681 et seq.) and its implementing
6 regulations, which set forth the Federal civil right to be
7 free from discrimination on the basis of a student's preg-
8 nancy, childbirth, false pregnancy, termination of preg-
9 nancy, or recovery therefrom. This includes the right to
10 be free from harassment and stigmatization on those
11 bases, as well as the following:

12 (1) The right to enroll in any school or program
13 for which they would otherwise qualify.

14 (2) If enrolled into a special program or sepa-
15 rate school, the right to an education equal in qual-
16 ity to that offered to other students in the "main-
17 stream" or "originating" school.

18 (3) The right to decline to participate in a spe-
19 cialized program or separate school.

20 (4) The right to continue their education in the
21 school in which they were enrolled, or would have
22 been enrolled, prior to the student's pregnancy,
23 childbirth, false pregnancy, termination of preg-
24 nancy, or recovery therefrom, including elementary
25 or secondary schools, charter schools, honors and

1 magnet programs, Advanced Placement and Inter-
2 national Baccalaureate programs, career and tech-
3 nical education programs, special education and non-
4 public school placements, alternative options or pro-
5 grams, migrant education, free and reduced lunch
6 programs, services for English language learners,
7 physical education programs, after-school academic
8 programs, and any others for which they are other-
9 wise qualified.

10 (5) The right to participate in school activities
11 including graduations and other ceremonies; to re-
12 ceive awards or peer recognition; to participate on
13 field trips, student clubs and councils, in after-school
14 activities, including cheerleading or athletics teams;
15 and in any other school-related programs, subject to
16 providing a medical release if that is required of all
17 students who have physical or emotional conditions
18 requiring the attention of medical personnel and who
19 want to continue participating.

20 (6) The right to the same benefits and services
21 offered to students with other temporary disabilities.

22 (7) The right to an excused absence for as long
23 as the student's physician deems it medically nec-
24 essary, without penalty, and automatic return to the
25 status the student held prior to the leave of absence.

1 (8) The right not to be retaliated against for
2 raising awareness of, complaining about, or report-
3 ing discrimination.

4 (h) COORDINATION FOR SUPPORT SERVICES.—Local
5 educational agencies may coordinate with social services
6 agencies, public health agencies, youth services providers,
7 or other community-based organizations for the purposes
8 of ensuring that pregnant and parenting students have ac-
9 cess to the academic support services they need to con-
10 tinue their education; and to raise awareness among agen-
11 cies about pregnant and parenting students and their edu-
12 cational rights and opportunities.

13 (i) PREGNANT AND PARENTING STUDENT LIAI-
14 SON.—The duties of a local educational agency’s pregnant
15 and parenting student liaison shall include—

16 (1) identification, by consulting with school per-
17 sonnel, and by self-reports, of pregnant and par-
18 enting students in need of services to help them stay
19 in school and succeed;

20 (2) gathering information on the nature and ex-
21 tent of barriers to educational access and success
22 facing pregnant and parenting students in the geo-
23 graphic area served by the local educational agency,
24 including information on reported incidents of dis-
25 crimination;

1 (3) ensuring and facilitating the continued en-
2 rollment of pregnant and parenting students in
3 school in an academic program that best meets the
4 educational goals of the student and his or her fam-
5 ily;

6 (4) ensuring that the educational and related
7 barriers faced by pregnant and parenting students
8 are addressed, and that any services and referrals
9 provided are culturally and linguistically competent;

10 (5) informing pregnant and parenting students
11 of educational and related services extended to preg-
12 nant and parenting students and of their right
13 under title IX of the Education Amendments of
14 1972 (20 U.S.C. 1681 et seq.) to continue their edu-
15 cation; and

16 (6) coordinating the provision of services in
17 conjunction with the Coordinator for Education of
18 Pregnant and Parenting Students in the State edu-
19 cational agency and with community organizations
20 and partners.

21 **SEC. 4. LOCAL EDUCATIONAL AGENCY SUBGRANTS FOR**
22 **THE EDUCATION OF PREGNANT AND PAR-**
23 **ENTING STUDENTS.**

24 (a) IN GENERAL.—A State educational agency re-
25 ceiving a grant under section 3 shall make competitive

1 subgrants to local educational agencies for the purpose of
2 facilitating the enrollment, attendance, and success in
3 school of pregnant and parenting students. Services may
4 be provided on school grounds or at other facilities.

5 (b) APPLICATION.—Local educational agencies seek-
6 ing subgrants shall submit an application to the State edu-
7 cational agency in time and manner required by the State.
8 The application shall include—

9 (1) an assessment of the educational and re-
10 lated needs of pregnant and parenting students in
11 the local educational agency;

12 (2) a description of the local educational agen-
13 cy’s plan for addressing those needs, and assurance
14 that the specific services and programs for which
15 subgrants are being sought are culturally and lin-
16 guistically competent;

17 (3) assurance of the local educational agency’s
18 compliance with local educational agency require-
19 ments established in section 3; and

20 (4) a description of the local educational agen-
21 cy’s plan for continuing specific services and pro-
22 grams for which subgrants are being sought in case
23 of the loss of or absence of Federal assistance.

24 (c) AWARDS.—Subgrants under this section shall be
25 awarded on the basis of need and the strength of the appli-

1 cation in meeting the requirements and goals of this Act.
2 Priority consideration shall be given to applications from
3 local educational agencies serving students in geographic
4 areas with—

5 (1) teen birth rates that are higher than the
6 State average; or

7 (2) teen birth rates below the State average but
8 having one or more racial or ethnic groups with teen
9 birth rates higher than the State average.

10 (d) DURATION.—Subgrants under this section shall
11 be for periods not to exceed 3 years.

12 (e) REQUIRED ACTIVITIES.—Subgrant funds shall be
13 expended for activities that include—

14 (1) the provision of academic support services
15 for pregnant and parenting students, which may in-
16 clude, but are not limited to academic counseling,
17 the development of individualized graduation plans,
18 assistance with class scheduling, assistance with
19 planning for and gaining access to postsecondary
20 educational opportunities, assistance securing tutor-
21 ing or other academic support services, supplemental
22 instruction, homework assistance, tutoring, or other
23 educational services, such as homebound instruction
24 services to be provided during extended leaves of ab-
25 sence due to pregnancy complications, childbirth, or

1 the illness of a student's child, to keep the student
2 on track to finish the student's classes and graduate;

3 (2) assistance to pregnant and parenting stu-
4 dents in gaining access to quality, affordable child
5 care and early childhood education services;

6 (3) the provision of transportation services or
7 assistance so that parenting students and their chil-
8 dren can get to and from school and child care, re-
9 spectively, and so that pregnant students unable to
10 walk long distances can get to school if transpor-
11 tation is not already provided for that student;

12 (4) the provision of services and programs to
13 attract, engage, and retain pregnant and parenting
14 students in school, including informing pregnant and
15 parenting teenagers and their family members and
16 caring adults of their right to continue their edu-
17 cation, the importance of doing so, and the con-
18 sequences of not doing so;

19 (5) the education of students, parents and com-
20 munity members about the educational rights of
21 pregnant and parenting students;

22 (6) the professional development of school per-
23 sonnel regarding the challenges facing pregnant and
24 parenting students and their educational rights;

1 (7) proactive outreach efforts to assist pregnant
2 and parenting teenagers with excessive absences and
3 to re-enroll pregnant or parenting teenagers who
4 have dropped out of school;

5 (8) the revision of school policies and practices
6 to remove barriers and to encourage pregnant and
7 parenting students to continue their education, such
8 as revising attendance policies to allow for students
9 to be excused from school for—

10 (A) attendance at pregnancy-related med-
11 ical appointments, including expectant fathers
12 who are students;

13 (B) fulfillment of the student’s parenting
14 responsibilities, including arranging child care,
15 caring for the student’s sick child or children,
16 and attending medical appointments for the
17 student’s child or children; and

18 (C) such other situations beyond the con-
19 trol of the student as determined by the board
20 of education in each local educational agency,
21 or such other circumstances which cause rea-
22 sonable concern to student or the student’s par-
23 ent for the safety or health of the student, for
24 example addressing circumstances resulting
25 from domestic or sexual violence;

1 (9) the provision to student parents, and at a
2 student's request, also to a non-student parent or
3 other family members and caring adults, of training
4 and support in parenting skills, healthy relationship
5 skills, and other life skills such as goal setting,
6 budgeting, time management, financial literacy, net-
7 working, job interviewing, applying for college and
8 securing financial aid; and

9 (10) the provision of educational and career
10 mentoring services and peer groups, whether during
11 school hours or after school.

12 (f) ALLOWABLE ACTIVITIES.—

13 (1) IN GENERAL.—Subgrant funds may be ex-
14 pended for allowable activities such as—

15 (A) the provision of child care and early
16 childhood education for the child of the par-
17 enting student, either by providing these serv-
18 ices directly on school grounds or by other ar-
19 rangement, such as by providing financial as-
20 sistance to obtain such services at a child care
21 facility within a reasonable distance of the
22 school;

23 (B) the provision of case management
24 services to pregnant and parenting students,
25 such as assistance with applying for and access-

1 ing public benefits and Federal financial aid for
2 postsecondary education and training;

3 (C) the provision of, or referrals to, preg-
4 nancy prevention, primary health care, maternal
5 and child health, family planning, mental
6 health, substance abuse, housing assistance,
7 homeless assistance, legal aid services, including
8 paternity testing, establishing parental rights,
9 child custody arrangements, and other services
10 needed by the student;

11 (D) the provision of emergency financial or
12 in-kind assistance to a parenting student to ful-
13 fill the basic human needs of a student and the
14 student's child;

15 (E) efforts to create a positive school cli-
16 mate for pregnant and parenting students, in-
17 cluding addressing discrimination against, har-
18 assment and stigmatization of pregnant and
19 parenting students; and

20 (F) the provision of training practicums
21 for graduate students in social work to carry
22 out the purpose of the grant.

23 (2) MEDICALLY ACCURATE AND COMPLETE IN-
24 FORMATION.—With respect to information provided
25 under subparagraph (C), whether provided by local

1 educational agencies or by contract or arrangement
2 as described in subsection (g), the information shall
3 be, where appropriate, medically accurate and com-
4 plete. For purposes of the preceding sentence, the
5 term “medically accurate and complete” means
6 verified or supported by the weight of research con-
7 ducted in compliance with accepted scientific meth-
8 ods and—

9 (A) published in peer-reviewed journals,
10 where applicable; or

11 (B) comprising information that leading
12 professional organizations and agencies with
13 relevant expertise in the field recognize as accu-
14 rate, objective, and complete.

15 (g) ACTIVITIES OF NONPROFIT COMMUNITY ORGANI-
16 ZATIONS.—Local educational agencies may provide and
17 expend subgrant funds on required activities authorized
18 in subsection (e) or allowable activities authorized in sub-
19 section (f) directly or by contract or arrangement with so-
20 cial services agencies, public health agencies, youth serv-
21 ices providers, or other nonprofit community-based organi-
22 zations with experience effectively assisting pregnant and
23 parenting students to stay in school by conducting the ac-
24 tivities described in subsections (e) and (f).

1 **SEC. 5. CONVERSION TO CATEGORICAL PROGRAM IN**
2 **EVENT OF FAILURE OF STATE REGARDING**
3 **EXPENDITURE OF GRANTS.**

4 (a) IN GENERAL.—The Secretary shall, from the
5 amounts specified in subsection (b), make grants to local
6 educational agencies in a State described in subsection (b)
7 for the required activities specified in section 4(e) and the
8 allowable activities specified in section 4(f).

9 (b) SPECIFICATION OF FUNDS.—The amounts re-
10 ferred to in subsection (a) are any amounts that would
11 have been allocated to a State under section 3(c)(3) that
12 are not paid to the State as a result of—

13 (1) the failure of the State to submit an appli-
14 cation under section 3(b);

15 (2) the failure of the State, in the determina-
16 tion of the Secretary, to prepare the application in
17 accordance with such section or to submit the appli-
18 cation within a reasonable period of time; or

19 (3) the State informing the Secretary that the
20 State does not intend to expend the full amount of
21 such allocation.

22 **SEC. 6. NATIONAL ACTIVITIES.**

23 (a) IN GENERAL.—The Secretary of Education shall
24 carry out the following activities:

1 (1) Review of State plans to ensure they ade-
2 quately address all of the elements listed in section
3 3(f) of this Act.

4 (2) Provide technical assistance to State edu-
5 cational agencies.

6 (3) Provide guidance to Federal programs and
7 grantees likely to have contact with pregnant and
8 parenting students and their family members and
9 caring adults regarding the educational rights of
10 pregnant and parenting students and the State edu-
11 cational agencies responsibilities, including the re-
12 sponsibilities under this Act.

13 (4) At the end of each 3-year grant period, con-
14 duct a rigorous, evidence-based, comprehensive eval-
15 uation of the local educational agency programs
16 funded by these grants and their effectiveness in im-
17 proving graduation rates and educational outcomes
18 for pregnant and parenting students, including ac-
19 ceptance and enrollment in higher education. The
20 findings of such evaluations shall be reported to
21 Congress.

22 (5) Conduct a one-time national evaluation of
23 pregnant and parenting student access to education
24 program service delivery models, directly or via con-
25 tract with an independent research institution. Iden-

1 tify and disseminate the findings and best practices
2 at the State and local levels, including models of
3 programs that are successful at, or show promise of,
4 serving specific racial or ethnic groups or have been
5 modified and tested with specific racial or ethnic
6 groups, and create an online best practices clearing-
7 house as a resource for other State educational
8 agencies and local educational agencies.

9 (6) Annually collect and disseminate nonperson-
10 ally identifiable data and information, in a manner
11 protective of student privacy, and disaggregated by
12 each school or alternative program identified pursu-
13 ant to subparagraph (B) and by whether services for
14 pregnant and parenting students are offered in
15 school or off-site, on—

16 (A) the number of pregnant and parenting
17 students enrolled in school;

18 (B) rates and participation of pregnant
19 and parenting students in mainstream or origi-
20 nating schools, rates and participation of preg-
21 nant and parenting students in alternative pro-
22 grams and, for each alternative program, an in-
23 dication as to whether it is offered in a main-
24 stream school or off-site;

1 (C) pregnant and parenting students' per-
2 formance on academic assessments;

3 (D) pregnant and parenting students'
4 graduation rates, dropout rates and transfer
5 rates;

6 (E) rates of usage by pregnant and par-
7 enting students of child care services or assist-
8 ance (if offered);

9 (F) rates of usage by pregnant or par-
10 enting students of other services offered (bro-
11 ken down by type of service); and

12 (G) such other data and information as the
13 Secretary determines to be necessary and rel-
14 evant.

15 (7) Coordinate data collection and dissemina-
16 tion with the agencies and entities that receive funds
17 under this Act and those that administer programs
18 in accordance with this Act.

19 (b) REPORTING RATES.—Notwithstanding subsection
20 (a)(6)(B) through (F), if the number of pregnant and par-
21 enting students in a particular school or program is small-
22 er than the N size, it shall be reported by local educational
23 agency, and if the number of pregnant and parenting stu-
24 dents under the jurisdiction of the local educational agen-

1 cy is smaller than the N size, it should be reported by
2 State.

3 **SEC. 7. EFFECT ON FEDERAL AND STATE NONDISCRIMINA-**
4 **TION LAWS.**

5 Nothing in this Act shall be construed to preempt,
6 invalidate, or limit rights, remedies, procedures, or legal
7 standards available to victims of discrimination or retalia-
8 tion under any other Federal law or a law of a State or
9 political subdivision of a State, including title VI of the
10 Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), title
11 IX of the Education Amendments of 1972 (20 U.S.C.
12 1681 et seq.), section 504 of the Rehabilitation Act of
13 1973 (29 U.S.C. 794), the Americans with Disabilities Act
14 of 1990 (42 U.S.C. 12101 et seq.), section 1557 of the
15 Patient Protection and Affordable Care Act of 2010 (Pub-
16 lic Law 111–148), or section 1979 of the Revised Statutes
17 (42 U.S.C. 1983). The obligations imposed by this Act are
18 in addition to those imposed by title IX of the Education
19 Amendments of 1972 (20 U.S.C. 1681 et seq.), title VI
20 of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.),
21 the Americans with Disabilities Act of 1990 (42 U.S.C.
22 12101 et seq.), and section 1557 of the Patient Protection
23 and Affordable Care Act of 2010 (Public Law 111–148).

1 **SEC. 8. DEFINITION OF STATE.**

2 For purposes of this Act, the term “State” means
3 each of the 50 States, the District of Columbia, the Com-
4 monwealth of Puerto Rico, the Commonwealth of the
5 Northern Mariana Islands, American Samoa, Guam, the
6 United States Virgin Islands, and any other territory or
7 possession of the United States.

8 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

9 There are authorized to be appropriated to carry out
10 this Act \$100,000,000 for fiscal year 2012 and such sums
11 as may be necessary for fiscal years 2013 through 2016.

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