A BILL

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

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Pregnant and Parenting Students Access to Education Act of 2013”.

SEC. 2. PURPOSES.

The purposes of this Act are—

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

(2) to improve high school graduation rates, career-readiness, access to postsecondary educational opportunities, and outcomes for pregnant and parenting students and their children; and

(3) to assist each State and local educational agency in improving its graduation rates and fulfilling its responsibilities under title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) with respect to pregnant and parenting students.

SEC. 3. GRANTS FOR STATE AND LOCAL ACTIVITIES FOR THE EDUCATION OF PREGNANT AND PARENTING STUDENTS.

(a) IN GENERAL.—The Secretary of Education is authorized to make grants to States to carry out the activities described in subsection (d). A grant made under this section shall be for a minimum of 3 years, and the Secretary shall have the discretion to renew the grant at the end of the grant period.

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

(c) Allocation of funds.—

(1) Reservation of funds for national
activities.—From the funds made available to
carry out this Act, the Secretary may reserve not
more than 5 percent for national activities.

(2) Allotment to the secretary of the
interior.—The amount allocated for payments
under this Act to the Secretary of the Interior for
any fiscal year shall be, as determined pursuant to
criteria established by the Secretary, the amount
necessary to meet the needs of—

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

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

(3) Formula grants to states.—The Sec-
retary shall allocate to States having approved appli-
cations the funds remaining after the application of
paragraphs (1) and (2) 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.

(4) Supplement not supplant.—Grant funds provided under paragraph (3) shall be used only to supplement the funds that would, in the absence of such Federal funds, be made available from non-Federal sources for the education of pupils participating in programs assisted under this Act, and not to supplant such funds.

(d) Use of Funds.—

(1) In general.—Funds made available to a State under this Act shall be used for the following:

(A) To provide or enhance educational programs and related services that enable pregnant and parenting students to enroll in, attend, and succeed in school, and that are culturally and linguistically competent.

(B) To designate a Coordinator for Education of Pregnant and Parenting Students in the State educational agency to direct and manage the State educational agency’s activities related to this Act, in collaboration with the State’s designated employee responsible for the State’s efforts to comply with and carry out, to
the fullest extent, its responsibilities under title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.).

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

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

(E) To direct grants to rural and other local educational agencies without capacity to prepare an application for funds so that such local educational agencies may carry out the activities described in subsections (e) and (f) of section 4.

(F) To ensure that information about the program is disseminated to all local educational agencies and made publicly and readily available on the State educational agency’s Web site, including—

(i) the name and contact information for the individuals described in subparagraph (B);

(ii) a list of subgrantees; and

(iii) an explanation of the rights of students and responsibilities of schools
under title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.),
including investigation and complaint procedures as required under subsection (a)
and (b) of section 106.8 of title 34, Code of Federal Regulations (as in effect on the
date of the enactment of this Act).

(2) Reservation for State-level Activities.—From the funds made available to a State
under this Act, a State may reserve not more than 10 percent for State-level activities.

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

(e) Coordinator for Education of Pregnant and Parenting Students.—The Coordinator for Edu-
cation of Pregnant and Parenting Students in the State educational agency described in subsection (d)(1)(B)
shall—

(1) gather information on the nature and extent of State and local efforts to prevent teen pregnancy
and the nature and extent of barriers to educational access and success facing pregnant and parenting
students in the State, including information on reported incidents of discrimination;

(2) develop and carry out the State plan described in subsection (f);

(3) collect and report information to the Secretary of Education, such as that which is listed in subparagraphs (A) through (G) of section 6(a)(6);

(4) facilitate the coordination of services with the State agencies responsible for administering programs affecting children, youth, and families (including for the purposes of maximizing the leveraging of resources from such agencies), including—

(A) Temporary Assistance for Needy Families;

(B) Medicaid;

(C) Children’s Health Insurance Program;

(D) teen pregnancy prevention, family planning, and maternal and child health programs;

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

(F) Supplemental Nutrition Assistance Program;

(G) child care programs;
(H) early childhood education, home visitation, and child welfare programs;

(I) workforce investment programs and postsecondary education;

(J) housing assistance and homeless assistance programs;

(K) school-based health services programs; and

(L) programs carried out by federally qualified health centers (as defined in sections 1861(aa)(4) and 1905(a)(2)(B) of the Social Security Act (42 U.S.C. 1395x(aa)(4) and 1396d(a)(2)(B))), health centers (as defined in section 330 of the Public Health Service Act (42 U.S.C. 254b)), and outpatient health programs and facilities operated by tribal organizations;

(5) coordinate and collaborate with educators, service providers, and local educational agency pregnant and parenting student liaisons;

(6) provide technical assistance and training to local educational agencies, including the dissemination of best practices; and

(7) report to the Secretary any complaints received by the State about discrimination based on
pregnancy or parenting status and what actions
were taken to address those complaints.

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

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

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

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

(4) A description of training programs to raise
awareness of school personnel regarding the rights
and educational needs of pregnant and parenting
students.

(5) A description of procedures designed to en-
sure that students eligible for Federal, State, or
local food, housing, health care, or child care pro-
grams are informed of their eligibility for, assisted
in enrolling in, and able to participate in such pro-
grams.

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

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

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

(9) Assurances that—

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

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

(C) State educational agencies and local educational agencies will ensure that transportation is provided for students who have an inability to pay for transportation and who—

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

(ii) need transportation to and from school and the student’s child care provider for the student and the student’s child, respectively.

(10) Description of how the State will ensure that local educational agencies comply with requirements of this Act.

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

(g) PROFESSIONAL DEVELOPMENT AND PUBLIC EDUCATION.—Each State and each local educational agency shall include in professional development and public education materials reference to, and shall ensure that school personnel, students, and family members of students are aware of title IX of the Education Amendments
of 1972 (20 U.S.C. 1681 et seq.) 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. This includes the right to be free from harassment and stigmatization on those bases, as well as the following:

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

(2) If enrolled into a special program or separate school, the right to an education equal in quality to that offered to other students in the “mainstream” or “originating” school.

(3) The right to decline to participate in a specialized program or separate school.

(4) The right to continue their education in the school in which they were enrolled, or would have been enrolled, prior to the student’s pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom, including elementary or secondary schools, charter schools, honors and magnet programs, Advanced Placement and International Baccalaureate programs, career and technical education programs, special education and non-public school placements, alternative options or pro-
grams, migrant education, free and reduced lunch programs, services for English language learners, physical education programs, after-school academic programs, and any others for which they are otherwise qualified.

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

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

(7) The right to an excused absence for as long as the student’s physician deems it medically necessary, without penalty, and automatic return to the status the student held prior to the leave of absence.

(8) The right not to be retaliated against for raising awareness of, complaining about, or reporting discrimination.
(h) COORDINATION FOR SUPPORT SERVICES.—Local educational agencies may coordinate with social services agencies, public health agencies, youth services providers, or other community-based organizations for the purposes of ensuring that pregnant and parenting students have access to the academic support services they need to continue their education; and to raise awareness among agencies about pregnant and parenting students and their educational rights and opportunities.

(i) PREGNANT AND PARENTING STUDENT LIAISON.—The duties of a local educational agency’s pregnant and parenting student liaison shall include—

(1) identification, by consulting with school personnel, and by self-reports, of pregnant and parenting students in need of services to help them stay in school and succeed;

(2) 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 local educational agency, including information on reported incidents of discrimination;

(3) ensuring and facilitating the continued enrollment of pregnant and parenting students in school in an academic program that best meets the
educational goals of the student and his or her family;

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

(5) informing pregnant and parenting students of educational and related services extended to pregnant and parenting students and of their right under title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) to continue their education; and

(6) coordinating the provision of services in conjunction with the Coordinator for Education of Pregnant and Parenting Students in the State educational agency and with community organizations and partners.

SEC. 4. LOCAL EDUCATIONAL AGENCY SUBGRANTS FOR THE EDUCATION OF PREGNANT AND PARENTING STUDENTS.

(a) IN GENERAL.—A State educational agency receiving a grant under section 3 shall make competitive subgrants to local educational agencies for the purpose of facilitating the enrollment, attendance, and success in
school of pregnant and parenting students. Services may
be provided on school grounds or at other facilities.

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

(1) an assessment of the educational and re-
related needs of pregnant and parenting students in
the local educational agency;

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

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

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

(c) AWARDS.—Subgrants under this section shall be
awarded on the basis of need and the strength of the appli-
cation in meeting the requirements and goals of this Act.
Priority consideration shall be given to applications from
local educational agencies serving students in geographic areas with—

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

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

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

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

(1) the provision of academic support services for pregnant and parenting students, which may include, but are not limited to academic counseling, the development of individualized graduation plans, assistance with class scheduling, assistance with planning for and gaining access to postsecondary educational opportunities, assistance securing tutoring or other academic support services, supplemental instruction, homework assistance, tutoring, or other educational services, such as homebound instruction services to be provided during extended leaves of absence due to pregnancy complications, childbirth, or the illness of a student’s child, to keep the student on track to finish the student’s classes and graduate;
(2) assistance to pregnant and parenting students in gaining access to quality, affordable child care and early childhood education services;

(3) the provision of transportation services or assistance so that parenting students and their children can get to and from school and child care, respectively, and so that pregnant students unable to walk long distances can get to school if transportation is not already provided for that student;

(4) the provision of services and programs to attract, engage, and retain pregnant and parenting students in school, including informing pregnant and parenting teenagers and their family members and caring adults of their right to continue their education, the importance of doing so, and the consequences of not doing so;

(5) the education of students, parents and community members about the educational rights of pregnant and parenting students;

(6) the professional development of school personnel regarding the challenges facing pregnant and parenting students and their educational rights;

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

(8) the revision of school policies and practices
to remove barriers and to encourage pregnant and
parenting students to continue their education, in-
cluding—

(A) the revision of attendance policies to
allow for students to be excused from school,
school activities, after-school activities, or
school-related programs for—

(i) attendance at pregnancy-related
medical appointments, including expectant
fathers who are students;

(ii) fulfillment of the student’s par-
enting responsibilities, including arranging
child care, caring for the student’s sick
child or children, and attending medical
appointments for the student’s child or
children; and

(iii) such other situations beyond the
control of the student as determined by the
board of education in each local edu-
cational agency, or such other cir-
cumstances which cause reasonable con-
cern to student or the student’s parent for
the safety or health of the student, for example addressing circumstances resulting from domestic or sexual violence; and

(B) the creation and implementation of a policy flexible enough to meet the individualized lactation and medical needs of student mothers, including reasonable break time from class, access to a clean, private space and protection from retaliation for this purpose;

(9) the provision to student parents, and at a student’s request, also to a non-student parent or other family members and caring adults, of training and support in parenting skills, healthy relationship skills, strategies to prevent future unplanned pregnancy, and other life skills such as goal setting, budgeting, time management, financial literacy, networking, job interviewing, applying for college and securing financial aid; and

(10) the provision to pregnant and parenting students of educational and career mentoring services and peer groups, whether during school hours or after school.

(f) ALLOWABLE ACTIVITIES.—

(1) IN GENERAL.—Subgrant funds may be expended for allowable activities such as—
(A) the provision of child care and early childhood education for the child of the parenting student, either by providing these services directly on school grounds or by other arrangement, such as by providing financial assistance to obtain such services at a child care facility within a reasonable distance of the school;

(B) the provision of case management services to pregnant and parenting students, such as assistance with applying for and accessing public benefits and Federal financial aid for postsecondary education and training;

(C) the provision of, or referrals to, pregnancy prevention, primary health care, maternal and child health, family planning, mental health, substance abuse, housing assistance, homeless assistance, legal aid services, including paternity testing, establishing parental rights, child custody arrangements, and other services needed by the student;

(D) the provision of emergency financial or in-kind assistance to a parenting student to fulfill the basic human needs of a student and the student's child;
(E) efforts to create a positive school climate for pregnant and parenting students, including addressing discrimination against, harassment and stigmatization of pregnant and parenting students; and

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

(2) MEDICALLY ACCURATE AND COMPLETE INFORMATION.—

(A) IN GENERAL.—With respect to information provided under paragraph (1)(C) and subsection (e)(9), whether provided by local educational agencies or by contract or arrangement as described in subsection (g), the information shall be, where appropriate, medically accurate and complete and developmentally appropriate for the intended audience.

(B) DEFINITION.—For purposes of this paragraph, the term “medically accurate and complete” means verified or supported by the weight of research conducted in compliance with accepted scientific methods and—

(i) published in peer-reviewed journals, where applicable; or
(ii) comprising information that leading professional organizations and agencies with relevant expertise in the field recognize as accurate, objective, and complete.

(g) ACTIVITIES OF NONPROFIT COMMUNITY ORGANIZATIONS.—Local educational agencies may provide and expend subgrant funds on required activities authorized in subsection (e) or allowable activities authorized in subsection (f) directly or by contract or arrangement with social services agencies, public health agencies, youth services providers, or other nonprofit community-based organizations with experience effectively assisting pregnant and parenting students to stay in school by conducting the activities described in subsections (e) and (f).

SEC. 5. CONVERSION TO CATEGORICAL PROGRAM IN EVENT OF FAILURE OF STATE REGARDING EXPENDITURE OF GRANTS.

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

(b) APPLICATION.—A local educational agency desiring a grant under this section shall submit an application
to the Secretary at such time and in such manner as the
Secretary may require.

(c) Specification of Funds.—The amounts re-
ferred to in subsection (a) are any amounts that would
have been allocated to a State under section 3(c)(3) that
are not paid to the State as a result of—

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

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

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

SEC. 6. NATIONAL ACTIVITIES.

(a) In General.—The Secretary of Education shall
carry out the following activities:

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

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

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

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

(5) Conduct a one-time national evaluation of
pregnant and parenting student access to education
program service delivery models, directly or via con-
tact with an independent research institution. Iden-
tify and disseminate the findings and best practices
at the State and local levels, including models of
programs that are successful at, or show promise of,
serving specific racial or ethnic groups or have been
modified and tested with specific racial or ethnic
groups, and create an online best practices clearing-
house as a resource for other State educational agencies and local educational agencies.

(6) Annually collect and disseminate nonpersonally identifiable data and information, in a manner protective of student privacy, and disaggregated by each school or alternative program identified pursuant to subparagraph (B) and by whether services for pregnant and parenting students are offered in school or off-site, on—

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

(B) rates and participation of pregnant and parenting students in mainstream or originating schools, rates and participation of pregnant and parenting students in alternative programs and, for each alternative program, an indication as to whether it is offered in a mainstream school or off-site;

(C) pregnant and parenting students’ performance on academic assessments;

(D) pregnant and parenting students’ graduation rates, dropout rates and transfer rates;
(E) rates of usage by pregnant and parenting students of child care services or assistance (if offered);

(F) rates of usage by pregnant or parenting students of other services offered (broken down by type of service); and

(G) such other data and information as the Secretary determines to be necessary and relevant.

(7) Coordinate data collection and dissemination with the agencies and entities that receive funds under this Act and those that administer programs in accordance with this Act.

(b) REPORTING RATES.—Notwithstanding subsection (a)(6)(B) through (F), if the number of pregnant and parenting students in a particular school or program in a State is smaller than a size determined by such State, it shall be reported by the applicable local educational agency, and if the number of pregnant and parenting students under the jurisdiction of a local educational agency in a State is smaller than a size determined by such State, it shall be reported by such State.
SEC. 7. EFFECT ON FEDERAL AND STATE NONDISCRIMINATION LAWS.


SEC. 8. DEFINITION OF STATE.

For purposes of this Act, the term “State” means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the
United States Virgin Islands, and any other territory or possession of the United States.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

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