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(Original Signature of Member)

111TH CONGRESS
2D SESSION

H. R. _____

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

IN THE HOUSE OF REPRESENTATIVES

Mr. POLIS of Colorado introduced the following bill; which was referred to the Committee on _____

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 2010”.

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

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

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

4 (2) Overall, nearly 3 in 10 girls in the United
5 States will become pregnant at least once by age 20,
6 and teen pregnancy rates are now on the rise after
7 14 straight years of decline.

8 (3) A sexually active teen who does not use con-
9 traceptives has a 90 percent chance of becoming
10 pregnant within a year.

11 (4) The teen pregnancy and birth rates in the
12 United States are higher than in any other Western
13 industrialized country.

14 (5) Some States currently collect data about the
15 pregnancy and parenting status of secondary school
16 students, but most do not, and there is no nation-
17 wide data collection on this important dimension of
18 the student population.

19 (6) Many pregnant and parenting students face
20 significant barriers in enrolling, attending, and suc-
21 ceeding in school, including—

22 (A) outright discrimination in violation of
23 title IX of the Education Amendments of 1972;

1 (B) stigmatization and being made to feel
2 unwelcome at school by administrators, teach-
3 ers, and peer students;

4 (C) failure of States, local educational
5 agencies, or schools to excuse students for pre-
6 natal and postnatal health care appointments
7 and recovery;

8 (D) difficulty maintaining academic
9 progress while out of school leading up to or
10 following the birth of a child;

11 (E) juggling school work with parenting
12 responsibilities;

13 (F) lack of access to affordable quality
14 child care and transportation to and from the
15 child care arrangement and school, which can,
16 as a practical matter, make it virtually impos-
17 sible for a parenting student to attend school
18 regularly; and

19 (G) stereotypes that future opportunities
20 for postsecondary education or careers are lim-
21 ited for pregnant and parenting students, which
22 can diminish students' motivation to stay en-
23 gaged in school.

24 (7) Overall, about 51 percent of teenaged moth-
25 ers have a high school diploma by age 22 compared

1 to 89 percent of women who didn't have a teenaged
2 birth. Young teenaged mothers are even less likely to
3 graduate from high school. Fewer than four in ten
4 (38 percent) mothers who have a child before they
5 turn 18 have a high school diploma by age 22.

6 (8) Only 2 percent of all teenagers who have a
7 baby before age 18 ever graduate from college.

8 (9) Even if students manage to stay in school
9 while parenting one child, their risks of dropout are
10 substantially increased if they have a second or sub-
11 sequent pregnancy.

12 (10) Studies of females and males who dropped
13 out of high school indicate that becoming a parent
14 played a role in their discontinuation of school, and
15 in many cases it played a major role.

16 (11) Since teen pregnancy and parenting are
17 significant risk factors for dropout, teen pregnancy
18 prevention can go a long way toward improving high
19 school graduation rates.

20 (12) Females who do not earn a high school di-
21 ploma are especially likely to face severe economic
22 consequences—to be unemployed, to earn very low
23 wages, and to have to rely on public support pro-
24 grams—that significantly affect not only individual

1 students and their families, but also our national
2 economy as a whole.

3 (13) Studies of students who left school to care
4 for a family member or because they became a par-
5 ent demonstrate that they would have worked harder
6 to complete their secondary education if schools' ex-
7 pectations of them had been higher and if they had
8 been provided the necessary support.

9 (14) Title IX of the Education Amendments of
10 1972 (20 U.S.C. 1681 et seq.) prohibits educational
11 institutions that receive Federal funding from dis-
12 criminating against pregnant and parenting stu-
13 dents, and its implementing regulations detail
14 schools' obligations to ensure that pregnant and par-
15 enting students have access to equal educational op-
16 portunities.

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

1 ance, health and social service referrals, and parent
2 education courses.

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

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

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

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

20 (3) to assist each State and local educational
21 agency in improving its graduation rates and ful-
22 filling its responsibilities under title IX of the Edu-
23 cation Amendments of 1972 (20 U.S.C. 1681 et
24 seq.) with respect to pregnant and parenting stu-
25 dents.

1 **SEC. 3. GRANTS FOR STATE AND LOCAL ACTIVITIES FOR**
2 **THE EDUCATION OF PREGNANT AND PAR-**
3 **ENTING STUDENTS.**

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

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

16 (c) ALLOCATION OF FUNDS.—

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

21 (2) ALLOTMENT TO THE SECRETARY OF THE
22 INTERIOR.—The amount allocated for payments
23 under this Act to the Secretary of the Interior for
24 any fiscal year shall be, as determined pursuant to
25 criteria established by the Secretary, the amount
26 necessary to meet the needs of—

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

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

9 (3) FORMULA GRANTS TO STATES.—The Sec-
10 retary shall allocate to States having approved appli-
11 cations the funds remaining after the application of
12 paragraphs (1) and (2) based on the percentage of
13 the State's number of teenaged pregnancies com-
14 pared to the number of teenaged pregnancies nation-
15 ally, except that the minimum grant for a State
16 shall be \$300,000.

17 (4) SUPPLEMENT NOT SUPPLANT.—Grant
18 funds provided under paragraph (3) shall be used
19 only to supplement the funds that would, in the ab-
20 sence of such Federal funds, be made available from
21 non-Federal sources for the education of pupils par-
22 ticipating in programs assisted under this Act, and
23 not to supplant such funds.

24 (d) USE OF FUNDS.—

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

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

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

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

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

23 (E) To direct grants to rural and other
24 local educational agencies without capacity to
25 prepare an application for funds.

1 (F) To ensure that information about the
2 program is disseminated to all local educational
3 agencies and made publicly and readily avail-
4 able on the State educational agency's website,
5 including—

6 (i) the name and contact information
7 for the individuals described in subpara-
8 graph (B);

9 (ii) a list of subgrantees; and

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

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

23 (3) SUBGRANTS.—The State shall distribute at
24 least 90 percent of each State grant as subgrants to

1 local educational agencies in accordance with section
2 4.

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

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

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

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

19 (4) facilitate the coordination of services with
20 the State agencies responsible for administering pro-
21 grams affecting children, youth, and families (in-
22 cluding for the purposes of maximizing the
23 leveraging of resources from such agencies), includ-
24 ing—

- 1 (A) Temporary Assistance for Needy Fam-
2 ilies;
- 3 (B) Medicaid;
- 4 (C) Children's Health Insurance Program;
- 5 (D) pregnancy prevention, family planning,
6 and maternal and child health programs;
- 7 (E) Women, Infants and Children Food
8 and Nutrition Service;
- 9 (F) Supplemental Nutrition Assistance
10 Program;
- 11 (G) child care;
- 12 (H) early childhood education, home visita-
13 tion, and child welfare programs;
- 14 (I) workforce investment programs and
15 postsecondary education; and
- 16 (J) housing assistance and homeless assist-
17 ance programs.
- 18 (5) coordinate and collaborate with educators,
19 service providers, and local educational agency preg-
20 nant and parenting student liaisons;
- 21 (6) provide technical assistance and training to
22 local educational agencies, including the dissemina-
23 tion of best practices; and
- 24 (7) report to the Secretary any complaints re-
25 ceived by the State about discrimination based on

1 pregnancy or parenting status and what actions
2 were taken to address those complaints.

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

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

11 (2) A description of how the State will identify
12 such students.

13 (3) A description of training programs to raise
14 awareness of school personnel regarding the rights
15 and educational needs of pregnant and parenting
16 students.

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

22 (5) A description of procedures designed to en-
23 sure that students eligible for Federal, State, or
24 local after-school programs or supplemental edu-

1 educational services are enrolled in and able to partici-
2 pate in such programs.

3 (6) Strategies that respond to the problems
4 identified under subsection (e)(1).

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

10 (8) Assurances that—

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

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

23 (C) State educational agencies and local
24 educational agencies will ensure that transpor-

1 tation is provided for students who have an in-
2 ability to pay for transportation and who—

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

6 (ii) need transportation to and from
7 school and the student's child care provider
8 for the student and the student's child, re-
9 spectively.

10 (9) Description of how the State will ensure
11 that local educational agencies comply with require-
12 ments of this Act.

13 (10) A description of technical assistance to be
14 provided to local educational agencies.

15 (g) PROFESSIONAL DEVELOPMENT AND PUBLIC
16 EDUCATION.—Each State and each local educational
17 agency shall include in professional development and pub-
18 lic education materials reference to, and shall ensure that
19 school personnel, students, and family members of stu-
20 dents are aware of title IX of the Education Amendments
21 of 1972 (20 U.S.C. 1681 et seq.) and its implementing
22 regulations, which set forth the Federal civil right to be
23 free from discrimination on the basis of a student's preg-
24 nancy, childbirth, false pregnancy, termination of preg-
25 nancy, or recovery therefrom. This includes the right to

1 be free from harassment and stigmatization on those
2 bases, as well as the following:

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

5 (2) If enrolled into a special program or sepa-
6 rate school, the right to an education equal in qual-
7 ity to that offered to other students in the “main-
8 stream” or “originating” school.

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

11 (4) The right to continue their education in the
12 school in which they were enrolled, or would have
13 been enrolled, prior to the student’s pregnancy,
14 childbirth, false pregnancy, termination of preg-
15 nancy, or recovery therefrom, including elementary
16 or secondary schools, charter schools, honors and
17 magnet programs, Advanced Placement and Inter-
18 national Baccalaureate programs, career and tech-
19 nical education programs, special education and non-
20 public school placements, alternative options or pro-
21 grams, migrant education, free and reduced lunch
22 programs, services for English language learners,
23 physical education programs, after-school academic
24 programs, and any others for which they are other-
25 wise qualified.

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

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

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

17 (8) The right not to be retaliated against for
18 raising awareness of, complaining about, or report-
19 ing discrimination.

20 (h) COORDINATION FOR SUPPORT SERVICES.—Local
21 educational agencies may coordinate with social services
22 agencies, public health agencies, youth services providers,
23 or other community-based organizations for the purposes
24 of ensuring that pregnant and parenting students have ac-
25 cess to the academic support services they need to con-

1 tinue their education; and to raise awareness among agen-
2 cies about pregnant and parenting students and their edu-
3 cational rights and opportunities.

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

7 (1) identification, by consulting with school per-
8 sonnel, and by self-reports, of pregnant and par-
9 enting students in need of services to help them stay
10 in school and succeed;

11 (2) gather information on the nature and extent
12 of barriers to educational access and success facing
13 pregnant and parenting students in the geographic
14 area served by the local educational agency, includ-
15 ing information on reported incidents of discrimina-
16 tion;

17 (3) ensuring and facilitating the continued en-
18 rollment of pregnant and parenting students in
19 school in an academic program that best meets the
20 educational goals of the student and his or her fam-
21 ily;

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

1 (5) informing pregnant and parenting students
2 of educational and related services extended to preg-
3 nant and parenting students and of their right
4 under title IX of the Education Amendments of
5 1972 (20 U.S.C. 1681 et seq.) to continue their edu-
6 cation; and

7 (6) coordinating the provision of services in
8 conjunction with the Coordinator for Education of
9 Pregnant and Parenting Students in the State edu-
10 cational agency and with community organizations
11 and partners.

12 **SEC. 4. LOCAL EDUCATIONAL AGENCY SUBGRANTS FOR**
13 **THE EDUCATION OF PREGNANT AND PAR-**
14 **ENTING STUDENTS.**

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

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

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

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

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

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

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

22 (1) teen pregnancy rates that are higher than
23 the state average; or

24 (2) teen pregnancy rates below the State aver-
25 age but having one or more racial or ethnic groups

1 with teen pregnancy rates higher than the State av-
2 erage.

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

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

7 (1) the provision of academic support services
8 for pregnant and parenting students, which may in-
9 clude, but are not limited to academic counseling,
10 the development of individualized graduation plans,
11 assistance with class scheduling, assistance with
12 planning for and gaining access to postsecondary
13 educational opportunities, assistance securing tutor-
14 ing or other academic support services, tutoring,
15 supplemental instruction, homework assistance, or
16 other educational services, such as homebound in-
17 struction services to be provided during extended
18 leaves of absence due to pregnancy complications,
19 childbirth, or the illness of a student's child, to keep
20 the student on track to finish the student's classes
21 and graduate;

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

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

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

14 (5) the education of students, parents and com-
15 munity members about the educational rights of
16 pregnant and parenting students;

17 (6) the professional development of school per-
18 sonnel regarding the challenges facing pregnant and
19 parenting students and their educational rights;

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

24 (8) the revision of school policies and practices
25 to remove barriers and to encourage pregnant and

1 parenting students to continue their education, such
2 as revising attendance policies to allow for students
3 to be excused from school for—

4 (A) attendance at pregnancy-related med-
5 ical appointments, including expectant fathers
6 who are students;

7 (B) fulfillment of the student's parenting
8 responsibilities, including arranging child care,
9 caring for the student's sick child or children,
10 and attending medical appointments for the
11 student's child or children; and

12 (C) such other situations beyond the con-
13 trol of the student as determined by the board
14 of education in each local educational agency,
15 or such other circumstances which cause rea-
16 sonable concern to student or the student's par-
17 ent for the safety or health of the student, for
18 example addressing circumstances resulting
19 from domestic or sexual violence.

20 (f) ALLOWABLE ACTIVITIES.—

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

23 (A) the provision of child care and early
24 childhood education for the child of the par-
25 enting student, either by providing these serv-

1 ices directly on school grounds or by other ar-
2 rangement, such as by providing financial as-
3 sistance to obtain such services at a child care
4 facility within a reasonable distance of the
5 school;

6 (B) the provision of case management
7 services to pregnant and parenting students,
8 such as assistance with applying for and access-
9 ing public benefits and Federal financial aid for
10 postsecondary education and training;

11 (C) the provision of, or referrals to, preg-
12 nancy prevention, primary health care, maternal
13 and child health, family planning, mental
14 health, substance abuse, housing assistance,
15 homeless assistance, legal aid, and other serv-
16 ices needed by the student;

17 (D) the provision to student parents, and
18 at a student's request, also to a non-student
19 parent or other family members and caring
20 adults, of training and support in parenting
21 skills, healthy relationship skills, and other life
22 skills such as goal setting, budgeting, time
23 management, financial literacy, networking, job
24 interviewing, applying for college and securing
25 financial aid;

1 (E) the provision of educational and career
2 mentoring services and peer groups, whether
3 during school hours or after school;

4 (F) the provision of emergency financial or
5 in-kind assistance to a parenting student to ful-
6 fill the basic human needs of a student and the
7 student's child; and

8 (G) efforts to create a positive school cli-
9 mate for pregnant and parenting students, in-
10 cluding addressing discrimination against, har-
11 assment and stigmatization of pregnant and
12 parenting students.

13 (2) MEDICALLY ACCURATE AND COMPLETE IN-
14 FORMATION.—With respect to information provided
15 under subparagraph (C), whether provided by local
16 educational agencies or by contract or arrangement
17 as described in subsection (g), the information shall
18 be, where appropriate, medically accurate and com-
19 plete. For purposes of the preceding sentence, the
20 term “medically accurate and complete” means
21 verified or supported by the weight of research con-
22 ducted in compliance with accepted scientific meth-
23 ods and—

24 (A) published in peer-reviewed journals,
25 where applicable; or

1 (B) comprising information that leading
2 professional organizations and agencies with
3 relevant expertise in the field recognize as accu-
4 rate, objective, and complete.

5 (g) ACTIVITIES OF NONPROFIT COMMUNITY ORGANI-
6 ZATIONS.—Local educational agencies may provide and
7 expend subgrant funds on required activities authorized
8 in subsection (e) or allowable activities authorized in sub-
9 section (f) directly or by contract or arrangement with so-
10 cial services agencies, public health agencies, youth serv-
11 ices providers, or other nonprofit community-based organi-
12 zations with experience effectively assisting pregnant and
13 parenting students to stay in school by conducting the ac-
14 tivities described in subsections (e) and (f).

15 **SEC. 5. CONVERSION TO CATEGORICAL PROGRAM IN**
16 **EVENT OF FAILURE OF STATE REGARDING**
17 **EXPENDITURE OF GRANTS.**

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

23 (b) SPECIFICATION OF FUNDS.—The amounts re-
24 ferred to in subsection (a) are any amounts that would

1 have been allocated to a State under section 3(c)(3) that
2 are not paid to the State as a result of—

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

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

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

12 **SEC. 6. NATIONAL ACTIVITIES.**

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

15 (1) Review of State plans to ensure they ade-
16 quately address all of the elements listed in section
17 3(f) of this Act.

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

20 (3) Provide guidance to Federal programs and
21 grantees likely to have contact with pregnant and
22 parenting students and their family members and
23 caring adults regarding the educational rights of
24 pregnant and parenting students and the State edu-

1 cational agencies responsibilities, including the re-
2 sponsibilities under this Act.

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

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

22 (6) Annually collect and disseminate nonperson-
23 ally identifiable data and information, in a manner
24 protective of student privacy, on—

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

3 (B) rates and participation of pregnant
4 and parenting students in mainstream or origi-
5 nating schools, rates and participation of preg-
6 nant and parenting students in alternative pro-
7 grams and, for each alternative program, an in-
8 dication as to whether it is offered in a main-
9 stream school or off-site, as well as data, bro-
10 ken down by school or program, on—

11 (i) pregnant and parenting students'
12 performance on academic assessments;

13 (ii) pregnant and parenting students'
14 graduation rates, dropout rates and trans-
15 fer rates;

16 (iii) rates of usage by pregnant and
17 parenting students of child care services or
18 assistance (if offered); and

19 (iv) rates of usage by pregnant or
20 parenting students of other services offered
21 (broken down by type of service); and

22 (C) such other data and information as the
23 Secretary determines to be necessary and rel-
24 evant.

1 (7) Coordinate data collection and dissemina-
2 tion with the agencies and entities that receive funds
3 under this Act and those that administer programs
4 in accordance with this Act.

5 (b) REPORTING RATES.—Notwithstanding subsection
6 (a)(6)(B), if the number of pregnant and parenting stu-
7 dents in a particular school or program is smaller than
8 the N size, it shall be reported by local educational agency,
9 and if the number of pregnant and parenting students
10 under the jurisdiction of the local educational agency is
11 smaller than the N size, it should be reported by State.

12 **SEC. 7. EFFECT ON FEDERAL AND STATE NONDISCRIMINA-**
13 **TION LAWS.**

14 Nothing in this Act shall be construed to preempt,
15 invalidate, or limit rights, remedies, procedures, or legal
16 standards available to victims of discrimination or retali-
17 ation under any other Federal law or a law of a State or
18 political subdivision of a State, including title VI of the
19 Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), title
20 IX of the Education Amendments of 1972 (20 U.S.C.
21 1681 et seq.), section 504 of the Rehabilitation Act of
22 1973 (29 U.S.C. 794), the Americans with Disabilities Act
23 of 1990 (42 U.S.C. 12101 et seq.), section 1557 of the
24 Patient Protection and Affordable Care Act of 2010 (P.L.
25 111-148), or section 1979 of the Revised Statutes (42

1 U.S.C. 1983). The obligations imposed by this Act are in
2 addition to those imposed by title IX of the Education
3 Amendments of 1972 (20 U.S.C. 1681 et seq.), title VI
4 of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.),
5 the Americans with Disabilities Act of 1990 (42 U.S.C.
6 12101 et seq.), and section 1557 of the Patient Protection
7 and Affordable Care Act of 2010 (P.L. 111-148).

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

9 There are authorized to be appropriated to carry out
10 this Act \$100,000,000 for fiscal year 2011 and such sums
11 as may be necessary for fiscal years 2012 through 2015.