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(Original Signature of Member)

112TH CONGRESS
1ST 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 (for himself and Ms. CHU) 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 2011”.

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

9 (3) The teen pregnancy and birth rates in the
10 United States are higher than in any other Western
11 industrialized country.

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

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

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

1 (B) a lack of consistent policies at the
2 State, district, and school levels that allow for
3 excused absences for prenatal and postnatal
4 health care appointments in order for teen par-
5 ents to successfully complete their education;

6 (C) difficulty maintaining academic
7 progress while out of school leading up to or
8 following the birth of a child;

9 (D) juggling school work with parenting
10 responsibilities;

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

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

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

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

3 (8) Studies of females and males who dropped
4 out of high school indicate that becoming a parent
5 played a role in their discontinuation of school, and
6 in many cases it played a major role. For example,
7 nearly half of all female dropouts and one-third of
8 male dropouts said that becoming a parent played a
9 role in their decision to leave school.

10 (9) Teen pregnancy prevention should address
11 subsequent pregnancies, which substantially increase
12 dropout risks for teen mothers and accounted for
13 85,000, or almost 20 percent, of all teen preg-
14 nancies.

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

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

1 (12) Teen childbearing in the United States
2 cost taxpayers (Federal, State and local) at least
3 \$10.9 billion in 2008.

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

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

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) The responsibilities of pregnancy and par-
4 enting can also interfere with the attainment of a
5 college degree. 61 percent of women who have chil-
6 dren after enrolling in community college do not
7 graduate. Women who do not have children after en-
8 rollment graduate at a 65 percent higher rate than
9 women who do.

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

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

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

23 (2) to improve high school graduation rates, ca-
24 reer-readiness, access to postsecondary educational

1 opportunities, and outcomes for pregnant and par-
2 enting students and their children; and

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

9 **SEC. 3. GRANTS FOR STATE AND LOCAL ACTIVITIES FOR**
10 **THE EDUCATION OF PREGNANT AND PAR-**
11 **ENTING STUDENTS.**

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

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

24 (c) ALLOCATION OF FUNDS.—

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

5 (2) ALLOTMENT TO THE SECRETARY OF THE
6 INTERIOR.—The amount allocated for payments
7 under this Act to the Secretary of the Interior for
8 any fiscal year shall be, as determined pursuant to
9 criteria established by the Secretary, the amount
10 necessary to meet the needs of—

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

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

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

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

8 (d) USE OF FUNDS.—

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

11 (A) To provide or enhance educational pro-
12 grams and related services that enable pregnant
13 and parenting students to enroll in, attend, and
14 succeed in school, and that are culturally and
15 linguistically competent.

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

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

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

6 (E) To direct grants to rural and other
7 local educational agencies without capacity to
8 prepare an application for funds.

9 (F) To ensure that information about the
10 program is disseminated to all local educational
11 agencies and made publicly and readily avail-
12 able on the State educational agency's website,
13 including—

14 (i) the name and contact information
15 for the individuals described in subpara-
16 graph (B);

17 (ii) a list of subgrantees; and

18 (iii) an explanation of the rights of
19 students and responsibilities of schools
20 under title IX of the Education Amend-
21 ments of 1972 (20 U.S.C. 1681 et seq.),
22 including investigation and complaint pro-
23 cedures as required under subsection (a)
24 and (b) of section 106.8 of title 34, Code

1 of Federal Regulations (as in effect on the
2 date of the enactment of this Act).

3 (2) RESERVATION FOR STATE-LEVEL ACTIVI-
4 TIES.—From the funds made available to a State
5 under this Act, a State may reserve not more than
6 10 percent for State-level activities.

7 (3) SUBGRANTS.—The State shall distribute at
8 least 90 percent of each State grant as subgrants to
9 local educational agencies in accordance with section
10 4.

11 (e) COORDINATOR FOR EDUCATION OF PREGNANT
12 AND PARENTING STUDENTS.—The Coordinator for Edu-
13 cation of Pregnant and Parenting Students in the State
14 educational agency described in subsection (d)(1)(B)
15 shall—

16 (1) gather information on the nature and extent
17 of State and local efforts to prevent teen pregnancy
18 and the nature and extent of barriers to educational
19 access and success facing pregnant and parenting
20 students in the State, including information on re-
21 ported incidents of discrimination;

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

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

4 (4) facilitate the coordination of services with
5 the State agencies responsible for administering pro-
6 grams affecting children, youth, and families (in-
7 cluding for the purposes of maximizing the
8 leveraging of resources from such agencies), includ-
9 ing—

10 (A) Temporary Assistance for Needy Fam-
11 ilies;

12 (B) Medicaid;

13 (C) Children's Health Insurance Program;

14 (D) teen pregnancy prevention, family
15 planning, and maternal and child health pro-
16 grams;

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

19 (F) Supplemental Nutrition Assistance
20 Program;

21 (G) child care;

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

24 (I) workforce investment programs and
25 postsecondary education; and

1 (J) housing assistance and homeless assist-
2 ance programs.

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

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

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

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

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

21 (2) The policy, protocol, or procedure that each
22 district or State implements once a pregnancy has
23 been discovered on campus; including how each dis-
24 trict ensures the student understands his or her

1 rights under title IX of the Education Amendments
2 of 1972 (20 U.S.C. 1681 et seq.).

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

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

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

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

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

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

1 (9) Assurances that—

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

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

14 (C) State educational agencies and local
15 educational agencies will ensure that transpor-
16 tation is provided for students who have an in-
17 ability to pay for transportation and who—

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

21 (ii) need transportation to and from
22 school and the student's child care provider
23 for the student and the student's child, re-
24 spectively.

1 (10) Description of how the State will ensure
2 that local educational agencies comply with require-
3 ments of this Act.

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

6 (g) PROFESSIONAL DEVELOPMENT AND PUBLIC
7 EDUCATION.—Each State and each local educational
8 agency shall include in professional development and pub-
9 lic education materials reference to, and shall ensure that
10 school personnel, students, and family members of stu-
11 dents are aware of title IX of the Education Amendments
12 of 1972 (20 U.S.C. 1681 et seq.) and its implementing
13 regulations, which set forth the Federal civil right to be
14 free from discrimination on the basis of a student’s preg-
15 nancy, childbirth, false pregnancy, termination of preg-
16 nancy, or recovery therefrom. This includes the right to
17 be free from harassment and stigmatization on those
18 bases, as well as the following:

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

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

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

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

18 (5) The right to participate in school activities
19 including graduations and other ceremonies; to re-
20 ceive awards or peer recognition; to participate on
21 field trips, student clubs and councils, in after-school
22 activities, including cheerleading or athletics teams;
23 and in any other school-related programs, subject to
24 providing a medical release if that is required of all
25 students who have physical or emotional conditions

1 requiring the attention of medical personnel and who
2 want to continue participating.

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

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

9 (8) The right not to be retaliated against for
10 raising awareness of, complaining about, or report-
11 ing discrimination.

12 (h) COORDINATION FOR SUPPORT SERVICES.—Local
13 educational agencies may coordinate with social services
14 agencies, public health agencies, youth services providers,
15 or other community-based organizations for the purposes
16 of ensuring that pregnant and parenting students have ac-
17 cess to the academic support services they need to con-
18 tinue their education; and to raise awareness among agen-
19 cies about pregnant and parenting students and their edu-
20 cational rights and opportunities.

21 (i) PREGNANT AND PARENTING STUDENT LIAI-
22 SON.—The duties of a local educational agency's pregnant
23 and parenting student liaison shall include—

24 (1) identification, by consulting with school per-
25 sonnel, and by self-reports, of pregnant and par-

1 enting students in need of services to help them stay
2 in school and succeed;

3 (2) gathering information on the nature and ex-
4 tent of barriers to educational access and success
5 facing pregnant and parenting students in the geo-
6 graphic area served by the local educational agency,
7 including information on reported incidents of dis-
8 crimination;

9 (3) ensuring and facilitating the continued en-
10 rollment of pregnant and parenting students in
11 school in an academic program that best meets the
12 educational goals of the student and his or her fam-
13 ily;

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

18 (5) informing pregnant and parenting students
19 of educational and related services extended to preg-
20 nant and parenting students and of their right
21 under title IX of the Education Amendments of
22 1972 (20 U.S.C. 1681 et seq.) to continue their edu-
23 cation; and

24 (6) coordinating the provision of services in
25 conjunction with the Coordinator for Education of

1 Pregnant and Parenting Students in the State edu-
2 cational agency and with community organizations
3 and partners.

4 **SEC. 4. LOCAL EDUCATIONAL AGENCY SUBGRANTS FOR**
5 **THE EDUCATION OF PREGNANT AND PAR-**
6 **ENTING STUDENTS.**

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

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

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

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

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

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

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

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

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

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

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

23 (1) the provision of academic support services
24 for pregnant and parenting students, which may in-
25 clude, but are not limited to academic counseling,

1 the development of individualized graduation plans,
2 assistance with class scheduling, assistance with
3 planning for and gaining access to postsecondary
4 educational opportunities, assistance securing tutor-
5 ing or other academic support services, supplemental
6 instruction, homework assistance, tutoring, or other
7 educational services, such as homebound instruction
8 services to be provided during extended leaves of ab-
9 sence due to pregnancy complications, childbirth, or
10 the illness of a student's child, to keep the student
11 on track to finish the student's classes and graduate;

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

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

21 (4) the provision of services and programs to
22 attract, engage, and retain pregnant and parenting
23 students in school, including informing pregnant and
24 parenting teenagers and their family members and
25 caring adults of their right to continue their edu-

1 cation, the importance of doing so, and the con-
2 sequences of not doing so;

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

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

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

13 (8) the revision of school policies and practices
14 to remove barriers and to encourage pregnant and
15 parenting students to continue their education, such
16 as revising attendance policies to allow for students
17 to be excused from school for—

18 (A) attendance at pregnancy-related med-
19 ical appointments, including expectant fathers
20 who are students;

21 (B) fulfillment of the student's parenting
22 responsibilities, including arranging child care,
23 caring for the student's sick child or children,
24 and attending medical appointments for the
25 student's child or children; and

1 (C) such other situations beyond the con-
2 trol of the student as determined by the board
3 of education in each local educational agency,
4 or such other circumstances which cause rea-
5 sonable concern to student or the student's par-
6 ent for the safety or health of the student, for
7 example addressing circumstances resulting
8 from domestic or sexual violence;

9 (9) the provision to student parents, and at a
10 student's request, also to a non-student parent or
11 other family members and caring adults, of training
12 and support in parenting skills, healthy relationship
13 skills, and other life skills such as goal setting,
14 budgeting, time management, financial literacy, net-
15 working, job interviewing, applying for college and
16 securing financial aid; and

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

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 services, including
16 paternity testing, establishing parental rights,
17 child custody arrangements, and other services
18 needed by the student;

19 (D) the provision of emergency financial or
20 in-kind assistance to a parenting student to ful-
21 fill the basic human needs of a student and the
22 student's child;

23 (E) efforts to create a positive school cli-
24 mate for pregnant and parenting students, in-
25 cluding addressing discrimination against, har-

1 assessment and stigmatization of pregnant and
2 parenting students; and

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

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

17 (A) published in peer-reviewed journals,
18 where applicable; or

19 (B) comprising information that leading
20 professional organizations and agencies with
21 relevant expertise in the field recognize as accu-
22 rate, objective, and complete.

23 (g) ACTIVITIES OF NONPROFIT COMMUNITY ORGANI-
24 ZATIONS.—Local educational agencies may provide and
25 expend subgrant funds on required activities authorized

1 in subsection (e) or allowable activities authorized in sub-
2 section (f) directly or by contract or arrangement with so-
3 cial services agencies, public health agencies, youth serv-
4 ices providers, or other nonprofit community-based organi-
5 zations with experience effectively assisting pregnant and
6 parenting students to stay in school by conducting the ac-
7 tivities described in subsections (e) and (f).

8 **SEC. 5. CONVERSION TO CATEGORICAL PROGRAM IN**
9 **EVENT OF FAILURE OF STATE REGARDING**
10 **EXPENDITURE OF GRANTS.**

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

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

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

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

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

4 **SEC. 6. NATIONAL ACTIVITIES.**

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

7 (1) Review of State plans to ensure they ade-
8 quately address all of the elements listed in section
9 3(f) of this Act.

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

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

19 (4) At the end of each 3-year grant period, con-
20 duct a rigorous, evidence-based, comprehensive eval-
21 uation of the local educational agency programs
22 funded by these grants and their effectiveness in im-
23 proving graduation rates and educational outcomes
24 for pregnant and parenting students, including ac-
25 ceptance and enrollment in higher education. The

1 findings of such evaluations shall be reported to
2 Congress.

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

15 (6) Annually collect and disseminate nonperson-
16 ally identifiable data and information, in a manner
17 protective of student privacy, and disaggregated by
18 each school or alternative program identified pursu-
19 ant to subparagraph (B) and by whether services for
20 pregnant and parenting students are offered in
21 school or off-site, on—

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

24 (B) rates and participation of pregnant
25 and parenting students in mainstream or origi-

1 nating schools, rates and participation of preg-
2 nant and parenting students in alternative pro-
3 grams and, for each alternative program, an in-
4 dication as to whether it is offered in a main-
5 stream school or off-site;

6 (C) pregnant and parenting students' per-
7 formance on academic assessments;

8 (D) pregnant and parenting students'
9 graduation rates, dropout rates and transfer
10 rates;

11 (E) rates of usage by pregnant and par-
12 enting students of child care services or assist-
13 ance (if offered);

14 (F) rates of usage by pregnant or par-
15 enting students of other services offered (bro-
16 ken down by type of service); and

17 (G) such other data and information as the
18 Secretary determines to be necessary and rel-
19 evant.

20 (7) Coordinate data collection and dissemina-
21 tion with the agencies and entities that receive funds
22 under this Act and those that administer programs
23 in accordance with this Act.

24 (b) REPORTING RATES.—Notwithstanding subsection

25 (a)(6)(B) through (F), if the number of pregnant and par-

1 enting students in a particular school or program is small-
2 er than the N size, it shall be reported by local educational
3 agency, and if the number of pregnant and parenting stu-
4 dents under the jurisdiction of the local educational agen-
5 cy is smaller than the N size, it should be reported by
6 State.

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

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

1 12101 et seq.), and section 1557 of the Patient Protection
2 and Affordable Care Act of 2010 (Public Law 111–148).

3 **SEC. 8. DEFINITION OF STATE.**

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

10 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

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