



MAJORITY MEMBERS:

ROBERT C. "BOBBY" SCOTT, VIRGINIA,  
*Chairman*

RAÚL M. GRIJALVA, ARIZONA  
JOE COURTNEY, CONNECTICUT  
GREGORIO KILILI CAMACHO SABLÁN,  
NORTHERN MARIANA ISLANDS  
FREDERICA S. WILSON, FLORIDA  
SUZANNE BONAMICI, OREGON  
MARK TAKANO, CALIFORNIA  
ALMA S. ADAMS, NORTH CAROLINA  
MARK DESAULNIER, CALIFORNIA  
DONALD NORCROSS, NEW JERSEY  
PRAMILA JAYAPAL, WASHINGTON  
SUSAN WILD, PENNSYLVANIA  
LUCY MCBATH, GEORGIA  
JAHANA HAYES, CONNECTICUT  
ANDY LEVIN, MICHIGAN  
ILHAN OMAR, MINNESOTA  
HALEY M. STEVENS, MICHIGAN  
TERESA LEGER FERNANDEZ, NEW MEXICO  
MONDAIRE JONES, NEW YORK  
KATHY E. MANNING, NORTH CAROLINA  
FRANK J. MRVAN, INDIANA  
JAMAAL BOWMAN, NEW YORK  
SHEILA CHERFILUS-MCCORMICK, FLORIDA  
MARK POCAN, WISCONSIN  
JOAQUIN CASTRO, TEXAS  
MIKIE SHERRILL, NEW JERSEY  
ADRIANO ESPALLAT, NEW YORK  
KWEISI MFUME, MARYLAND  
MARY SATTLER PELTOLA, ALASKA

MINORITY MEMBERS:

VIRGINIA FOXX, NORTH CAROLINA,  
*Ranking Member*

JOE WILSON, SOUTH CAROLINA  
GLENN THOMPSON, PENNSYLVANIA  
TIM WALBERG, MICHIGAN  
GLENN GROTHMAN, WISCONSIN  
ELISE M. STEFANIK, NEW YORK  
RICK W. ALLEN, GEORGIA  
JIM BANKS, INDIANA  
JAMES COMER, KENTUCKY  
RUSS FULCHER, IDAHO  
FRED KELLER, PENNSYLVANIA  
MARIANNETTE MILLER-MEEKS, IOWA  
BURGESS OWENS, UTAH  
BOB GOOD, VIRGINIA  
LISA C. MCCLAIN, MICHIGAN  
DIANA HARSHBARGER, TENNESSEE  
MARY E. MILLER, ILLINOIS  
VICTORIA SPARTZ, INDIANA  
SCOTT FITZGERALD, WISCONSIN  
MADISON CAWTHORN, NORTH CAROLINA  
MICHELLE STEEL, CALIFORNIA  
CHRIS JACOBS, NEW YORK  
BRAD FINSTAD, MINNESOTA  
JOSEPH SEMPOLINSKI, NEW YORK

COMMITTEE ON  
EDUCATION AND LABOR  
U.S. HOUSE OF REPRESENTATIVES  
2176 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6100

October 7, 2022

The Honorable Gene L. Dodaro  
Comptroller General  
U.S. Government Accountability Office  
441 G Street N.W.  
Washington, D.C. 20548

Dear Mr. Dodaro:

Title IX of the *Education Amendments of 1972* (Title IX) is a landmark law that has a simple premise: No person shall be discriminated on the basis of sex in federally funded education programs. Federal regulations implementing Title IX require protections for individuals who are pregnant, have terminated a pregnancy, or are parenting students.<sup>1</sup> These protections include allowing individuals to continue participating in classes and extracurricular activities, providing reasonable accommodations to individuals so that they may continue participating in classes and extracurricular activities, permitting excused absences and medical leave, providing special services, and protecting from harassment because of pregnancy or related conditions.<sup>2</sup>

The recent Supreme Court decision in *Dobbs v. Jackson Women's Health Organization* potentially endangers these Title IX protections.<sup>3</sup> Since the *Dobbs* decision, states have enacted laws or permitted laws to come into effect which severely limit access to abortion services or require reporting of individuals who seek access to these services.<sup>4</sup> While the Department of Education (Department) has issued recent sub-regulatory guidance on Discrimination based on

---

<sup>1</sup> See 20 U.S.C. §1681 *et seq.*; see also *Pregnant or Parenting? Title IX Protects You From Discrimination at School*, U.S. Dep't of Educ., Office for Civil Rights, available at <https://www2.ed.gov/about/offices/list/ocr/docs/dcl-know-rights-201306-title-ix.html>.

<sup>2</sup> See *id.*

<sup>3</sup> See 597 U.S. \_\_\_\_ (2022).

<sup>4</sup> See *Tracking the States Where Abortion is Now Banned*, THE NEW YORK TIMES, available at <https://www.nytimes.com/interactive/2022/us/abortion-laws-roe-v-wade.html> (updated regularly).

pregnancy and related conditions,<sup>5</sup> there are still multiple unanswered questions as to duties institutions of higher education (IHEs) located in states with these laws might face conflicts in how they comply with state laws and with their obligations under Title IX. Further, the impact of the *Dobbs* decision will acutely and disproportionately affect students in higher education, considering the general age range as well as the financial situation of college students.

To better understand the current landscape of institutions' compliance with Title IX protections for individuals who are pregnant, have terminated a pregnancy, or are parenting students, we request that the GAO examine the following questions:

1. What is known about how institutions implement their accommodations policy when it comes to pregnant and parenting students?
  - a. What types of accommodations are the most successful in student access to education programs and to student success?
  - b. How difficult or rigorous are these accommodations to implement?
  - c. What is known about the impact the lack of accommodations or other Title IX-related discrimination actions have on pregnant and parenting students who may have to miss classes or coursework while on medical leave?
2. What is known about institutions that claim religious exemptions to the provisions of Title IX which require protections for individuals who are pregnant, have terminated a pregnancy, or are parenting students? Specifically:
  - a. For institutions claiming an exemption from Title IX in these areas, how much information regarding that exemption is available to students? Is that information generally available prior to their enrollment
    - i. Are students' aware that they could face disciplinary action related to these policies?
    - ii. What is known about how many students have faced discipline, including expulsion, related to these areas?
    - iii. Do these institutions likewise contain moral clauses or exemptions in their student health plans that will not cover abortion, pregnancy-related conditions, and complications?

---

<sup>5</sup> See "Discrimination Based on Pregnancy and Related Conditions A Resource for Students and Schools," U.S. Dep't of Edu., Office of Civil Rights, Oct. 2022, available at <https://www2.ed.gov/about/offices/list/ocr/docs/ocr-pregnancy-resource.pdf>.

The Honorable Gene L. Dodaro

October 7, 2022

Page 3

3. How does the Department of Education oversee institutions' compliance with these provisions of Title IX, and what challenges does it face in conducting its oversight?

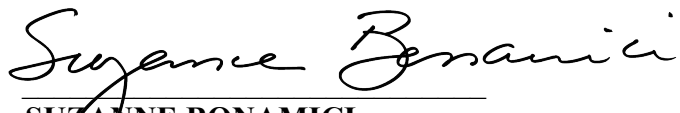
Please send all official correspondence and information relating to this request to the Committee's Clerk, Rasheedah Hasan at [Rasheedah.Hasan@mail.house.gov](mailto:Rasheedah.Hasan@mail.house.gov). Please keep Committee staff, as appropriate, informed of work on this engagement. Thank you for your assistance in this matter.

Sincerely,



---

**ROBERT C. "BOBBY" SCOTT**  
Chairman  
Committee on Education and Labor



---

**SUZANNE BONAMICI**  
Chair  
Subcommittee on Civil Rights and Human Services