

118TH CONGRESS
2D SESSION

S. 3580

To require institutions of higher education participating in Federal student aid programs to share information about title VI of the Civil Rights Act of 1964, including a link to the webpage of the Office for Civil Rights where an individual can submit a complaint regarding discrimination in violation of such title, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 11, 2024

Mr. CASSIDY (for himself and Mr. FETTERMAN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To require institutions of higher education participating in Federal student aid programs to share information about title VI of the Civil Rights Act of 1964, including a link to the webpage of the Office for Civil Rights where an individual can submit a complaint regarding discrimination in violation of such title, and for other purposes.

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 “Protecting Students
5 on Campus Act of 2024”.

1 **SEC. 2. TITLE VI AWARENESS CAMPAIGN.**

2 (a) TITLE VI AWARENESS CAMPAIGN.—

3 (1) IN GENERAL.—The Secretary of Education,
4 acting through the Assistant Secretary for Civil
5 Rights of the Department of Education, shall carry
6 out a public awareness campaign regarding the
7 availability of rights provided to individuals under
8 title VI of the Civil Rights Act of 1964 (42 U.S.C.
9 2000d et seq.).

10 (2) AWARENESS CAMPAIGN.—The public aware-
11 ness campaign shall include appealing visual and au-
12 ditory elements and shall be updated annually and
13 distributed to institutions of higher education for
14 physical posting in 1 or more high traffic public
15 places, such as student centers, and digital posting
16 on 1 or more high traffic institution web pages, such
17 as student services. The campaign shall utilize such
18 methods and materials as necessary to maximize
19 student accessibility.

20 (3) ABILITY TO CONTRACT.—The Secretary
21 may carry out this subsection directly or through a
22 contract with a nonprofit organization that special-
23 izes in public awareness communications.

24 (b) HEA AMENDMENTS.—Section 487(a) of the
25 Higher Education Act of 1965 (20 U.S.C. 1094(a)) is
26 amended by adding at the end the following:

1 “(30) The institution—

2 “(A) has prominently displayed on the
3 homepage of the institution a link to the
4 webpage of the Office for Civil Rights of the
5 Department of Education where an individual
6 can submit a complaint regarding discrimina-
7 tion on the basis of race, color, or national ori-
8 gin in violation of title VI of the Civil Rights
9 Act of 1964 (42 U.S.C. 2000d et seq.); and

10 “(B) will annually display and post the
11 public awareness campaign materials created
12 and distributed under section 2(a) of the Pro-
13 tecting Students on Campus Act of 2024 in
14 high traffic public places on campus, such as
15 student centers, and high traffic institution web
16 pages, such as student services.”.

17 **SEC. 3. CONGRESSIONAL BRIEFINGS.**

18 (a) IN GENERAL.—Beginning not later than 30 days
19 after the date of enactment of this Act and ending 1 year
20 after the date of enactment of this Act, the Assistant Sec-
21 retary for Civil Rights of the Department of Education
22 shall give a monthly briefing to Congress—

23 (1) explaining the number of complaints that
24 the Office for Civil Rights of the Department of
25 Education (referred to in this Act as the “Office”)

1 has received in the previous month regarding dis-
2 crimination on the basis of race, color, or national
3 origin in violation of title VI of the Civil Rights Act
4 of 1964 (42 U.S.C. 2000d et seq.), disaggregated by
5 the basis of discrimination;

6 (2) describing how the Office plans to address
7 those complaints and the investigations opened in re-
8 sponse to those complaints; and

9 (3) providing data about the length of time that
10 those complaints remain open after being received by
11 the Office.

12 (b) REPORT.—Not later than 48 hours prior to each
13 briefing described in subsection (a), the Assistant Sec-
14 retary for Civil Rights of the Department of Education
15 shall provide a written report to Congress that contains
16 the information that will be presented at the next briefing,
17 in a manner that protects personally identifiable informa-
18 tion in accordance with applicable privacy laws.

19 **SEC. 4. AUDIT AND STUDY.**

20 (a) REQUIREMENT TO SUBMIT DATA.—Each institu-
21 tion of higher education receiving Federal funds shall sub-
22 mit an annual report to the Inspector General of the De-
23 partment of Education that includes—

24 (1) the number of complaints regarding dis-
25 crimination on the basis of race, color, or national

1 origin in violation of title VI of the Civil Rights Act
2 of 1964 (42 U.S.C. 2000d et seq.) that were sub-
3 mitted to the institution in the previous year;

4 (2) an analysis of the number of such com-
5 plaints and their substance; and

6 (3) a narrative of the action the institution took
7 with respect to such complaints.

8 (b) AUDIT.—The Inspector General of the Depart-
9 ment of Education shall complete an annual audit of the
10 institutions of higher education that are in the top 5 per-
11 cent of institutions based on the per capita number of
12 complaints described in subsection (a) received by the in-
13 stitutions, controlling for student population, to examine
14 the process for addressing such complaints and the need
15 for any referrals to the Office for Civil Rights of the De-
16 partment of Education.

17 (c) STUDY.—The Inspector General of the Depart-
18 ment of Education shall conduct a study—

19 (1) regarding why there is a disparity between
20 the complaints regarding discrimination on the basis
21 of race, color, or national origin in violation of title
22 VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d
23 et seq.) that are submitted to institutions of higher
24 education and such complaints that are submitted to
25 the Office; and

1 (2) quantifying the distinction described in
2 paragraph (1).

3 **SEC. 5. OCR PROCESS REFORMS.**

4 The Office for Civil Rights of the Department of
5 Education shall not close or dismiss any complaint due
6 to resolution by another Federal, State, or local civil rights
7 enforcement agency or through a recipient's internal griev-
8 ance procedures.

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