

118TH CONGRESS
2D SESSION

H. R. 10534

To amend the Higher Education Act of 1965 to require institutions of higher education, as a condition of participating in programs under title IV of such Act, to annually conduct a survey to measure student experiences with discrimination at such institutions, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 19, 2024

Ms. LEE of Pennsylvania (for herself, Mr. CARSON, Mrs. WATSON COLEMAN, and Ms. WILLIAMS of Georgia) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Higher Education Act of 1965 to require institutions of higher education, as a condition of participating in programs under title IV of such Act, to annually conduct a survey to measure student experiences with discrimination at such institutions, 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 **SEC. 1. SHORT TITLE.**

4 This Act may be cited as the “Creating Positive Col-
5 lege Campus Racial Climates Act”.

1 **SECTION 2. ASSESSING DISCRIMINATION AT INSTITUTIONS**
2 **OF HIGHER EDUCATION.**

3 (a) NATIONAL CAMPUS CLIMATE SURVEY.—Part B
4 of title I of the Higher Education Act of 1965 (20 U.S.C.
5 1011 et seq.) is amended by adding at the end the fol-
6 lowing:

7 **“SEC. 124. NATIONAL CAMPUS CLIMATE SURVEY.**

8 “(a) SURVEY.—The Secretary shall develop an an-
9 nual survey to measure student experiences with discrimi-
10 nation at institutions of higher education that participate
11 in any program under title IV, which shall be known as
12 the National Campus Climate Survey (in this section re-
13 ferred to as the ‘Survey’). The Survey shall collect from
14 students the following information:

15 “(1) The demographic information of the stu-
16 dent, including the number of years of an under-
17 graduate or graduate education the student has
18 completed.

19 “(2) The number of instances of covert and
20 overt acts of racial discrimination the student has
21 experienced on a campus or other property of the in-
22 stitution.

23 “(3) Responses from the student recorded on a
24 numeric scale from 1 to 10 regarding the extent that
25 the student—

1 “(A) feels prepared to engage in a racially
2 diverse democracy and workforce;

3 “(B) is concerned about experiencing cov-
4 ert and overt acts of racial discrimination on a
5 campus or other property of the institution; and

6 “(C) is satisfied with how the institution
7 responds to alleged incidents of racial discrimi-
8 nation reported to the institution.

9 “(4) Any additional information as determined
10 appropriate by the Secretary.

11 “(b) DISTRIBUTION.—Not later than September 30,
12 2025, and not later than each September 30 thereafter,
13 the Secretary shall—

14 “(1) prepare the content of the Survey; and

15 “(2) distribute the Survey to each institution of
16 higher education that participates in any program
17 under title IV through the portal established under
18 subsection (d)(1).

19 “(c) RESPONSE COLLECTION.—Not later than May
20 31, 2026, and not later than each May 31 thereafter, each
21 institution of higher education that participates in any
22 program under title IV shall—

23 “(1) conduct the Survey distributed through the
24 portal established under subsection (d)(1) among
25 students of the institution and accept student re-

1 sponses to such Survey for a period of at least 60
2 days;

3 “(2) publish a report of the results of the Sur-
4 vey collected by the institution that excludes any
5 personally identifiable information on a publically
6 available website of the institution;

7 “(3) notify students and staff of the institution
8 when such report is published; and

9 “(4) upload the results of the Survey collected
10 by the institution to the portal established under
11 subsection (d)(1).

12 “(d) PORTAL.—

13 “(1) IN GENERAL.—The Secretary shall publish
14 a portal on a publically available website of the De-
15 partment to facilitate the distribution of the Survey
16 to, and to collect responses to the Survey uploaded
17 by, institutions of higher education that participate
18 in any program under title IV.

19 “(2) DATABASE.—The portal established under
20 paragraph (1) shall include a searchable database of
21 the responses to the Survey uploaded to the portal.
22 Such responses shall be—

23 “(A) disaggregated by the institution of
24 higher education that the response pertains to;
25 and

1 “(B) anonymized to remove any personally
2 identifiable information.

3 “(e) ASSISTANCE.—The Secretary shall establish a
4 website and a toll-free telephone number to provide assist-
5 ance and resources to institutions of higher education re-
6 garding the collection of responses to the Survey.

7 “(f) ANONYMOUS RESPONSES.—The Survey shall in-
8 clude an option for students to submit responses anony-
9 mously.

10 “(g) MONITORING.—The Office for Civil Rights of
11 the Department—

12 “(1) shall monitor the responses to the Survey
13 uploaded to the portal established under subsection
14 (d)(1); and

15 “(2) may use such responses as the basis for
16 opening an investigation of alleged discrimination at
17 an institution of higher education.

18 **“SEC. 125. TRANSPARENCY REGARDING COMPLAINTS RE-**
19 **LATED TO DISCRIMINATION.**

20 “(a) Not later than October 31, 2025, and not less
21 than twice each year thereafter, each institution of higher
22 education that participates in any program under title IV
23 shall post on a publically available website of the institu-
24 tion and email students of the institution the following in-
25 formation:

1 “(1) A guide of the policies of the institution
2 that prohibit discrimination on the basis of race,
3 color, or national origin (including discrimination
4 based on actual or perceived shared ancestry or eth-
5 nic characteristics), including discrimination against
6 individuals who are or are perceived to be members
7 of a religion.

8 “(2) Data from the most recently completed
9 academic year regarding—

10 “(A) complaints asserting instances of dis-
11 crimination described in paragraph (1) against
12 a student that are reported to the institution;
13 and

14 “(B) complaints asserting instances of dis-
15 crimination described in paragraph (1) against
16 a student that are reported to the Office for
17 Civil Rights of the Department of Education, to
18 the extent such complaints are known to the in-
19 stitution.

20 “(b) Not later than October 31, 2025, and not less
21 than once every 4 years thereafter, each institution of
22 higher education that participates in any program under
23 title IV shall audit all reporting systems of the institution
24 that accept complaints asserting instances of discrimina-

tion described in subsection (a)(1) against a student. Each such audit shall evaluate—

“(1) how each such reporting system—

“(A) accepts, processes, and resolves a complaint; and

“(B) solicits input and feedback on the reporting system from the individual who submitted such complaint, including how the institution communicates with such individual on matters regarding the complaint; and

“(2) how the institution—

“(A) sanctions an individual found to be non-complaint with the policies of the institution regarding instances of discrimination described in subsection (a)(1) against a student; and

“(B) could improve the accessibility and ease of navigation of reporting systems.”.

(b) OCR ANNUAL REPORT.—

(1) IN GENERAL.—Section 203(b) of the Department of Education Organization Act (20 U.S.C. 3413(b)) is amended by adding at the end the following:

“(3) The report required by paragraph (1) shall include an analysis of the complaints the Office for Civil

1 Rights has received during the period covered by such re-
2 port regarding alleged discrimination against a student or
3 staff of an institution of higher education in violation of
4 title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d
5 et seq.). Such analysis shall include—

6 “(A) such complaints disaggregated by—

7 “(i) the race or ethnicity of the alleged vic-
8 tim, to the extent such information is available;

9 “(ii) in the case of a complaint filed by a
10 student, the number of years of an under-
11 graduate or graduate education the student had
12 completed at the time such complaint was filed;

13 “(iii) the specific violation of Title VI of
14 the Civil Rights Act of 1964 that is the basis
15 for the complaint; and

16 “(iv) the name of the institution, if any,
17 upon which the complaint was alleged against;
18 and

19 “(B) information pertaining to the period cov-
20 ered by such report on—

21 “(i) the number of such complaints, includ-
22 ing through what means the complaint was filed
23 and disaggregated by such means, including
24 electronic submissions through forms provided
25 by the Office for Civil Rights; and

1 “(ii) the number of complaints with waiv-
 2 ers approved for filing after the 180-day filing
 3 period has expired.”.

4 (2) EFFECTIVE DATE.—The amendment made
 5 by this subsection shall take effect 1 year after the
 6 date of enactment of this Act.

7 (c) PROGRAM PARTICIPATION AGREEMENT RE-
 8 QUIREMENTS.—Section 487(a) of the Higher Education
 9 Act of 1965 (20 U.S.C. 1094(a)) is amended by adding
 10 at the end the following:

11 “(30) The institution will comply with the re-
 12 quirements of section 124(c).

13 “(31) The institution will comply with the re-
 14 quirements of section 125.”.

15 (d) AUDIT.—Not later than 180 days after the date
 16 of enactment of this Act, the Inspector General of the De-
 17 partment of Education shall conduct an audit of the com-
 18 plaint process used by the Office of Civil Rights of the
 19 Department of Education for complaints of alleged viola-
 20 tions of title VI of the Civil Rights Act of 1964 (42 U.S.C.
 21 2000d et seq.).

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