

118TH CONGRESS  
2D SESSION

# H. R. 8648

To increase the transparency of colleges and universities in carrying out their civil rights responsibilities, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

JUNE 7, 2024

Mrs. CHAVEZ-DEREMER introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To increase the transparency of colleges and universities in carrying out their civil rights responsibilities, 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 “Civil Rights Protection  
5 Act of 2024”.

6 **SEC. 2. COMPLIANCE AND TRANSPARENCY RELATED TO**  
7 **TITLE VI OF THE CIVIL RIGHTS ACT OF 1964.**

8 (a) PROGRAM PARTICIPATION AGREEMENT RE-  
9 QUIREMENT.—Section 487 of the Higher Education Act  
10 of 1965 (20 U.S.C. 1094) is amended—

1 (1) in subsection (a), by adding at the end the  
2 following new paragraph:

3 “(30) The institution will comply with the pro-  
4 visions of subsection (i) and provide to the Secretary  
5 an annual attestation of such compliance.”.

6 (2) by redesignating subsections (i) and (j) as  
7 subsections (j) and (k), respectively; and

8 (3) by inserting after subsection (h) the fol-  
9 lowing new subsection:

10 “(i) COMPLIANCE AND TRANSPARENCY RELATED TO  
11 COMPLAINTS UNDER TITLE VI OF THE CIVIL RIGHTS  
12 ACT OF 1964.—

13 “(1) COMPLIANCE AND TRANSPARENCY.—With  
14 respect to complaints received by an institution re-  
15 lated to alleged violations of title VI of the Civil  
16 Rights Act of 1964 (42 U.S.C. 2000d et seq.), the  
17 institution will—

18 “(A) have in effect, make publicly available  
19 (including on the website of the institution),  
20 and widely distribute to students and their fam-  
21 ilies (including in student orientation materials)  
22 a description of the investigative processes of  
23 the institution related to such complaints; and

1           “(B) include in the description of inves-  
2           tigative processes described in subparagraph  
3           (A) at least the following:

4                   “(i) The processes and factors used to  
5                   determine whether such a complaint will be  
6                   investigated and how the outcome of an in-  
7                   vestigation will be determined.

8                   “(ii) A designation of at least one em-  
9                   ployee to coordinate its efforts to comply  
10                  with title VI of the Civil Rights Act of  
11                  1964 (42 U.S.C. 2000d et seq.), including  
12                  any investigation of any complaint alleging  
13                  the noncompliance of the institution with  
14                  requirements under the Act.

15                  “(iii) The contact information and  
16                  necessary steps for reporting such a com-  
17                  plaint to the institution.

18                  “(iv) A procedure to ensure that, for  
19                  each such complaint received by the insti-  
20                  tution, the complainant will receive from  
21                  the institution timely notification of each  
22                  of the following:

23                          “(I) Confirmation of receipt of  
24                          the complaint.

1           “(II) Notification of whether or  
2           not an investigation has been opened  
3           in response to the complaint.

4           “(III) In the case that an inves-  
5           tigation was not opened in response to  
6           the complaint, an explanation of why  
7           an investigation was not opened in-  
8           cluding a summary of the information  
9           that was used to determine that an  
10          investigation should not be opened.

11          “(IV) In the case that an inves-  
12          tigation was opened—

13                 “(aa) notification that an in-  
14                 vestigation of the complaint will  
15                 be carried out, and that the com-  
16                 plainant will be notified of the  
17                 outcome of the investigation; and

18                 “(bb) notification of the out-  
19                 come of the investigation, includ-  
20                 ing an explanation of how the  
21                 outcome was reached, and any  
22                 remedial actions taken in re-  
23                 sponse to the complaint.

24                 “(v) A system for keeping and main-  
25                 taining records of such complaints, includ-

1           ing the determination and reasoning for  
2           whether or not an investigation into a com-  
3           plaint was opened, a record of the inves-  
4           tigation (including the outcome thereof),  
5           and a record of any remedial actions taken  
6           in response to the complaint.

7           “(vi) The contact information and  
8           necessary steps for reporting a complaint  
9           related to an alleged violation of title VI of  
10          the Civil Rights Act of 1964 (42 U.S.C.  
11          2000d et seq.) to the Office for Civil  
12          Rights of the Department of Education,  
13          including the hyperlink to the electronic  
14          complaint form of the Office for Civil  
15          Rights for an alleged violation of such title  
16          VI.

17          “(2) ENFORCEMENT.—An institution of higher  
18          education that fails to comply with any provision of  
19          subsection (a)(30) for two consecutive award years  
20          shall be ineligible to participate in the programs au-  
21          thorized by this title for a period of not less than  
22          two years. To regain eligibility to participate in the  
23          programs authorized by this title, an institution of  
24          higher education shall demonstrate compliance with  
25          paragraph (1) prior to the completion of the period

1 during which the institution is ineligible due to fail-  
2 ure to comply with such paragraph.”.

3 (b) EFFECTIVE DATE.—The amendments made by  
4 subsection (a) shall take effect on the first day of the first  
5 award year beginning after the date of enactment of this  
6 Act.

7 **SEC. 3. OFFICE FOR CIVIL RIGHTS REQUIREMENTS.**

8 (a) CONGRESSIONAL BRIEFINGS.—

9 (1) IN GENERAL.—Beginning not later than 30  
10 days after the date of the enactment of this Act and  
11 ending 2 years after such date of enactment, the As-  
12 sistant Secretary for Civil Rights of the Department  
13 of Education shall give a monthly briefing to the  
14 Committee on Education and the Workforce of the  
15 House of Representatives and the Committee on  
16 Health, Education, Labor, and Pensions of the Sen-  
17 ate regarding discrimination on the basis of race,  
18 color, or national origin in violation of title VI of the  
19 Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.),  
20 disaggregated by the basis of discrimination, includ-  
21 ing shared ancestry, that—

22 (A) explains the number of complaints al-  
23 leging such discrimination that the Office for  
24 Civil Rights of the Department of Education  
25 (referred to in this section as the “Office”)—

1 (i) is investigating; and

2 (ii) has received in the preceding  
3 month;

4 (B) describes—

5 (i) how the Office plans to address  
6 those complaints; and

7 (ii) the investigations being carried  
8 out in response to those complaints, as ap-  
9 plicable; and

10 (C) provides data about the length of time  
11 that those complaints are pending after being  
12 received by the Office.

13 (2) REPORT.—Not later than 48 hours prior to  
14 each briefing required under paragraph (1), the As-  
15 sistant Secretary for Civil Rights of the Department  
16 of Education shall provide a written report to the  
17 Committee on Education and the Workforce of the  
18 House of Representatives and the Committee on  
19 Health, Education, Labor, and Pensions of the Sen-  
20 ate that contains the information that will be pre-  
21 sented at such briefing, in a manner that protects  
22 personally identifiable information in accordance  
23 with applicable privacy laws.

24 (b) OCR PROCESS REFORMS.—

1           (1) DISMISSALS.—The Office shall not close or  
2 dismiss any complaint regarding discrimination on  
3 the basis of race, color, or national origin in viola-  
4 tion of title VI of the Civil Rights Act of 1964 (42  
5 U.S.C. 2000d et seq.) due to the filing of a com-  
6 plaint involving the same allegations against the  
7 same recipient—

8           (A) by an individual other than the com-  
9 plainant with another Federal, State, or local  
10 agency, a court, or the recipient, unless the Of-  
11 fice determines that such other individual’s  
12 complaint is part of a class action in which the  
13 complainant is part of such class; or

14           (B) by the complainant with another Fed-  
15 eral, State, or local agency, a court, or the re-  
16 cipient.

17           (2) INVESTIGATIONS.—The Office shall not  
18 delay an investigation of a complaint due to the fil-  
19 ing of a complaint involving the same allegations  
20 against the same recipient with another Federal,  
21 State, or local agency or a recipient.

22           (3) RECIPIENT DEFINED.—For purposes of this  
23 subsection, the term “recipient” means an institu-  
24 tion of higher education (as such term is defined in  
25 section 102 of the Higher Education Act of 1965



1 (20 U.S.C. 1002)) that receives funds under an ap-  
2 plicable program (as such term is defined in section  
3 400 of the General Education Provisions Act (20  
4 U.S.C. 1221)).

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