

98TH CONGRESS  
2D SESSION

# S. 3079

To clarify the meaning of the phrase "program or activity" as applied to educational institutions that are extended Federal financial assistance, and for other purposes.

## IN THE SENATE OF THE UNITED STATES

OCTOBER 5 (legislative day, SEPTEMBER 24), 1984

Mr. DOLE (for himself, Mr. WARNER, Mr. WILSON, and Mr. TRIBLE) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

## A BILL

To clarify the meaning of the phrase "program or activity" as applied to educational institutions that are extended Federal financial assistance, 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. . (a) Title IX of the Education Amendments of  
4 1972 is amended by adding at the end thereof the following  
5 new section:

6 "SEC. 908. (a) Notwithstanding the decisions of the Su-  
7 preme Court in Grove City College and others against Bell,  
8 Secretary of Education, and in North Haven against Bell, the  
9 phrase 'program or activity' as used in this title shall, as



1 applied to educational institutions which are extended Feder-  
2 al financial assistance, mean the educational institution.

3 “(b) In any other application of the provisions of this  
4 title, nothing in paragraph (A) shall be construed to expand  
5 or narrow the meaning of the phrase ‘program or activity’  
6 and that phrase shall be construed without reference to or  
7 consideration of the Supreme Court decision in Grove City  
8 and North Haven.”.

9 (b) Section 504 of the Rehabilitation Act of 1973 is  
10 amended by inserting “(a)” after the section designation and  
11 by adding at the end thereof the following new subsection:

12 “(b)(1) Notwithstanding the decisions of the Supreme  
13 Court in Grove City College and others against Bell, Secre-  
14 tary of Education and in North Haven against Bell, the  
15 phrase ‘program or activity’ as used in this title shall, as  
16 applied to educational institutions which are extended Feder-  
17 al financial assistance, mean the educational institution.

18 “(2) In any other application of the provisions of this  
19 title, nothing in paragraph (A) shall be construed to expand  
20 or narrow the meaning of the phrase ‘program or activity’  
21 and that phrase shall be construed without reference to or  
22 consideration of the Supreme Court decision in Grove City or  
23 North Haven.”.

24 (c) The Age Discrimination Act of 1975 is amended by  
25 adding at the end thereof the following new section:

1 “SEC. 310. (a) Notwithstanding the decisions of the Su-  
2 preme Court in Grove City College and others against Bell,  
3 Secretary of Education, and in North Haven against Bell, the  
4 phrase ‘program or activity’ as used in this title shall, as  
5 applied to educational institutions which are extended Feder-  
6 al financial assistance, mean the educational institution.

7 “(b) In any other application of the provisions of this  
8 title, nothing in paragraph (A) shall be construed to expand  
9 or narrow the meaning of the phrase ‘program or activity’  
10 and that phrase shall be construed without reference to or  
11 consideration of the Supreme Court decision in Grove City  
12 and North Haven.”.

13 (d) Title VI of the Civil rights Act of 1964 is amended  
14 by adding at the end thereof the following:

15 “SEC. 606. (a) Notwithstanding the decisions of the Su-  
16 preme Court in Grove City College and others against Bell,  
17 Secretary of Education, and in North Haven against Bell, the  
18 phrase ‘program or activity’ as used in this title shall, as  
19 applied to educational institutions which are extended Feder-  
20 al financial assistance, mean the educational institution.

21 “(b) In any other application of the provisions of this  
22 title, nothing in paragraph (A) shall be construed to expand  
23 or narrow the meaning of the phrase ‘program or activity’  
24 and that phrase shall be construed without reference to or



1 consideration of the Supreme Court decision in Grove City  
2 and North Haven."

3 Secretary of Education and North Haven against Bell, the  
4 phrase "program or activity" as used in this title shall, as  
5 applied to educational institutions which are extended Feder-  
6 al financial assistance, mean the educational institution.  
7 (b) In any other application of the provisions of this  
8 title, nothing in paragraph (A) shall be construed to expand  
9 or narrow the meaning of the phrase "program or activity."  
10 and that phrase shall be construed without reference to or  
11 consideration of the Supreme Court decision in Grove City  
12 and North Haven." (1)(b)  
13 (b) Title VI of the Civil Rights Act of 1964 is amended  
14 by adding at the end thereof the following: (1)(b)  
15 (a) Notwithstanding the decisions of the Su-  
16 preme Court in Grove City College and others against Bell,  
17 Secretary of Education and North Haven against Bell, the  
18 phrase "program or activity" as used in this title shall, as  
19 applied to educational institutions which are extended Feder-  
20 al financial assistance, mean the educational institution.  
21 (b) In any other application of the provisions of this  
22 title, nothing in paragraph (A) shall be construed to expand  
23 or narrow the meaning of the phrase "program or activity."  
24 and that phrase shall be construed without reference to or  
25 consideration of the Supreme Court decision in Grove City  
26 and North Haven."