

H.R. 5

To prohibit institutions of higher education from restricting students'
ability to pursue legal or civil action

IN THE CONGRESS OF THE UNITED STATES

FEBRUARY 15th, 2022

Mr. LIGHTWOOD (for himself, Mr. BOLTON, Ms.
CHAN) introduced the following bill;

A BILL

To prohibit institutions of higher education from restricting students'
ability to pursue legal or civil action

*Be it enacted by the Senate and House of Representatives in
Congress Assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the “Student Justice Act”

SEC. 2. ENROLLMENT AGREEMENTS.

(a) IN GENERAL.—[Chapter 1 of title 9](#) (relating to the enforcement of arbitration agreements), United States Code, shall not apply to an enrollment agreement made between a student or an institution of higher education.

(b) DEFINITION OF HIGHER EDUCATION INSTITUTIONS.—The term “institution of higher education” is defined by such term in section 102 of the Higher Education Act of 1965 ([20 U.S.C. 1002](#)).

SEC. 3. PROHIBITION OF LIMITATIONS ON PURSUING LEGAL OR CIVIL ACTIONS.

(a) IN GENERAL.—Section 487(a) of the Higher Education Act of 1965 ([20 U.S.C. 1094](#)) is amended by adding the following at the end—

“(30) The institution shall not require, or enforce, any student to agree to any restriction or limitation on the ability of a student to pursue a claim, individually or jointly, against the institution in court.”

SEC. 4. ENACTMENT.

EFFECTIVE DATE.—This Act shall go into effect immediately upon passage.
