

The background of the entire page features a pair of silver scales of justice hanging from a horizontal beam. A fetus is shown in a fetal position, appearing to be suspended or falling from the scales. The scene is set against a backdrop of white, fluffy clouds. A large, semi-transparent green circle is overlaid on the right side of the image, partially covering the scales and the fetus. The right side of the page is framed by a solid green vertical bar with an orange border.

**FAMU**

FLORIDA A&M UNIVERSITY

**ENTERPRISE RISK  
MANAGEMENT**  
DIVISION OF AUDIT

# Supreme Court Decision: Dobbs v Jackson

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Risk Bulletin #2023-ERM-03

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August 3, 2022



## Overview of Roe v Wade in Higher Education

On Friday, June 24, 2022, the [Supreme Court of the United States](#) issued its decision in the case of [Dobbs v. Jackson Women's Health Organization](#). The Court held that the U.S. Constitution does not confer a right to abortion, and that the authority to regulate abortion is returned to the states, overturning nearly 50 years of precedent.

In response to the action taken by the court, the Association of Governing Boards of Universities and Colleges (AGB) issued an AGB Policy Alert: [The Supreme Court of the United States Overturns Roe v. Wade, Ending the Constitutional Right to an Abortion: Consequences for Higher Education](#). The Policy Alert pointed out certain facts surrounding the court action and posed questions that universities and their Boards should consider.

- The 6-3 decision overruled the Court's prior decisions in [Roe v. Wade](#) (1973) and [Planned Parenthood of Southeastern Pennsylvania v. Casey](#) (1992), which had established the right to obtain an abortion under the U.S. Constitution.
- The decision allows states to determine whether and in what way to allow abortion within their borders.
- Effects on higher education may include policies and practices, particularly in health insurance, risk management, student health and safety, legal compliance, and enrollment.
- In response to the court decision campuses may experience increased activism.

Following the ruling, several states banned or partially banned abortions after the decision was issued. In Florida a new law went into effect on July 1, 2022, banning abortions after 15 weeks of pregnancy. This new law is more restrictive than the previous ban, which allowed abortions up to 24 weeks of pregnancy. The only exceptions the law allows for are if carrying the pregnancy to term would result in serious injury or death for the mother or if the fetus has a fatal abnormality.

Various aspects of Florida's abortion restrictions are currently being challenged in the courts. The laws in Florida will most likely continue to evolve in the coming years depending on how the legislature acts and the courts rule. Even with the current restrictions, Florida is predicted to be a safe haven state in the south in the near future, as several southern states are moving to ban abortions altogether. There are currently 55 abortion clinics throughout the state including two in Leon County.

In some states where abortion is banned or limited, students are pushing universities to act, urging them to provide emergency contraception such as the Plan B pill. The Student Senate at the University of Florida recently passed a resolution to provide Plan B in vending machines. The administration has not yet taken any action on the matter. FAMU students do have access to the Plan B pill and other family planning services through our Student Health Services.

## Roe v Wade FAMU Impacts

- No institutional policies are currently affected by the ruling. No institutional policies need to be changed at this time.
- The court's decision is not expected to have a material impact on institutional enrollment.



- The ruling could put students and staff in unhealthy situations if abortions are needed or desired after the deadline of 15 weeks passes. This will raise legal issues for everyone involved and exacerbate potential stress related mental health issues associated with abortions. Students dealing with these health issues may suspend academic plans and will need certain services to continue those plans.
- The recent court decision did not impact campus climate or civility. However, further restrictions to the availability of abortions by Florida's legislature may lead to campus activism.
- Student Health Services offers a wide array of services for students including birth control, option counseling, Plan B medication (emergency contraception), and referrals to different health providers. The demand for these services may increase in the future.

## Emerging Risk Areas for Management to Monitor

- The supply, availability, and access to birth control options (i.e. condoms, birth control pills and devices, Plan B).
- Changes in legal or regulatory requirements within Florida.

## Senior Leadership Team Considerations

- Does the University have a public stance on the Supreme Court's decision? How will the University respond to questions from students, parents, faculty, alumni, lawmakers, and others?
- What will the University recommend to students who do not realize they are pregnant until after 15 weeks?
- Are there any additional support services that the University would like to consider for students who miss the 15 weeks deadline or choose to maintain the pregnancy? (i.e. enhanced counseling, enhanced academic advisement schedule, family housing, increased child care discounts, special needs grant, etc.)

## Chief Risk Officer Recommendations

- The University should communicate and clarify to students, faculty and staff:
  - What the Supreme Court action means, and
  - What the new Florida Law does in restricting abortions.
- Student Health Services should consider working with the various student organizations to initiate a Fall 2022 student safe sex campaign that encourages safe sex practices, provides information related to pregnancy, and highlights University services and resources.
- Student Health Services should work with appropriate management to assess additional support services options that the University could consider for students who miss the 15 weeks deadline or choose to maintain the pregnancy (i.e. enhanced counseling, enhanced academic advisement schedule, family housing, special needs grant, etc.). The assessment should look at the financial and operational impacts for each option. Viable options should be presented to the Senior Leadership Team for consideration and further action.



- Student Health Services, Human Resources, and Campus Safety should review their current services and budget to determine what increase in service needs by students, faculty, and staff would trigger the need for additional budget to address areas, such as expanded health counseling, additional healthcare costs for employees or insured students, or additional security expenses for increased campus activism. University leadership, should identify potential contingency funding sources, should the service thresholds identified by the respective departments be exceeded.

## How Abortion Legislation Impacts the University's Strategic Plan: Boldly Striking

- **FAMU Strategic Priority 2: Academic Excellence/Goal 3**
  - Position FAMU to emerge as a world-class leader in healthcare education, research, and service to address disparities, emergent needs and advance holistic well-being.
- **FAMU Strategic Priority 5: Organizational Effectiveness and Transformation/Goal 3**
  - Strengthen the University's culture of strategic decision making through promotion and enhancement of compliance, internal controls, and enterprise risk management practices with an emphasis on engagement, education, reporting, and accountability.

## Additional Resources

### [Abortion Ruling Prompts Legal Questions](#)

This article discusses the murky legal territory on abortions that colleges and universities are navigating because of the recent Supreme Court decision.

### [The Fall of Roe v. Wade: Five questions about abortion access in Florida](#)

This article talks about the current law in Florida and what restrictions and legal challenges there are.

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