

State abortion bans: How women's bodily autonomy is affected at the college level

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STATE ABORTION BANS: HOW WOMEN'S BODILY AUTONOMY IS AFFECTED AT THE COLLEGE LEVEL

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Policy Brief

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Background: This brief is one in a series aimed at providing higher education policymakers and advocates with an evidence base to address how to best serve students in light of the challenges facing higher education. This brief was authored by a University of Massachusetts Amherst student as a course assignment for EDUC 674B: Higher Education Policy and was reviewed for accuracy by Professor Ryan Wells.

CENTRAL TOPIC

The overturn of *Roe v. Wade* has left many college students without options in the event they become pregnant. Specific states have taken very different approaches as some are in favor of abortion bans and others oppose therefore varying the severity of affects depending on location. The State of Texas has strict laws that prohibit abortion and make it difficult for women to seek out help and resources. The Commonwealth of Massachusetts fights for bodily autonomy by helping women and keeping medical care accessible. The conflicting values of individual states in the fight for reproductive justice can be the deciding factor for women who are about to enroll in higher education.

KEY INSIGHTS

Breaking Down the Issue

- College aged women (18-24) are the population that seeks out the most abortions.¹
- Women who are forced to carry out pregnancies while in college are subject to worsening mental health.²
- Women who seek abortion out of state have to deal with financial hardships and take time off work.^{3,4}
- Colleges in Texas have done little to support their students and have taken abortion statements off their websites.⁵
- States with abortion bans should expect potential students to seek out education in states that allow for bodily autonomy.⁶

Recommendations

- Texas should reverse the bans on abortion and make them safe, legal, and accessible to all people.
- Texas should create a mandate for all public universities to have abortion readiness plans and a comprehensive referral process for abortion resources.
- Texas should create a mandate for all public universities to have an abortion statement on their website.

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ISSUE

The overturn of *Roe v. Wade* has increased the severity of abortion bans in many states, especially Texas.^{7,8} Their historically anti-autonomous bans have left women without the right for reproductive justice or a say in what happens to their bodies. Their bans have a direct impact on college women, especially students of color.⁹ In complete opposition, Massachusetts has set the bar for women’s rights high: promoting the option for safe abortion procedures and purchasing the resources necessary to ensure all women in the state have access.^{1,9} Women in college are at the highest risk for unplanned pregnancies.¹ This leads to financial hardship, loss of wages, stigma from peers, and worsened physical health.^{2,3,4} If university leadership leaves them with no resources, it is likely they will suffer dramatically while enrolled.

CASE STUDIES

Massachusetts

Massachusetts is one of 21 states that has protected the right to an abortion.⁷ The abortion legal hotline is listed at the top of the Massachusetts Law about Abortion page before a comprehensive list of all the state’s abortion regulations.¹⁰ Abortion in Massachusetts is legal up to 24 weeks and after 24 weeks, the procedure must be a result of a life-threatening condition.¹² As a result of the threat to reproductive justice, Governor Maura Healey requested the state purchase a year’s supply of mifepristone.¹¹ This was purchased through a partnership with the University of Massachusetts. Both the President of UMass and the Chancellor of the University of Massachusetts Amherst have stated their approval for the purchase. They stated it was in alignment with the University’s mission to serve and support students in Massachusetts. Massachusetts also passed a law requiring all colleges in the Commonwealth to have a medication abortion readiness plan.¹³ This will make students’ access to referrals and knowledge about abortion procedures a more streamlined and consistent process.

Texas

Texas abortion bans date as far back as the 1800s.⁸ Over time, the state has made it increasingly more difficult for a physician to perform an operation. In 2021, the trigger law was put in place that would ban abortion if *Roe v. Wade* was overturned by the Supreme Court or if the United States Constitutions allowed states the power to ban abortion.⁸ Texas has now successfully denied women in-state access to abortions regardless of the cause of pregnancy unless the woman is at a greater risk for death.¹⁴ Colleges have since had to follow suit by limiting or eliminating the abortion care information on their websites and care centers.¹ These abortion laws disproportionately affect women of color as over half of the people seeking an abortion identified as Black, Hispanic, or other.⁹ Of the millions of people who live in Texas, over 25% of them are of reproductive age.⁹ For college students who are pregnant or mothering, it is nearly impossible to travel out of state due to mandatory classes, working on campus, and the financial burden from the trip and the procedure.⁴

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POLICY LOGIC

Texas has historically favored abortion bans however none of them have ever been this restrictive.⁸ Without the possibility to obtain an abortion procedure in state, college students will have to travel out of state.⁴ While abortions in Texas might have gone down, surrounding states experienced over 500% increase in patients due to travel.⁹ Abortion will not ever fully go away, it will just become more complicated and less safe for those pursuing a procedure. Women who are especially worried about their bodily autonomy and reproductive rights will enroll in universities in states that do not have these bans.⁶ It is likely that college students forced to carry out their pregnancy could drop out due to financial hardships and stigma from peers.

Women of color are disproportionately affected by these bans: 75% of abortions in Texas were for women of color and the material mortality rate is also twice as high for black women.⁹ If Texas wants to strengthen their higher education programs, they must create institutions that don’t force women out of them. Enrollment and attainment numbers are at risk, and with national enrollment cliffs, the risk is higher than ever. Texas public colleges could see higher enrollment rates, better academic performance, and a better return on their investment if the state were to reverse the abortion bans.⁶

EVIDENCE

Since the most recent abortion ban in Texas, there have been fewer abortions in state but heavy increases in out of state travel to receive care.⁴ Since 2013, women have been traveling hundreds of miles due to the House Bill 2. For years, women had to find specific clinicians, referred to as Targeted Regulation of Abortion Provider (TRAP).^{15,16} Now, even these providers are off limits, making the process much more difficult and costlier. The language used in House Bill 2, while framed as a way to protect women, exhibits signs of benevolent sexism. This language illustrates women as vessels for motherhood that need to be saved, rather than autonomous and independent individuals who can make decisions about their bodies.¹⁶

Due to the varying abortion laws state to state, colleges are currently unsure of the legal ramifications of discussing abortion care. This unclarity results in hesitation to support women students who are or may become pregnant at all.⁵ The women who are pregnant or mothering in college sacrifice much of their time and well-being to take care of their family labor. If mothers are to stay enrolled in college, they end up sacrificing time typically allotted for sleeping, physical exercise, and homework with childcare and housework.¹⁷ Without support from universities, their suffering will worsen. Texas must follow in the steps of Massachusetts to provide reproductive rights for their citizens and create mandates for public universities that uphold this mission.

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RECOMMENDATIONS

I encourage Texas to reverse their strict abortion bans as it will begin affecting their college enrollment numbers and has already affected college student success.⁶ Texas must also create a mandate for all public universities to educate their healthcare providers about abortion resources so that they are equipped to help women on campuses. Abortion readiness plans such as that in Massachusetts help universities be prepared and women receive more quality and timely care.

The removed abortion and reproductive statements on university websites must be made available for students to access. Universities should promote abortion funds, give clear directions on how to find an abortion provider, and provide a judgment free space that allows the student to decide what is best for them. This will all be contingent on having a state government that allows and promotes the well-being of women and supports their bodily autonomy. States with abortion bans must act quickly to reverse these policies so that colleges across the nation are able to return to helping students without worrying about legal consequences.

CITATIONS

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