

## **PROGRAMS FOR PREGNANT STUDENTS**

### **I. Purpose**

The United States Department of Education's Regulations implementing Title IX of the U.S. Education Amendments of 1972, Public Law 92-318, codified at 20 U.S.C. §§ 1681-1688, Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, specifically address legal issues regarding pregnant and parenting students and prohibit disparate treatment of students based on pregnancy, childbirth, false pregnancy, termination of a pregnancy, or recovery from any of these conditions.

Talbot County Public Schools is committed to providing equity and access for all students in a supportive school environment. Pregnant and parenting students must be allowed to participate in all aspects of the educational program, including all academic, physical, and social components. Pregnant and parenting students must have access to a range of specific activities and policies that govern activities both in and outside of the classroom. These activities include, but are not limited to: excused absences, make-up work, accommodations for instruction, lactation, and designated support staff in the school.

The purpose of these regulations is to provide direction regarding educational programs and supports for pregnant and parenting students.

### **II. Definitions**

Parenting Student - a student who is a mother, father, or legal guardian of a child

### **III. Limitations of Liability**

In accordance with the statute, nothing in the legislation shall be construed to require a school to construct an additional or new space to a school building to provide a private lactation space to comply with the requirements of the policy.

### **IV. Procedures**

#### **A. Educational Program**

A girl who is pregnant, either married or unmarried, who is under compulsory school age, may voluntarily withdraw from the regular school program provided that she enrolls in an appropriate educational program planned for her. The decision concerning an appropriate

educational program shall be reached in joint consultation with the girl, her parents, guardians, or husband, and appropriate educational and medical personnel.

Appropriate educational programs may be:

1. Continuation of the regular school program (modified in terms of individual needs)
2. Modified school schedule
3. Enrollment in a special school or special class for pregnant girls
4. Enrollment in a residential school (may be regional)
5. Online (Virtual) Instruction
6. Home Hospital Instruction
7. Admittance to a private maternity home
8. Evening School
9. Combination of the above programs

#### B. Educational Supports

It is the responsibility of the local school system working with the home to cooperate with other State, County, and City agencies, such as health, welfare and juvenile services and with private physicians or agencies to assure that the pregnant girl receives proper medical, psychological, and social services before, during, and after the pregnancy.

One TCPS staff member will be designated to connect pregnant and parenting students to services that may include, but are not limited to:

1. Safe, affordable, and reliable childcare
2. Early education services
3. Transportation services to and from school
4. Various community resources

#### C. Attendance

1. A student's absence due to pregnancy or parenting is a lawful absence from school. This includes all absences due to:

- a. Labor
- b. Delivery
- c. Recovery
- d. Prenatal and postnatal medical appointments

2. A parenting student shall be provided a minimum of 10 school days of excused absences after the birth of the student's child. Additional absences may be granted with administrative approval.

3. All parenting related absences due to an illness or medical appointment of the student's child shall be excused. A minimum of 4 school days per year shall be granted before a physician's note may be required.

4. All absences due to a legal appointment involving the pregnant or parenting student that is related to a family law proceeding shall be excused, including appointments for adoption, custody, and visitation.

5. Any absence from class due to the use of a lactation space to nurse or express milk must be excused.

#### D. Make Up Work

1. A student shall be given the opportunity to make up all missed work in a time period that equals at least as many days that the student was absent. In the case of an extended absence, a plan to make up the work will be developed in consultation with the student, parent/legal guardian, and school staff. Plans may include but are not limited:

- a. Retaking a semester
- b. Online course credit recovery
- c. Receive incomplete in course and finish at a later date
- d. Summer school/night school
- e. Tutors
- f. Dual enrollment

#### E. Lactation

1. Each high school must provide a private lactation space in the school. This space must include at least one seating option with a flat surface. This space must have an electrical outlet nearby to accommodate placement of a breast pump device. The lactation space may not be a bathroom or closet, and there must be access to a refrigerator close to the private lactation space.

2. When determining where the lactation space should be, school staff will consult with the school nurse. After obtaining permission from students, school staff may alert the school nurse to share information and resources on lactation and child development.

#### F. Training and Awareness

1. Administrators, Student Services staff, school counselors, school social workers and school health professionals will be informed of these regulations at the start of each school year.

