

MARRIED/PREGNANT/PARENTING STUDENTS

ADMINISTRATIVE REGULATION - 5146

Early marriage, pregnancy, or parenting and related responsibilities may disrupt a student's education. The following guidelines are designed to provide needed supports and accommodations to remove barriers to allow students access to the education process.

Education and Support Services for Pregnant and Parenting Students

Pregnant and parenting students shall retain the right to participate in any comprehensive school or educational alternative program. The classroom setting shall be the preferred instructional strategy unless an alternative is necessary to meet the needs of the student and/or the child of the student(s). Any education program or activity that is offered separately to pregnant students, including any class or extracurricular activity, shall be equal to that offered to other district students. A student's participation in such programs shall be voluntary. (5 CCR [4950](#))

As required for other students with physical or emotional conditions or temporary disabilities, the Superintendent or designee may require a student, based on pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery, to obtain certification from a physician (Medical Doctor or Doctor of Osteopathy) indicating that the student is physically and emotionally able to participate in an educational program or activity. (34 CFR [106.40](#))

To the extent feasible, educational and related support services shall be provided, either through the district or in collaboration with community agencies and organizations, to meet the needs of pregnant and parenting students and their children. Such services may include, but are not limited to:

1. Parenting education and life skills instruction
2. Special school nutrition supplements for pregnant and lactating students pursuant to Education Code [49553](#), 42 USC [1786](#), and 7 CFR 246.1-246.28
3. Linking students to county or community health care services, including prenatal care
4. Tobacco, alcohol, and/or drug prevention and intervention services
5. Academic and personal counseling
6. Supplemental instruction to assist students in achieving grade-level academic standards and progressing toward graduation

As appropriate, teachers, administrators, and/or other personnel who work with pregnant and parenting students shall receive related professional development.

Absences

The Superintendent or designee may grant a student a leave of absence due to pregnancy, childbirth, false pregnancy, termination of pregnancy, and related recovery for as long as it is deemed medically necessary by a physician. At the conclusion of the leave, the student shall be reinstated to the status held when the leave began. (34 CFR [106.40](#)) A parenting student may request exemption from attendance because of personal services that must be rendered to a dependent. (cf. [5112.1](#)) Pregnant or parenting students may be excused for absences related to confidential medical appointments in accordance with BP/AR 5113 – Verification of Student Absences.

Reasonable Accommodations

When necessary, the district shall provide reasonable accommodations to pregnant and parenting students to enable them to access the educational program. A pregnant student shall have access to any services available to other students with temporary disabilities or medical conditions. (34 CFR [106.40](#)) (cf. [6183](#))

The school shall provide reasonable accommodations to any lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. A student shall not incur an academic penalty for using any of these reasonable accommodations, and shall be provided the opportunity to make up any work missed due to such use. Reasonable accommodations include, but are not limited to: (Education Code [222](#))

1. Access to a private and secure room, other than a restroom, to express breast milk or breastfeed an infant child
2. Permission to bring onto a school campus a breast pump and any other equipment used to express breast milk
3. Access to a power source for a breast pump or any other equipment used to express breast milk
4. Access to a place to store expressed breast milk safely
5. A reasonable amount of time to accommodate the student's need to express breast milk or breastfeed an infant child

Complaints

Any complaint of discrimination on the basis of pregnancy or marital or parental status shall be addressed through the district's uniform complaint procedures in accordance with 5 CCR [4600-4687](#) and BP/AR 1312.3 - Uniform Complaint Policy. Any complaint alleging district noncompliance with the requirements to provide reasonable accommodations for lactating students also may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Policy. A complainant who is not satisfied with the district's decision may appeal the decision to the California Department of

Education (CDE). If the district or the CDE finds merit in an appeal, the district shall provide a remedy to the affected student. (Education Code [222](#); 5 CCR [4600-4687](#))

Program Evaluation

District staff will regularly monitor the effectiveness of district strategies to support married, pregnant, and parenting students, which may include data on participation rates in district programs and services, academic achievement, school attendance, graduation rate, and/or student feedback on district programs and services. (cf. [0500](#)) (cf. [6162.5](#))

Legal Reference:

EDUCATION CODE

[222](#) Reasonable accommodations; lactating students

[230](#) Sex discrimination

[8200-8498](#) Child Care and Development Services Act

[48205](#) Excused absences

[48220](#) Compulsory education requirement

[48410](#) Persons exempted from continuation classes

[49553](#) Nutrition supplements for pregnant/lactating students

[51220.5](#) Parenting skills and education

[51745](#) Independent study

[52610.5](#) Enrollment of pregnant and parenting students in adult education

CIVIL CODE

[51](#) Unruh Civil Rights Act

FAMILY CODE

[7002](#) Description of emancipated minor

HEALTH AND SAFETY CODE

[104460](#) Tobacco prevention services for pregnant and parenting students

CODE OF REGULATIONS, TITLE 5

[4600-4687](#) Uniform complaint procedures

[4950](#) Nondiscrimination, marital and parental status

CODE OF REGULATIONS, TITLE 22

[101151-101239.2](#) General licensing requirements for child care centers

[101351-101439.1](#) Infant care centers

UNITED STATES CODE, TITLE 20

[1681-1688](#) Title IX, Education Act Amendments

UNITED STATES CODE, TITLE 42

[1786](#) Special supplemental nutrition program for women, infants, and children

CODE OF FEDERAL REGULATIONS, TITLE 7

246.1-246.28 Special supplemental nutrition program for women, infants, and children

CODE OF FEDERAL REGULATIONS, TITLE 34

[106.40](#) Marital or parental status

ATTORNEY GENERAL OPINIONS

87 Ops.Cal.Atty.Gen. 168 (2004)

COURT DECISIONS

American Academy of Pediatrics et al v. Lungren et al (1997) 16 Cal.4th 307

Management Resources:

CALIFORNIA WOMEN'S LAW CENTER PUBLICATIONS

Educational Rights of Pregnant and Parenting Teens: Title IX and California State Law Requirements

Pregnant Students and Confidential Medical Services

The Civil Rights of Pregnant and Parenting Teens in California Schools, 2002

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Supporting the Academic Success of Pregnant and Parenting Students under Title IX of the Education Amendments of 1972, rev. June 2013

WEBSITES

California Department of Education: <http://www.cde.ca.gov>

California Women's Law Center: <http://www.cwlc.org/resources>

U.S. Department of Agriculture, Women, Infants, and Children Program: <http://www.fns.usda.gov/wic>

U.S. Department of Education: <http://www.ed.gov>

Policy Adopted: