

Protections and Supports for Pregnant or Parenting Students

Title IX of the Education Amendments of 1972¹, the accompanying federal regulations², and guidance for the U.S. Department of Education Office of Civil Rights, establish the obligations of the District to protect pregnant or parenting students from discrimination and to provide them equitable access to full participation and the benefits of District programs and activities.

PARTICIPATION IN AN EDUCATIONAL PROGRAMS

A school shall not limit a pregnant or parenting student, or a student with a pregnancy-related condition from participating in any educational program or activity, including extracurricular activities on the basis of their pregnancy or parenting condition .^{3,4}

ACCOMMODATIONS FOR A PREGNANT STUDENT OR A STUDENT WITH A PREGNANCY-RELATED CONDITION

A school shall treat pregnancy, childbirth, false pregnancy, termination of pregnancy, and recovery therefrom in the same manner and under the same policies as any other temporary disability of a similarly situated student.^{3,4}

Such a student shall:

1. Be permitted excused absences for so long a period of time as deemed medically necessary as documented in writing by the student's physician, irrespective of classroom attendance requirements set by a faculty member, department, or school;
2. Be provided access to the same services provided under Board Policy 08.1312 Home/Hospital Instruction or online learning options while not physically in school;
3. Be permitted to make up missed work, including work that occurred during class time, without penalty;
4. Be provided reasonable accommodations, with no deadlines or time limitations, which may include, but are not limited to:
 - a. Accommodations requested by a pregnant student to protect the health and safety of the student or the fetus (e.g., allowing the student to maintain a safe distance from hazardous substances);
 - b. Modifications to the physical environment (e.g., accessible seating); and
 - c. Mobility support.

ACCOMMODATIONS FOR A BREASTFEEDING STUDENT

A breastfeeding student shall be provided reasonable time and space to pump breast milk in a location that is private, clean, and accessible. Bathroom stalls do not satisfy this requirement.

ACCOMMODATIONS FOR A CARETAKING/PARENTING STUDENT

A student with caretaking/parenting responsibilities who wishes to remain engaged in their coursework may request an academic modification period during the first three (3) months from the time the child entered the home. An extension of the modification period may be granted when additional time is required by medical necessity as documented in writing by the student's physician, or extraordinary caretaking/parenting responsibilities. During the modification period, the student's academic requirements may be adjusted, and deadlines postponed, as appropriate, in collaboration with the school-based Title IX Coordinator, counselor, and teacher. The

Protections and Supports for Pregnant or Parenting Students**ACCOMMODATIONS FOR A CARETAKING/PARENTING STUDENT (CONTINUED)**

modification may include the use of online learning programs. While receiving academic modifications, a student shall remain enrolled and retain benefits accordingly.

The District may establish an alternative education program designed to address the educational, health, family, and emotional needs of pregnant or parenting students and their children. Enrollment shall be voluntary.^{3,4} The program may provide information to a student regarding the significant benefits of returning to school after a relatively short recovery period to receive the supports and benefits provided to them and their children through the program.

The District Title IX Coordinator/designee shall offer training and guidance to all high schools and middle schools to provide support and accommodations to pregnant or parenting students and to ensure compliance with this administrative procedure and Board Policy 09.41 Pregnant or Parenting Students.

HARASSMENT

Harassment due to pregnancy, a related condition, or status as a parent, is harassment based on sex, and is prohibited under Title IX of the Education Amendments of 1972, Board Policy 09.42811 Harassment/Discrimination (Students), and Board Policy 09.428111 Title IX Sexual Harassment (Students).

REPORTING DISCRIMINATION OR HARASSMENT

An employee who has reason to believe that a student has been subject to discrimination or harassment due to pregnancy, a related condition, or status as a parent, shall report the issue promptly to the school-based Title IX Coordinator.

A student or parent/guardian of a student who believes that discrimination or harassment has occurred due to pregnancy, a related condition, or status as a parent, may report the issue to the school-based Title IX Coordinator.

A report by an employee, a student, or parent/guardian of discrimination or harassment may also be made to the District Title IX Coordinator.

The Title IX Coordinator shall assist the student or parent/guardian in the process to resolve the complaint informally or formally in accordance with Administrative Procedure 09.428111 AP.11 Title IX Sexual Harassment Grievance Procedures.

REFERENCES:

¹ Title IX, 20 U.S.C. § 1681 et.seq.

² 34 CFR Part 106

³ 34 CFR § 106.40

⁴ “Dear Colleague” letter dated June 25, 2013 from the Assistant Secretary for Civil Rights, U.S. Department of Education Office of Civil Rights

RELATED POLICIES AND ADMINISTRATIVE PROCEDURES:

08.1312

09.41

09.42811

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RELATED POLICIES AND ADMINISTRATIVE PROCEDURES (CONTINUED):

- 09.42811 AP.1
- 09.428111
- 09.428111 AP.1
- 09.428111 AP.11
- 09.428111 AP.21