

# TITLE IX

## FACT SHEET

### **Pregnant & Parenting Students: A Guide for Schools**

#### **What the Law Requires**

Schools that receive federal funds must not discriminate against students on the basis of sex, including a student's pregnancy, childbirth, false pregnancy, termination, or recovery therefrom. Schools must provide equal access to school programs and extracurricular activities to students who might be, are, or have been pregnant. Schools are required to treat pregnant and parenting students the same way they treat other students who are similarly able or unable to participate in school activities.

#### **Pregnancy Is Not Contagious**

The idea that teenagers who see their classmates struggling to juggle schoolwork, childrearing, and adolescence will think that having children is easy and will want to get pregnant themselves is a myth. To effectively discourage teens from getting pregnant, schools should provide comprehensive, medically accurate, age appropriate sex education. "Making an example" of pregnant and parenting students by kicking them out of school is not just a flawed strategy, it is illegal.

#### **Right to Stay in School**

The law requires that if schools choose to offer separate programs or schools for pregnant and parenting students, participation in those programs must be completely voluntary. A school can tell its students about an alternative program as an option, but cannot urge or pressure its pregnant or parenting students to attend. Schools should let students know that they will be supported no matter what program they choose.

#### **Right to an Equal Education**

Any alternative programs for pregnant and parenting students must offer those students access to the same range of educational opportunities (including coursework and extracurricular and enrichment activities) as those offered for students who are not pregnant or parenting. Schools cannot segregate pregnant and parenting students into dead-end schools with parenting classes but no opportunities for graduation or college preparation. School districts with programs like these must shut them down.

#### **Right to Participate**

Under normal circumstances, there is no reason that a pregnant student's attendance at school and participation in activities would have adverse effects on her health or pregnancy. The law requires that a student be allowed to continue her studies and activities for as long as she wants, even up to the date of her delivery, unless the student and her physician decide otherwise. The school cannot impose participation requirements on pregnant girls that the school does not establish for all students with medical conditions that require treatment by a doctor.

#### **Pregnancy-Related Absences**

Schools must excuse absences for students who are pregnant or who give birth for as long as that student's doctor determines is necessary. At the conclusion of that period, the student must be given a reasonable amount of time to make up the work she missed.

## Homebound Instruction

The law requires schools to provide pregnant students with any special services they provide to students with temporary disabilities. Therefore, if a school provides special services, such as at-home tutoring, for students who miss school because they have a temporary disability, it must do the same for students who miss school because of pregnancy or childbirth. Regardless of what a school provides for students generally, it should consider providing at-home tutoring or other academic support for students with extended absences for reasons including pregnancy and parenting. This is a good investment, and makes sense as a matter of educational policy.

## Every Teacher Counts

Everyone at any school that receives federal funds is bound by the law – administrators, faculty and staff. If a school learns that a teacher is discriminating against students (or limiting educational opportunities for them – including extracurricular activities) because they are pregnant or parenting, the school is obligated to stop the discrimination. It's not enough to leave attendance and absence policies up to individual teachers; the law requires pregnancy-related absences to be excused.

## How to Improve Your School

### Change Your School's Policy

Schools should develop and implement programs and policies that support parenting students. Examples of good school policies are available at: [www.nwlc.org/pregnancytestforschools](http://www.nwlc.org/pregnancytestforschools). Programs can provide support for pregnant and parenting students – like child care, transportation, counseling, social service referrals, support groups, and homebound instruction for extended absences – while maintaining rigorous and relevant curricula that foster student engagement and prepare students for careers and post-secondary education. These types of supports help pregnant and parenting students stay in school and graduate.

### Designate a Title IX Coordinator

Every district is required to designate at least one employee as the Title IX coordinator to oversee compliance with the law. Schools should designate a Title IX coordinator and ask that individual to act as a liaison to pregnant and parenting students to ensure that these students are getting the attention and services they need.

### Educate the Masses

Prominently publish, display, and distribute information about Title IX, the name and contact information of your Title IX Coordinator, and any and all policies related to pregnant and parenting students. This sends a message to students, teachers, parents, and the community that young mothers are valued students who will be treated with respect in your school.