

Effective: April 7, 2022

Policy Outline

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I. Policy Value Statement

The Board of Education recognizes its responsibility to provide appropriate educational programs for pregnant students in accordance with state regulations and Title IX requirements. The Board further recognizes the Howard County Public School System's (HCPSS) responsibility to provide 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, and 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.

II. Purpose

The purpose of this policy is to provide direction regarding educational programs for pregnant and parenting students.

III. Standards

- A. In accordance with Title IX, HCPSS will not discriminate against an enrolled student in academic or non-academic activities because of pregnancy, birth of a child, false pregnancy, miscarriage, termination of pregnancy, or recovery from any of these conditions.
- B. Pregnant Student Over the Compulsory School Age

1. A student over the compulsory school age who has not completed a high school education may elect to remain in their school and may not be involuntarily excluded from any part of the program or withdrawn from school.
 2. Any decision to modify the program or provide the student an appropriate alternative educational program as described in Section III.D. below, will be reached in joint consultation with the student, appropriate educational and medical personnel, and the student's parent(s), if the student elects to include the parent(s).
- C. Pregnant Student Under Compulsory School Age
1. A pregnant student who is under compulsory school age, may enroll in an appropriate educational program planned for that student, as described in Section III.D. below.
 2. The decision concerning an appropriate educational program will be reached in joint consultation with the student, the student's parent(s), and appropriate educational and medical personnel.
- D. Appropriate educational programs for pregnant students offered through the HCPSS include, but are not limited to:
1. Continuation at their home school (modified based on individual needs).
 2. HCPSS Regional Teen Parent Childcare and Outreach Program.
 3. Home and hospital teaching.
 4. Alternative education programs.
 5. Remote learning through electronic means.
 6. Combination of the above programs.
- E. The HCPSS will support the student's family and cooperate with other state and local agencies, such as health, welfare, and juvenile services and with private physicians or agencies to assure that the pregnant student receives appropriate medical, psychological, and social services during and following the pregnancy as needed.
- F. The school principal will consider whether to recommend to the local Superintendent a waiver of the Maryland High School Assessment graduation requirements that the student has not fulfilled to date if: The student is prevented from meeting the Maryland High School Assessment graduation requirements because the student experienced a special, extraordinary, or extenuating circumstance or combination of circumstances preceding the administration of the most recent Maryland High School Assessment, such as a serious or prolonged illness or pregnancy with medical complications.
(COMAR 13A.03.02.09-1)
- G. Parenting students may elect to remain in their home school and will not be excluded from any part of their educational program.

H. Attendance

1. Pregnancy- and parenting-related conditions are lawful/excused absences for:
 - a. Labor
 - b. Delivery
 - c. Recovery
 - d. Prenatal and postnatal medical appointments
2. A parenting student is allowed ten (10) lawful/excused absences days after the birth of the student's child. Exceptions can be made for additional lawful/excused absences upon approval of the Superintendent/designee.
3. A parenting student's absences due to an illness or a medical appointment of the student's child are lawful/excused absences. The school may not require a note from a physician for the first four (4) days of absence per school year, but after four days of such absences during a school year, a physician's note may be required.
4. A student's absences due to a legal appointment involving the pregnant or parenting student that is related to family law proceedings, including adoption, custody, and visitation are lawful/excused absences.
5. A student's absences from class due to the use of a lactation space to nurse or express milk are excused.

I. Make Up Work

Pregnant and parenting students may choose one of the following alternatives other than home and hospital teaching to make up work that the student missed for a lawful, excused absence:

1. Retake a semester;
2. Participate in an online course credit recovery program; or
3. Allow the student six weeks to continue at the same pace and finish at a later date.

J. Lactation

Each high school must provide a private lactation space in the school. Should the need arise in a middle school, a private space that adheres to the indicators listed below will be identified.

1. The lactation space must include at least one seating option with a flat surface.

2. The lactation space must include an electrical outlet nearby to accommodate placement of a breast pump device.
3. The lactation space may not be a bathroom or a closet.
4. The lactating student must have access to a refrigerator located close to the private lactation space.

K. Student Supports

At least one employee will be designated to connect pregnant and parenting students with the follow resources:

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

IV. Responsibilities

- A. The Superintendent/designee will ensure the policy is published in the school system's student handbook.
- B. The Office of Student Services will ensure that pregnant and parenting students are informed of their educational rights under this policy.
- C. School administrators will ensure that employees review this policy annually.

V. Delegation of Authority

The Superintendent is authorized to develop appropriate procedures for the implementation of this policy.

VI. Definitions

Within the context of this policy, the following definitions apply:

- A. Compulsory School Age – Age required by the state for which a student must be enrolled in and attending public school or an equivalent approved education program.
- B. Educational Programs – A grouping of operations or activities which is identifiable as a distinct entity with specific goals and objectives for budgetary, operational, and managerial purposes (e.g., music program, gifted and talented program, science program, etc.)
- C. Parent – Any one of the following, recognized as the adult(s) legally responsible for the student:

1. Biological Parent – A natural parent whose parental rights have not been terminated.
 2. Adoptive Parent – A person who has legally adopted the student and whose parental rights have not been terminated.
 3. Custodian – A person or an agency appointed by the court as the legal custodian of the student and granted parental rights and responsibilities.
 4. Guardian – A person who has been placed by the court in charge of the affairs of the student and granted parental rights and responsibilities.
 5. Caregiver – An adult resident of Howard County who exercises care, custody or control over the student but who is neither the biological parent nor legal guardian, as long as the person satisfies the requirements of the Education Article, §7-101 (c) (Informal Kinship Care) or has been issued a U.S. Department of Health and Human Service’s Office of Refugee Resettlement (ORR) Verification of Release form entering into a custodial arrangement with the federal government.
 6. Foster Parent – An adult approved to care for a child who has been placed in their home by a state agency or a licensed child placement agency as provided by the Family Law Article, §5-507.
- D. Parenting Student – A student who is a parent of a child. This includes the mother and father.

VII. References

- A. Legal
- Federal Family Rights and Privacy Act of 1974 (FERPA), as amended – 20 U.S.C. §1232g, and its Regulations – 34 CFR Part 99
 - Health Insurance Portability and Accountability Act (HIPAA)
 - Title IX of the Education Amendments of 1972
 - The Annotated Code of Maryland, Education Article, Section 4-139, Maryland’s Model Policy to Support the Educational and Parenting Goals and Improve the Educational Outcomes of Pregnant and Parenting Students
 - The Annotated Code of Maryland, Education Article, Section 7-301.1, Pregnant and Parenting Students
 - The Annotated Code of Maryland, Health-General Article, Section 4-301, *et seq.* - The Confidentiality of Medical Records Act
 - The Annotated Code of Maryland, Health-General Article, Section 20-102
 - COMAR 13A.03.02.09-1. Appeal of Denial of Diploma for Failure to Meet Maryland High School Assessment Requirement
 - COMAR 13A.08.01.03
 - COMAR 13A.08.02, Student Records

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- B. Board Policies
 - Policy 1030 Child Abuse and Neglect
 - Policy 9000 Student Residency, Eligibility, Enrollment and Assignment
 - Policy 9010 Attendance
 - Policy 9050 Student Records
 - C. Relevant Data Sources
 - D. Other

VIII. History¹

ADOPTED: August 3, 1971
REVIEWED: December 21, 2015
MODIFIED: April 7, 2022
REVISED: September 13, 1990
January 10, 2008
January 12, 2017
EFFECTIVE: April 7, 2022

¹ Key: *Adopted*-Original date the Board took action to approve a policy; *Reviewed*-The date the status of a policy was assessed by the Superintendent's Standing Policy Group; *Modified*-The date the Board took action to alter a policy that based on the recommendation of the Superintendent/designee did not require a comprehensive examination; *Revised*-The date the Board took action on a policy that based on the recommendation of the Superintendent/designee needed a comprehensive examination; *Effective*-The date a policy is implemented throughout the HCPSS, typically July 1 following Board action.

**EDUCATIONAL PROGRAMS FOR
PREGNANT AND PARENTING STUDENTS**

Effective: April 7, 2022

I. Confidentiality and Disclosure

- A. Under the Annotated Code of Maryland, Health-General Article, Section 20-102, a minor has the same capacity as an adult to consent to treatment for, or advice about pregnancy.

This treatment or advice is confidential and may not be disclosed without the student's consent.

- B. If a student is pregnant, employees should consider whether child abuse is an issue. If so, Policy 1030 Child Abuse and Neglect, must be followed, including all reporting requirements.
- C. When a student seeks counseling regarding pregnancy concerns, the first goal is to encourage the student to involve the family. HCPSS employees working with the pregnant student will provide information regarding community resources available to them.

II. Educational Decision-Making

- A. The school counselor and nurse will work collaboratively with pregnant or parenting students (or students who reportedly may be pregnant) to:
1. Communicate student rights under this policy.
 2. Ensure that the student is aware of possible program modifications or alternative educational programs.
 3. Outline types of support available through the school system and associated eligibility guidelines.
 4. Provide appropriate community resource information.
 5. Provide assistance in accessing programs and resources.
- B. Modification of the educational program for minor pregnant or parenting students requires parental permission and prior approval of the principal/designee.

III. Other Support Services

- A. The nurse, in consultation with the school counselor or pupil personnel worker, will consider the following when developing a support plan for the pregnant student:

1. The student's age and developmental level.
 2. Whether child/sexual abuse or criminal assault is involved.
 3. The student's parent(s) awareness of the pregnancy and their level of support.
 4. The student's access to health care.
 5. The student's access to safe, affordable, and reliable childcare.
 6. The student's access to early education services.
 7. The student's access to transportation services to and from school.
- B. Health staff will provide in-school support as appropriate.
- C. Referrals for appropriate services to the local agencies may be made, particularly if the student has no access to health care, by health staff.
- D. Student services employees will cooperate as appropriate with other state and local agencies, such as health, welfare, and juvenile services and with private physicians or agencies to assure that the pregnant student receives proper medical, psychological, and social services during and following the pregnancy.

IV. Educational Programs

- A. Pregnant and parenting students will be made aware that a regional center and outreach services are available.
- B. Outreach services are available in their home school for all pregnant and parenting students.
- C. High school students seeking to enroll in the regional program for parenting students will be referred to the program facilitator. Parental consent is required for enrollment of minor students.
- D. School counselors will inform students of all possible alternative pathways to graduation.
- E. Students requesting Home and Hospital services before or after delivery will be referred to the Home and Hospital Teaching Office.

V. Monitoring

Policy 9100 implementation procedures will be overseen by the Division of Academics.

VI. History¹

ADOPTED: September 13, 1990
REVIEWED: December 21, 2015
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