

### **Married/Pregnant/Parenting Students**

The Governing Board recognizes that early marriage, pregnancy or parenting may disrupt students' education and increase the chance of a student dropping out of school. The Board therefore desires to provide a comprehensive, continuous, community-linked program for pregnant and parenting students and their children that reflects the cultural and linguistic diversity of the community. The Board also desires to support married, pregnant and parenting students to continue their education, attain strong academic and parenting skills and promote the healthy development of their children.

- (cf. 5113.1 - Chronic Absence and Truancy)
- (cf. 5147 - Dropout Prevention)
- (cf. 6011 - Academic Standards)
- (cf. 6146.1 - High School Graduation Requirements)
- (cf. 6146.11 - Alternative Credits Toward Graduation)
- (cf. 6146.2 - Certificate of Proficiency/High School Equivalency)
- (cf. 6164.5 - Student Success Teams)

The district shall not discriminate against any student on the basis of the student's marital status, pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery. (Education Code 230; 34 CFR 106.40)

- (cf. 0410 - Nondiscrimination in District Programs and Activities)

For school-related purposes, a student under the age of 18 years who enters into a valid marriage shall have all the rights and privileges of students who are 18 years old, even if the marriage has been dissolved. (Family Code 7002)

### **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 his/her child.

- (cf. 6158 - Independent Study)
- (cf. 6181 - Alternative Schools/Programs of Choice)
- (cf. 6184 - Continuation Education)
- (cf. 6200 - Adult Education)

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)

- (cf. 6142.7 - Physical Education and Activity)
- (cf. 6145 - Extracurricular and Cocurricular Activities)

### **Absences**

Pregnant or parenting students may be excused for absences related to confidential medical appointments in accordance with BP/AR 5113 - Absences and Excuses.

(cf. 5113 - Absences and Excuses)

The Superintendent or designee shall 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)

(cf. 5112.3 - Student Leave of Absence)

Pregnant and parenting student may request exemption from attendance because of personal services that must be rendered to a dependent.

(cf. 5112.1 - Exemptions from Attendance)

#### 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 - Home and Hospital Instruction)

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 Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

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 Procedures. A complainant who is not satisfied

with the district's decision may appeal the decision to the California Department of Education (CDE) (Education Code 222; 5 CCR 4600-4687)

#### Program Evaluation

The Superintendent or designee shall periodically report to the Board regarding 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 - Accountability)

(cf. 6162.5 - Student Assessment)

The Superintendent or designee shall collaborate with the County Superintendent of Schools and other community agencies and organizations to ensure that appropriate education and related support services are available to meet the needs of pregnant and parenting teens and their children.

(cf. 1020 - Youth Services)

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

Pregnant and parenting students retain the right to participate in any comprehensive school or educational alternative programs. School placement and instructional strategies for participating students shall be based on the needs and learning styles of individual students. The classroom setting shall be the preferred instructional strategy unless an alternative is necessary to meet the needs of the individual student and/or child. (Education Code 54745)

(cf. 6158 - Independent Study)

(cf. 6182 - Opportunity School/Class/Program)

(cf. 6183 - Home and Hospital Instruction)

(cf. 6184 - Continuation Education)

(cf. 6200 - Adult Education)

In addition to providing a quality academic program for pregnant and parenting students, the district's program shall provide a parenting education and life skills class, special school nutrition supplements for pregnant and lactating students, and a child care and development program on or near the school site for the children of enrolled students. The district's program may provide other support services authorized by Education Code 54746 as necessary to meet the needs of students and their children. (Education Code 54745)

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 5141.6 - Student Health and Social Services)

(cf. 5148 - Child Care and Development)

(cf. 6164.2 - Guidance/Counseling Services)

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

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

## Pregnancy Prevention

The Superintendent or designee shall ensure that age-appropriate, culturally and community sensitive instruction and services are available to assist in the prevention of pregnancy among minors. The district's program shall be based on strategies that have proven effective in delaying the onset of sexual activity and reducing the incidence of pregnancy among school-age youth. Instruction shall include information regarding the consequences of pregnancy upon both the mother and father, including the effect upon future educational and employment opportunities; the meaning of parental responsibility and its effect upon one's personal life; strategies for resisting peer group pressure; and abstinence as a method of pregnancy prevention. Such instruction may be incorporated into health and social science classes or other appropriate courses in accordance with the requirements for those courses.

(cf. 5141.25 - Availability of Condoms)

(cf. 6142.1 - Family Life/Sex Education)

*Fresno Unified School District prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived race, color, ethnicity, national origin, immigration status, ancestry, age, creed, religion, political affiliation, gender, gender identity, gender expression, genetic information, mental or physical disability, sex, sexual orientation, marital status, pregnancy or parental status, medical information, military veteran status, or association with a person or a group with one or more of these actual or perceived characteristics or any other basis protected by law or regulation, in its educational program(s) or employment.*

### 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:

WEB SITES

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 FRESNO UNIFIED SCHOOL DISTRICT

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