

HOUSE No. 525

The Commonwealth of Massachusetts

PRESENTED BY:

Martha M. Walz

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act enhancing the educational outcomes of expectant and parenting students.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Martha M. Walz</i>	<i>8th Suffolk</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>
<i>Michael Barrett</i>	<i>Third Middlesex</i>
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Denise Andrews</i>	<i>2nd Franklin</i>
<i>Gloria L. Fox</i>	<i>7th Suffolk</i>
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Carl M. Sciortino, Jr.</i>	<i>34th Middlesex</i>
<i>Harriette L. Chandler</i>	<i>First Worcester</i>
<i>Martin J. Walsh</i>	<i>13th Suffolk</i>
<i>Cheryl A. Coakley-Rivera</i>	<i>10th Hampden</i>

HOUSE No. 525

By Ms. Walz of Boston, a petition (accompanied by bill, House, No. 525) of Martha M. Walz and others relative to enhancing the educational opportunities for expectant and parenting students. Education.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act enhancing the educational outcomes of expectant and parenting students.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to increase the high school graduation rate among expectant and parenting students, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 SECTION 1. Chapter 76 of the General Laws is hereby amended by inserting after
- 2 section 21 the following section:-
- 3 Section 22. (a) As used in this section the following words shall, unless the context clearly
- 4 requires otherwise, have the following meanings:-
- 5 “Department”, the department of elementary and secondary education.
- 6 “Expectant student”, a student who is pregnant or is the father of an expected child.
- 7 “Parenting student”, a male or female student who is the parent of a child.
- 8 “Parenting student liaison”, the position established under subsection (d).
- 9 “Title IX”, Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 et seq.
- 10 “Title IX coordinator”, the school district employee designated under the requirements of Title
- 11 IX of the Education Amendments of 1972, 20 U.S.C. 1681 et seq. and its implementing
- 12 regulations, 34 C.F.R. pt 106.
- 13 (b) Each school district with students in grade 7 or higher shall develop, adhere to and update
- 14 an expectant and parenting student policy. When developing and updating the policy, a school
- 15 district shall consult with teachers and other school staff members, formerly or currently
- 16 expectant or parenting students, parents, guardians, relevant community-based organizations and

17 teen parent advocates. Each district shall review and update the expectant and parenting student
18 policy at least every 5 years. Each district shall file its expectant and parenting student policy,
19 including any updates to it, with the department. The department shall post on its website a list of
20 districts that have not filed an expectant and parenting student policy and a list of districts that
21 have not filed an updated policy at least every 5 years. The department shall make any district's
22 policy available to the public upon request without requiring compliance under chapter 66.

23 The expectant and parenting student policy shall include the following:

24 (1) a statement that sets forth the expectation that every expectant and parenting student will
25 stay in school other than during a maternity or paternity leave of absence;

26 (2) a maternity and paternity leave of absence policy, including a statement that the amount
27 of leave for each student shall be reasonable and determined in compliance with federal law and
28 in consultation with: (i) the student; (ii) the expectant and parenting student liaison, if applicable;
29 (iii) the student's health care providers, as needed; and (iv) any other adults the student may
30 consent to involve;

31 (3) procedures for ensuring students are provided with school work while on a leave of
32 absence;

33 (4) a statement that school staff will make every effort to keep personal information and
34 health records confidential within the boundaries of applicable law;

35 (5) a statement that students must give informed consent to the inclusion of their expectant or
36 parenting status in their school records and, as part of that informed consent, be informed of all
37 people who have access to their student records, including the students' parents or guardians;

38 (6) a statement on accommodations for student parents who are nursing; and

39 (7) an explanation of students' Title IX protections and how the district will ensure its
40 compliance with Title IX that shall include, but not be limited to, the following:

41 (i) a statement that no student shall, on the basis of expectant or parenting student status, be
42 excluded from participation in, denied the benefits of, or be subjected to discrimination under
43 any educational program, award opportunity, or activity;

44 (ii) a statement that the school will treat pregnancy and related conditions as it treats any other
45 medical condition or temporary disability;

46 (iii) a statement that any school employee who becomes aware of discrimination against an
47 expectant or parenting student shall report such discrimination; and

48 (iv) a statement on how and to whom a report of discrimination must be made to facilitate
49 prompt and equitable resolution of any grievances.

50 Each school principal or the person who holds a comparable position shall be responsible for
51 the implementation and oversight of the policy at the school.

52 Each school with students in grade 7 or higher shall provide staff members with annual written
53 notice of the expectant and parenting student policy and include the policy or a summary of the
54 policy in its student handbook. Each district with students in grade 7 or higher shall post the
55 policy on its website and the name, title, phone number, email address and work address of each
56 school district's Title IX coordinator as well as an explanation of how each district informs

57 students of their Title IX protections. When any teacher, administrator or counselor in a school
58 with students in grade 7 or higher becomes aware that a student is pregnant, expecting or
59 parenting he shall notify the school principal or the person who is responsible for the
60 implementation and oversight of the expectant and parenting student policy within 7 school days,
61 that person shall provide the student with a copy of the district's policy and a description of
62 expectant and parenting students' rights under state and federal law, and with the student's
63 permission, inform the Title IX coordinator or parenting student liaison, if applicable.

64 □(c) The department, after consultation with relevant state agencies and appropriate community
65 partners including the Massachusetts Alliance on Teen Pregnancy shall: (i) publish a model
66 expectant and parenting student policy; and (ii) compile and post on its website a list of
67 resources, best practices and research for schools to use to help expectant and parenting students
68 stay in school and to increase graduation rates for expectant and parenting students. These
69 materials shall be incorporated into the training of expectant and parenting student liaisons, as
70 described in subsection (d). The department shall update the model plan and the list of resources,
71 best practices and research at least every 3 years.

72 □(d) A public school with students in grade 7 or higher in either (i) a municipality with an
73 annual birth rate to women ages 13 to 19, inclusive, greater than 40 births per 1,000 women, or
74 (ii) a municipality with an annual total number of births to women ages 13 to 19, inclusive,
75 greater than 150 shall have an expectant and parenting student liaison.

76 □Each school shall post on its website the name and contact information of its expectant and
77 parenting student liaison. The duties of the expectant and parenting student liaison may be in
78 addition to other duties the liaison may have. Notwithstanding any general or special law to the
79 contrary, the expectant and parenting student liaison shall have access to the school records
80 necessary for the liaison to assist the expectant or parenting student with the development of a
81 plan for the student to graduate from high school.

82 □The department of public health shall calculate the annual birth rate and annual total number of
83 births to women ages 13 to 19, inclusive, of each municipality. No later than April 1, the
84 department of public health shall notify the department of its findings. No later than May 1, the
85 department shall notify those school districts whose annual birth rate or annual total number of
86 births to women ages 13 to 19, inclusive, require the designation of an expectant and parenting
87 student liaison in the upcoming school year.

88 □Each expectant and parenting student liaison shall, in close consultation with an expectant or
89 parenting student, create an individualized plan for graduation that (i) is designed to ensure the
90 student meets graduation requirements, (ii) includes flexible class scheduling and alternative
91 credit accumulation options, as needed, and (iii) furthers the student's post-graduation college or
92 career goals. As needed, the plan shall also include a proposed end date for the student's
93 maternity or paternity leave of absence. The liaison shall present the advantages and
94 disadvantages of each education option available to the student, without coercing or steering the
95 student in any direction, and work with the student to determine which options best meet the
96 student's needs. If flexible class scheduling and alternative credit accumulation options are not

97 available in the student's school or district, the liaison shall work with the student to find such
98 options. With the consent of the student, the liaison shall make a reasonable attempt to engage a
99 family member in the development of the plan and any modifications to it. If such a family
100 member is not available or if the student does not consent to the involvement of a family
101 member, the liaison shall make a reasonable attempt to engage an adult outside of the student's
102 family in the development or modification of the plan, provided that the student consents to such
103 involvement.

104 The liaison shall review the plan with the student at designated points during the school year
105 and assess the student's progress toward each graduation requirement and post-graduation goal.
106 The liaison and student shall modify the plan from time to time as appropriate.

107 Before, during and after a student's maternity or paternity leave of absence, the liaison shall
108 attempt to connect a student with academic and social-emotional supports within and outside of
109 the school, including but not limited to child care, health care, transportation, flexible scheduling,
110 alternative credit accumulation options, and parenting and life skills classes. The liaison shall
111 follow up with the student to ensure he or she has obtained needed supports and shall, where
112 necessary, work in partnership with community-based organizations to assist and advocate for
113 the student in obtaining support services. The expectant and parenting student liaison shall
114 inform each expectant and parenting student of the student's rights under Title IX.

115 Each school district shall ensure that each expectant and parenting student liaison receives
116 training from an organization with expertise in the needs and rights of expectant and parenting
117 students. This training shall include but not be limited to the rights of expectant and parenting
118 students under federal law, information on graduation requirements, flexible scheduling options,
119 alternative education options, community resources for expectant and parenting teens, and the
120 importance of encouragement and support of their educational success.

121 The expectant and parenting student liaison or Title IX coordinator shall annually report to
122 the superintendent the known number of parenting students in the school, a summary of the
123 academic achievement of these students, the number who graduate from high school, the number
124 who drop out of school, and the number who enroll in post-secondary educational programs.
125 Each superintendent shall annually report this data for the school district to the department. The
126 department shall use its existing data collection tools to obtain this information from districts and
127 shall modify those tools, as necessary, to obtain the information. The department shall post on its
128 website aggregate statewide data and shall make district level data available upon request except
129 for data from districts that report fewer than 5 parenting students.

130 School staff shall encourage but shall not force or coerce an expectant or parenting student
131 to inform his or her parents or guardians of the student's status.

132 Nothing in this section shall supersede or replace rights or remedies under any other
133 general or special law, nor shall this section create a private right of action.

134 SECTION 2. Each public school with students in grade 7 or higher that is required to have an
135 expectant and parenting student liaison shall identify and train a liaison, as defined under section
136 22 of chapter 76, no later than September 1, 2015. No later than September 1, 2015, each public

137 school with students in grade 7 or higher shall have and shall file with the department of
138 elementary and secondary education an expectant and parenting student policy. No later than
139 September 1, 2015, the department of elementary and secondary education shall specify a
140 method for districts and schools to report the information required by subsection (e) of section 22
141 of chapter 76.

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