

# SENATE BILL 791

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CF 0lr1392

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By: **Senator Lam**

Introduced and read first time: February 3, 2020

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **County Boards of Education – Pregnant and Parenting Students – Policies and**  
3 **Reports**

4 FOR the purpose of requiring each county board of education to establish a policy to support  
5 the educational and parenting goals and improve the educational outcomes of  
6 pregnant and parenting students; requiring the policy to provide for the designation  
7 of a certain coordinator, require each school to designate a certain lactation space,  
8 provide certain child care services or referrals, incorporate a certain attendance  
9 policy, address certain transportation services, and provide for certain training;  
10 requiring each county board to collect and track certain data and submit the data in  
11 a certain manner to the University of Maryland Institute for Innovation and  
12 Implementation on or before a certain date each year, beginning in a certain year;  
13 requiring the Institute to analyze the data and submit interim and final reports to  
14 the General Assembly on or before certain dates; altering the required contents of  
15 certain attendance policies developed by the county boards; defining certain terms;  
16 and generally relating to pregnant and parenting students.

17 BY adding to  
18 Article – Education  
19 Section 4–138  
20 Annotated Code of Maryland  
21 (2018 Replacement Volume and 2019 Supplement)

22 BY repealing and reenacting, with amendments,  
23 Article – Education  
24 Section 7–301.1  
25 Annotated Code of Maryland  
26 (2018 Replacement Volume and 2019 Supplement)

27 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
28 That the Laws of Maryland read as follows:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



## Article – Education

1  
2 4–138.

3 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
4 INDICATED.

5 (2) “COORDINATOR FOR EDUCATION OF PREGNANT AND PARENTING  
6 STUDENTS” MEANS AN EMPLOYEE OF A COUNTY BOARD WHO ASSISTS PREGNANT  
7 AND PARENTING STUDENTS IN ACCESSING LACTATION ACCOMMODATIONS, CHILD  
8 CARE SERVICES, AND OTHER SUPPORT SERVICES.

9 (3) “PARENTING STUDENT” MEANS A STUDENT WHO EXERCISES  
10 CARE, CUSTODY, OR CONTROL OVER A CHILD.

11 (B) EACH COUNTY BOARD SHALL ESTABLISH A POLICY TO SUPPORT THE  
12 EDUCATIONAL AND PARENTING GOALS AND IMPROVE THE EDUCATIONAL  
13 OUTCOMES OF PREGNANT AND PARENTING STUDENTS.

14 (C) THE POLICY ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION  
15 SHALL:

16 (1) PROVIDE FOR THE DESIGNATION OF A COORDINATOR FOR  
17 EDUCATION OF PREGNANT AND PARENTING STUDENTS FOR THE SCHOOL SYSTEM  
18 AND THE DISSEMINATION OF THE COORDINATOR’S CONTACT INFORMATION IN EACH  
19 SCHOOL;

20 (2) REQUIRE EACH SCHOOL TO DESIGNATE A PRIVATE LACTATION  
21 SPACE IN THE SCHOOL THAT:

22 (i) IS LOCATED CLOSE TO A SINK AND REFRIGERATOR;

23 (ii) INCLUDES AT LEAST ONE SEATING OPTION WITH A FLAT  
24 SURFACE AND ELECTRICAL OUTLET NEARBY TO ACCOMMODATE PLACEMENT OF A  
25 BREAST PUMP DEVICE;

26 (iii) HAS A DOOR THAT MAY BE LOCKED FROM THE INSIDE; AND

27 (iv) IS NOT A BATHROOM OR CLOSET;

28 (3) REQUIRE SCHOOLS TO PROVIDE EITHER ON-SITE CHILD CARE  
29 SERVICES OR REFERRALS TO THE COORDINATOR FOR EDUCATION OF PREGNANT  
30 AND PARENTING STUDENTS FOR ASSISTANCE WITH FINDING SAFE, AFFORDABLE,

1 AND RELIABLE CHILD CARE AND EARLY CHILDHOOD EDUCATION SERVICES;

2 (4) INCORPORATE THE ATTENDANCE POLICY FOR PREGNANT AND  
3 PARENTING STUDENTS DEVELOPED UNDER § 7-301.1 OF THIS ARTICLE;

4 (5) ADDRESS ANY NEED FOR TRANSPORTATION ACCOMMODATIONS  
5 OR COORDINATION OF RESOURCES TO ASSIST PREGNANT AND PARENTING  
6 STUDENTS IN OBTAINING RELIABLE TRANSPORTATION SERVICES TO AND FROM  
7 SCHOOL; AND

8 (6) PROVIDE FOR TRAINING OF SCHOOL PERSONNEL ON POLICY  
9 OBJECTIVES AND REQUIREMENTS.

10 (D) (1) EACH COUNTY BOARD SHALL COLLECT AND TRACK DATA THAT  
11 RELATES TO EDUCATIONAL OUTCOMES FOR PREGNANT AND PARENTING STUDENTS,  
12 INCLUDING:

13 (I) THE NUMBER OF PREGNANT AND PARENTING STUDENTS  
14 WHO GRADUATE WITH A HIGH SCHOOL DIPLOMA;

15 (II) THE NUMBER OF PREGNANT AND PARENTING STUDENTS  
16 WHO ATTAIN GEDS;

17 (III) THE DURATION OF SCHOOL ENROLLMENT FOR EACH  
18 PREGNANT AND PARENTING STUDENT; AND

19 (IV) FACTORS AFFECTING PUSHOUT AND DROPOUT RATES OF  
20 PREGNANT AND PARENTING STUDENTS SEEKING HIGH SCHOOL DIPLOMAS AND  
21 GEDS.

22 (2) ON OR BEFORE JUNE 1 EACH YEAR, BEGINNING IN 2021, EACH  
23 COUNTY BOARD SHALL SUBMIT THE DATA COLLECTED UNDER PARAGRAPH (1) OF  
24 THIS SUBSECTION, WITH ALL IDENTIFYING STUDENT INFORMATION REDACTED, TO  
25 THE UNIVERSITY OF MARYLAND INSTITUTE FOR INNOVATION AND  
26 IMPLEMENTATION.

27 (E) THE UNIVERSITY OF MARYLAND INSTITUTE FOR INNOVATION AND  
28 IMPLEMENTATION SHALL ANALYZE THE DATA RECEIVED FROM THE COUNTY  
29 BOARDS UNDER SUBSECTION (D) OF THIS SECTION AND:

30 (1) ON OR BEFORE JUNE 30, 2022, SUBMIT AN INTERIM REPORT OF  
31 ITS FINDINGS AND RECOMMENDATIONS TO THE GENERAL ASSEMBLY, IN  
32 ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE; AND

1           **(2) ON OR BEFORE JUNE 30, 2024, SUBMIT A FINAL REPORT OF ITS**  
2 **FINDINGS AND RECOMMENDATIONS TO THE GENERAL ASSEMBLY, IN ACCORDANCE**  
3 **WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE.**

4 7-301.1.

5           (a) A student's absence due to a student's pregnancy or parenting needs is a  
6 lawful absence as provided under this section.

7           (b) Each county board shall develop a written attendance policy for pregnant and  
8 parenting students that, at a minimum, meets the requirements of this section.

9           (c) (1) The policy developed under subsection (b) of this section shall:

10                   (i) Excuse all absences due to pregnancy- or parenting-related  
11 conditions, including absences for:

12                               1. Labor;

13                               2. Delivery;

14                               3. Recovery; and

15                               4. Prenatal and postnatal medical appointments;

16                   (ii) Provide at least 10 days of excused absences for a parenting  
17 student after the birth of the student's child;

18                   (iii) Excuse any parenting-related absences due to an illness or a  
19 medical appointment of the student's child, including up to 4 days of absences per school  
20 year for which the school may not require a note from a physician; **[and]**

21                   (iv) Excuse any absence due to a legal appointment involving the  
22 pregnant or parenting student that is related to family law proceedings, including adoption,  
23 custody, and visitation;

24                   **(v) EXCUSE ANY PARENTING-RELATED ABSENCE DUE TO A**  
25 **CHILD CARE EMERGENCY; AND**

26                   **(vi) EXCUSE ANY PARENTING-RELATED ABSENCE FROM A**  
27 **CLASS DUE TO USE OF A LACTATION SPACE TO NURSE OR EXPRESS BREAST MILK.**

28           (2) In addition to home and hospital services, the school may allow the  
29 student to:

1 (i) Make up the work that the student missed in a time period that  
2 equals at least as many days that the student was absent; and

3 (ii) Choose one of the following alternatives to make up work that  
4 the student missed:

- 5 1. Retake a semester;
- 6 2. Participate in an online course credit recovery program; or
- 7 3. Allow the student 6 weeks to continue at the same pace  
8 and finish at a later date.

9 (3) Each county board shall publish its written attendance policy for  
10 pregnant and parenting students on the county board's Web site.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
12 1, 2020.