

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 428

Introduced by Vargas, 7; Ebke, 32; Walz, 15; Wayne, 13.

Read first time January 13, 2017

Committee:

- 1 A BILL FOR AN ACT relating to schools; to state findings; to provide
- 2 duties for school districts and the State Department of Education
- 3 relating to policies for pregnant and parenting students; and to
- 4 provide for training.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. The Legislature finds and declares that:

2 (1) Pregnant and parenting students face enormous challenges to
3 completing their education. The majority of young women who become
4 pregnant in high school leave school which detrimentally impacts their
5 financial, social, and educational future, as well as the future of their
6 children;

7 (2) Schools have a constitutional obligation to keep pregnant and
8 parenting students in school;

9 (3) Schools must remove overly restrictive or inflexible absence and
10 leave policies so that pregnant students can attend prenatal medical
11 appointments and parenting students can attend pediatric medical care,
12 provide for opportunities for students to make up school work or provide
13 for alternative education for students who become pregnant, and provide
14 for facilities or accommodations for breastfeeding or milk expression;
15 and

16 (4) Young women should not have to choose between completing their
17 education and parenthood.

18 Sec. 2. Beginning May 1, 2018, each school district shall adopt a
19 written policy to be implemented at the start of school year 2018-19
20 which provides for standards and guidelines to accommodate pregnant and
21 parenting students. Such policy shall include procedures and provisions
22 in conformance with the minimum standards set forth in the model policy
23 developed by the State Department of Education pursuant to section 3 of
24 this act and may include any other procedures and provisions the district
25 deems appropriate.

26 Sec. 3. On or before December 1, 2017, the State Department of
27 Education shall develop and distribute a model policy to ensure the
28 educational success of pregnant and parenting students. At a minimum,
29 such policy shall require districts to:

30 (1) Specifically anticipate and provide for student absences due to
31 pregnancy and eliminate requirements for physician approval to return to

1 school or participate in extracurricular activities after pregnancy;

2 (2) Provide for alternative methods to keep a pregnant or parenting
3 student in school by allowing coursework at home, or providing for
4 tutoring visits, online courses, or a similar supplement to classroom
5 attendance;

6 (3) Develop a lactation accommodation policy to ensure students have
7 private, hygienic spaces to express breast milk during the school day;
8 and

9 (4) Identify local child care providers or designate a staff person
10 to assist student-parents in placing their children in child care
11 facilities which collaborate with the school if such schools do not have
12 an in-school child care facility.

13 Sec. 4. In addition to the development of a uniform policy, the
14 State Department of Education shall offer training for teachers,
15 counselors, and administrators on the district's policy adopted under
16 section 2 of this act and the rights of pregnant and parenting students
17 to receive a quality education.