

Students

MARRIED/PREGNANT/PARENTING STUDENTS

The Governing Board recognizes that early marriage, pregnancy, or parenting and related responsibilities may disrupt a student's education and increase the chance of a student dropping out of school. The Board, therefore, 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. 5147 - Dropout Prevention)

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.

(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.

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)

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.

(cf. 6142.7 - Physical Education and Activity)

As required for other students with physical or emotional conditions or temporary disabilities, the Superintendent/designee may require a student, based on pregnancy, childbirth, false pregnancy, termination of pregnancy,

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or related recovery, to obtain certification from a physician indicating that the student is physically and emotionally able to participate in an educational program or activity.

To the extent feasible, educational and related support services shall be provided, either through the District or in collaboration with community agencies and organizations, to meet the needs of pregnant and parenting students and their children.

Absences

Pregnant or parenting students may be excused for absences related to confidential medical appointments in accordance with Board Policy/ Administrative Regulation, 5113 Students, Absences and Excuses.

(cf. 5113 - Absences and Excuses)

The Superintendent/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)

A 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.

(cf. 6183 - Home and Hospital Instruction)

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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:

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 Board Policy/ Administrative Regulation 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 Administrative Regulation 1312.3, Community Relations, 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). If the District or the CDE finds merit in an appeal, the District shall provide a remedy to the affected student.

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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

Policy

Adopted: 10/11/17

CHULA VISTA ELEMENTARY SCHOOL DISTRICT
Chula Vista, California