

Students

Married/Pregnant/Parenting Students

The Board of Education recognizes that early marriage, pregnancy, or parenting 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.

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; 20 USC 1681-1688)

Any education program or activity, including any class or extracurricular activity, that is offered separately to such students shall be comparable to that offered to other District students. A student's participation in such programs shall be voluntary. (34 CFR 106.40)

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.

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

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.

The District's program for pregnant minors shall:

1. Identify program goals, student needs, and community resources.
2. Provide an academic program which gives equal educational opportunities to pregnant minors.
3. Maintain a program advisory council to advise the Superintendent in implementation of the program.
4. Provide student referral, placement, and transition procedures for students who have not completed graduation requirements at the end of their program eligibility.
5. Have available a program expenditure budget, approved by the Board and County Board of Education, which justifies its funding request.

Written notice shall be provided to each pregnant minor's parent or guardian describing the program plan for the enrolled student. If the student is married or legally emancipated, this notice is not required.

BP 5146(b)

Any student is eligible for participation in the program if she has not graduated from high school and has a written pregnancy verification from a licensed physician. A doctor's statement that the student is receiving prenatal care must be obtained by the Superintendent or designee within sixty (60) days after placement in the program. All further eligibility considerations shall comply with Title 5, 11829.

Wherever possible, program staff shall work closely with the pregnant student's spouse and/or parents or guardians and shall collaborate with local public and private agencies in order to expand the student's learning opportunities and support system.

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.

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. A lactating student shall have access to a private location, other than a restroom, to breastfeed or express milk for her infant child.

A student may be required, based on her pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery, to obtain certification from a physician indicating that she is physically and emotionally able to participate in an educational program or activity, if other students with physical or emotional conditions or temporary disabilities are required by the District to provide such certification. (34 CFR 106.40)

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

Pregnant or parenting students may be excused for absences related to confidential medical appointments in accordance with BP/AR 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 her physician. At the conclusion of the leave, the student shall be reinstated to the status she held when the leave began. (34 CFR 106.40)

A pregnant or parenting student also may request exemption from attendance because of a related physical or mental condition or because of personal services that must be rendered to a dependent. (Education Code 48410)

(Legal reference next page)

Legal Reference:

EDUCATION CODE

230 Sex discrimination
8200-8498 Child Care and Development Services Act
48205 Excused absences
48220 Compulsory education requirement
8900-8901 Pregnant minors program
48410(c) Persons exempted from continuation classes

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

1820 et seq. Pregnant minor program
4600-4687 Uniform complaint procedures
4950 Nondiscrimination, marital and parental status
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
54740-54749 Cal-SAFE program for pregnant/parenting students and their children

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

Adopted: (4-94) 9-14

ORANGE UNIFIED SCHOOL DISTRICT
Orange, California