

MARRIED/PREGNANT/PARENTING STUDENTS

The Monterey County Board of Education (County Board) recognizes that early marriage, pregnancy, or parenting may disrupt a student's education and increase the probability of a student dropping out of school. The County 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. 5113.1 - Chronic Absence and Truancy)
(cf. 5147 - Dropout Prevention)
(cf. 5149 - At-Risk Students)
(cf. 6011 - Academic Standards)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.11 - Alternative Credits Toward Graduation)
(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)

The Monterey County Office of Education (MCOE) 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 (E.C.) 230; 20 USC 1681-1688]

(cf. 0410 - Nondiscrimination in MCOE Programs and Activities)

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 MCOE students. A student's participation in such programs shall be voluntary. [34 CFR 106.40]

(cf. 6145 - Extracurricular and Co-curricular Activities)

Any complaint of discrimination on the basis of pregnancy or marital or parental status shall be addressed through MCOE's uniform complaint procedures in accordance with 5 CCR 4600-4687 and BP/AR 1312.3 - Uniform Complaint Procedures.

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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]

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*)
(cf. 6181 - *Alternative Schools/Programs of Choice*)
(cf. 6184 - *Continuation Education*)

When necessary, MCOE 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.

To the extent feasible, educational and related support services should be provided, either through MCOE or in collaboration with community agencies and organizations, to meet the needs of pregnant and parenting students and their children. Such services may include, but are not limited to:

1. Child care and development services for the children of parenting students on or near school site(s) during the school day and during school-sponsored activities

(cf. 5148 - *Child Care and Development*)

2. Parenting education and life skills instruction

3. Special school nutrition supplements for pregnant and lactating students pursuant to Ed. Code 49553, 42 USC 1786, and 7 CFR 246.1-246.28

(cf. 3550 - *Food Service/Child Nutrition Program*)
(cf. 5030 - *Student Wellness*)

4. Health care services, including prenatal care

(cf. 5141.6 - *School Health Services*)

5. Tobacco, alcohol, and/or drug prevention and intervention services

(cf. 5131.6 - *Alcohol and Other Drugs*)
(cf. 5131.62 - *Tobacco*)

6. Academic and personal counseling

(cf. 6164.2 - *Guidance/Counseling Services*)

7. Supplemental instruction to assist students in achieving grade-level academic standards and progressing toward graduation

(cf. 6179 - *Supplemental Instruction*)

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

(cf. 4131/4231/4331 - Staff Development)

Pregnant or parenting students may be excused for absences related to confidential medical appointments in accordance with BP/AR 5113 - Absences and Excuses.

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The Superintendent or designee should consider granting 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]

(cf. 5112.3 - Student Leave of Absence)

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. [E.C. 48410]

(cf. 5112.1 - Exemptions from Attendance)

Legal Reference:

EDUCATION CODE

230	<i>Sex discrimination</i>
8200-8498	<i>Child Care and Development Services Act</i>
48205	<i>Excused absences</i>
48220	<i>Compulsory education requirement</i>
48410	<i>Persons exempted from continuation classes</i>
49553	<i>Nutrition supplements for pregnant/lactating students</i>
51220.5	<i>Parenting skills and education</i>
51745	<i>Independent study</i>
52610.5	<i>Enrollment of pregnant and parenting students in adult education</i>
54740-54749	<i>Cal-SAFE program for pregnant/parenting students and their children</i>

FAMILY CODE

7002	<i>Description of emancipated minor</i>
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HEALTH AND SAFETY CODE

104460	<i>Tobacco prevention services for pregnant and parenting students</i>
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CODE OF REGULATIONS, TITLE 5

4600-4687	<i>Uniform complaint procedures</i>
4950	<i>Nondiscrimination, marital and parental status</i>

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