

REGULATION MONTGOMERY COUNTY PUBLIC SCHOOLS

Related Entries: ACA, ACF, ACF-RA, IHC-RA, IJA-RA, IOE-RB, ISB-RA, JEA-RA, JEC-RA, JEG-RA, JHB-RA, JHE-RA
Responsible Office: Chief of Teaching, Learning, and Schools

Guidelines for the Continuing Education of Pregnant and Parenting Students

I. PURPOSE

To publish procedures to assist pregnant and parenting students to remain in school; to assign responsibility, as appropriate, for compliance with federal and state law, with respect to pregnant and parenting students in Montgomery County Public Schools (MCPS)

II. Definitions

Parenting student means a student who is the mother, father, or legal guardian of a child.

III. PROCEDURES

- A. Provisions prohibiting discrimination or sexual harassment of pregnant or parenting students
1. Federal law, Montgomery County Board of Education Policy ACA, *Nondiscrimination, Equity, and Cultural Proficiency*, and Board Policy ACF, *Sexual Harassment*, prohibit discrimination or harassment on the basis of sex, including pregnancy and parental status, in educational programs and activities.
 - a) Schools may *not exclude* a student from participating in any class or part of an educational program, such as physical education, advanced placement or honors classes, extracurricular programs, interscholastic sports, honor societies, or opportunities for student leadership on the basis of the student's pregnancy or parenting status.
 - b) Schools should *excuse* a student from participating in class for a physical or emotional condition related to pregnancy or parenting in

the same way they excuse other students from participating in class for a physical or emotional condition.

- c) Schools may require documentation from a student's health care provider to *allow* a pregnant or parenting student to participate in classes and extracurricular activities only if they also require documentation from a health care provider from all students who have a physical or emotional condition requiring treatment.
- d) To ensure a pregnant student's access to its educational program, when necessary, a school must make adjustments to the regular program that are reasonable and responsive to the student's temporary pregnancy status (e.g., a school might be required to provide a larger desk, allow frequent trips to the bathroom, or permit temporary access to elevators).

- 2. The Student Welfare and Compliance Unit, in addition to school staff, provides guidance, support, and/or advocacy for students seeking to address matters related to sexual harassment or inappropriate behavior of a sexual nature, including discrimination or harassment related to pregnancy or parenting status.

B. Counseling

- 1. Teachers or other staff members who know or have reason to believe that a student is pregnant or parenting should inform the appropriate school counselor, school community health nurse (SCHN), school health technician, or principal/designee.
- 2. If the pregnant or parenting student requests school staff to keep the pregnancy confidential, staff will –
 - a) encourage and assist the student to engage the services of the school counselor and/or the SCHN, and
 - b) in such circumstances, ensure that any contact with parents/guardians is made by, or in consultation with, the school counselor and/or the principal, who shall strive to ensure that such information remains confidential and is not shared with other students.
- 3. Consistent with MCPS Regulation IJA-RA, *School Counseling Programs and Services*, school counseling programs will –

- a) counsel the student to identify supportive persons who can assist the student to take advantage of all appropriate social services and health-care resources available in the community;
 - b) respond to the pregnant or parenting student's needs in the domains of academic, career, health, interpersonal, and personal development;
 - c) review with the pregnant or parenting student the range of academic opportunities available and advocate for both the development of options and necessary supports, which may include credit recovery, independent study, dual enrollment, part-time attendance, or other educational options to allow them to maintain their educational progress; and
 - d) work with the pregnant or parenting student to develop a graduation plan.
4. In addition, students who miss school due to pregnancy or childbirth may be provided with Interim Instructional Services under the same terms as other MCPS students who miss school because they have a temporary medical condition.
5. The SCHN, school health technician, principal/designee, school counselor, and/or pupil personnel worker, as appropriate, will inform the pregnant or parenting student of –
- a) their rights under federal law,
 - b) supports and resources available, including access to social services and health care provided by community agencies and partners,
 - c) safe, affordable, and reliable –
 - (1) childcare and early education services, and
 - (2) transportation services to and from school.

C. Attendance and Make-up Work

1. A student's absence due to pregnancy or parenting needs is a lawful absence under federal and state law, as set forth in MCPS Regulation JEA-RA, *Student Attendance*.
2. In addition to strategies set forth in II.B. above, schools shall allow the pregnant or parenting student to make up the work that the student missed in a time period that equals at least as many days that the student was absent and direct the student to alternatives, as appropriate, to make up work that the student missed, including, but not limited to the following:
 - a) Retake a semester
 - b) Participate in an online course-credit-recovery program
 - c) Allow the student to continue at the same pace and finish at a later date

D. Lactation

1. Each high school must designate a private lactation space in the school that –
 - a) includes at least one seating option with a flat surface and an electrical outlet nearby to accommodate placement of a breast pump device, and
 - b) is not a bathroom or closet.
2. The lactating student must have access to a refrigerator located reasonably close to the private lactation space.

E. Withdrawal

Should the student seek to withdraw during pregnancy or parenting, school staff members should make every attempt to –

1. assist the student to adjust course requirements before recommending withdrawal from school;

2. convene a problem-solving meeting with the student, parents/guardians, the student's health-care provider, advocates, teachers, counselors, pupil personnel workers, and administrative staff, as appropriate;
3. conduct an educational interview by completing MCPS Form 565-4a, *Educational Interview for Withdrawal Prevention*, as appropriate; and
4. follow additional procedures for withdrawal prevention and documentation, as set forth in MCPS Regulation JEC-RA, *Student Withdrawal from Classes and School*.

F. Professional Learning

MCPS will provide school-based staff and others designated above on the provisions of this regulation, including but not limited to—

1. data on school completion and future opportunities for pregnant and parenting teens and their need for support;
2. information on Title IX protections for pregnant and parenting teens;
3. classroom strategies on the development of a safe, supportive, culturally responsive classroom system, with a focus on equity, acceptance, and access for all students; and
4. strategies that serve to increase staff awareness in identifying and supporting pregnant and parenting students who may be vulnerable to bullying, harassment, or intimidation.

G. Publication

Provisions for pregnant and parenting students will be –

1. published in the *Guide to Student Rights and Responsibilities in Montgomery County Public Schools*, and
2. discussed with students in student orientation.

Related Sources:

Title IX of the *Education Amendments Act of 1972*, as amended; U.S. Department of Education Office of Civil Rights “Know Your Rights: Pregnant or Parenting? Title IX Protects You from Discrimination at School” and “Supporting the Academic Success of Pregnant and Parenting Students Under Title IX of the Education Amendments of 1972”; Annotated Code of Maryland, Education Article, §7-301.1 and §4-139; *A Student’s Guide to Rights and Responsibilities in Montgomery County Public Schools*

Regulation History: Formerly Regulation No. 335-6, April 12, 1977; revised December 1986; revised January 22, 1996; revised October 26, 2006; revised February 26, 2018; technical amendment on September 25, 2018; revised April 28, 2022.