

HOUSE BILL 1298

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CF SB 791

By: **Delegates Cain, Ivey, Acevero, Arikan, Atterbeary, Bagnall, Bartlett, Boyce, Carey, Carr, Chang, Charkoudian, Cullison, D.M. Davis, Ebersole, Feldmark, Fraser-Hidalgo, Guyton, Henson, Kelly, Kerr, Korman, J. Lewis, R. Lewis, Lierman, Lopez, Moon, Mosby, Palakovich Carr, Patterson, Queen, Reznik, Shetty, Smith, Solomon, Stewart, Terrasa, Turner, Valderrama, Valentino-Smith, C. Watson, Wilkins, Williams, and K. Young**

Introduced and read first time: February 7, 2020

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **County Boards of Education – Pregnant and Parenting Students – Policies and**
3 **Reports**

4 FOR the purpose of requiring each county board of education to establish a policy to support
5 the educational and parenting goals and improve the educational outcomes of
6 pregnant and parenting students; requiring the policy to provide for the designation
7 of a certain coordinator, require each school to designate a certain lactation space,
8 provide certain child care services or referrals, incorporate a certain attendance
9 policy, address certain transportation services, and provide for certain training;
10 requiring each county board to collect and track certain data and submit the data in
11 a certain manner to the University of Maryland Institute for Innovation and
12 Implementation on or before a certain date each year, beginning in a certain year;
13 requiring the Institute to analyze the data and submit interim and final reports to
14 the General Assembly on or before certain dates; altering the required contents of
15 certain attendance policies developed by the county boards; defining certain terms;
16 and generally relating to pregnant and parenting students.

17 BY adding to
18 Article – Education
19 Section 4–138
20 Annotated Code of Maryland
21 (2018 Replacement Volume and 2019 Supplement)

22 BY repealing and reenacting, with amendments,
23 Article – Education
24 Section 7–301.1

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Annotated Code of Maryland
(2018 Replacement Volume and 2019 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Education

4–138.

**(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
INDICATED.**

**(2) “COORDINATOR FOR EDUCATION OF PREGNANT AND PARENTING
STUDENTS” MEANS AN EMPLOYEE OF A COUNTY BOARD WHO ASSISTS PREGNANT
AND PARENTING STUDENTS IN ACCESSING LACTATION ACCOMMODATIONS, CHILD
CARE SERVICES, AND OTHER SUPPORT SERVICES.**

**(3) “PARENTING STUDENT” MEANS A STUDENT WHO EXERCISES
CARE, CUSTODY, OR CONTROL OVER A CHILD.**

**(B) EACH COUNTY BOARD SHALL ESTABLISH A POLICY TO SUPPORT THE
EDUCATIONAL AND PARENTING GOALS AND IMPROVE THE EDUCATIONAL
OUTCOMES OF PREGNANT AND PARENTING STUDENTS.**

**(C) THE POLICY ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION
SHALL:**

**(1) PROVIDE FOR THE DESIGNATION OF A COORDINATOR FOR
EDUCATION OF PREGNANT AND PARENTING STUDENTS FOR THE SCHOOL SYSTEM
AND THE DISSEMINATION OF THE COORDINATOR’S CONTACT INFORMATION IN EACH
SCHOOL;**

**(2) REQUIRE EACH SCHOOL TO DESIGNATE A PRIVATE LACTATION
SPACE IN THE SCHOOL THAT:**

(i) IS LOCATED CLOSE TO A SINK AND REFRIGERATOR;

**(ii) INCLUDES AT LEAST ONE SEATING OPTION WITH A FLAT
SURFACE AND ELECTRICAL OUTLET NEARBY TO ACCOMMODATE PLACEMENT OF A
BREAST PUMP DEVICE;**

(iii) HAS A DOOR THAT MAY BE LOCKED FROM THE INSIDE; AND

1 (IV) IS NOT A BATHROOM OR CLOSET;

2 (3) REQUIRE SCHOOLS TO PROVIDE EITHER ON-SITE CHILD CARE
3 SERVICES OR REFERRALS TO THE COORDINATOR FOR EDUCATION OF PREGNANT
4 AND PARENTING STUDENTS FOR ASSISTANCE WITH FINDING SAFE, AFFORDABLE,
5 AND RELIABLE CHILD CARE AND EARLY CHILDHOOD EDUCATION SERVICES;

6 (4) INCORPORATE THE ATTENDANCE POLICY FOR PREGNANT AND
7 PARENTING STUDENTS DEVELOPED UNDER § 7-301.1 OF THIS ARTICLE;

8 (5) ADDRESS ANY NEED FOR TRANSPORTATION ACCOMMODATIONS
9 OR COORDINATION OF RESOURCES TO ASSIST PREGNANT AND PARENTING
10 STUDENTS IN OBTAINING RELIABLE TRANSPORTATION SERVICES TO AND FROM
11 SCHOOL; AND

12 (6) PROVIDE FOR TRAINING OF SCHOOL PERSONNEL ON POLICY
13 OBJECTIVES AND REQUIREMENTS.

14 (D) (1) EACH COUNTY BOARD SHALL COLLECT AND TRACK DATA THAT
15 RELATES TO EDUCATIONAL OUTCOMES FOR PREGNANT AND PARENTING STUDENTS,
16 INCLUDING:

17 (I) THE NUMBER OF PREGNANT AND PARENTING STUDENTS
18 WHO GRADUATE WITH A HIGH SCHOOL DIPLOMA;

19 (II) THE NUMBER OF PREGNANT AND PARENTING STUDENTS
20 WHO ATTAIN GEDs;

21 (III) THE DURATION OF SCHOOL ENROLLMENT FOR EACH
22 PREGNANT AND PARENTING STUDENT; AND

23 (IV) FACTORS AFFECTING PUSHOUT AND DROPOUT RATES OF
24 PREGNANT AND PARENTING STUDENTS SEEKING HIGH SCHOOL DIPLOMAS AND
25 GEDs.

26 (2) ON OR BEFORE JUNE 1 EACH YEAR, BEGINNING IN 2021, EACH
27 COUNTY BOARD SHALL SUBMIT THE DATA COLLECTED UNDER PARAGRAPH (1) OF
28 THIS SUBSECTION, WITH ALL IDENTIFYING STUDENT INFORMATION REDACTED, TO
29 THE UNIVERSITY OF MARYLAND INSTITUTE FOR INNOVATION AND
30 IMPLEMENTATION.

31 (E) THE UNIVERSITY OF MARYLAND INSTITUTE FOR INNOVATION AND
32 IMPLEMENTATION SHALL ANALYZE THE DATA RECEIVED FROM THE COUNTY

1 **BOARDS UNDER SUBSECTION (D) OF THIS SECTION AND:**

2 **(1) ON OR BEFORE JUNE 30, 2022, SUBMIT AN INTERIM REPORT OF**
3 **ITS FINDINGS AND RECOMMENDATIONS TO THE GENERAL ASSEMBLY, IN**
4 **ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE; AND**

5 **(2) ON OR BEFORE JUNE 30, 2024, SUBMIT A FINAL REPORT OF ITS**
6 **FINDINGS AND RECOMMENDATIONS TO THE GENERAL ASSEMBLY, IN ACCORDANCE**
7 **WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE.**

8 7-301.1.

9 (a) A student's absence due to a student's pregnancy or parenting needs is a
10 lawful absence as provided under this section.

11 (b) Each county board shall develop a written attendance policy for pregnant and
12 parenting students that, at a minimum, meets the requirements of this section.

13 (c) (1) The policy developed under subsection (b) of this section shall:

14 (i) Excuse all absences due to pregnancy– or parenting–related
15 conditions, including absences for:

16 1. Labor;

17 2. Delivery;

18 3. Recovery; and

19 4. Prenatal and postnatal medical appointments;

20 (ii) Provide at least 10 days of excused absences for a parenting
21 student after the birth of the student's child;

22 (iii) Excuse any parenting–related absences due to an illness or a
23 medical appointment of the student's child, including up to 4 days of absences per school
24 year for which the school may not require a note from a physician; [and]

25 (iv) Excuse any absence due to a legal appointment involving the
26 pregnant or parenting student that is related to family law proceedings, including adoption,
27 custody, and visitation;

28 **(V) EXCUSE ANY PARENTING–RELATED ABSENCE DUE TO A**
29 **CHILD CARE EMERGENCY; AND**

30 **(VI) EXCUSE ANY PARENTING–RELATED ABSENCE FROM A**

1 **CLASS DUE TO USE OF A LACTATION SPACE TO NURSE OR EXPRESS BREAST MILK.**

2 (2) In addition to home and hospital services, the school may allow the
3 student to:

4 (i) Make up the work that the student missed in a time period that
5 equals at least as many days that the student was absent; and

6 (ii) Choose one of the following alternatives to make up work that
7 the student missed:

8 1. Retake a semester;

9 2. Participate in an online course credit recovery program; or

10 3. Allow the student 6 weeks to continue at the same pace
11 and finish at a later date.

12 (3) Each county board shall publish its written attendance policy for
13 pregnant and parenting students on the county board's Web site.

14 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July**
15 **1, 2020.**