
Note: For complaints of discrimination, harassment, and retaliation on the basis of sex or gender, see FFDA. For all other discrimination, harassment, and retaliation complaints related to this policy, see FFDB.

Title IX

A recipient which receives federal financial assistance shall not discriminate against any student, or exclude any student from its education program or activity, including any class or extracurricular activity, on the basis of such student's pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery therefrom, unless the student requests voluntarily to participate in a separate portion of the program or activity of the recipient.

A recipient may require such a student to obtain the certification of a physician that the student is physically and emotionally able to continue participation so long as such a certification is required of all students for other physical or emotional conditions requiring the attention of a physician.

A recipient which operates a portion of its education program or activity separately for pregnant students, admittance to which is completely voluntary on the part of the student as provided in this section, shall ensure that the separate portion is comparable to that offered to non-pregnant students.

A recipient shall treat pregnancy, childbirth, false pregnancy, termination of pregnancy, and recovery therefrom in the same manner and under the same policies as any other temporary disability with respect to any medical or hospital benefit, service, plan, or policy which such recipient administers, operates, offers, or participates in with respect to students admitted to the recipient's educational program or activity.

In the case of a recipient which does not maintain a leave policy for its students, or in the case of a student who does not otherwise qualify for leave under such a policy, a recipient shall treat pregnancy, childbirth, false pregnancy, termination of pregnancy and recovery therefrom as a justification for a leave of absence for so long a period of time as is deemed medically necessary by the student's physician, at the conclusion of which the student shall be reinstated to the status which she held when the leave began.

34 C.F.R. 106.40(b)

State Law

Protections for
Pregnant and
Parenting Students

An institution of higher education, including a college district, may not require a pregnant or parenting student, solely because of the student's status as a pregnant or parenting student or due to issues related to the student's pregnancy or parenting, to:

1. Take a leave of absence or withdraw from the student's degree or certificate program;
2. Limit the student's studies;
3. Participate in an alternative program;
4. Change the student's major, degree, or certificate program; or
5. Refrain from joining or cease participating in any course, activity, or program at the institution.

An institution of higher education shall allow a pregnant or parenting student to:

1. Take a leave of absence; and
2. If in good academic standing at the time the student takes a leave of absence, return to the student's degree or certificate program in good academic standing without being required to reapply for admission.

"Parenting student" means a student who is the parent or legal guardian of a child under 18 years of age.

Education Code 51.982(a)(2), (b), (e)

*Early Registration
for Parenting
Students*

If an institution of higher education provides early registration for courses or programs at the institution for any group of students, the institution shall provide early registration for those courses or programs for parenting students in the same manner. *Education Code 51.983(b)*

*Additional
Accommodations
for Pregnant
Students*

An institution of higher education shall provide reasonable accommodations to a pregnant student, including accommodations that:

1. Would be provided to a student with a temporary medical condition; or
2. Are related to the health and safety of the student and the student's unborn child, such as allowing the student to maintain a safe distance from substances, areas, and activities known to be hazardous to pregnant women or unborn children.

An institution of higher education shall, for reasons related to a student's pregnancy, childbirth, or any resulting medical status or condition:

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1. Excuse the student's absence;
2. Allow the student to make up missed assignments or assessments;
3. Allow the student additional time to complete assignments in the same manner as the institution allows for a student with a temporary medical condition; and
4. Provide the student with access to instructional materials and video recordings of lectures for classes for which the student has an excused absence under this section to the same extent that instructional materials and video recordings of lectures are made available to any other student with an excused absence.

Education Code 51.982(c)-(d)

*Policy and
Procedures
Required*

Each institution of higher education shall adopt a policy for students on pregnancy and parenting discrimination. The policy must:

1. Include the contact information for the employee or office of the institution that is the designated point of contact for a student requesting each protection or accommodation under this section;
2. Be posted in an easily accessible, straightforward format on the institution's internet website; and
3. Be made available annually to faculty, staff, and employees of the institution.

Education Code 51.982(f)

*Coordinating
Board Rules*

The Coordinating Board, in consultation with institutions of higher education, shall adopt rules as necessary to administer this section. The rules must establish minimum periods for which a pregnant or parenting student must be given a leave of absence under Education Code 51.982(e). In establishing those periods, the board shall consider the maximum amount of time a student may be absent without significantly interfering with the student's ability to complete the student's degree or certificate program. *Education Code 51.982(g)*

Parenting Student
Liaison

Each institution of higher education, including each college district, shall designate at least one employee of the institution to act as a liaison officer for current or incoming students at the institution who are the parent or guardian of a child younger than 18 years of age. The liaison officer shall provide to the students information regarding support services and other resources available to the students at the institution, including:

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1. Resources to access medical and behavioral health coverage and services and public benefit programs, including programs related to food security, affordable housing, and housing subsidies;
2. Parenting and child-care resources;
3. Employment assistance;
4. Transportation assistance;
5. Student academic success strategies; and
6. Any other resources developed by the institution to assist the students.

Education Code 51.9357(b)

Report on Parenting
Students

Not later than May 1 of each academic year, an institution of higher education shall submit to the Coordinating Board a report that contains the following information regarding students enrolled at the institution for the current academic year who are the parent or guardian of a child younger than 18 years of age:

1. The number of those students;
2. Demographic data, including age, race, sex, and ethnicity;
3. Academic data, including full-time or part-time enrollment status and graduation, transfer, and withdrawal rates; and
4. Other data as prescribed by Coordinating Board rule.

Education Code 51.9357(c)