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March 3, 2020

The Honorable Paul Pinsky, Chair
Senate Education, Health, and Environmental Affairs Committee
Senate Office Building, 11 Bladen Street
Annapolis, MD 21401

RE: SB0791 - SUPPORT

Dear Chairman Pinsky and Members of the Education, Health, and Environmental Affairs Committee,,

The National Women's Law Center (NWLC) fights for gender justice—in the courts, in public policy, and in our society—working across the issues that are central to the lives of women and girls. We use the law in all its forms to change culture and drive solutions to the gender inequity that shapes our society and to break down the barriers that harm all of us—especially those who face multiple forms of discrimination, including women of color, LGBTQ people, and low-income women and families. For more than 45 years, we have been on the leading edge of every major legal and policy victory for women. We are proud to support SB0791.

SB0791 would guarantee specific accommodations that pregnant and parenting students need to succeed in school, including private lactation spaces, on-site child care or assistance finding affordable and reliable child care, assistance with transportation options, and reasonable leave during class to pump breastmilk or coordinate child care. SB0791 will also help schools comply with pregnancy accommodation requirements in federal law by directing each county board to designate a coordinator for education of pregnant and parenting students, provide training opportunities for school staff to provide support services, and report graduation rates to help ensure that student parents are receiving the education they need to support their young families.

In 2017, approximately 750 people who were 17 or younger gave birth in Maryland, with an additional 1,952 births for individuals between 18-19 years of age.¹ While the national teen birthrate as of 2017 has fallen to 18.8 per 1000 women between ages 15-19, 11 counties in Maryland surpass the national average.² In all Maryland counties, except Allegany, Hispanic or Black women ages 15-19 make up the greatest proportion of teen births.³

When schools support young parents, they are able to thrive. In fact, becoming a parent can motivate a young person to reinvest in education. For example, in a focus group of young parents NWLC conducted in 2017, one student shared that becoming a parent pushed her to “strive for greatness” and “leave a legacy that [her son] can be proud of.”⁴ Another said, “[My daughter] pushes me to keep doing better. Because if it wasn't for her I honestly would have just not wanted to keep going to school.”⁵

¹ Maryland Dep't of Health, *Maryland Vital Statistics Annual Report 74* (2017), <https://health.maryland.gov/vsa/Documents/Reports%20and%20Data/Annual%20Reports/2017annual.pdf>.

² Robert Wood Johnson Foundation, *County Health Rankings, Maryland 2011-2017, Teen Births* (last updated July 2019), <https://www.countyhealthrankings.org/app/maryland/2019/measure/factors/14/data?sort=sc-2>.

³ *Id.*

⁴ Nat'l Women's Law Ctr., *Let Her Learn: Stopping Pushout For Girls Who are Pregnant or Parenting* 4 (2017) [hereinafter *Let Her Learn*], <https://nwlc.org/resources/stopping-school-pushout-for-girls-who-are-pregnant-or-parenting/>.

⁵ Nat'l Women's Law Ctr., *Let Her Learn Focus Groups* (D.C. 2017).

Unfortunately, too many pregnant and parenting students are pushed out of school by administrators' failure to accommodate their unique needs. Only about 50 percent of women who have a child during their teen years will earn a high school diploma by the age of 22, compared with 89 percent of women who did not have a child during that time.⁶ According to a national Gates Foundation survey, youth who dropped out of school either because they became a parent or because of family responsibilities were more likely than any other group to say they would have worked harder if their schools had demanded more of them and provided them with the necessary supports.⁷ Similarly, the NWLC *Let Her Learn* survey revealed that more than 1 in 4 girls who were pregnant or parenting (26 percent) said that they got little or no counseling about their futures, compared with 11 percent of girls overall.⁸ SB0791's requirement to designate a coordinator for the education of pregnant and parenting students, as well as its commitment to collect and analyze data on the diploma-attainment rates of pregnant and parenting students, are crucial first steps to ensure that students are receiving the supports they need to achieve.

While federal law protects pregnant and parenting students from discrimination, too many young parents still experience harmful stigma or stereotyping from their teachers and administrators. The NWLC *Let Her Learn* survey found that 38 percent of pregnant and parenting students reported feeling that their teachers did not want them at school, and 31 percent said their principals did not either. Young parents of color may also face racialized stereotypes that can be particularly damaging.

This stereotyping often leads to school policies and practices that illegally deny pregnant and parenting students reasonable accommodations that would help them succeed in school. Although Title IX—the federal law prohibiting sex discrimination in schools—requires schools to excuse all “pregnancy-related” absences and give students a reasonable amount of time to make up work, hostility to young parents leads too many school officials to be overly restrictive in what they excuse. Overly punitive absence policies can put students behind academically, which increases the chances of repeating a grade or being pushed out, making it harder to accomplish their goals. SB0791's expansion of Maryland's attendance law to require excused absences for young parents to address child care emergencies and lactation needs will help students meet their educational requirements without sacrificing their or their child's health and well-being.

Additionally, SB0791's requirement that schools provide a clean, well-equipped, and private room to express breastmilk will ensure young parents are able to pump in dignity, which in turn will help young parents remain healthy and focused on school.

Maryland is the seventh most expensive state for infant care with an average annual cost of \$15,335 or \$1,278 per month.⁹ Student parents are doubly impacted by not only the high cost of child care, but also a lack of accessible options. According to the NWLC *Let Her Learn* survey, 52 percent of pregnant or parenting students said that not having access to child care was a barrier to going to school and 72 percent said that schools would be more supportive if they provided child care.¹⁰ By requiring schools to provide on-site child care or assistance in finding and accessing affordable and reliable care, SB0791 can go a long way to give student parents peace of mind so they can focus on learning in school.

We applaud Maryland's continued support for pregnant and parenting students, and believe SB0791 is a crucial next step to ensure that schools respond to the ongoing needs of pregnant and parenting students.

⁶ Child Trends, *Diploma Attainment Among Teen Mothers* (2010), <https://www.childtrends.org/publications/diploma-attainment-among-teen-mothers/>.

⁷ Bill and Melinda Gates Foundation, *The Silent Epidemic: Perspectives of High School Dropouts* 6 (2006).

⁸ *Let Her Learn*, *supra* note 4 at 6; *Let Her Learn National Survey* (2017).

⁹ Economic Policy Institute, *The Cost of Child Care in Maryland* (2019), <https://www.epi.org/child-care-costs-in-the-united-states/#/MD>.

¹⁰ *Let Her Learn*, *supra* note 4 at 8.

For these reasons, we are proud to support SB0791, and respectfully request that you vote in favor of this measure.

Thank you for Maryland's leadership on this important issue. For follow up questions or concerns, please contact Margaret Hazuka at mhazuka@nwlc.org, or Adaku Onyeka-Crawford at aocrawford@nwlc.org or 202.588.5180.

Sincerely,

A handwritten signature in black ink that reads "Margaret Hazuka". The script is cursive and fluid.

Margaret Hazuka, Legal Fellow for Education
National Women's Law Center

A handwritten signature in black ink that reads "A. Crawford". The script is cursive and stylized.

Adaku Onyeka-Crawford, Senior Counsel & Director of Educational Equity
National Women's Law Center