BY adding to
   Article – Education
   Section 15–134
   Annotated Code of Maryland
   (2018 Replacement Volume and 2021 Supplement)
HOUSE BILL 164

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

That the Laws of Maryland read as follows:

Article – Education

15–134.

(A) The General Assembly finds that all students at an institution of higher education in the State, regardless of their gender, shall enjoy freedom from discrimination of any kind, including pregnancy discrimination as described in Title IX of the Education Amendments of 1972.

(B) An institution of higher education may not require a student to take a leave of absence, withdraw from a program, or limit a student’s studies due to a student’s pregnancy or for other pregnancy-related reasons.

(C) (1) Each institution of higher education shall allow a student to take a leave of absence because the student is pregnant or has recently given birth.

(i) A leave of absence under this paragraph shall:

1. Be granted for not less than 12 months, unless the student requests a shorter leave period;

2. Include time to prepare for and take preliminary or qualifying examinations to return to class; and

3. Allow for an extension if medically necessary.

(2) (i) An institution of higher education shall allow a student who is not the birth parent to take a leave of absence for the birth of their child.

(ii) A leave of absence under this paragraph shall:

1. Be granted for not less than 1 month, unless the student requests a shorter leave period;

2. Include time to prepare for and take preliminary or qualifying examinations to return to class; and
3. Allow for an extension if medically necessary.

(3) If a student is in good academic standing at the institution of higher education before taking a leave of absence under this subsection, the institution shall return the student to good academic standing when the leave of absence concludes.

(D) (1) An institution of higher education shall make reasonable accommodations for a pregnant student so that the student may complete their courses of study and research.

(2) Reasonable accommodations under this subsection may include considerations for the pregnant student’s health and safety, including allowing:

   (I) A student to maintain a safe distance from hazardous substances or equipment;

   (II) A student to make up tests and assignments that were missed for pregnancy-related reasons; and

   (III) Medically necessary excused absences.

(E) An institution of higher education shall designate a private lactation space at the institution that:

   (1) Includes at least one seating option with a flat surface and electrical outlet nearby to accommodate placement of a breast pump device; and

   (2) Is not a bathroom or closet.

(F) Each institution of higher education shall adopt and implement a written policy for students on pregnancy discrimination awareness that includes:

   (1) The provisions of this section; and

   (2) Procedures for addressing pregnancy discrimination complaints under Title IX of the Education Amendments of 1972 or this section.
(G) Each institution of higher education shall:

(1) Post the policy adopted in accordance with subsection (F) of this section on the institution’s website and at appropriate locations on each campus;

(2) Distribute a copy of the policy to students, faculty members, and employees at all orientation sessions; and

(3) At the request of a student at a campus medical center, provide a copy of the policy to the student.

(B) (1) Each public institution of higher education shall adopt a policy related to pregnant and parenting students that is consistent with Title IX of the federal Higher Education Act.

(2) Each public institution of higher education shall post the policy adopted under paragraph (1) of this subsection on the institution’s website.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022.