

SB 438 -Public Schools—Pregnant and Parenting Stud

Uploaded by: Dove, Tina

Position: FAV

Testimony in Support of Senate Bill 438
Public Schools—Pregnant and Parenting Students—Policies and Reports

Senate Education, Health, and Environmental Affairs Committee

February 25, 2021

11:00 am

Tina N. Dove, M.Ed.
Government Relations

The Maryland State Education Association supports Senate Bill 438, legislation that requires (among other things) the Maryland State Department of Education (MSDE) to develop a model policy to support the educational and parenting goals and improve the educational outcomes of pregnant and parenting students. Additionally, it requires each local board of education to establish a local policy based on the model policy developed by MSDE.

MSEA represents 75,000 educators and school employees who work in Maryland's public schools, teaching and preparing our 896,837 students for careers and jobs of the future. MSEA also represents 39 local affiliates in every county across the state of Maryland, and our parent affiliate is the 3 million-member National Education Association (NEA).

Educators know that the single best place for our students to be in order to best provide them with a world-class education is in our classrooms and school buildings. However, there are times when, due to extenuating circumstances, our students are either unable to physically be present in their classes or situations arise that make uninterrupted school attendance very challenging. This is particularly the case for our students who are pregnant and parenting. Every effort must be made—to the extent practicable—to prevent extenuating circumstances from leading to an interruption in our students' learning.

It is with this in mind that MSEA supports this legislation. We see it as a reasonable effort to assist our pregnant and parenting students with the types of resources and supports they need so that they can properly carry out their responsibilities to both their children and their educational goals. Furthermore, this makes it possible for our school communities to provide for our current students while simultaneously aiding in the establishment of a firm foundation upon which our future students will



build their educational careers. Said differently, this is an exceptional way to support our children from crib to commencement.

Our young people have more than enough to contend with during their adolescence. Far too often, our schools are unable to minimize or prevent the myriad hardships our students face. In this case, however, our schools and districts have the means to provide the guidance and resources young people need to manage their roles as students and parents. MSEA supports this effort because it is about equity and because it is the right thing to do.

We urge the committee to issue a favorable report on Senate Bill 438.

2021 ACMN SB 438 Senate Side.pdf

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Position: FAV



Committee: Senate Education, Health, and Environmental Affairs Committee
Bill Number: SB 438
Title: County Boards of Education – Pregnant and Parenting Students – Policies and Reports
Hearing Date: February 24, 2021
Position: Support

The Maryland Affiliate of the American College of Nurse Midwives (ACNM) supports *Senate Bill 438 – County Boards of Education – Pregnant and parenting Students – Policies and Reports*. This bill would require county boards of education to establish a policy to support the educational and parenting goals of pregnant and parenting teams.

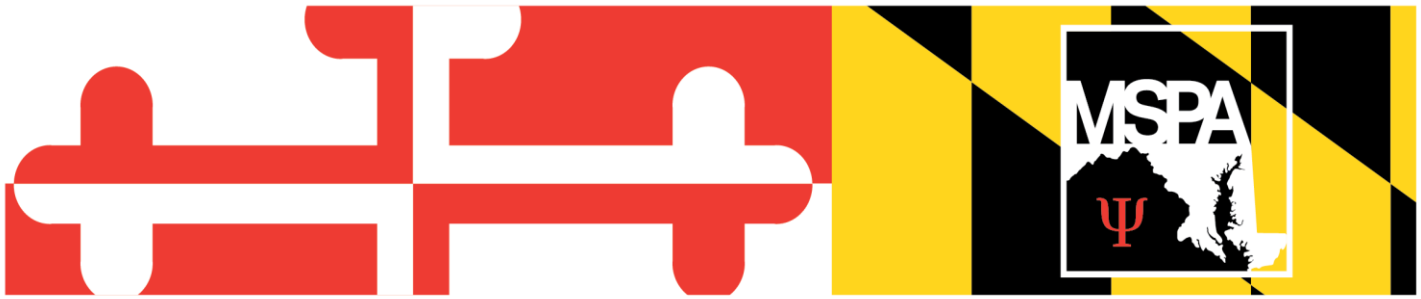
As primary care providers of pregnant women and newborns, ACNM strongly supports policies to help women maintain a healthy pregnancy and a healthy child. This bill would help pregnant and parenting students achieve that goal while continuing their education. It does this by requiring that the policy address many of the everyday logistical issues a pregnant or parenting student will face, such as the need for private lactation space, transportation support, and childcare support. Without these supports, many pregnant or parenting students may not be able to continue attending school. This bill would establish a policy to support these students – to support a healthy pregnancy, healthy baby, and healthy student body.

Thank you for your consideration of our testimony, and we urge a favorable vote. If we can provide any further information, please contact Robyn Elliott at relliott@policypartners.net or (443) 926-3443.

2021 MSPA SB 438 Senate Side.pdf

Uploaded by: Faulkner, Rachael

Position: FAV



Delegate Paul G. Pinsky, Chair
Delegate Cheryl C. Kagan, Vice Chair
Education, Health, and Environmental Affairs Committee
2 West, Miller Senate Office Building
Annapolis, MD 21401

Bill: Senate Bill 438 – Public Schools-Pregnant and Parenting Students-Policies and Reports

Position: Support

Dear Chairman Pinsky, Vice Chair Kagan, and Members of the Committee:

I am writing on behalf of the Maryland School Psychologists' Association (MSPA), a professional organization representing about 500 school psychologists in Maryland. We advocate for the social-emotional, behavioral, and academic wellbeing of students and families across the state.

School psychologists provide comprehensive services to Maryland's students. We work closely with families, teachers, nurses and health techs, and community providers to support students' continuous access to education while pregnant or parenting. Despite motivation to achieve academic goals, pregnant and parenting students are often stigmatized in schools. They face other barriers including financial challenges and access to childcare. The policies proposed in Senate Bill 438 are crucial to improving outcomes for these vulnerable students. The bill would provide necessary accommodations for these students, such as private locations to nurse or pump. In addition, the bill requires the creation of model policies for schools to better support students navigating parenthood in order to achieve more successful outcomes. MSPA supports this bill as a means of creating a consistent and systematic method of supporting these students, who are less likely to obtain a high school diploma and are more at-risk of experiencing long-term adverse outcomes as compared to their peers.

MSPA is in strong support of Senate Bill 438 and we respectfully urge a favorable vote. If we can provide any additional information or be of any assistance, please contact us at legislative@mSPAonline.org, or Rachael Faulkner at rfaulkner@policypartners.net or (410) 693-4000.

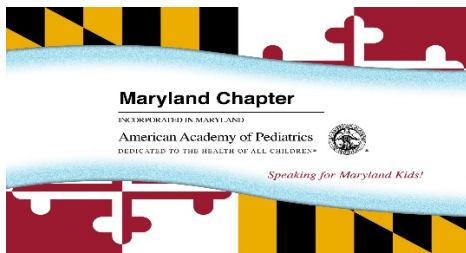
Respectfully submitted,

Kyle Potter, Ph.D., NCSP
Chair, Legislative Committee
Maryland School Psychologists' Association

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Uploaded by: Kasemeyer, Pam

Position: FAV



TO: The Honorable Paul G. Pinsky, Chair
Members, Senate Education, Health, and Environmental Affairs Committee
The Honorable Mary Washington

FROM: Pamela Metz Kasemeyer
J. Steven Wise
Danna L. Kauffman

DATE: February 25, 2021

RE: **SUPPORT** – Senate Bill 438 – *Public Schools – Pregnant and Parenting Students – Policies and Reports*

The Maryland Chapter of the American Academy of Pediatrics (MDAAP) is a statewide association representing more than 1,100 pediatricians and allied pediatric and adolescent healthcare practitioners in the State and is a strong and established advocate promoting the health and safety of all the children we serve. On behalf of MDAAP, we submit this letter of **support** for Senate Bill 438.

Senate Bill 438 requires the State Board of Education to develop a model policy to support the educational and parenting goals and improve the educational outcomes of pregnant and parenting students. The policy shall include requirements for local school systems to assist pregnant and parenting students in accessing lactation accommodations, childcare services, and other support services. The bill also expands the types of absences that must be excused for pregnant and parenting students to include lactation time.

It is an unfortunate fact that there are a significant number of pregnant and parenting students enrolled in our public education system. These students face significant hurdles in reaching academic success given the demands that accompany pregnancy and parenthood. Providing a framework to assist these students in achieving successful outcomes will benefit not only the students but their families as well. Enhancing their support within the school system and making necessary accommodations that acknowledge their additional responsibilities will enhance the likelihood that they will become self-supporting, productive members of their communities.

MDAAP recognizes that some of the provisions in the bill, as drafted, may need to be modified to address fiscal concerns, such as lactation facilities in elementary and middle schools but MDAAP believes the objectives of the bill must be addressed and that a reasonable framework can be created with the collaborative involvement of all stakeholders. A favorable report is requested.

For more information call:

Pamela Metz Kasemeyer
J. Steven Wise
Danna L. Kauffman
410-244-7000

WDC Testimony SB0438_FINAL.pdf

Uploaded by: Koravos, JoAnne

Position: FAV



MONTGOMERY COUNTY, MARYLAND
WOMEN'S DEMOCRATIC CLUB

P.O. Box 34047, Bethesda, MD 20827

www.womensdemocraticclub.org

Senate Bill 0438
Public Schools – Pregnant and Parenting Students – Policies and Reports
Senate Education, Health, and Environmental Affairs- February 25, 2021
SUPPORT

Thank you for this opportunity to submit written testimony concerning an important priority of the Montgomery County Women's Democratic Club (WDC) for the 2021 legislative session. WDC is one of the largest and most active Democratic Clubs in our County with hundreds of politically active women and men, including many elected officials. **WDC supports SB0438 Public Schools – Pregnant and Parenting Students – Policies and Reports.**

Specifically, SB0438 will support pregnant and parenting youth by connecting students with the necessary resources to achieve their desired pregnancy, parenting, and education related goals.

This bill will:

1. Establish a safe and private lactation space in each Maryland public high school with a designated tabletop space, sink, and outlet for a breast pump. These spaces will not be closets or bathrooms.
2. Assign a liaison in each school who will be responsible for connecting pregnant and parenting students with resources pertaining to childcare and transportation.
3. Require each school district and the State Department of Education to establish a model policy in support of the education and parenting goals of students.
4. Support training for school personnel to offer further guidance and support.

In 2018 there were at least 2,645 births to teenagers under the age of 19 in the state, however, there is very little data on the outcomes for these teens in Maryland. It is important we track these outcomes. We know that nationally only 40% of teenage mothers finish high school, often leaving school due to the lack of support for childcare, attending doctor's visits, and finding resources to help balance parenting responsibilities and full-time coursework. Importantly, new mothers also face the barrier of trying to find a safe and private space for lactation, as few high schools offer a place to do so. Allowing a mother to breastfeed her baby in a safe and private space on school grounds will not only allow her to tend to her child's needs, but also reduce the likelihood that she will leave school due to a lack of support.

Therefore, **WDC recommends a favorable report on Senate Bill 0438.**

Respectfully,

Diana Conway
President

SB0438 CPMC SUPPORT.docx.pdf

Uploaded by: Philip, Diana

Position: FAV

THE COALITION TO PROTECT MARYLAND'S CHILDREN

Our Mission: To combine and amplify the power of organizations and citizens working together to keep children safe from abuse and neglect. We strive to secure the budgetary and public policy resources to make meaningful and measurable improvements in safety, permanence, and well-being.

Testimony before the Senate Education, Health, and Environmental Affairs Committee being heard in
SB0438: PUBLIC SCHOOLS - PREGNANT AND PARENTING STUDENTS –

POLICIES AND REPORTS

FEBRUARY 25, 2021

POSITION: SUPPORT

The Coalition to Protect Maryland's Children (CPMC) is a consortium of Maryland organizations and individuals formed in 1996 to promote meaningful child welfare reform. **CPMC supports passage of SB0438: Public Schools - Pregnant and Parenting Students - Policies and Reports.**¹ SB0438 seeks to provide more resources to youth who are pregnant and parenting in order to help realize both their parenting and education goals.

Youth have the same rights as adults in choosing when to form their families. Each year, approximately 800 youth from ages 15 to 17 give birth in Maryland, and roughly another 2,200 among those 18 or 19 years-old. In 2017, CPMC was in support of the successful passage of HB0616, that clarified and established excused absences of pregnant and parenting students in public schools for medical and legal reasons, allowing youth to not be mislabeled truant students or neglectful parents. Maryland was the second state in the nation to pass such a law, seeking to help identify and create effective supports to help pregnant and parenting students stay in school, on track to graduate, and headed towards economic security. HB0616 also included the rights of parenting students to miss school without penalty to seek medical care for their children.

SB0438 requires that schools provide access to more resources and rights that parenting and pregnant students need to succeed. In addition to promoting further implementation of the excused absence law, the legislation calls for identifying appropriate existing school personnel to help students effectively connect with available resources for childcare, transportation, and further establishes a designated, safe, and private lactation space within schools so mothers can continue breastfeeding their babies. Most importantly, this legislation establishes the necessary policy changes and mechanisms within school districts so young parents can access the resources they need to successfully achieve their parenting and educational goals. In turn, this bill will allow these youth to be both successful parents and students, eliminating the need for the state to interfere on the basis of child neglect or abuse due to lack of support for balancing parenting responsibilities and full-time coursework.

Pregnant and parenting youth have been found to disproportionality dropout of school in comparison to their non-pregnant and non-parenting peers. Nationally, only 51% of teen mothers receive a high school diploma by age 22 compared to 89% of women who did not become parents in their teens.²

¹ Members in support of position include: Advocates for Children and Youth, Associated Catholic Charities, Baltimore Child Abuse Center (Center for Hope), Board of Childcare, Child Justice, Inc., Citizens Review Board for Children, Court Appointed Special Advocates, Family Tree, Md Chapter of American Acad. of Pediatrics, Md Chapter of the National Association of Social Workers, and State Council on Child Abuse and Neglect.

² [Perper K, Peterson K, Manlove J. 2010. Diploma Attainment among Teen Mothers. Child Trends Research Brief. No. 2010-01.](#)

Hispanic teen mothers have even lower graduation rates, where only 34% receive a high school diploma, the lowest percentage of any racial group.³ Those who have lower education attainment are more likely to be unemployed, less likely to accumulate higher household wealth, and face worse health outcomes in comparison to their peers.⁴ Additionally, weakened support systems that restrict timely and exclusive breastfeeding by new mothers have adverse consequences on newborns. The American Academy of Pediatrics notes that newborns who are not exclusively breastfed are more likely to have increased morbidities such as a heightened risk of developing childhood obesity, diabetes, and sudden infant death syndrome (SIDS).⁵ As such, it is vital for Maryland's youth that schools provide the support and opportunity for young mothers to breastfeed as necessary.

According to the National Women's Law Center report, "Stopping School Pushout for: Girls Who Are Pregnant or Parenting," more than 26% of female pregnant or parenting students stated that they received little or no counseling or support.⁶ Additionally, these students are subject to a higher risk of sexual violence, bullying, and harassment than their non-pregnant or parenting peers. This ultimately harms new parenting students in preventing them from completing their education, making these students and their children more likely to struggle with housing and/or economic security, and rely on public assistance programs.⁷ Sex discrimination interfering with a pregnant or parenting student's authentic participation in school can lead to real threats of educational attainment and financial stability for generations.⁸

Maryland youth, regardless of pregnancy or parenting status, should have full accessibility to existing resources to assist them in completing their education and be the best caregivers to their children as possible.

For these reasons, the Coalition to Protect Maryland's Children urges the Senate Education, Health, and Environmental Affairs Committee a *favorable* report on **SB0438: Public Schools - Pregnant and Parenting Students - Policies and Reports**.

³ Ibid

⁴ Ibid.

⁵ American Academy of Pediatrics "Breastfeeding and the Use of Human Milk" doi:10.1542/peds.2011-3552 www.pediatrics.org/cgi/doi/10.1542/peds.2011-3552

⁶ Garcia, Kelli and Chaudhry, Neena. (2017). Stopping School Pushout for: Girls Who Are Pregnant or Parenting. National Women's Law Center.

⁷ Hoffman, S. D., & Maynard, R. A. (Eds.). (2008). *Kids having kids: economic costs and social consequences of teen pregnancy* (2nd ed.). Washington, DC: Urban Institute Press

⁸ National Conference of State Legislatures, *Postcard: Teen Pregnancy Affects Graduation Rates*, 2013 <http://www.ncsl.org/research/health/teen-pregnancy-affects-graduation-rates-postcard.aspx>

SB0438 CRSD SUPPORT.pdf

Uploaded by: Philip, Diana

Position: FAV

MARYLAND COALITION TO REFORM SCHOOL DISCIPLINE

SB0438: PUBLIC SCHOOLS - PREGNANT AND PARENTING STUDENTS - POLICIES AND REPORTS

FEBRUARY 25, 2021, 11:00AM

POSITION: SUPPORT

The Maryland Coalition to Reform School Discipline (CRSD) brings together advocates, service providers, and community members dedicated to transforming school discipline practices within Maryland's public school systems. We are committed to making discipline responsive to students' behavioral needs, fair, appropriate to the infraction, and designed to keep youth on track to graduate. **CRSD strongly supports Senate Bill 438**, which would require existing secondary school personnel to coordinate supports needed to help pregnant and parenting youth stay in school and prevent school push-out, while establishing designated private lactation spaces and establishing a liaison in each school district to connect pregnant and parenting youth with childcare and transportation resources.

We seek to ensure that any Maryland youth, regardless of gender or pregnancy status has full accessibility to educational resources to assist them in completing their education. There should be no barriers to the rights of pregnant or parenting students in obtaining their education and thus, requiring schools to provide supports and resources can increase these students' ability to succeed in realizing both goals towards family formation and economic security. We support the need to identify existing school personnel who can coordinate and secure existing onsite or offsite resources for childcare, transportation, and lactation supports for pregnant and parenting youth.

Nationally, close to half of female school dropouts and one-third of male dropouts report that becoming a parent was a factor in their decision to leave school. Vital statistics reports show that in 2018, there were 2,645 births to teenagers under the age of 19 in the state.¹ However, we currently have no information about their graduation rates, as pregnancy and parenting status is not recorded for students in state database systems. We know that nationally, only 40% of teenage mothers finish high school, often leaving school due to the lack of support for childcare, attending doctor's visits, and finding resources to help balance parenting responsibilities and full-time coursework.² We strongly feel that pregnant and parenting students should be included among the youth that deserve as rigorous an education as their non-pregnant and parenting peers, and their needs are addressed as part of the "at-promise" population.

Pregnant and parenting students may experience unwelcoming, inequitable, or stigmatizing school environments or practices by school personnel. Under Title IX, "school pushout" practices are prohibited, such as lack of accommodations for childcare and lactation,

¹ Power to Decide: The Campaign to End Unplanned Pregnancy <https://powertodecide.org/what-we-do/information/national-state-data/maryland>

² Summary of Attendance for Maryland Public Schools 2017-2018
<http://marylandpublicschools.org/about/Documents/DCAA/SSP/20172018Student/2018Attendance.pdf>

stigmatization and harassment from peers and staff, and involuntary leave from school.³ Title IX ensures that students who are pregnant or parenting are protected by allowing continued participation in classes and extracurricular activities, provided reasonable adjustments in the learning environment, authorized excused absences due to pregnancy or childbirth (as was passed by the 2017 Maryland General Assembly through HB0616/SB0232), and allowed time to make up missed work. However, while some schools seek to support these students, other choose to make the school climate dynamics so toxic that pregnant students may choose to drop out of school during pregnancy or decide to not return. In other instances, students have been blocked from enrolling in school or banned from returning once it is believed that a student is pregnant.

Pregnant or parenting students experience discrimination from principals, teachers, mentors, counselors, school volunteers, and other youth. This ultimately harms new parenting students in preventing them from completing their education, making these students and their children more likely to struggle with housing and/or economic security, and rely on public assistance programs.⁴ The dropout crisis experienced by this group of students has severe short- and long-term consequences for the economic success and well-being for their families and communities.

Sex discrimination that interferes with a pregnant or parenting student's authentic participation in school can lead to real threats to educational attainment and financial stability for generations.⁵ Those who have lower educational attainment are more likely to be unemployed, less likely to accumulate higher household wealth, and face worse health outcomes in comparison to their peers.⁶ Targeted school support and resources for pregnant and parenting teens can aid in reducing negative outcomes and increase the goal of ensuring educational attainment for these students.

Very, very few public schools within our state provide a portion of these resources. For example, Benjamin Franklin High School in Baltimore City has an onsite day care which allows parenting students to attend classes during the day, as well as transportation provided to and from school for parenting students and their children.⁷ However, SB0438 is not seeking that funds be expended to create new resources on campuses, or that new personnel be hired to fill the roles as coordinators. With technical assistance through local community groups and the Maryland State Department of Education, local implementation in identifying existing resources and strategies for coordination with existing staff for each school district is quite possible. These types of services not only assist young parents in graduating, but provide the ability to destigmatize notions about these students staying in school and obtaining their high school diplomas.

Members of CRSD work directly with students, families, and community stakeholders across the state. Based on their experiences, many schools in Maryland lack the supports needed for

³ U.S. Department of Education. *Know Your Rights: Pregnant or Parenting? Title IX Protects You from Discrimination at School*. <https://www2.ed.gov/about/offices/list/ocr/docs/dcl-know-rights-201306-title-ix.html>

⁴ Hoffman, S. D., & Maynard, R. A. (Eds.). (2008). *Kids having kids: economic costs and social consequences of teen pregnancy* (2nd ed.). Washington, DC: Urban Institute Press

⁵ National Conference of State Legislatures. (2013). *Postcard: Teen Pregnancy Affects Graduation Rates*. <http://www.ncsl.org/research/health/teen-pregnancy-affects-graduation-rates-postcard.aspx>

⁶ ⁶ Perper K, Peterson K, Manlove J. 2010. Diploma Attainment among Teen Mothers. *Child Trends Research Brief*. No. 2010-01.

⁷ Yvonne Wenger, *School-based daycare in South Baltimore helps teen parents graduate*. *The Baltimore Sun* April 12th, 2017

pregnant and parenting students to continue on track to graduate. Therefore, **SB0438 aims to help prevent school push-out of pregnant and parenting students and shed light on these important issues to provide a basis for well-informed policies and practices around educating all Maryland students. For these reasons, CRSD strongly supports House Bill 438.**

For more information contact:

Diana Philip
NARAL Pro-Choice Maryland
202-870-0422
diana@prochoicemd.org

CRSD Members

Aarti Sudhu
ACLU Maryland
Advocates for Children and Youth
The Arc Maryland
Attendance Works
Bmore Awesome, Inc.
The Choice Program at UMBC
Community Law in Action
Disability Rights Maryland
Family League of Baltimore
Gail L. Sunderman
Janna Parker
Kelsie Reed
Lindsay Gavin
Maryland Developmental Disabilities Council
Maryland Office of the Public Defender
NARAL Pro-Choice Maryland
Open Society Institute Baltimore
Positive Schools Center
Project HEAL at Kennedy Krieger Institute
Public Justice Center
Restorative Counseling Services
Schools Not Jails
Shannon McFadden
Strong Schools Maryland
Youth, Education and Justice Clinic at University of Maryland Carey School of Law

SB0438 MD NARAL SUPPORT.docx.pdf

Uploaded by: Philip, Diana

Position: FAV



SB0438 - Public Schools - Pregnant and Parenting Students - Policies and Reports

Presented to the Hon. Paul Pinsky and

Members of the Education, Health, and Environmental Affairs Committee

February 25, 2021 11:00 a.m.

POSITION: SUPPORT

NARAL Pro-Choice Maryland urges the Ways and Means Committee to issue **a favorable report on SB0438 - Public Schools - Pregnant and Parenting Students - Policies and Reports**, sponsored by Senator Mary Washington.

Our organization is an advocate for reproductive health, rights, and justice. As part of our efforts to protect reproductive freedom for all Marylanders, we work to ensure every child-bearing individual has the right to decide if, when, and how to form their families. We honor pregnancy in all its complexity. In doing so, we support pregnant and parenting youth as they navigate the challenges of building their families in good health, in safety, and with dignity.

It is essential that pregnant, expectant, and parenting students should have access to resources to support their both educational and parenting goals. A Gates Foundation national study found that approximately half of female dropouts say that pregnancy or becoming a parent played a role in their decisions to leave school.¹ The same was true for almost one-third of male dropouts. These statistics can be attributed to “school pushout”; a phenomenon in which students feel so disenfranchised due to a lack of resources and support in their schools that they feel pressured to drop out.² Captured in our state’s vital statistics report is the fact that 2,645 teenagers under the age of 19 gave birth in Maryland in 2018.³ From this figure, we know that among these 2,645 youth, there are also students in need of additional resources to continue pursuing their education while parenting or co-parenting for the first time.

Multiple Supreme Court cases like *Griswald v. Connecticut* (1965) and *Roe v. Wade* (1973) affirm body autonomy and integrity as a critical component of the right to privacy. Body autonomy and integrity include pregnancy decision-making and family formation at whichever age or time in their life that someone may choose. NARAL Pro-Choice Maryland works to protect all Marylanders’ right to freely make reproductive health decisions, and Maryland students should not feel punished for making these, not always easy, decisions. They should feel supported by their school systems, which must be designed to help students achieve their goals

¹ National Women’s Law Center: A Pregnancy Test for Schools Report (2012).

² Don’t Get Pushed Out. Know Your Rights! Retrieved from <https://www.mdsuspensionrep.org/know-your-rights>

³ Power to Decide: The Campaign to End Unplanned Pregnancy (2018). Retrieved from <https://powertodecide.org/what-we-do/information/national-state-data/maryland>

towards economic security. This legislation seeks to address the real-life issues of navigating the demands of participating in school with parenthood, just as working parents do in their own employment sites.

Title IX guarantees students their full access to education without discrimination based on sex and gender which includes pregnant, expectant, and parenting youth. SB0438 calls for the school districts to create policies for schools to provide reasonable accommodations— like helping to make connections to childcare services and transportation among existing community resources, as well as creating a safe and private space to support lactation needs and excused time away from class to pump. Such measures allow students the same opportunities to realize their educational goals as their non-parenting peers. SB0438 is designed to increase and improve school attendance and participation and prevent school dropout due to pregnancy or parenting related needs and responsibilities.

Supportive training and guidance are also needed for school staff and personnel to offer pregnant, expectant, and parenting students appropriate support and guidance as well as information about their rights, such as the 2017 law Maryland establishing excused absences for medical and legal reasons related for pregnant and parenting students. Such measures allow students the same opportunities to a rigorous education as their non-parenting peers. Too often, pregnant and parenting students feel pushed out of their schools not only from the lack of educational accommodations available, but due to the bullying and harassment they face from both peers and teachers. Harassment of, or discrimination against a pregnant student is also considered a violation of federal law under Title IX and should be enforced as such in Maryland schools. SB0438 lays out the most helpful resources for this student population and how to protect their Title IX rights. The legislation also calls for policies and laws protecting the rights of pregnant, expectant, and parenting students be listed in the student handbook, and, hopefully, accessible online.

We strongly urge that this legislation be passed this year, as it has come to our attention that better coordination of access to childcare resources for these students would have been very beneficial for youth, and is still a serious problem, especially during the COVID-19 pandemic. The remote learning mandate has not only challenged working parents faced with scarce childcare options, but new parenting students struggling with caring for their own children while engaged in online learning. Our organization contacted the 24 school districts in August and again in October to see what measures were being developed to assist these students with connecting them to childcare resources. Unfortunately, we are not aware of any school district that created a plan to assist these youth, and we greatly fear that Maryland will see a subsequent heightened school drop-out rate of this population of students as a result.

There is an immediate need to connect these youth to childcare now. The federal funding offered to the state mandated priority to working parents seeking childcare assistance, but not parenting students. There are some regional navigation and childcare networks that exist, and are ready to assist these youth, but the connections need to be made.

Having established policies and a liaison at each school to help identify and make connections to existing resources will benefit pregnant, expectant, and parenting students to plan accordingly on how to stay in school and on track to graduate, as well as when circumstances arise that make the balancing act of being both a parent and a student more difficult and/or challenging. For these reasons, NARAL Pro-Choice Maryland **urges a favorable committee report on SB0438.** Thank you for your time and consideration.

SB0438 PEPS Fact Sheet MD NARAL.pdf

Uploaded by: Philip, Diana

Position: FAV

EDUCATIONAL EQUITY FOR PREGNANT, EXPECTANT, AND PARENTING STUDENTS

Sponsored by: Delegate Michele Guyton and Senator Mary Washington

THE FACTS:

Pregnant and parenting students

86.6% Of students graduated from Maryland Public Schools with their cohort in 2019, a lower rate than previous years. [1]

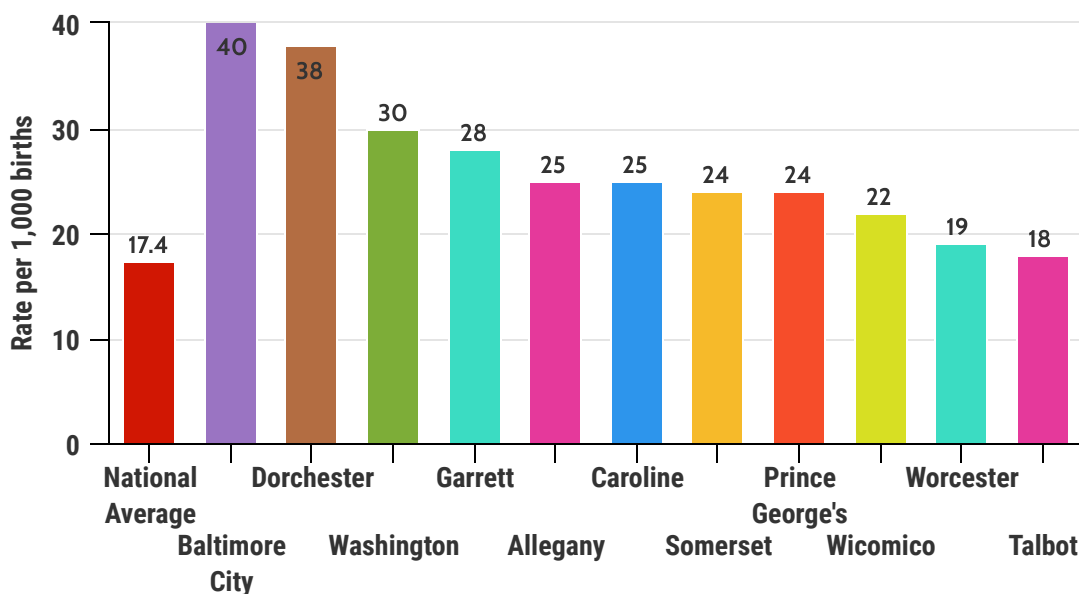
50% Of parenting mothers achieve a GED by 22 years old as opposed to 89% of non-parenting women nationally [2]

2645 There were 2645 births to teenagers under the age of 19 in Maryland in 2018. [3]

Maryland's public schools reported that **49 students** formally withdrew from school during the 2017-2018 academic year for "pregnancy" or "parenting" reasons [4], while nationwide, approximately **only 40% of teen mothers finish high school.** [5]

Pregnant and Parenting Students in Maryland

Maryland Counties With Teen Birth Rates Above the National Average [6]



✓ **11 Counties in Maryland** have teen birth rates higher than the national average

✓ **In all Maryland counties except Allegany**, Hispanic or Black women aged 15-19 make up the greatest proportion of teen births.

✓ Based on the state and county data, **these statistics dramatically under-represent the true number of students who were pushed out of school** due to pregnancy or parenting responsibilities and needs.

*Pregnancy rates are expressed as per 1,000 births in aggregated data collected between 2011-2017 for women aged 15-19 in Maryland.

WHAT THIS LEGISLATION DOES:

HB401/SB438: Pregnant and Parenting Students Policies

This policy will:

Require the state department of education to establish a policy to support the educational and parenting goals of students and improve their educational outcomes by:

- Providing safe and private lactation spaces in each school district that includes a sink, table top space, outlet for breast pump, and **is NOT a bathroom or closet**
- Supporting training for school staff and personnel to ensure they are giving pregnant and parenting students appropriate support and guidance
- Establishing a liaison for pregnant and parenting students within each school that will assist in finding:
 - Childcare
 - transportation options
- Incorporating the attendance and excused absence policy passed in 2017 allowing for excused absences for pregnant and parenting students for medical and legal reasons. **It also allows break time from class needed for breastfeeding and to attend urgent child care responsibilities.**

HB359/SB437: Maryland Longitudinal Data Tracking System

This policy will:

Include data on pregnant, expectant, and parenting students (PEPS) in the Maryland Longitudinal Data System Center in order to track and monitor students in an anonymous way to assess their educational outcomes.

- The Data Tracking System will include **de-identified data** in which parent and student identity information including the State Assigned Student Identifier number and Social Security number have been removed from collection.

HB0439/SB470: University of Maryland Data Collection Partnership

The University of Maryland's Institute for Innovation will work with school districts to collect data on educational outcomes for PEPS and disseminate data over a 3-year period.



- Anonymous data will be collected regarding the number of PEPS in each school district, the number of students seeking and attaining diplomas, duration of enrollment, truancy claims, established support services before and during HB0401 implementation for PEPS, and demographic characteristics of each student.
- Data collection methods will ensure the privacy of PEPS and will be advised by an independent body of experts and university researchers.
- The school districts include Baltimore City, Prince George's, Charles, Washington, and Wicomico.
- The study will then document and evaluate professional development activities for PEPS, and create a mid-point and final report detailing recommendations for future policy efforts and school district planning based on study findings.

For more information, contact Diana Philip at diana@prochoicemd.org

[1] Maryland Report Card. 2019 Progress Report. https://reportcard.msde.maryland.gov/PrintReports/2019/StateReports/English/2019MDReportCard_ENG.pdf
[2] National Women's Law Center: A Pregnancy Test for Schools Report (2012)
[3] Power to Decide: The Campaign to End Unplanned Pregnancy <https://powertodecide.org/what-we-do/information/national-state-data/maryland>
[4] Shuger, L. (2012). Teen Pregnancy and High School Dropout: What Communities are Doing to Address These Issues.
[5] Summary of Attendance for Maryland Public Schools 2017-2018 <http://marylandpublicschools.org/about/Documents/DCAA/SSP/20172018Student/2018Attendance.pdf>
[6] Robert Wood Johnson Foundation (2019). County Health Rankings, Maryland 2011-2017. Teen Birth. <https://www.countyhealthrankings.org/app/maryland/2019/measure/factors/14/data?sort=sc-2>

SB0438 Sign On Letter Favorable.pdf

Uploaded by: Philip, Diana

Position: FAV

**SB0438 - Public Schools - Pregnant and Parenting Students
- Policies and Reports**

Presented to the Hon. Paul Pinsky and Members of the Senate Education, Health, and
Environmental Affairs Committee

February 25, 2021 11:00 a.m.

POSITION: SUPPORT

Dear Hon. Paul Pinsky and Members of the Senate Education, Health, and Environmental Affairs Committee,

We are writing today to express our enthusiastic support of HB0401 because of the immediate need to support pregnant and parenting youth in Maryland's public schools. If passed, this legislation would prevent school dropout for pregnant and parenting youth by establishing and strengthening support systems in schools through the designation of a private and safe lactation space, assignment of a liaison within the school to connect pregnant and parenting youth with resources, and by requiring schools to publish and share policies that protect the educational outcomes of these students.

Vital statistics reports show that in 2018, there were 2,645 births to teenagers under the age of 19 in the state. However, Maryland has little data on what happens beyond this statistic, as pregnancy and parenting status is not recorded for students and the state is therefore unable to track their educational outcomes. We know that nationally, only 40% of teenage mothers finish high school, often leaving school due to the lack of support for childcare, attending doctor's visits, and finding resources to help balance parenting responsibilities and full-time coursework. Importantly, new mothers also face the barrier of trying to find a safe and private space for lactation, as few high schools offer a place to do so. Allowing a mother to breastfeed her baby in a safe and private space on school grounds will not only allow her to tend to her child's needs, but also reduce the likelihood that she will leave school due to a lack of support.

SB0438 will support pregnant and parenting youth by connecting students with the necessary resources to achieve their desired pregnancy, parenting, and education related goals. This bill will:

1. Establish a safe and private lactation space in each Maryland public high school with a designated tabletop space, sink, and outlet for a breast pump. These spaces will not be closets or bathrooms.
2. Assign a liaison in each school who will be responsible for connecting pregnant and parenting students with resources pertaining to childcare and transportation.
3. Require each school district establish and the state department of education establish a model policy to support the education and parenting goals of students
4. Support training for school personnel to offer further guidance and support on how to connect students to these resources.

The COVID-19 pandemic has and will continue to have an impact on Maryland's youth, especially those needing to balance pregnancy or parenting responsibilities and their academic curriculum. Before the pandemic, Maryland's public schools had the lowest graduation rate in recent years with only 86.6% of students graduating with their cohort in 2019. While we have yet to learn how graduation rates will be impacted by the pandemic, we know that now more than ever, it is important to consider the needs of pregnant and parenting youth.

The undersigned organizations support SB0438, Public Schools-Pregnant and Parenting Students-Policies and Reports and encourage a favorable report from the committee.

Joel Spielberger, ACLU of Maryland

Melissa Rock, Advocates for Children and Youth

Patricia Liggins, Birth Supports United

Janet Max, Healthy Teen Network

Maryland National Organization for Women

C.R. Valeriann, Baltimore NOW

Jeannette Feldner, Montgomery County NOW

Michelle Ogunwole, Physician

Ashley Black, Public Justice Center

Keontae Kells, Family League of Baltimore

Rachelle Ciulla, Doula and SSPH Candidate, Johns Hopkins Bloomberg School of Health

Rick Tyler, Maryland Education Coalition

Shamoyia Gardiner, Strong Schools Maryland

American College of Nurse Midwives – Maryland Affiliate

Maryland Catholic Conference_FAV_SB438.pdf

Uploaded by: Sheahan, Molly

Position: FAV



ARCHDIOCESE OF BALTIMORE † ARCHDIOCESE OF WASHINGTON † DIOCESE OF WILMINGTON

February 25, 2021

**Senate Bill 438
Public Schools – Pregnant and Parenting Students – Policies and Reports**

Senate Education, Health and Environmental Affairs Committee

Position: SUPPORT

The Maryland Catholic Conference represents the public policy interests of the three Roman Catholic (arch)dioceses serving Maryland: the Archdiocese of Baltimore, the Archdiocese of Washington, and the Diocese of Wilmington, which together encompass over one million Marylanders.

Senate Bill 438 requires the Maryland State Department of Education to develop a model policy to support the educational goals of pregnant and parenting students which includes providing a private lactation room for breastfeeding, advice for parenting students on transportation and childcare, training personnel on the policy and inputting the policy in the student handbook. The bill also requires each County Department of Education to establish a policy to support pregnant and parenting students' educational goals.

The Maryland Catholic Conference supports SB 438 because it ensures that a young mother receives the support she needs to continue her education. Many pregnant and parenting students experience discrimination, lag behind their peers in educational achievement or drop out of school which in turn affects the lifetime wellbeing of these mothers and their children. Just 38% of teen mothers will earn a high school diploma by age 18 ([*ChildTrends*](#), "*Diploma Attainment Among Teen Mothers*").

Too often a student mother is forced to choose between her child and her dreams for educational attainment. Providing necessary accommodations to each student mother's unique situation will help her achieve academic equity and address the challenges she faces.

It is for these reasons that the Maryland Catholic Conference respectfully urges a favorable report for **SB 438**. Thank you for your consideration.

SB 438 - Public Schools - Pregnant and parenting s

Uploaded by: Siri, Michelle

Position: FAV

BILL NO.: Senate Bill 438
TITLE: Public Schools - Pregnant and Parenting Students - Policies and Reports
COMMITTEE: Education, Health, and Environmental Affairs
DATE: February 25, 2021
POSITION: SUPPORT

Senate Bill 438 would require the State Department of Education to establish model policies to provide accommodations for pregnant and parenting students in the public school system. This includes policies to include lactation spaces, assistance with child care, and approved leave for parenting needs. It would further require appropriate training for faculty and staff and create a liaison within the school systems for pregnant and parenting students.

Parenting is a leading cause of drop out among teen girls. Approximately 30% of female secondary school students who have dropped out state that pregnancy or parenting was a key reason for leaving school. The enacting of HB616 - Education - Pregnant and Parenting Students - Attendance Policy in 2017 was an effort to strengthen the ability of pregnant and parenting teens to continue their education and to obtain the support they need to be able to stay in school. That law provides for opportunities for support and ability for young parents to manage issues of health care, parenting and other issues surrounding being pregnant, with their education. High School dropout rates are directly correlated to higher levels of unemployment and lower earnings. In fact, a woman with a high school degree earns on average nearly two hundred dollars more per week than a woman who has not completed high school¹. Unfortunately, Maryland's public schools reported that 49 students formally withdrew from school during the 2017-2018 academic year for "pregnancy" or "parenting" reasons², while nationwide, approximately only 40% of teen mothers finish high school³.

The Women's Law Center supports all women, regardless of age, socio-economic status, or parenting status and believes in their capacity for growth and success. Education is a key component for ensuring each student lives up to their potential. SB 438 would further aid these students by providing support and opportunities necessary to allow these young women to achieve.

For the above reasons, the Women's Law Center of Maryland urges a favorable report for SB 438.

The Women's Law Center of Maryland is a private, non-profit, membership organization that serves as a leading voice for justice and fairness for women. It advocates for the rights of women through legal assistance to individuals and strategic initiatives to achieve systemic change.

¹ Bureau of Labor and Statistics, <https://www.bls.gov/opub/ted/2015/median-weekly-earnings-by-education-gender-race-and-ethnicity-in-2014.htm>

² Shuger, L. (2012). Teen Pregnancy and High School Dropout: What Communities are Doing to Address These Issues.

³ Summary of Attendance for Maryland Public Schools 2017-2018,

<http://marylandpublicschools.org/about/Documents/DCAA/SSP/20172018Student/2018Attendance.pdf>

Mary Washington Written Testimony SB438 (1).pdf

Uploaded by: Washington, Mary

Position: FAV

MARY L. WASHINGTON, PH.D
Legislative District 43
Baltimore City

Education, Health, and
Environmental Affairs Committee

Chair
Joint Committee on Ending
Homelessness

Chair
Joint Committee on Children,
Youth, and Families



THE SENATE OF MARYLAND
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SUPPORT – SB 438
Public Schools - Pregnant and Parenting Students - Policies and Reports

Senate Education, Health, and Environmental Affairs Committee

February 25, 2021

Testimony of Senator Mary Washington

Chair Pinsky, Vice-Chair Kagan and Members of the Committee,

I respectfully urge you to vote favorable on Senate Bill 438, which requires the State Department of Education to establish a model policy to improve the educational outcomes of our 2,000 Maryland students who are pregnant or parenting each year. This policy must include adequate provisions for lactating students including a private space and excusal from class for lactation related needs. In addition schools shall assist and advise the student in acquiring appropriate transportation and child care services if the lack of those services impedes the student's ability to attend school.

Currently, 60% of pregnant and parenting students leave school before they graduate and over 60% of the families that they form live below the poverty line. SB438 calls for school districts to create policies to provide reasonable accommodations for these students. Such measures allow students the same opportunities to a rigorous education as their non-parenting peers. SB438 is designed to increase and improve school attendance and participation.

Having established policies at each school to help identify and make connections to existing resources will benefit pregnant, expectant, and parenting students to plan accordingly on how to stay in school and on track to graduate, as well as when circumstances arise that make the balancing act of being both a parent and a student more difficult and/or challenging. Given the well-documented advantages to earning at least a High School Diploma in the job market, I ask that this committee give SB438 a favorable report in order to increase the odds that parenting students achieve this academic goal and can better provide for themselves and their children.

In partnership,

A handwritten signature in blue ink, appearing to read "Mary Washington". The signature is fluid and cursive, with the first name "Mary" and the last name "Washington" clearly distinguishable.

Senator Mary Washington, District 43, Baltimore City

SB0438 - Support.pdf

Uploaded by: Susskind, Danielle

Position: FWA



MONTGOMERY COUNTY BOARD OF EDUCATION

Expanding Opportunity and Unleashing Potential

850 Hungerford Drive ♦ Room 123 ♦ Rockville, Maryland 20850

BILL: SB0438 (Cross filed with HB0401)
TITLE: Public Schools - Pregnant and Parenting Students - Policies and Reports
DATE: 2/25/2021
POSITION: SUPPORT WITH AMENDMENTS
COMMITTEE: Education, Health, and Environmental Affairs
CONTACT: Danielle M. Susskind, Coordinator, Legislative Affairs
Danielle_M_Susskind@mcpsmd.org

The Montgomery County Board of Education (Board) **Supports** SB0438 **with amendments**.

MCPS Regulation IOE-RA, Guidelines for the Continuing Education of Pregnant and Parenting Students, was amended in 2018 to align with section 7-301.1 of Annotated Code of Maryland, Education Article, section 7-301.1. MCPS Regulation JEA-RA, Student Attendance, was similarly updated to address permissible absences due to illness or medical appointments for a student's child and legal proceedings involving family law proceedings, including adoption, custody, and visitation. These regulations are referenced in A Student's Guide to Rights and Responsibilities in MCPS.

Providing private lactation space in alignment with the proposed provisions (e.g., close to a sink and refrigerator, with electrical outlets, not a closet or bathroom) will have a fiscal impact if existing space cannot meet the required provisions, and facility redesign and construction are required.

It is further unclear whether such space would be created upon demand only at those schools where such space is requested, or if such space is required to be built in all middle, high, and special program schools (with student populations older than elementary school age), assuming that pregnant and parenting elementary students remains a rare occurrence.

Legislation that requires the construction of new, or renovation of existing, space to create lactation facilities represents an unfunded mandate.

Proposed provisions that require schools to assist and advise pregnant and parenting students with transportation is unclear as to whether school districts must provide such services, whether the recipient of the transportation service includes the student's child, and whether such transportation will be limited to locations within the school district, or whether such services are to and from school means from the student's home, a child care provider which may or may not be within Montgomery County or on an existing bus route. While it may be safe to assume that elementary schools will not be implicated (although pregnancies in that population do, tragically, exist occasionally), the proposed legislation could impact high schools, middle schools, and special programs with students older than elementary age..

Legislation that requires the provision of transportation other than transporting a MCPS student to and from the student's educational program from the student's home represents an unfunded mandate, unless it can be accomplished on existing bus runs without additional staff.

Further, providing transportation for a student's infant or child, especially on existing bus runs with other students, raises significant operational and safety concerns about appropriate seating arrangements for infant and child safety seats, time to install such seats, and staffing required to support the student and maintain order on the bus.

MCPS respectfully suggests the following amendments:

Provision 4-138(C)(1): Line 10; Redact "each" or provide further clarification that designated private lactation space will be established in response to demand, consistent with lactation spaces provided for staff members.

Provision 4-138(C)(2) Line 17; Redact "assist and" as it could be interpreted to mean that the school district will be responsible for providing such transportation services.

For these reasons, the Board **Support** this legislation **with amendments** and urges a favorable report.

SB438.UNFAVORABLE.MDRTL.LBogley.pdf

Uploaded by: Bogley, Laura

Position: UNF



Opposition Statement SB438
Public Schools – Pregnant and Parenting Students – Policies and Reports
By Laura Bogley, JD
Director of Legislation, Maryland Right to Life

On behalf of our members across the state, we respectfully oppose **SB438 entitled *Public Schools – Pregnant and Parenting Students – Policies and Reports***. We applaud any effort to help create an educational environment that supports pregnant students in their decisions to parent their children or utilize adoption services. **However this bill, as written, could commit public funding and policy to expand the reach of the abortion industry to school-aged children during the school day without the knowledge or consent of parents, as Planned Parenthood already has done in California.** <https://www.washingtonexaminer.com/opinion/planned-parenthood-plans-to-infiltrate-high-schools>

This bill is part of ongoing incremental legislation to codify policies related to pregnant students already established by Federal Title IX amendments. Title IX applies to both pregnancy and the ***termination of pregnancy***, frustrating the stated purpose of this bill. This bill would authorize school systems to develop and implement policies that could commit public resources towards expanding abortion to minor children, including providing contracts to abortion advocates and providers for curriculum, professional development training, school-based health clinic operations, the remote prescription of chemical abortion pills, and transportation to offsite reproductive healthcare providers including abortion providers.

Parental Notice and Consent Provides Better Outcomes for Minor Children

Maryland law recognizes the natural and legal right of parents to provide consent to their minor child's medical care. But the influence of the abortion industry in developing school policy and curriculum has degraded the role of parents in their children's healthcare decisions. The state has aggravated the situation by failing to require sex education curriculum to be medically accurate or age appropriate. Because of the influence of the abortion lobby, parents no longer have the opportunity to "opt in" to sex education for our children, but may only "opt out" if we are made aware at all. As a result of the state authorizing and subsidizing the abortion industry to have direct access to our schoolchildren, the number of abortions has INCREASED not decreased. In their 2020 annual report Planned Parenthood reports committing an all-time high number of abortions, while their family planning and prenatal services have dramatically declined. Furthermore, the lack of parental notification puts children at greater risk of undiagnosed and untreated abortion complications and enables abortion providers to evade liability for failure to report child abuse, sexual assault and sex trafficking.

No Public Subsidies to Billion Dollar Abortion Industry

A recent Marist poll showed that 83% of Americans polled favor laws that protect both the lives of women and unborn children, and that 54% oppose the use of tax dollars to pay for abortion. Taxpayers should not be forced to subsidize abortion education and promotion. *Public funds instead should be prioritized to fund legitimate health and family planning services which have the objective of saving the lives of both mother and children.*

For these reasons, we respectfully request that you preserve the good purposes of the bill by amending it to expressly exclude its application to abortion education and services or otherwise issue an unfavorable report. Please protect Maryland's school children from abuse and exploitation.

sb 438 hb 401 pregnant and parenting students OPPO

Uploaded by: McHale, Erin

Position: UNF



Mary Pat Fannon, Executive Director

BILL: Senate Bill 438 – Public Schools – Pregnant and Parenting Solutions– Policies and Reports
DATE: February 25, 2021
POSITION: **Oppose**
COMMITTEE: Senate Education, Health, and Environmental Affairs Committee
CONTACT: Mary Pat Fannon, Executive Director

This bill requires the Maryland State Department of Education (MSDE) to develop a model policy, with specified elements, to support the educational and parenting goals and improve the educational outcomes of pregnant and parenting students. Each local board of education must establish a policy based on the State model policy. In addition, the bill requires each local board of education to excuse any parenting-related absence from a class due to the use of a lactation space to nurse or express breast milk. The bill requires that each school designate a private lactation space in the school that meets specified requirements, including running water. Lastly, the bill requires that schools assist and advise pregnant and parenting students with finding safe, affordable, and reliable child care, early education services, and transportation services to and from school.

The Public Schools Superintendents’ Association of Maryland (PSSAM) opposes Senate Bill 438; however, we have provided language that would mitigate our opposition to some of the bill’s provisions.

We believe that current laws regarding pregnant and parenting students provide the appropriate amount of support and discretion for systems to best support these students. Current law requires that student attendance policies must excuse all absences due to pregnancy or parenting-related conditions, including absences for labor, delivery, recovery, and prenatal and postnatal medical appointments. The policy must provide at least 10 days of excused absences for a parenting student after the birth of the child; excuse up to four days without a doctor’s note for parenting-related absences due to an illness or a medical appointment of the student’s child; and excuse any absence due to a legal appointment involving the pregnant or parenting student, including adoption, custody, and visitation.

PSSAM appreciate the sponsor’s intent to further support pregnant and lactating students, but we oppose a legislative approach that impinges on local boards and superintendents’ rights to determine the most appropriate manner of serving our students. Further, the bill’s provisions are more prescriptive than federal law that pertains to staff. As such, we suggest the committee consider adopting similar language from the Affordable Care Act, which amended section 7 of the Fair Labor Standards Act (“FLSA”) to require employers to provide “reasonable break time for an employee to express breast milk for her nursing child for one year after the child’s birth each time such employee

One Voice, One Vision for Maryland’s Students

has need to express the milk.” Employers are also required to provide “a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk.” See 29 U.S.C. 207(r). However, our opposition still remains regarding the provisions of the bill that require schools to “assist and advise pregnant and parenting students with finding safe, affordable, and reliable child care, early education services, and transportation services to and from school.” While teachers and principals do all they can to support these students, this is an inappropriate legislative mandate for school systems whose main objective is the educational success of all students.

As currently written, PSSAM opposes SB 438, but encourages the committee to consider amending the legislation to extend the same rights to students that is afforded to nursing staff under federal law.

AACPS SB438 Pregnant and Parenting OPP 2.25.21.pdf

Uploaded by: Ortiz, Jeanette

Position: UNF



SB438 PUBLIC SCHOOLS - PREGNANT AND PARENTING STUDENTS - POLICIES AND REPORTS

February 25, 2021

EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE

OPPOSE

Jeanette Ortiz, Esq., Legislative & Policy Counsel (410.703.5352)

Anne Arundel County Public Schools (AACPS) opposes **SB438 Public Schools - Pregnant and Parenting Students - Policies and Reports**. This bill requires each local school system to designate a coordinator for education of pregnant and parenting students to assist pregnant and parenting students in accessing lactation accommodations, childcare services, and other support services. The bill also requires each school to, among other requirements, provide 1) private lactation space in the school and 2) either onsite childcare or referrals to safe, affordable, and reliable childcare. Each local school board must collect specified information and submit it to the University of Maryland Institute for Innovation and Implementation, which must in turn submit an interim and final report by specified dates. The bill also expands the types of absences that must be excused for pregnant and parenting students.

AACPS appreciates the intentions of this legislation as we are committed to meeting the needs of pregnant and parenting students and employees. In fact, the Maryland Breastfeeding Coalition has honored AACPS with a Breastfeeding-Friendly Workplace Award for its efforts to develop and implement inclusive policies and procedures that support breastfeeding through a conducive office environment and education of staff and families. AACPS is the first school system in Maryland to develop a comprehensive policy regarding lactation, according to the Coalition.

AACPS supported legislation passed by the General Assembly in 2017 which required school systems to adopt a policy for pregnant and parenting students. The current law is very prescriptive. AACPS has adopted and successfully implemented the required policy in accordance with the law. SB438 would impose significant new responsibilities and professional obligations on school personnel, create new legal liabilities arising from mandated referral procedures, place new demands on school transportation, and create an unfunded mandate. We firmly believe that such specific elements of service delivery are best suited to regulations, guidelines, and local policies and procedures.

While AACPS appreciates that this bill is well intentioned, we have concerns with several provisions in the bill. For example, we oppose the provision requiring schools to provide onsite childcare referrals as this raises liability concerns. We also have serious concerns with the requirement to address any need for transportation accommodations. This additional requirement would certainly create an unfunded mandate. It is important to note that school systems are currently facing a bus driver shortage and the potential for transportation needs are significant given the broad manner in which this provision of the bill is drafted. We also oppose the bill's unfunded mandate for a new staff position in each central office of each school system to fulfill these responsibilities. This bill would have a significant fiscal impact on AACPS.

Accordingly, AACPS respectfully requests an **UNFAVORABLE** committee report on SB438.

SB 438.Pregnant and Parenting Staff Programs and F

Uploaded by: Woolums, John

Position: UNF

BILL: Senate Bill 438
TITLE: County Boards of Education – Pregnant and Parenting Students – Policies and Reports
DATE: January 21, 2021
POSITION: OPPOSE
COMMITTEE: Ways and Means
CONTACT: John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE), representing all of the State's boards of education, opposes Senate Bill 438 to mandate staffing responsibilities and facilities requirements specific to pregnant and parenting students.

Local boards certainly appreciate the intent of this bill to address concerns with the accommodation of the lactation, transportation, and childcare needs of pregnant and parenting students. However, MABE opposes the approach of legislating such specific elements of service delivery, which we maintain are best suited to regulations, guidelines, and local policies and procedures. In addition, this legislation has significant flaws with regard to the definition of "Parenting student" and the details of the facilities requirements.

First, the bill would define "parenting student" as any student who "exercises care, custody, or control" of a child. This broad definition, when linked to the policy provisions called for in the bill, would dramatically expand the number of students defined as parenting, and therefor expand the scope of services intended to be provided or facilitated by the school.

Second, the bill's specifications for lactation spaces are not consistent with federal regulations governing similar space requirements for staff. MABE, in the event that this bill would pass, MABE requests consideration of the following amendment aligning State law with the Affordable Care Act. Section 4207 of the Patient Protection and Affordable Care Act (ACA) provides that:

An employer shall provide—

- (A) a reasonable break time for an employee to express breast milk for her nursing child for 1 year after the child's birth each time such employee has need to express the milk; and
- (B) a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk.

MABE firmly believes that these federal requirements are reasonable and more readily achievable given they already apply to accommodations for school staff. Again, MABE appreciates the intent of this legislation, but believes it is far too prescriptive in nature and would impose facilities modifications in a manner not consistent with federal law.

For these reasons, MABE requests an unfavorable report on Senate Bill 438.