



HOUSE APPROPRIATIONS COMMITTEE
House Bill 164
Institutions of Higher Education - Pregnant Students - Policy
January 25, 2022

Letter of Information

Chair McIntosh, Vice Chair Chang and committee members, thank you for the opportunity to share our thoughts on House Bill 164. The University System of Maryland's (USM) equal treatment and support for pregnant and parenting students is critical to ensuring that all female students have equal access to educational opportunities. The campuses that comprise the USM have consistently implemented timely policies to keep these students in school, ensure their children's health — and ultimately get their diploma.

The U.S. Department of Education's Office for Civil Rights (OCR) enforces, among other statutes, Title IX of the Education Amendments of 1972. Title IX protects people from discrimination based on sex in education programs or activities that receive federal financial assistance. One of the lesser known aspects of Title IX is that it protects the rights of pregnant and parenting students to stay in school and confers a status of "...pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom."

Generally speaking, this means that USM institutions must give all students who might be, are, or have been pregnant (whether currently parenting or not) equal access to school programs and extracurricular activities. Schools must treat pregnant and parenting students in the same way that they treat other students who are similarly able or unable to participate in school activities. And Title IX requires schools to prevent and address sex-based harassment, which includes harassment based on pregnancy. Pregnant and/or parenting students may not be prevented from attending class on the basis of pregnancy. Separate programs or schools for pregnant and parenting students must be completely voluntary and must offer opportunities equal to those offered for non-pregnant students.

Absences due to pregnancy or childbirth must be excused for as long as is deemed medically necessary by the student's doctor and schools must let students make up the work they missed while out due to pregnancy or any related conditions, including recovery from childbirth.

Common amongst USM institutions is that pregnant students may request academic accommodations through the appropriate campus educational support and services office. Academic accommodations are generally made on a case-by-case basis as they pertain to the physical circumstances of pregnancy and any related medical conditions. This is a distinct

time period that may include: the duration of the student’s pregnancy, physical recovery and/or post pregnancy medical or psychological conditions that would be considered a disability under the Americans with Disabilities Act (ADA).

The institutions that comprise the USM, their leadership and staff, understand the rights of pregnant and parenting students under Title IX. It is in the highest, best interest of the USM and the State of Maryland to increase graduation rates and provide support for motivated students facing the challenges of parenthood. Institutions pay attention to what's working, what's not working, and what kind of barriers students may still experience throughout a semester.

The USM is available to the committee to discuss or share additional information regarding pregnant and parenting students.



About the University System of Maryland

The University System of Maryland (USM)—one system made up of 12 institutions, three regional centers, and a central office—awards 8 out of every 10 bachelor’s degrees in the State of Maryland. The USM is governed by a Board of Regents, comprised of 21 members from diverse professional and personal backgrounds. The chancellor, Dr. Jay Perman, oversees and manages the operations of USM. However, each constituent institution is run by its own president who has authority over that university. Each of USM’s 12 institutions has a distinct and unique approach to the mission of educating students and promoting the economic, intellectual, and cultural growth of its surrounding community. These institutions are located throughout the state, from western Maryland to the Eastern Shore, with the flagship campus in the Washington suburbs. The USM includes Historically Black Colleges and Universities, comprehensive institutions, research universities, and the country’s largest public online institution.

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