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Prince George's County

Chair
Rules and Executive
Nominations Committee

Environment and Transportation
Committee

Chair
Local Government and
Bi-County Issues Subcommittee



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Appropriations Hearing – Jan. 25

HB164 – Institutions of Higher Education – Pregnant Students – Policy

Madam Chair, members of the committee, for the record, Del. Anne Healey. Thank you for the opportunity to present HB164, a bill that codifies in Maryland law the benefits of the federal Title IX protections for women in higher education. The bill is modeled on a similar law which was passed in California in 2019.

As president of the Women's Caucus this year, I am particularly enthusiastic about this bill. It is a crucial next step in ensuring that parenting and pregnant students do not lose their educational opportunities because of discriminatory institutional practices.

What does the bill do?

First, it prevents higher education institutions from forcing pregnant students to withdraw or limit studies, and requires the institution to allow pregnant students, new parents, and non-birth parents of newborns to take a leave of absence and return in good academic standing. For pregnant students, leave would be no less than 12 months, unless student requests shorter leave period. Leave would include time to prepare and return to class/exams.

Leave could be extended if medically necessary. For the non-birth parent, leave would be no less than 1 month unless student requests shorter time or a medical extension is needed.

It also requires higher education institutions to publicize the rights of pregnant and parenting students and to make reasonable accommodations for pregnant students.

Reasonable accommodations include allowing student to make up tests and assignments if missed for pregnancy-related reasons, allowing medically excused absences. Also required are other accommodations, such as private space for lactation that is not a bathroom or closet.

In the 2021 session, [hb401](#)/SB438 passed into law. As you may recall, that legislation supported student parents in high school. The same guarantees and protections are for higher education.

While title ix does a lot of good already, codifying it at the state level will assure that these rights do not disappear if federal law changes.

I ask for a favorable report on HB164.

Following is some helpful background collected by supporters of this bill:

- In Maryland, most colleges do not list the Title IX rights of pregnant and parenting students on their website. But there are 55,000 student parents in Maryland (nearly 20 percent of all undergrads in MD) who would benefit from knowing their rights. They are more likely to drop out of college without these supports, and they might drop out just because they don't know their rights.

- Just 8% of single mother undergraduates will earn an AA or BA within six years of college enrollment (compared with 49% of non-mothers). And there are 26,000 single mother students currently in MD
- 80% of Maryland public universities do not offer childcare on campus, and more than half provide no lactation spaces for breastfeeding mothers.
- Federal law already requires a lactation room be available for employees, so just extending that same space or a similar accommodation to lactating students would help.