
BILL NO.: House Bill 164
TITLE: Institutions of Higher Education - Pregnant Students - Policy
COMMITTEE: Appropriations
DATE: January 25, 2022
POSITION: Favorable With Amendments

House Bill 164 would ensure that colleges and universities provide pregnant and parenting students with the ability to take a leave of absence when necessary, while at the same time, preventing the colleges and universities from *requiring* those same students to take a leave of absence against their will. Those institutions would then be required to reinstate the students in good standing, so long as they were in good standing at the time they took their leave. Finally, the institutions are required to provide reasonable accommodations to the students in order for them to safely complete their studies.

Many young parents are eager to focus on their education. Returning or non-traditional students are also often juggling parenthood and their studies. Unfortunately, though, there are often barriers in place that can thwart students' abilities to earn their degree. Many schools fail to properly accommodate pregnant or parenting students, and do little to support them in their continued educational pursuits. As a result, becoming pregnant or a parent are major causes of dropping out or failing to complete a degree.

While HB 164 allows students who have just given birth the ability to take a leave of absence for a full 12 months, parenting students who have not given birth are limited to only a one-month leave of absence. Respectfully, the WLC believes that while this is well intentioned, it is nonetheless problematic for several reasons. First and foremost, it excludes adoptive parents from the time needed to care and bond with their new child. Secondly, it reinforces gender stereotypes regarding who is responsible for the caring and nurturing of newborn children, by granting a longer leave period to the parent giving birth (traditionally, the mother) as opposed to the parent who has not given birth (traditionally, the father). Finally, it also adversely affects same-sex couples from being able to gain the full benefit of the policy. By allowing all parents, regardless of birth status, to take the full 12 months of leave, the law would be more equitable and track more closely with other statutes related to leave.

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 everyone lives up to their potential and is necessary for full economic independence. HB 164 would further aid pregnant and parenting students by providing the support and opportunities necessary to continue their studies.

For these reasons, the WLC supports HB 164 but urges a favorable report with the amendments raised above.

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.