



## HOUSE APPROPRIATIONS COMMITTEE

### House Bill 771

### **Institutions of Higher Education - Pregnant and Parenting Students – Policy Requirements ((Pregnant and Parenting Support Act)**

**February 27, 2024**

### **Support with Amendments**

The University System of Maryland **Supports with Amendments House Bill 771** because it seeks to provide pregnant and parenting students with resources to enable them to succeed in higher education.

The University System of Maryland (USM) is comprised of twelve distinguished institutions, and three regional centers. We award eight out of every ten bachelor's degrees in the State. 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 three Historically Black Institutions, comprehensive institutions and research universities, and the country's largest public online institution.

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 in the end get their diploma. While House Bill 771 supports this goal, we believe these resources should be posted online rather than in a policy because this information frequently changes. Additionally, we would prefer flexibility with providing institutional accommodations and resources regarding adoption services.

Common amongst USM institutions is the pregnant students may request academic accommodations through the appropriate campus educational support and services office. Academic accommodation is generally made on a case-by-case basis as it pertains 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 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 less well-known aspects of Title IX is that it protects the rights of pregnant and parenting students to stay in school and confer 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.

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.

For these reasons, USM **Supports with Amendments House Bill 771** and urges a favorable with amendment report.

