

## Concord School District Policy #528

### Pregnant Students

#### I. Purpose

Sex discrimination, which may include discrimination based on pregnancy, marital status, or parental status, is prohibited and illegal in any educational programs and activities receiving federal financial assistance. Sex discrimination is also prohibited under State law.

Concord School District is committed to supporting pregnant and parenting students so that they can continue to pursue their studies, enjoy equal access to all school programs and activities as mandated by Title IX of the Education Amendments of 1972 and State law, and successfully graduate.

This policy sets out guidelines to ensure the protection and equal treatment of pregnant students, students with pregnancy related conditions, and new student parents.

#### II. Definitions

“Pregnancy and pregnancy-related conditions” include but are not limited to pregnancy, childbirth, the medical condition known as false pregnancy, termination of pregnancy, conditions arising in connection with pregnancy, and recovery from any of these conditions.

“Pregnant student” refers to the student who is or was pregnant. This policy and its pregnancy-related protections apply to all pregnant persons, regardless of gender identity or expression.

“Parenting” is the raising of a child by the child’s parents.

“Reasonable accommodations” refer to changes in the school environment that enable pregnant students, students with pregnancy-related conditions, or new parents to continue to pursue their studies and enjoy the equal benefits of school. Reasonable accommodations may include but are not limited to:

1. Providing accommodations requested by a pregnant student to protect the health and safety of the student and/or the pregnancy such as allowing the student to maintain a safe distance from hazardous substances;
2. Making modifications to the physical environment (such as accessible seating);
3. Extending deadlines and/or allowing the student to make up tests or assignments;
4. Offering remote learning options;
5. Excusing medically necessary absences;

6. Granting medical leave or implementing incomplete grades for classes that will be resumed at a future date; or
7. Allowing breastfeeding students reasonable time and space to pump breast milk in a location that is private, clean, and reasonably accessible.

### **III. Guidance**

Maternal or paternal status shall not affect the rights and privileges of District students to receive a public education or to participate in any school program, including but not limited to specific classes such as advanced placement or honors classes, extracurricular programs, interscholastic sports, honor societies, and opportunities for student leadership, among other activities. While the District may elect to offer a special instructional program or classes for a pregnant student, participation in said program shall be completely voluntary on the part of the student, and these programs shall be comparable to those offered to other students.

Pregnant students shall be afforded reasonable accommodations and permitted to continue in all school programs, in all instances, when continued attendance has the sanction of the expectant student's physician. In considering reasonable accommodations to be provided, the building Principal may require a physician's statement as to any activity limitations. However, the District shall not require a physician's note where one would not be required for students with other temporary medical conditions. Pregnant students shall be provided the same special services provided to students with temporary medical conditions.

In the event a student informs a staff member that the student is pregnant, the following general guidelines will apply:

A staff member who learns that a student is pregnant, or is informed of such by the pregnant student, will immediately inform the building Principal, who will then notify the school nurse and school guidance counselor, as appropriate.

Staff members should not promise that information told to them or shared with the staff member by the student will remain confidential. Staff members should inform the student that pertinent laws may require the staff member to share the information if the student's health, safety, or welfare is at risk.

The legal age of consent in New Hampshire (NH) for sexual contact is 16. If a pregnant student is under the age of 16, the building Principal or their designee must confirm that a District employee has contacted the NH Department of Health and Human Services' Division for Children, Youth, and Families. If the partner is known, and also under the age of 16, the same procedure shall be followed.

If a pregnant student is a minor (under 18 years of age), the building Principal or their designee may need to contact state social service agencies. This determination should be made after consultation with the student, school nurse, school guidance counselor, and other employees whose input is needed.

Any other District action or response such as parental or guardian notification will be made by the building Principal or their designee on a case-by-case basis, after consideration of all pertinent information.

School staff shall provide pregnant students and new parents with information relative to medical health facilities, community health resources, parenting resources, childcare, and counseling resources.

Pregnant and parenting students are encouraged to work with teachers and other school support systems to devise a plan for how to best address their needs as the pregnancy progresses. This includes anticipating the need for absences, minimizing the academic impact of their absence, and return to normal school activities and programs as efficiently and comfortably as possible. Importantly, when a student returns to school following medical leave, they must be allowed to return to the same academic and extracurricular status as before their medical leave began. The Title IX Coordinator will assist with plan development and implementation as needed.

The District shall inform students, both in the handbook and in notices in the offices of nurses and guidance counselors, that the District may be required to disclose certain medical information to their parents or authorities.

This policy shall be considered one of the policies that guides the development and implementation of the District's coordinated plan to prevent, assess the presence of, intervene in, and respond to incidents of discrimination in accordance with NH RSA 193:39.

#### **Legal Reference**

NH RSA 193:39

Adopted April 5, 2021

Corresponds to NHSBA Policy IHBCA. See also JIE