

**ONE HUNDRED FIFTH LEGISLATURE - FIRST SESSION - 2017**  
**COMMITTEE STATEMENT**  
**LB428**

---

**Hearing Date:** Monday January 30, 2017  
**Committee On:** Education  
**Introducer:** Vargas  
**One Liner:** Require schools and the State Department of Education to adopt policies relating to pregnant and parenting students

---

**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

---

**Vote Results:**

<b>Aye:</b>	6	Senators Ebke, Kolowski, Linehan, Morfeld, Pansing Brooks, Walz
<b>Nay:</b>	2	Senators Erdman, Groene
<b>Absent:</b>		
<b>Present Not Voting:</b>		

---

**Verbal Testimony:**

**Proponents:**

Senator Tony Vargas  
Denise Craig  
Jasel Cantu  
Anavelle Garcia  
Danielle Conrad  
Bianca Ruiz  
Kaitlin Reece  
Christine Henningsen  
Deila Steiner  
Sarah Ann Kotchian

**Representing:**

introducer  
self  
Latino American Commission  
Nebraska Children's Home Society  
ACLU  
self  
Voices for Children in Nebraska  
self  
self  
Holland Children's Movement

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

---

**Summary of purpose and/or changes:**

This bill requires the Nebraska Department of Education to develop a model policy addressing issues of pregnant or parenting students by December 1, 2017. Further, each school district shall adopt a written policy on pregnant and parenting students effective May 1, 2018 with minimum standards set forth in the Department of Education model policy.

Section 1 of LB 428 provides the Legislative intent that pregnant and parenting students face enormous challenges in completing their education and that schools have an obligation to keep them in school and further must remove overly restrictive absence and leave policies to account for medical appointments for pregnant and parenting students.

Section 2 of LB 428 requires each school district to adopt and implement a written policy by May 1, 2018 which provides for guidelines and standards to accommodate pregnant and parenting students in conformance with the minimum standards as developed by the Nebraska Department of Education in section 3.

Section 3 of LB 428 requires the Nebraska Department of Education prior to December 1, 2017 to develop and distribute a model policy to ensure the educational success of pregnant and parenting students which at a minimum must include:

1. Anticipating and allowing for student absences due to pregnancy and allowing students to return to school or participate in extracurricular activities after pregnancy;
2. Providing for alternative forms of education for pregnant and parenting students, including allowing coursework at home, accommodating tutoring visits, developing online courses, or similar supplements to classroom attendance;
3. Identifying alternatives for lactation accommodation by providing students with private and hygienic spaces to express breast milk; and
4. Establishing a procedure for schools without an in-school child care facility to assist parenting students in placing their children in care facilities that work with the school and have, if possible, a step three rating pursuant to the step up to quality child care act.

Section 4 of LB 428 provides that the Nebraska Department of Education must offer training to teachers, counselors and administrators on the school districts policy adopted under section 2.

---

**Explanation of amendments:**

Section 1 is amended to change the legislative intent from stating that schools have a constitutional obligation to schools having an obligation.

Section 3 is amended to remove under subsection 1 the elimination of physician approval before a student can return to school or participate in extracurricular activities. Subsection 3 is amended to clarify that students are to be provided with private, hygienic spaces to express breast milk during the school day. Subsection 4 is amended with clarifying language to ensure that schools are not expected to open in-school child care facilities but have to assist students in placing their children in facilities, if possible, that rate at least a step 3 rating pursuant to the Step Up to Quality Child Care Act.

---

Mike Groene, Chairperson