

One Hundred Fifth Legislature - First Session - 2017

Introducer's Statement of Intent

LB428

Chairperson: Senator Mike Groene

Committee: Education

Date of Hearing: January 30, 2017

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

Pregnant and parenting students face significant challenges to completing their educational goals. The majority (approximately 70%) of young women who have a child leave school, often not returning to complete their education until years later, if at all. This disruption in their education has a negative impact and places serious limitations on their financial and educational future. Pregnant and parenting students are often presented with the dilemma of choosing between continuing their education or parenting their child. No one should be forced to make this choice.

Additionally, Nebraska schools have a legal obligation to accommodate pregnant and parenting students. Pregnancy is a gender equity issue covered by Title IX of the Education Amendments of 1972. Title IX, a federal act designed to prohibit sex discrimination in education, is inclusive of various forms of gender discrimination, including discrimination related to pregnancy and childbirth.

A recent survey of Nebraska's school districts showed inconsistencies in their policies for pregnant and parenting students, resulting in a significant variance in experience and success for young student parents. LB428 seeks to address this disparity and make all of Nebraska's schools a welcoming and inclusive place for pregnant and parenting students.

LB428 would require each school district to adopt a written policy which provides for standards and guidelines to accommodate pregnant and parenting students. In order to provide uniformity and guidance to local school districts, LB428 directs the Nebraska Department of Education to develop and distribute a model policy to the districts to consider for implementation.

The model policy from the Department of Education and the policies developed by the school districts shall have requirements for districts to:

- (1) provide for student absences due to pregnancy and eliminate requirements for physician approval to return to school or participate in extracurricular activities after pregnancy;
- (2) provide for alternative methods to keep a pregnant or parenting student in school by allowing coursework at home, or providing for tutoring visits, online courses, or a similar supplement to classroom attendance;
- (3) develop a lactation accommodation policy to ensure students have private, hygienic spaces to express breast milk during the school day; and
- (4) identify local child care providers or designate a staff person to assist student-parents in placing their children in child care facilities which collaborate with the school if such schools do not have an in-school child care facility.

The Nebraska Department of Education's model policy will be developed and distributed to local districts by December 1, 2017 and the individual districts are to adopt their policies by May 1, 2018. The policies are to be implemented at the start of the 2018-19 school year.

Principal Introducer: _____

Senator Tony Vargas