Students

Education Opportunities Married/Pregnant/Parenting Students

The San Mateo County Board of Education and the County Superintendent recognize that early marriage, pregnancy, or parenting may disrupt a student's education and increase the probability of a student dropping out of school. The County Board therefore desires to support married, pregnant, and parenting students to continue their education, attain strong academic and parenting skills, and promote the healthy development of their children.

The San Mateo County Office of Education (SMCOE) shall not discriminate against any student on the basis of the student's marital status, pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery. [Education Code (E.C.) 230; 20 USC 1681-1688]

Any education program or activity, including any class or extracurricular activity, that is offered separately to such students shall be comparable to that offered to other SMCOE students. A student's participation in such programs shall be voluntary. [34 CFR 106.40]

Any complaint of discrimination on the basis of pregnancy or marital or parental status shall be addressed through SMCOE's uniform complaint procedures in accordance with 5 CCR 4600-4687 and Uniform Complaint Procedures.

For school-related purposes, a married student under the age of 18 years shall have all the rights and privileges of students who are 18 years old, even if the marriage has been dissolved. [Family Code 7002]

Pregnant and parenting students shall retain the right to participate in any comprehensive school or educational alternative program. The classroom setting shall be the preferred instructional strategy unless an alternative is necessary to meet the needs of the student and/or his/her child.

When necessary, SMCOE shall provide reasonable accommodations to pregnant and parenting students to enable them to access the educational program. A pregnant student shall have access to any services available to other students with temporary disabilities or medical conditions. A lactating student shall have access to a private location, other than a restroom, to breastfeed or express milk for her infant child.
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To the extent feasible, educational and related support services should be provided, either through SMCOE or in collaboration with community agencies and organizations, to meet the needs of pregnant and parenting students and their children. Such services may include, but are not limited to:

1. Child care and development services for the children of parenting students on or near school site(s) during the school day and during school-sponsored activities

2. Parenting education and life skills instruction

3. Special school nutrition supplements for pregnant and lactating students pursuant to Ed. Code 49553, 42 USC 1786, and 7 CFR 246.1-246.28

4. Health care services, including prenatal care

5. Tobacco, alcohol, and/or drug prevention and intervention services

6. Academic and personal counseling

7. Supplemental instruction to assist students in achieving grade-level academic standards and progressing toward graduation

As appropriate, teachers, administrators, and/or other personnel who work with pregnant and parenting students shall receive related professional development.

Pregnant or parenting students may be excused for absences related to confidential medical appointments.

The Superintendent or designee should consider granting a student a leave of absence due to pregnancy, childbirth, false pregnancy, termination of pregnancy, and related recovery for as long as it is deemed medically necessary by her physician. At the conclusion of the leave, the student shall be reinstated to the status she held when the leave began. [34 CFR 106.40]

A pregnant or parenting student also may request exemption from attendance because of a related physical or mental condition or because of personal services that must be rendered to a dependent. [E.C. 48410]
San Mateo County Board of Education Policy

Students

Legal Reference:

EDUCATION CODE
230 Sex discrimination
8200-8498 Child Care and Development Services Act 48205 Excused absences
48220 Compulsory education requirement
48410 Persons exempted from continuation classes
49553 Nutrition supplements for pregnant/lactating students
51220.5 Parenting skills and education 51745 Independent study
52610.5 Enrollment of pregnant and parenting students in adult education
54740-54749 Cal-SAFE program for pregnant/parenting students and their children

FAMILY CODE
7002 Description of emancipated minor

HEALTH AND SAFETY CODE
104460 Tobacco prevention services for pregnant and parenting students

CODE OF REGULATIONS, TITLE 5
4600-4687 Uniform complaint procedures
4950 Nondiscrimination, marital and parental status

CODE OF REGULATIONS, TITLE 22
101151-101239.2 General licensing requirements for child care centers
101351-101439.1 Infant care centers

UNITED STATES CODE, TITLE 20
1681-1688 Title IX, Education Act Amendments

UNITED STATES CODE, TITLE 42
1786 Special supplemental nutrition program for women, infants, and children

CODE OF FEDERAL REGULATIONS, TITLE 7
246.1-246.28 Special supplemental nutrition program for women, infants, and children

CODE OF FEDERAL REGULATIONS, TITLE 34
106.40 Marital or parental status

ATTORNEY GENERAL OPINIONS

COURT DECISIONS

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