BOARD POLICY – **MARRIED/PREGNANT/PARENTING STUDENTS** BP 5146

The Santa Barbara County Board of Education and the County Superintendent of Schools recognize that responsibilities pertaining to marriage, pregnancy, or parenting, including related obligations, conditions, or recovery, may disrupt a student's education and increase the chance of a student dropping out of school. The Board and Superintendent desire to minimize interruption to such students' educational progress by supporting married, pregnant, and parenting students in their continued education, assisting them to attain strong academic and parenting skills, and promoting the healthy development of their child(ren).

The SBCEO shall not exclude or deny any student from any educational program or activity, including any class or extracurricular activity, solely on the basis of the student's actual or potential pregnancy, childbirth, false pregnancy, termination of pregnancy, or related conditions or recovery. In addition, the SBCEO shall not adopt any rule concerning a student's actual or potential parental, family, or marital status that treats a student differently on the basis of sex. (Education Code 221.51, 230; 5 CCR 4950; 34 CFR 106.40)

In accordance with Board Policy/Exhibit (1) 5145.6 – Parent/Guardian Notifications, the Superintendent or designee shall annually notify parents/guardians at the beginning of the school year of the rights and options available to pregnant and parenting students under the law. In addition, pregnant and parenting students shall be notified of the rights and options available under the law through annual school year welcome packets and through independent study packets. (Education Code 222.5, 48980)

For SBCEO-related purposes, a student under 18 years of age who enters into a valid marriage is an emancipated minor who shall have all the rights and privileges of students who are 18 years of age or older, even if the marriage has been dissolved. (Family Code 7002)

Education and Support Services for Pregnant and Parenting Students

Pregnant and parenting students shall retain the right to participate in the regular education program or an alternative education program. The classroom setting shall be the preferred instructional strategy unless an alternative is necessary to meet the needs of the student and/or the student's child.

Any alternative education program, activity, or course that is offered separately to students who are pregnant or parenting, including any class or extracurricular activity, shall be equal to that offered to other SBCEO students. A student's participation in such programs shall be voluntary. (Education Code 221.51; 5 CCR 4950)

If required for students with any other temporary disabling condition, the Superintendent or designee may require a student, based on pregnancy, childbirth, false pregnancy, termination of pregnancy, or related conditions or recovery, to obtain certification from a physician or nurse practitioner indicating that the student is physically and emotionally able to continue participation in the education program or activity. (Education Code 221.51; 5 CCR 4950; 34 CFR 106.40)

Absences

Students who are pregnant or parenting may be excused for absences for medical appointments and other purposes.

A student shall be excused for absences to care for a sick child for whom the student is the custodial parent. A note from a physician shall not be required for such an absence. (Education Code 48205)

Parental Leave

A student who is pregnant or parenting shall be entitled to parental leave as permitted by law. The period of the leave shall be the greater of eight weeks, or the length of time deemed medically necessary by the student's healthcare provider. Such leave may be taken before the birth of the student's infant if there is a medical necessity and after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction. (Education Code 46015; 34 CFR 106.40)

The student, if 18 years of age or older, or the student's educational rights holder shall notify the SBCEO of the student's intent to take parental leave, although failure to do so does not abridge any of the rights provided to the student under this policy. (Education Code 46015)

No student shall be required to take all or part of the parental leave. (Education Code 46015)

When a student takes parental leave, the attendance supervisor shall ensure that absences from the regular school program are excused until the student is able to return to the regular school program or an alternative education program. A student who is pregnant or parenting, or has related conditions, shall not be required to complete academic work or other school requirements during the period of the parental leave. (Education Code 46015)

Following the leave, a student who is pregnant or parenting, or has related conditions, may elect to return to the school and the course of study in which the student was enrolled before taking parental leave or to an alternative education option provided by the district. (Education Code 46015)

Upon return to school, a student who is pregnant or parenting shall have opportunities to

make up work missed during the leave, including, but not limited to, makeup work plans and reenrollment in courses. (Education Code 46015)

When necessary to complete high school graduation requirements, the student may remain enrolled in school for a fifth year of instruction, unless the Superintendent or designee makes a finding that the student is reasonably able to complete district graduation requirements in time to graduate by the end of the fourth year of high school. (Education Code 46015)

Accommodations

When necessary, the SBCEO shall provide accommodations to enable a student who is pregnant or parenting to access the educational program.

Additionally, a student who is pregnant, experiences a false pregnancy, or terminates a pregnancy, or who must recover from any of these, shall have access to any services available to other students with temporary medical conditions. (34 CFR 106.40)

The SBCEO shall provide reasonable accommodations to any lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. A student shall not incur an academic penalty for using any of these reasonable accommodations, and shall be provided the opportunity to make up any work missed due to such use. Reasonable accommodations include, but are not limited to: (Education Code 222)

1. Access to a private and secure room, other than a restroom, to express breast milk or breastfeed an infant child

2. Permission to bring onto a school campus a breast pump and any other equipment used to express breast milk

3. Access to a power source for a breast pump or any other equipment used to express breast milk

4. Access to a place to store expressed breast milk safely

5. A reasonable amount of time to accommodate the student's need to express breast milk or breastfeed an infant child

Complaints

Any complaint alleging discrimination on the basis of a student's actual or potential pregnancy, marital, or parental status; SBCEO noncompliance with the requirements of Education Code 46015; or SBCEO noncompliance with the requirement to provide reasonable accommodations for lactating students shall be investigated and resolved in

accordance with Board Policy/Administrative Regulation 1312.3 – Uniform Complaint Procedures.

Program Evaluation

The Superintendent or designee shall periodically report to the Board regarding the effectiveness of SBCEO strategies to support married, pregnant, and parenting students, which may include data on student participation in SBCEO programs and services, academic achievement, attendance, graduation rate, and/or student feedback on district programs and services.

Policy Reference Disclaimer:
These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
22 CCR 101151-101239.2	General requirements, licensed child care centers
22 CCR 101351-101439.1	Infant care centers
5 CCR 4950	Nondiscrimination, marital and parental status
Civ. Code 51	Unruh Civil Rights Act
Ed. Code 221.51	Nondiscrimination; married, pregnant, and parenting students
Ed. Code 230	Sex discrimination
Ed. Code 48050	Residents of adjoining states
Ed. Code 48205	Excused absences
Ed. Code 48206.3	Temporary disability, definition
Ed. Code 48220	Compulsory education requirement
Ed. Code 48410	Persons exempted from continuation classes
Ed. Code 49553	Nutrition supplements for pregnant/lactating students
Ed. Code 51220.5	Parenting skills and education
Ed. Code 51745	Independent study
Ed. Code 52610.5	Enrollment of pregnant and parenting students in adult education
Ed. Code 8200-8498	Child Care and Development Services Act
Fam. Code 7002	Description of emancipated minor
H&S Code 104460	Tobacco prevention services for pregnant and parenting students

Federal	Description
34 CFR 106.40	Marital or parental status
42 USC 1786	Special supplemental nutrition program for women, infants, and children
7 CFR 246.1-246.28	Special supplemental nutrition program for women, infants, and children

Management Resources	Description
California Women's Law Center Publication	The Civil Rights of Pregnant and Parenting Teens in California Schools, 2002
California Women's Law Center Publication	Pregnant Students and Confidential Medical Services, 2013
California Women's Law Center Publication	Educational Rights of Pregnant and Parenting Teens: Title IX and California State Law Requirements, 2012
U.S. Department of Education Publication	Supporting the Academic Success of Pregnant and Parenting Students under Title IX of the Education Amendments of 1972, rev. June 2013
Website	U.S. Department of Agriculture, Women, Infants, and Children Program

Website	California Women's Law Center

ADOPTED BY COUNTY BOARD: November 13, 2025
REVISED: