



Fontana Unified School District

Every Student Successful | Engaging Schools | Empowered Communities

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Pregnant and Parenting Pupils Rights and Reassurances Of Alternative Education Options

The Rights of Pregnant and Parenting Students Under Title IX and California Law:

Title IX of the Education Amendments of 1972 ("Title IX"), 20 U.S.C. § 1681 et seq., prohibits discrimination on the basis of sex – including pregnancy or parental status – in all public and private schools, colleges, and universities which receive Federal funds.

Here are some things you should know about your rights:

Classes and School Activities – your school MUST:

- Allow you to continue participating in classes and extracurricular activities even though you are pregnant. This means that you can still participate in advanced placement and honors classes, school clubs, sports, honor societies, student leadership opportunities, and other activities, like after-school programs operated at the school.
 - Allow you to choose whether you want to participate in special instructional programs or classes for pregnant students. You can participate if you want to, but your school cannot pressure you to do so. The alternative program must provide the same types of academic, extracurricular and enrichment opportunities as your school's regular program.
- Allow you to participate in classes and extracurricular activities even though you are pregnant and not require you to submit a doctor's note unless your school requires a doctor's note from all students who have a physical or emotional condition requiring treatment by a doctor. Your school also must not require a doctor's note from you after you have been hospitalized for childbirth unless it requires a doctor's note from all students who have been hospitalized for other conditions.
- Provide you with reasonable adjustments, like a larger desk, elevator access, or allowing you to make frequent trips to the restroom, when necessary because of your pregnancy.

Excused Absences and Medical Leave – your school MUST:

- Excuse absences due to pregnancy or childbirth for as long as your doctor says it is necessary. You are entitled to eight weeks of parental leave, which you may take before giving birth, if there is a medical necessity and after childbirth during the school year in which the birth takes place, including mandatory summer instruction, in order to protect your health and that of your infant, and to allow you to care and bond with your infant. You are not required to take all or a portion of parental leave.
- Allow you to return to the same academic and extracurricular status as before your medical leave began, which should include giving you the opportunity to make up any work missed while you were out.
- Ensure that teachers understand the Title IX requirements related to excused absences/medical leave. Your teacher may not refuse to allow you to submit work after a deadline you missed because of pregnancy or childbirth. If your teacher's grading is based in part on class participation or attendance and you missed class because of pregnancy or childbirth, you should be allowed to make up the participation or attendance credits you didn't have the chance to earn.

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- Provide pregnant students with the same special services it provides to students with temporary medical conditions. This includes homebound instructional/at-home tutoring/independent study.

Harassment – your school MUST:

- Protect you from harassment based on sex, including harassment because of pregnancy or related conditions. Comments that could constitute prohibited harassment include making sexual comments or jokes about your pregnancy, calling you sexually charged names, spreading rumors about your sexual activity, and making sexual propositions or gestures, if the comments are sufficiently serious that it interferes with your ability to benefit from or participate in your school's program.

Policies and Procedures – your school MUST:

- Have and distribute a policy against sex discrimination. It is recommended that the policy make clear that prohibited sex discrimination covers discrimination against pregnant and parenting students.
- Adopt and publish grievance procedures for students to file complaints of sex discrimination, including discrimination related to pregnancy or parental status.
- Identify at least one employee in the school or school district to carry out its responsibilities under Title IX (sometimes called a "Title IX Coordinator") and notify all students and employees of the name, title, and contact information of its Title IX Coordinator. These responsibilities include overseeing complaints of discrimination against pregnant and parenting students.

Helpful Tips for Pregnant and Parenting Students:

- Ask your school for help – meet with your school's Title IX Coordinator or counselor regarding what your school can do to support you in continuing your education.
- Keep notes about your pregnancy-related absences, any instances of harassment and your interactions with school officials about your pregnancy, and immediately report problems to your school's Title IX Coordinator, counselor, or other staff.
- If you feel your school is discriminating against you because you are pregnant or parenting, you may file a complaint:
 - Using your school's internal Title IX grievance procedures
 - With the U.S. Department of Education, Office for Civil Rights (OCR), even if you have not filed a complaint with your school. If you file with OCR, make sure you do so within 180 days of when the discrimination took place.
 - In court, even if you have not filed a complaint with your school or with OCR.
- Contact OCR if you have any questions. We are here to help make sure all students, including pregnant and parent students, have equal educational opportunities!

If you want to learn more about your rights, or if you believe that a school district, college, or university is violating Federal law, you may contact the U.S. Department of Education, Office for Civil Rights, at (800) 421-3481 or ocr@ed.gov. If you wish to fill out a complaint form online, you may do so at <http://www.ed.gov/ocr/complaintintro.html>.