



State Policy Toolkit for Supporting Pregnant, Postpartum, and Parenting Students

Coalition for Pregnant and Parenting Students Advocacy
June 2026

The purpose of this toolkit is to equip state stakeholders to advocate for and enact robust legislation that supports pregnant, postpartum, and parenting students in every stage of their educational journey. With the current upheaval at the Department of Education, and the failure of the Office for Civil Rights to resolve cases of pregnancy discrimination and other sex discrimination cases,¹ it is imperative that state lawmakers and school officials fill the gap and protect pregnant and parenting students' right to equal educational opportunity. While many of the needs of pregnant and parenting students remain the same regardless of age or stage of education—like access to leave and scheduling accommodations—some of the specific policy recommendations do differ depending on whether they are addressing K-12 students or post-graduate student populations. Where possible, we have noted when certain policy issues are targeted at one population in particular. In addition to what is provided in this toolkit, the coalition has factsheets, reports, and additional resources to help inform and guide advocacy to support pregnant and parenting students. We encourage you to reach out to us with any questions or new resources you come across. Please email federal-ppscoalition@nwlc.org.

This toolkit includes:

- 1) Talking Points**
- 2) Key Legislative Priorities**
- 3) State Laws Supporting Pregnant, Postpartum, and Parenting Students**
- 4) Examples of Student-Parent Advocacy**
- 5) Model Bill Language**

The model bill language is designed to be modified to fit the unique needs of a particular state or population. To discuss the model legislative language, please email federal-ppscoalition@nwlc.org.

1) Talking Points

There are millions of pregnant and parenting students in the United States, including in middle and high schools as well as career and technical, undergraduate, and graduate educational programs. These students are highly motivated, and their success benefits not only them, but also their children, their school communities, and the local, state, and national economy. Without strong policies to support them, pregnant, postpartum, and parenting students face particular obstacles to graduation.

State and local protections provide reliable protection and guidance to students and educational institutions, especially where protections at the federal level may fall short. Instituting supportive policies is a win-win for students and schools alike. It is crucial for state and local policymakers and educational institutions to take action to support pregnant and parenting students. To-date, several states have enacted laws intended to support this population, with more considering their own legislation.

Who are Pregnant and Parenting Students?

- In undergraduate programs, there are more than 3.1 million students who are also parents—making about one in five college students a parenting student.²
- Over one in four graduate students are parents, totaling roughly one million students.³
- Each year, tens of thousands of middle and high school aged students become pregnant and/or give birth.⁴
- While the number of pregnant students is likely far higher, there are at least 180,000 pregnant students in the United States (elementary to graduate school) each academic semester who continue their pregnancies to term.⁵
- Collecting data on student parents would paint a full picture of how many and who they are. However, data collection about this population has been limited, siloed, or nonexistent—rendering it all the more important to increase and improve data collection to inform policymaking. This need is especially urgent in light of recent changes to federal education data collection tools—policymakers will no longer be able to rely on federal student aid data to establish a rough estimate of student parents or their demographics.⁶

Why is Supporting Pregnant and Parenting Students an Economic Necessity?

- Student parents face significant financial burdens that tend to be greater than those of students without children, including juggling expenses for health care, child care and housing, in addition to existing educational expenses like tuition.
- In a 2021 study by Trellis Strategies, two-thirds of postsecondary student parents report that they would be unable to afford an unexpected \$500 expense, and 80 percent say that they have run out of money at least once in the previous nine months.⁷
 - The majority of student parents surveyed indicated worries about being able to pay both their monthly expenses and their tuition.⁸
- One 2023 survey of thousands of undergraduate students revealed that 67% of student-parents surveyed faced housing insecurity and 14% had been unhoused in the last year.⁹
- Investing in student parents benefits more than just their immediate families; student parents are vital contributors to economic and social health at the state and local levels. The majority of student parents are employed in addition to attending school.¹⁰

- Studies have shown that increasing graduation rates of student parents can result in a significant positive return on investment to taxpayers.¹¹ Student parents who are able to meet their educational goals can earn higher incomes and contribute to their local economies. A study of these interventions in Virginia found that investments in comprehensive student parent support programs, including grant aid and expanded on-campus child care that helped students maintain their studies and graduate, resulted in saving as much as \$5 in state funds for every \$1 spent.¹²

How Does Supporting Pregnant and Parenting Students Keep Children Safe and Thriving?

- Millions of children are the child of a student parent and approximately 43% of children in the U.S. were born to parents under 25.¹³
- Parenting students face higher rates of basic needs insecurity than non-parenting students.
 - A recent survey found 52% of parenting students experienced food insecurity, compared with 37% of non-parenting students surveyed.¹⁴
- Parenting students also face high risks of housing insecurity and homelessness. According to New America's analysis of NPSAS data (National Postsecondary Student Aid Study), almost seven percent of parenting students—over 213,900 families—are experiencing homelessness.¹⁵ Supporting pregnant and parenting students helps children have access to safe housing.
- Research shows that children growing up in unstable housing conditions may face developmental delays and are less likely to graduate from high school, fueling a cycle of instability that can affect their future opportunities.¹⁶
- Children of parents who completed college after stopping out—temporarily pausing their pursuit of a degree or credentials—were more likely to obtain a high school diploma or college degree, and earned more income.¹⁷
- By providing the right support for student parents and their children, states can foster multigenerational change that benefits parents, children, and the broader economy.¹⁸ Parents who are able to complete a college degree have, on average, nearly double the incomes of parents without a college degree, and increases in a parents' income when their child is young have in turn been associated with meaningful increases in a child's future earnings.¹⁹
- Based on existing data and insights gathered from the experiences of student parents, we know that they face significant challenges related to college affordability, financial aid options, and demanding schedules due to balancing childcare, school, and work responsibilities. By increasing support and resources to address these challenges, we can help ensure parents with young families have the infrastructure to set them up for success. When parents succeed, their children flourish as well.

Why are Specific, Tailored Policies Necessary?

- All students need robust support, but for pregnant and parenting students, it is crucial to have tailored resources and protections that specifically address their needs and barriers to success.
- Addressing nonacademic barriers such as investment in health care, child care, housing, food, and other basic needs provides pregnant and parenting students the support they need to persist and complete their postsecondary education. Fifty-nine percent of community college caregivers who dropped out of college cited child care as a reason.²⁰

- Supports tailored to the needs of pregnant and parenting students will also improve outcomes for other student populations, such as veterans and first generation students, who are disproportionately likely to be parents.
- Intersectional identities may exacerbate the obstacles faced by pregnant and parenting students. This financial challenge stems, at least in part, from wealth and income gaps due to historic and systemic racism and gender-based discrimination.
- As young people across the country lose access to the full range of reproductive health care, fewer students will be able to control their reproductive futures. While protections that ensure that every pregnant and parenting student has the necessary support to complete their education are long overdue – they are particularly urgent now given the deteriorating reproductive health care landscape.
 - Studies show that access to comprehensive reproductive care, including abortion care, improves economic and educational outcomes for women.²¹ One study found that women in areas with less restrictive abortion laws had higher graduation rates, higher incomes, and more economic stability.²²

2) **Key Legislative Priorities**

Legislation to support pregnant and parenting students can take several forms. Below are brief descriptions of a few key priority areas for legislative solutions.

Collect Data on Pregnant and Parenting Students

- Without robust and credible data on pregnant and parenting students, it is challenging for schools, institutions, agencies, and states to support their success. By counting pregnant, postpartum, and parenting students, we can better allocate resources to support them, measure the success of programs, and identify barriers to degree completion.
 - When designing these data collection policies, it is critical to establish safeguards to prevent discrimination, harassment, or targeting of pregnant students, including those who choose to terminate their pregnancies, especially in states that are hostile to abortion.²³
- Data collection at the institutional level could be used to identify regional differences, disparities in programs of study, and specific resource or service needs among student parents. It can also help relevant entities gain a better understanding of student parents' specific priorities and needs, as well as better details about their lives, size of their families, financial obligations, and degree completion. Surveys are powerful tools that can be used to better understand the student parent experience and provide the targeted support they need.²⁴
 - When possible, data collection should be able to be disaggregated to better represent the distinct needs of student parents with intersecting identities. To fully capture the experiences and needs of the student parent populations, data collection should be cross-tabulated by sex, age, race/ethnicity, English learner status, native language, socioeconomic status, and disability status, among others.
- States should consider options including:
 - Legislating requirements for state institutions of higher education to collect detailed demographic information on their student population, including questions specific to parental status.
 - Requiring and facilitating state cabinet agencies and other state entities to design and implement mechanisms to collect and analyze this information about students throughout the state. This must be done with robust safeguards to protect the privacy and identities of pregnant students and their teachers, administrators, and staff.

Ban Discrimination Against Pregnant and Postpartum Students

- Although Title IX protects pregnant students and those with pregnancy-related conditions from discrimination in educational programs that receive federal funding, there has been significant turmoil surrounding federal protections given changes in Title IX regulations between administrations. Additional clarity for pregnant and postpartum students would help ensure their continued and equitable access to education.
- In 2024, the Biden Administration promulgated a new rule under Title IX, clarifying protections for pregnant and parenting students by requiring schools to give notice of their Title IX rights and detailing the broad scope of discrimination based on pregnancy, leaves of absences, and accommodations. However, that rule was challenged and vacated, returning the Office for Civil Rights back to prior enforcing regulations.²⁵

- In addition, the Trump administration’s significant reduction of staff and closure of regional offices within the U.S. Department of Education’s Office for Civil Rights (OCR), affects how these protections will be enforced as OCR has fewer resources to adequately investigate discrimination complaints.²⁶
- Unfortunately, due to the failure to enforce Title IX and the lack of clarity around its existing protections, pregnant and postpartum students still commonly face discrimination—including lack of accommodations, policies that penalize them for taking time off to recover from birth or for meeting their health needs, and harassment and bullying from educators and school administrators—often without any remedy from the federal government for violations of their Title IX rights.²⁷
 - Non-Accommodation is particularly prevalent for pregnancy-related conditions not explicitly listed in prior Title IX regulations, like fertility care, post-partum mood disorder, and lactation.
- These behaviors unlawfully create a hostile environment that prevents pregnant and parenting students from fully participating in educational programs and activities and can lead to isolation and exclusion, feelings of failure, and pressure to leave school.²⁸
- Strong state protections are crucial to ensure pregnant and postpartum students have clear legal rights under state law to be free from discrimination and to access necessary accommodations, with clear enforcement mechanisms, and also so that educational institutions have reliable guidance on how to comply with their legal obligations.

Ban Discrimination Against Student Parents

- It is imperative that discrimination based on parental, family, or marital status in education be prohibited. Currently, Title IX prohibits discrimination on the basis of pregnancy or related conditions and discriminatory treatment based on a student’s parental or family status, if that differential treatment is based on sex.²⁹
- Student parents often face hostility and discriminatory grade penalties when they ask for assistance as simple as permission to miss class to attend to their hospitalized child, or permission to take an externship closer to childcare.³⁰
- Because it is challenging to prove that discrimination against a parent is caused by sex discrimination, policymakers should ban discrimination on the basis of familial status, including caregiver status, in order to more fully protect students who may be harmed by gender stereotypes related to caregiving, including expectant non-birthing parents, students who are perceived to be parents, and caregivers who are not parents.³¹

Provide Accommodations for Lactating Students

- While Title IX protects lactating students from discrimination, the 1975 regulations do not provide the detailed guidance that educational institutions need to ensure they support lactating students. Providing adequate accommodations to lactating students removes one barrier for them to complete their education and supports students’ health and familial needs.
- For schools without an existing lactation space, the cost of creating such a space is minimal. At a minimum, the lactation space should be private, sanitary, and equipped with a flat surface and chair and in reasonable proximity to running water and an electrical outlet. Lactating students also need access to refrigeration or, at minimum, a secure location to store a cooler.

- Students should also be accommodated for lactation breaks during classes and exams as a medical necessity, and not penalized for time missed during the school day to express milk or nurse.
- Failing to provide adequate accommodations for lactating individuals can lead to serious negative health outcomes, including mastitis, pain, and a decline in milk production that could impact the student's ability to continue lactating.³²
- Employers, including educational institutions, are already required to provide lactation accommodations for covered employees under the Fair Labor Standards Act and the Providing Urgent Maternal Protections for Nursing Mothers (PUMP) Act,³³ meaning schools should already have spaces on-site that could be made available to students.

Help Students Reach Available Resources and Services

- In addition to school and campus programs, many non-profit organizations and state or local programs are available to assist student parents with meeting their basic needs and achieving their educational goals. Unfortunately, these resources and services are often underfunded, difficult to find, and can be complex to understand—especially in light of the exceptional strains on student parents' time. Younger student parents are in need of the highest levels of support, as it is often challenging for them to navigate health and social care systems independently.
 - At a minimum, schools should provide students with a list of available resources in their community including academic advising, child care (including child care subsidy and assistance programs), housing (including housing subsidies and utility assistance programs), food assistance, public benefits at the state and federal level and how to apply, health care services, health insurance and financial support for accessing health care, mental health supports, transportation benefits, mentoring, and more.
- Integrating resources to better streamline supportive services can mitigate the time burden that student parents face to locate these supports, and would reduce their need to request such services. For example, schools can create student-parent specific listservs or online hubs where students can connect with tutoring, career counseling, or basic needs supports. Information regarding these hubs or listservs should be provided at targeted orientation programs.
- These resources should also be easy to access and available outside of business hours. Overly burdensome administrative procedures could disincentivize students seeking these supports in the first place.
- Institutions can aid student parents in accessing pre-existing services, by helping students navigate resources either through staff or even a webpage. Providing on-site resource navigation on campus or at school is a best practice for helping student parents make the most out of their potential—and helping publicly-funded supports be as effective and efficient as possible.

Include Student Parents in Housing Supports

- Housing instability makes it harder for pregnant and parenting students to complete their K-12 and postsecondary education.³⁴ At the postsecondary level, approximately 38 percent of parenting students who were never threatened with eviction completed a bachelor's degree, compared with 60 percent of nonparents who were never threatened with eviction. For parenting students who were threatened with eviction, the graduation rate dropped to 15 percent, compared to 51 percent of nonparents who were threatened with eviction.

- At the K-12 level, pregnant and parenting students face similar challenges due to restrictions at homeless shelters, and bed shortages. With limited options, pregnant and parenting girls reported being less likely to live with their parents and more likely to be unhoused or living with another family.³⁵
 - Pregnant and parenting students who are minors face difficulty renting housing or finding emergency housing options because of age requirements. Pregnant and parenting youth in foster care also face unique challenges due to lack of stable and consistent housing, mistreatment from their caregivers, and separation from their more familiar support systems.³⁶
- Pregnant and parenting students need access to safe and affordable housing to succeed in school. States can address the housing needs of pregnant and parenting students by directing resources to supportive housing programs and public housing authorities.
 - Revising restrictive policies on age requirements will also help those under 18 have access to more affordable housing options.
 - Institutions can help reduce housing insecurity by establishing emergency aid funds for rental assistance and providing case management services.
- Overall, states must increase investments in affordable housing and make it easier for students and families to access housing assistance. Lack of access to affordable housing undermines the health, education, nutrition, and employment of all people, but especially parents and their children.

Include Student Parents in Child Care Supports

- Policymakers should increase overall investments in child care, to expand access to child care assistance and improve the quality and supply of child care. Without growing the total amount of assistance available for families, states will force student parents to compete with other families for already limited assistance.
- In addition, policymakers should create and expand policies specifically targeted to support student parents, like programs that provide or subsidize child care for postsecondary students, and support the eligibility of student parents to participate in broader state-led child care programs by including pursuit of postsecondary degrees as a qualifying activity.
 - States should prioritize student parents—and the provision of on-campus child care for students—within federally-funded child care programs, including the Child Care and Development Fund (CCDF).
- Child Care and Development Fund (CCDF) subsidies can support parents enrolled in education or training programs; however, only an estimated 13 percent of postsecondary student parents receive CCDF assistance.³⁷
 - States can streamline access by allocating grant or contract funds directly to public college systems to support care for low-income students, as New York has done through CCDF allocations to the State University of New York and City University of New York systems.³⁸ States can also prioritize student parents for subsidies, as Georgia has done.³⁹
- State postsecondary child care grants or subsidies can help fill gaps for students who cannot access CCDF or Child Care Access Means Parents in School (CCAMPIS) subsidies.⁴⁰

- Several states offer examples of postsecondary child care grants; for example, Minnesota's [Postsecondary Child Care Grant](#) is open to income-eligible undergraduate and graduate students.⁴¹
- States can coordinate support for colleges that provide on-campus care and other child care services (like CCAMPIS) for parenting students through a designated role in a state higher education agency or public system of higher education.
 - Louisiana's Board of Regents offers an example, with a coordinator who helps find and secure grants to support early learning centers on campuses, liaises between the Board of Regents and the Louisiana Department of Education, convenes campus based child care staff and provides professional development. The coordinator also serves as a match maker between college facilities and local child care providers who need space to offer care.⁴²
- States can invest in policies and programs that increase provider stability and improve educator recruitment and retention, such as increasing payment rates, providing stabilization or start-up grants, wage supplements, or categorical eligibility for child care providers. These efforts can boost the overall supply of child care,⁴³ allowing student parents to access reliable, high quality child care that meets their needs.

3) State Laws Supporting Pregnant, Postpartum, and Parenting Students

The following is a list of enacted state laws that support pregnant and parenting students, with a focus on the priority legislation topics⁴⁴ discussed above. This list is reflective of what has currently been enacted in state law, but there may be places where these laws are underinclusive or fall short of the strongest protections for pregnant and parenting students. More detailed recommendations on best practices policy language are available upon request. Reach out to federal-ppscoalition@nwlc.org for more information.

Arkansas

- Lactation Accommodation (K-12): [Ark. Code Ann. § 6-18-719\(b\)\(4\)\(A\)](#)

California

- Priority Registration, Resource Navigation (Higher Ed): [AB 2881 \(2022\)](#)
- Antidiscrimination, Parental Leave, Pregnancy Accommodation (Graduate School): [AB 2350 \(2014\)](#)
- Data Collection and Financial Aid (Higher Ed): [AB 2458 \(2024\)](#)
- Lactation Accommodation (K-12): [CA Ed. Code § 222](#)
- Lactation Accommodation (Higher Ed): [CA Ed. Code §66271.9](#)

Illinois

- Data Collection (Higher Ed): [110 ILCS 149](#)
- Lactation Accommodation (K-12): [Ill. Rev. Stat. Ch.105 §5/34-18.53](#)
- Lactation Accommodation (Higher Ed): [Ill. Rev. Stat. Ch.105 §5/10-20.60](#)

Louisiana

- Lactation Accommodation and Flexible Attendance (K-12): [La. Stat. Tit. 17 §221.8](#)

Maryland

- Resource Navigation, Priority Registration, and Flexible Attendance (Higher Ed): [MD HB840 \(2025\)](#)
- Lactation Accommodation (K-12): [MD Educ. Code §4-139\(c\)](#)
- Flexible Attendance (K-12): [MD. Educ. Code §7-301.1](#)

Michigan

- Resource Navigation (Higher Ed): [SB 477 \(2023\)](#)

Minnesota

- Antidiscrimination, Priority Registration, General Supports (Higher Ed): [§135A.1582 \(2024\)](#)
- Resource Navigation and Data Collection (Higher Ed): [§ 135A.1581 \(2024\)](#)

Missouri

- Lactation Accommodation (K-12): [Mo. Rev. Stat. §160.995](#)

Nebraska

- Lactation Accommodation (K-12): [Neb. Rev. Stat. §79-2,149](#)

New Mexico

- Flexible Attendance (K-12): [NM Stat. §22-12A-9\(B\)\(1\)\(2\) \(2021\)](#)

Oregon

- Data Collection (Higher Ed): [SB 564 \(2021\)](#)

Texas

- Data Collection (Higher Ed): [§ 51.9357](#)
- Reasonable Accommodations, Flexible Attendance, Resource Navigation (Higher Ed): [§ 51.982](#)
- Priority Registration (Higher Ed): [§ 51.983](#)

Virginia

- Lactation Accommodation (K-12): [VA Code Ann §22.1-79.6](#)
- Data Collection (Higher Ed): [HB427 \(2026\)](#) (Virginia Code § 23.1-203)

West Virginia

- Flexible Attendance (K-12): [§18-34-1 \(2024\)](#)

4) **Examples of Student-Parent Advocacy**

Efforts to advance legislation supporting pregnant, parenting, and postpartum students is helped when lawmakers can hear directly from the students themselves. Below is a sampling of advocacy where the voices and experiences of students has been incorporated. If you would like more resources, we encourage you to explore the SPARK Collaborative Resource Library.⁴⁵

Blog Posts

- [Parent Voices at the Center](#) - Ascend at the Aspen Institute
- [On the Rise Series: Harnessing Your Advocacy](#) - Ascend at the Aspen Institute
- [First Generation Stories — Meet Karen Escobar](#) - Generation Hope
- [Invest In More Housing For Hardworking College Students With Kids](#) - EdSource
- [Advocates Amplified Spotlight: My Path From Incarceration To Uc Davis Graduate As A Student Parent](#) - The California Alliance for Student Parent Success
- [Addressing Racial Inequities Faced by Black Parenting Students in Higher Education](#) - New America
- [Acknowledging the Identities and Intersectionalities of Student Parents](#) - New America
- [Cultivating a Safe and Inclusive Space for Pregnant and Parenting Students](#) - New America

Legislative Testimony⁴⁶

- [Student Parent Krystle Pale Provides Testimony for California's GAINS for Student Parents Act \(AB 2458\)](#)

5) Model Bill Language

The model bill language below offers examples of robust student-supportive legislation to support pregnant and parenting post-secondary students. The text should be modified to fit the unique needs of your state and the specific student-parent population. Some of these provisions will work across educational institutions, and some are more appropriate for either higher education or K-12 settings. We encourage you to connect with members of the coalition for help tailoring the model legislation to fit your state. To discuss the model legislative language, please reach out to federal-ppscoalition@nwlc.org.

Sections of the model bill language include the following:

- Definitions (p.14)
 - Student Parent
 - Pregnancy and Related Conditions
- Prohibiting Discrimination (p. 15-16)
- Accommodation, Attendance, and Leave (p. 17-19)
- Priority Registration (p. 20)
- Lactation Breaks and Accommodations (p. 20)
- Resource Navigation (p. 21-22)
- Student Parent Data Collection (p. 22-23)
- Establishing an Accurate Cost of Attendance (p.23)

Definitions

“Pregnant and parenting student” means an admitted or enrolled student at an education institution who:

- (i) is pregnant; or
- (ii) exercises care, custody, or control over a minor child; or
- (iii) exercises care, custody, or control over an adult ward incapable of self-care.

This includes biological parents, stepparents or unmarried coparents, adoptive parents, foster parents, guardians, grandparents, extended family members, or sibling caregivers.

You may wish to adapt definitions from other parts of state code, for example, language used relative to family and medical leave, or laws prohibiting discrimination on the basis of familial status. For key considerations on what should be included in a definition as well as other considerations related to identifying student parents, see the [Data2Action Campaign guide](#).

“Pregnancy or related conditions” means:

- (i) Current pregnancy, past pregnancy, termination of pregnancy, potential or intended pregnancy, and childbirth;
- (ii) Medical conditions related to pregnancy, including but not limited to childbirth; termination of pregnancy including miscarriage, stillbirth, or abortion; lactation; fertility, contraceptive, and other reproductive health care; and illnesses, complications, or symptoms that an individual experiences related to pregnancy or childbirth; and
- (iii) Recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.

The definition above is intended to show the importance of defining “pregnancy and related conditions” broadly to include the full spectrum of pregnancy and events related to it. A law could explicitly include a non-exhaustive list of related conditions, including morning sickness, gestational diabetes, pregnancy-induced hypertension, sciatica, postpartum depression, and more. Consideration should also be given to including “perceived pregnancy” and menstruation in the definition of related conditions to protect against, for example, harassment or limitations on students’ bathroom access during menstruation. If policymakers prefer the definition in the statute to be brief, then the regulations implementing the statute should include a robust definition and examples to include the full scope of pregnancy-related conditions. The provision above is in alignment with Title IX’s longstanding prohibition of discrimination on the basis of pregnancy, termination of pregnancy, childbirth, related medical conditions and recovery therefrom.

Prohibiting Discrimination

“Familial status” means the condition of one or more minors having legal status or custody with:

- (1) the minor's parent or parents or the minor's legal guardian or guardians; or
- (2) the designee of the parent or parents or guardian or guardians with the written permission of the parent or parents or guardian or guardians.

Familial status also means residing with and caring for one or more individuals who have a serious medical condition or for whom self-care is difficult due to disability or advanced age. The protections afforded against discrimination on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.

The above definition would typically be added to an existing anti-discrimination statute in conjunction with adding “familial status” to the list of protected classes. For example:

*No person shall be subjected to discrimination, including harassment, because of their actual or perceived race, color, religion, national origin, ethnicity, religion, age, disability, sex, sexual orientation, gender identity, pregnancy, **familial status**, or military status.*

This is not an exhaustive list of protected classes included in state anti-discrimination laws. It is merely meant as an illustration of how familial status would be added.

Prohibition on discrimination in education on the basis of pregnancy and/or familial status.

Any educational institution, program, or activity receiving approval, accreditation, or financial assistance from the State shall not discriminate against a student or applicant based on the student's familial status, pregnancy, or pregnancy-related condition.

An educational institution may not require an enrolled or admitted student, because of the student's pregnancy, related condition, or familial status, or due to issues related to their pregnancy or familial status, to:

- (1) take a leave of absence or withdraw from the student's degree or certificate program;
- (2) limit the student's studies;
- (3) participate in an alternative program;
- (4) change the student's major, degree, or certificate program; or
- (5) refrain from joining or cease participating in any course, activity, or program at the educational institution.

Pursuant to this section, each educational institution must adopt a nondiscrimination policy related to pregnancy and related conditions and familial status. The policy must, at a minimum:

- (1) include the contact information for an individual who is the designated point of contact for a student requesting assistance under this section. This point of contact may be the institution's federal Title IX coordinator. Contact information must include the individual's name, phone number, email, and office, if applicable;
- (2) be posted in an easily accessible, straightforward format on the institution's website;
- (3) be made available in the student handbook or similar resource provided to all students; and
- (4) be provided annually and upon hire to faculty, staff, and employees of the institution.

(Adapted from Minnesota, Texas, and the 2024 Title IX Implementing Regulations.)

Accommodation, Attendance, and Leave

1) Reasonable Accommodations for Students Based on Pregnancy and Familial Status.

Any educational institution, program, or activity receiving approval, accreditation, or financial assistance from the State must provide reasonable accommodations for pregnant or parenting students, or students experiencing pregnancy related conditions. The list of reasonable accommodations may include, but is not limited to:

- (a) Breaks to express breast milk, nurse an infant, or attend to health needs associated with pregnancy or pregnancy-related conditions, including eating, drinking, or using the restroom. *(for more a more detailed policy, see the section on lactation accommodation below)*
- (b) Access to online education or virtual participation for classes.
- (c) Changes in schedule or course sequences.
- (d) Time extensions for coursework and rescheduling tests and examinations.
- (e) Modifications to food or drink policies.
- (f) Counseling, if provided by the institution to students.
- (g) Changes in physical space or classroom supplies, including the ability to sit or stand.
- (h) Elevator Access.
- (i) Parking passes, including, but not limited to designated parking spaces.
- (j) Excused absences or leave for non-medical reasons.
- (k) Other accommodations for the health or safety of the student and their pregnancy.
- (l) Assistance in accessing basic needs services.

An educational institution may not request medical information from a student beyond the documentation reasonable and necessary to confirm the student has a need related to pregnancy or related conditions or parenting that requires a reasonable modification or other specific action. It is not reasonable to require documentation when the need for the modification or action is obvious, other students are provided the modification without documentation, or the modification requested is to drink or carry water; take breaks to eat, drink, or use the bathroom; access a bigger desk; sit or stand; or access lactation breaks and space.

An accommodation that a postsecondary educational institution can demonstrate would fundamentally alter the nature of its education program or activity is not a reasonable accommodation.

A student may voluntarily accept or reject any reasonable accommodation offered pursuant to this section. If a student accepts a reasonable accommodation offered pursuant to this section, the institution

shall implement it in a timely fashion. A student may not be forced to accept an accommodation they do not want or did not request.

Many education institutions consider “leave” as one semester (or trimester, quarter, etc.) or more, while an “absence” is anything less than a semester. There is no inherent justification for this divide. Policymakers may want to include in a definition the relevant time period for when to use excused absences, Section 2, and when to apply the leave of absence policy, Section 3. For example, absences of more than four consecutive weeks are categorized as “leave.” To comply with federal requirements under Title IX, the time off provided to students without penalty for pregnancy, childbirth, and related conditions must be no less than what is determined to be medically necessary by the student’s healthcare provider.

2) Modifications of Attendance Policies.

Any educational institution, program, or activity receiving approval, accreditation, or financial assistance from the State must provide reasonable scheduling adjustments and excused absences to promote equitable access to education.

Institutions must excuse absences for students because of:

(a) Labor, childbirth or delivery.

(b) Medical necessity, including time off for medical appointments or treatments related to the student’s pregnancy or related condition that a healthcare provider states are medically necessary.

(d) Court appearances and related needs in matters of adoption, foster care, custody, visitation, child support; and domestic or dating violence, sexual assault, or stalking involving a student who is pregnant or in a parent-child relationship.

Institutions must grant these excused absences without a penalty to the student’s grade and allow the student to make up missed assignments or assessments without grade deductions or penalties. Students must also be provided with access to instructional materials and video recordings of classes for which the student has an excused absence under this section to the same extent that instructional materials and video recordings of classes are made available to any other student with an excused absence.

3) Leave of Absence for Pregnant or Parenting Students.

Any educational institution, program, or activity receiving approval, accreditation, or financial assistance from the State must provide pregnant and parenting students with the opportunity to take an extended leave of absence without penalty to their academic standing.

(A) Upon request by a student who is welcoming a child into their home through birth, surrogacy, adoption, or foster placement, institutions must:

- (i) excuse the student's absence for at least one month without grade penalty;
- (ii) allow the student to make up missed assignments or assessments; and
- (iii) provide the student with access to instructional materials and video recordings of classes for which the student has an excused absence under this section to the same extent that instructional materials and video recordings of classes are made available to any other student with an excused absence.
- (iv) allow the student to return to their academic program in the same standing as they held prior to taking leave. Students must not be required to re-apply.

In cases where complete excusal from academic requirements would substantially alter the nature of the academic program, the school will assist the student and relevant teachers or faculty in establishing alternative ways for the student to remain engaged in their program while minimizing in-person participation. This may include access to virtual education, participation in asynchronous activities, or extending the student's academic term by providing the option to take an incomplete as they finish coursework.

(B) Students who choose to take an unenrolled leave of absence because the student is pregnant, recovering from birth, or has a pregnancy-related condition, shall be allowed a period consistent with the policies of the educational institution, or a period of 12 additional months, whichever period is longer, to prepare for and take preliminary and qualifying examinations and an extension of at least 12 months toward normative time to degree or certificate, unless a longer extension is medically necessary.

- (1) Students taking leave under this policy shall return to their program in the same academic standing following this leave period, subject to reasonable administrative requirements. Students must not be required to re-apply.
- (2) Should a longer leave period be medically necessary according to the student's licensed healthcare provider, the student's standing in the program shall be maintained during that period of absence.
- (3) Admitted students may defer enrollment under this provision.

(C) A student who is not the birth parent and who chooses to take an unenrolled leave of absence because of the birth or adoption of their child shall be allowed a period consistent with the policies of the educational institution, or a period of 10 months, whichever period is longer, to prepare for and take preliminary and qualifying examinations, and an extension of at least ten months toward normative time to degree or certificate. Students taking leave under this policy shall return to their program in the same academic standing following this leave period, subject to reasonable administrative requirements. Admitted students may defer enrollment under this provision. Students must not be required to re-apply.

Priority Registration

The following policy is intended to apply to higher education institutions, where students register for individual courses.

Educational institutions that administer a priority enrollment system shall grant priority in the same manner to students who are pregnant or parenting. The following information may be used to identify student parents who may be eligible for priority registration: student application or enrollment data, the Free Application for Federal Student Aid (FAFSA), *[state level programs that use integrated systems and collect parental status]*, or other campus forms or documentation that identify student parents.

Lactation Breaks and Accommodations

Any educational institution, program, or activity receiving approval, accreditation, or financial assistance from the State must provide reasonable accommodations for a lactating student to express-milk, nurse an infant child, or address other needs related to lactation.

In addition, educational institutions must provide:

- (a) Access to a private, secure, and sanitary room, other than a restroom, to express milk or nurse an infant child. The room shall have a place to sit, an electrical outlet or power source suitable for a breast pump or related equipment, and a table or shelf for necessary equipment.
- (b) A location in which to store expressed breast milk while in classes or on campus. Storage must be in reasonable proximity to the room being used to express milk.
- (c) Permission to bring a breast pump, cooler, or any other necessary equipment for lactation into classes or on campus.

Lactating students shall be provided a reasonable amount of time to accommodate their need to express milk or nurse an infant child as often as needed. Students shall not incur an academic penalty as a result of their use of the reasonable accommodations and lactation breaks specified in this section, and shall be provided the opportunity to make up any work or exam time missed due to such use.

This section does not infringe on any right to breast-feed in public pursuant to the Civil Code or any other law.

Resource Navigation

The following policy is intended only to apply to higher education institutions, as resource navigators are most often required in post-secondary schools.

Covered post-secondary education institutions shall designate at least one employee of the institution to act as a “resource navigator” or “navigator” for current and incoming pregnant and parenting students. The navigator may be the same as the institution’s federal Title IX coordinator. The employee shall have adequate training on what constitutes discrimination based on the student’s familial status and current, potential, or past pregnancy, and pregnancy-related conditions.

The resource navigator shall provide students with information regarding support services and other resources available to pregnant and parenting students at the institution, including:

- (a) accommodations, leave, nondiscrimination and other institutional policies to protect and support pregnant and parenting students;
- (b) medical and behavioral health coverage and services;
- (c) public benefits programs, including programs related to food security, affordable housing, and housing subsidies;
- (d) parenting and child care resources, including programs to help cover or reduce the cost of child care;
- (e) employment assistance;
- (f) transportation assistance;
- (g) student academic success strategies; and
- (b) any other resources or policies developed by the institution to support pregnant and parenting students.

In addition to the resource navigator, the institution shall develop and host on its website a student parent internet webpage that contains information that clearly lists all student parent services and resources provided by the institution. The webpage must be clearly visible and easily accessible from a drop-down menu on the home page of the campus’s internet website. The webpage must include information regarding support services and other resources for pregnant and parenting students, including:

- (a) the name and contact information for the resource navigator;
- (b) the text of the accommodations, leave, nondiscrimination and other institutional policies drafted to protect and support pregnant and parenting students;
- (c) information on available federal and state public benefit programs and how to access them, including programs related to food security, affordable housing, and housing subsidies;

(d) information on how to access parenting and child care resources, including programs to help cover or reduce the cost of child care; and

(e) information on the Free Application for Federal Student Aid.

To ensure that the student parent webpage remains up-to-date, the resource navigator shall review the content and ensure necessary changes are published no later than the first day of every fall and spring semester, or no later than the first day of every fall and spring quarter. All faculty, staff, and instructors shall be provided with a link to the webpage at the start of each academic year and should be encouraged to include the web page link in their syllabi.

Student Parent Data Collection

The following policy is tailored to higher education institutions. Similar legislation could be drafted to apply to K-12 institutions.

The Department shall collect student-level data from each institution on the parental status of enrolled students at any educational institution, program, or activity receiving approval, accreditation, or financial assistance from the State.

No later than two years after the date of enactment of this Act, the State Department of Education must establish a process for institutions to annually report using a common format data regarding pregnant and parenting students, and related guidelines. This process must include a requirement that student level data be collected on application or enrollment and on course registration.

Guidelines created pursuant to this section must include:

- a) template questions that allow students to identify whether the student is a parent *[insert reference to definition clause]* and, the age of the children for which the student has responsibility;
- b) best practices on data use and privacy, including how to communicate these practices to students and an explanation of how data will be used to help students who are parents or caregivers of dependent children.

Data to be reported to the State annually must include:

- (a) summary demographic data;
- (b) enrollment patterns;
- (c) retention rates;
- (d) completion rates;
- (e) time to completion; and
- (f) average cumulative debt at exit or graduation, when applicable.

Data must be disaggregated by institution, academic year, age, race and ethnicity, gender, and other factors determined to be relevant by the State Education Department.

In order to protect the privacy of students who do not carry their pregnancy to term and live in states with laws hostile to abortion and related healthcare, policymakers should consider adding specific protections around de-identifying student data and limiting the reporting of potentially identifying information. In order to respect students' privacy and combat the risk of criminalization, it is imperative that schools do not keep lists of pregnant or potentially pregnant students, or report student pregnancies within or outside of their institutions.

Establishing an Accurate Cost of Attendance

The following policy is intended to apply to higher education institutions.

Covered post-secondary education institutions in the State shall adopt guidance on establishing the cost of school attendance for student parents. This guidance shall include, at a minimum:

- (a) A financial aid methodology to calculate a student parent's cost of attendance that includes tuition, as well as the expected costs of food, housing, transportation, and dependent childcare. This methodology shall be informed by:
 - (i) Food plans developed by the United States Department of Agriculture.
 - (ii) The reimbursement ceilings for state-subsidized child care, disaggregated by county, age, and types of care.
 - (iii) The actual cost of on-campus family housing, the cost of a student parent's off-campus housing, and, if a student parent does not have safe or adequate housing, the fair market rent for an apartment in the metropolitan area or nonmetropolitan county where the campus is located, disaggregated by student parent family size.
 - (iv) Transportation costs, disaggregated by student parent family size.

Institutions must post the cost of attendance data, along with a summary of the inputs used in creating the model, using student-friendly language, on the student-parent resource webpage, if any, and webpages listing the cost of attendance, including admissions portals. The webpage(s) must also contain information on how to secure an individualized cost of attendance adjustment from the institution's financial aid office.

Within three years of the enactment of this Section, each covered education institution shall publish on the student parent resource webpage a "net price calculator" to include a baseline cost estimate for student parents, disaggregated by age and number of dependent children, using the methodologies and information described in this section and any available federal or state guidance on best practices.

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- ² Alyssa Stefanese Yates, *Student-Parent Data: What We Know, What We Don't, and How to Find Out* (2024), <https://www.acenet.edu/Documents/Student-Parent-Data.pdf>; SPARK, *Who Are Undergraduates with Dependent Children?* (September 2024), <https://studentparentaction.org/assets/r-file/Who-Are-Undergraduates-with-Dependent-Children.pdf>.
- ³ Theresa Anderson et al., *Graduate Student Parents* (SPARK Collaborative, 2024), https://studentparentaction.org/assets/r-file/4-Graduate-Student-Parents_final.pdf.
- ⁴ Michelle Osterman et al., *Births: Final Data for 2022*. National Vital Statistics Reports, vol. 73, no. 2. Hyattsville, MD: National Center for Health Statistics, Centers for Disease Control and Prevention, 2024, <https://www.cdc.gov/nchs/data/nvsr/nvsr73/nvsr73-02.pdf>
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- ⁸ *Ibid.*
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- ¹¹ Institute for Women's Policy Research, *Investing in Single Mothers' Higher Education* (state report series), <https://iwpr.org/investing-in-single-mothers-higher-education-state/>.
- ¹² Urban Institute, *Taxpayer Benefits of Supporting Student Parents* (2024), <https://www.urban.org/sites/default/files/2024-06/Taxpayer-Benefits-of-Supporting-Student-Parents.pdf>.
- ¹³ Urban Institute, *Supporting Young Parents as They Advance Their Education and Careers* (2019), https://www.urban.org/sites/default/files/publication/101120/supporting_young_parents_as_they_advance_their_education_and_careers_1.pdf.
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- ²⁸ National Women’s Law Center, *Let Her Learn: Stopping Pushout for Girls Who Are Pregnant or Parenting* (2017), https://nwlc.org/wp-content/uploads/2017/04/Final_nwlc_Gates_PregParenting.pdf.
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- ³⁴ New America, “What Happens When Student Parents Are Threatened with Eviction?” <https://www.newamerica.org/education-policy/briefs/what-happens-student-parents-threatened-with-eviction>.
- ³⁵ National Women’s Law Center, *Let Her Learn: Stopping School Pushout for Girls who are Pregnant or Parenting* (2017), https://nwlc.org/wp-content/uploads/2017/04/Final_nwlc_Gates_PregParenting.pdf. Girls who are pregnant or parenting were less likely than girls overall to report that they lived with their parents and more likely to report that they have been unhoused, lived with another family, or stayed with another family, and report that not having permanent housing was a barrier to going to school.
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- ³⁷ For more on how state choices about work requirements, limiting academic programs of study, time limits on receipt of benefits, and academic progress requirements can restrict access for parents enrolled in postsecondary education. Hope Center / Temple University, “State-by-State Choices: A National Landscape Analysis of Postsecondary Eligibility Restrictions and Opportunities (SNAP, CCDF, TANF),” <https://hope.temple.edu/state-state-choices-national-landscape-analysis-postsecondary-eligibility-restrictions-opportunities-snap-ccdf-tanf/child-care-development-fund-ccdf-higher-education>. Limited funding for CCDF also impacts access for parenting students as it does for the general population of income-eligible families. First Five Years Fund, “2025 State Fact Sheets,” <https://www.ffyf.org/2025-state-fact-sheets/>.
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- ⁴¹ New America, “States Should Invest in Postsecondary Child Care Grants,” <https://www.newamerica.org/education-policy/edcentral/states-should-invest-in-postsecondary-child-care-grants>.
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- ⁴⁴ For a more detailed discussion of excused absences for pregnant and parenting students, please see this report: National Women’s Law Center, *Excused Absences Report* (2023), <https://nwlc.org/wp-content/uploads/2023/06/ExcusedAbsenceReport.pdf>.

⁴⁵ Student Parent Action Network (SPARK), Resource Library, <https://studentparentaction.org/resources/resource-library>.

⁴⁶ If you would like examples of legislative testimony from policy or advocacy organizations, please contact federal-ppsc Coalition@nwlc.org. We also encourage you to share examples of effective student advocacy and legislative testimony.