

## LEGISLATIVE BILL 427

Approved by the Governor May 08, 2017

Introduced by Vargas, 7; Ebke, 32; Walz, 15; Wayne, 13; Blood, 3.

A BILL FOR AN ACT relating to parenting; to amend section 20-170, Reissue Revised Statutes of Nebraska; to state findings; to provide duties for school districts and the State Department of Education relating to policies for pregnant and parenting students; to provide for training; to change provisions relating to the right to breast-feed as prescribed; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. The Legislature finds and declares that:

(1) Pregnant and parenting students face enormous challenges to completing their education. The majority of young women who become pregnant in high school leave school which detrimentally impacts their financial, social, and educational future, as well as the future of their children;

(2) Schools have an obligation to keep pregnant and parenting students in school;

(3) Schools must remove overly restrictive or inflexible absence and leave policies so that pregnant students can attend prenatal medical appointments and parenting students can attend appointments for pediatric medical care, provide opportunities for students to make up school work or allow alternative education for students who become pregnant, and make accommodations for breastfeeding or milk expression; and

(4) Young women should not have to choose between completing their education and parenthood.

Sec. 2. Beginning May 1, 2018, the school board of each school district shall adopt a written policy to be implemented at the start of the 2018-19 school year which provides for standards and guidelines to accommodate absences related to pregnancy and child care for pregnant and parenting students. Such policy shall include procedures and provisions in conformance with the minimum standards set forth in any model policy developed by the State Department of Education pursuant to section 3 of this act or shall meet the minimum standards set forth in such section and may include any other procedures and provisions the school board deems appropriate.

Sec. 3. On or before December 1, 2017, the State Department of Education may develop and distribute a model policy to encourage the educational success of pregnant and parenting students. At a minimum, such policy shall:

(1) Specifically identify procedures to anticipate and provide for student absences due to pregnancy and allow students to return to school and, if applicable, participate in extracurricular activities after pregnancy;

(2) Provide alternative methods to keep a pregnant or parenting student in school by allowing coursework to be accessed at home or accommodating tutoring visits, online courses, or a similar supplement to classroom attendance;

(3) Identify alternatives for accommodating lactation by providing students with private, hygienic spaces to express breast milk during the school day; and

(4) Establish a procedure for schools which do not have an in-school child care facility to assist student-parents by identifying child care providers for purposes of placing their children in child care facilities which, where possible, participate in the quality rating and improvement system and meet all of the quality rating criteria for at least a step-three rating pursuant to the Step Up to Quality Child Care Act and which collaborate with the school.

Sec. 4. In addition to the development of a model policy, the State Department of Education may offer training for teachers, counselors, and administrators on each school district's policy adopted under section 2 of this act and the rights of pregnant and parenting students to receive equal access to education.

Sec. 5. Section 20-170, Reissue Revised Statutes of Nebraska, is amended to read:

20-170 Notwithstanding any other provision of law, a mother may breast-feed her child in any public or private location where the mother is otherwise authorized to be, including, but not limited to, a mother who is attending a public, private, denominational, or parochial day school which meets the requirements for legal operation prescribed in Chapter 79. For a mother who is attending a public, private, denominational, or parochial day school which meets the requirement for legal operation prescribed in Chapter 79, the school shall also provide for private or appropriate facilities or accommodation for milk expression and storage. Nothing in this section limits the authority of administrative and teaching personnel to regulate student behavior as provided by section 79-258 or the authority of a private, denominational, or parochial school to regulate student behavior in order to further school purposes or to prevent interference with the educational process.

Sec. 6. Original section 20-170, Reissue Revised Statutes of Nebraska, is repealed.