

LAWS SUPPORTING THE EDUCATION OF PREGNANT AND PARENTING STUDENTS IN NORTH CAROLINA

FEDERAL LAW

FEDERAL TITLE IX REQUIREMENTS*

Schools cannot discriminate against pregnant students or exclude them from school, or any program, class or extra-curricular activity.

Enrollment in an alternative program or school must be completely voluntary.

An alternative program must be comparable in quality and academic offerings to the regular curriculum.

Schools can require a doctor's certification that a pregnant girl is physically and emotionally able to participate in school or a particular school activity only if certification is required of all students under a doctor's care.

Excused absences for pregnancy and related conditions must be granted for the length of time the student's doctor finds medically necessary.

After a medically necessary absence, a student must be restored to the academic and extracurricular status she held when the leave began.

A health service or insurance coverage offered to other students with temporary disabilities must be offered to pregnant and parenting students.

*Excerpt from "Public Schools and Pregnant and Parenting Adolescents -- A Legal Guide" by Anne Dellinger, former faculty member at the School of Government, UNC Chapel Hill.

STATE LAW

§ 115C-375.5. Education for Pregnant and Parenting students.

(a) Pregnant and parenting students shall receive the same educational instruction or its equivalent as other students. A local school administrative unit may provide programs to meet the special scheduling and curriculum needs of pregnant and parenting students. However, student participation in these programs shall be voluntary, and the instruction and curriculum must be comparable to that provided other students.

(b) Local boards of education shall adopt a policy to ensure that pregnant and parenting students are not discriminated against or excluded from school or any program, class, or extracurricular activity because they are pregnant or parenting students. The policy shall include, at a minimum, all of the following:

(1) Local school administrative units shall use, as needed, supplemental funds from the At-Risk Student Services allotment to support programs for pregnant and parenting students.

(2) Notwithstanding Part 1 of Article 26 of this Chapter, pregnant and parenting students shall be given excused absences from school for pregnancy and related conditions for the length of time the student's physician finds medically necessary. This includes absences due to the illness or medical appointment during school hours of a child of whom the student is the custodial parent.

(3) Homework and make-up work shall be made available to pregnant and parenting students to ensure that they have the opportunity to keep current with assignments and avoid losing course credit because of their absence from school and, to the extent necessary, a homebound teacher shall be assigned."

[Approved by the North Carolina General Assembly during the 2006 Legislative Session in HB 1908 - Rewrite Special Ed Laws (SL 2006-69)]