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SUPPORTING PREGNANT AND PARENTING STUDENTS
IN MIDDLE SCHOOLS AND HIGH SCHOOLS:

Flexible School Attendance Laws





Introduction

“SUPPORTING PREGNANT AND PARENTING STUDENTS IN MIDDLE AND HIGH SCHOOLS” is a series of small reports analyzing state legal protections for pregnant and parenting students across 50 states and the District of Columbia. Young parents deserve the opportunity to complete their education free from bias and harassment, and in environments that are supportive of their circumstances. Yet too often, young parents are overlooked, face stigma, and are required to navigate education systems that were not designed to address their unique needs. Moreover, as young people across the country lose rights and access to the full range of reproductive health care, fewer young people 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.

“Supporting Pregnant and Parenting Students in Middle Schools and High Schools: Flexible School Attendance Laws” reviews state laws and policies that allow excused absences particularly for pregnant and parenting students in K-12 schools. Attendance policies that do not consider the needs of pregnant students and student parents make it difficult for them to complete their program. This report addresses flexible attendance policies that can support pregnant and parenting students to ensure that they are able to stay in school.

- 1 Kate Perper, Kristen Peterson, and Jennifer Manlove, *Diploma attainment among teen mothers*. Child Trends (Jan. 2010) <https://www.childtrends.org/publications/diploma-attainment-among-teen-mothers>.
- 2 U.S. Bureau of Labor Statistics, “Measuring the Value of Education,” <https://www.bls.gov/careeroutlook/2018/data-on-display/education-pays.htm> (last accessed April 5, 2023).





Flexible School Attendance Laws

Every student deserves to learn in a nurturing school environment that supports them and prepares them for the future.

Pregnant, parenting, and caregiving students have unique responsibilities that may conflict with school schedule requirements. For instance, they may need to care for a sick family member, attend medical appointments, or pick up their child from day care during school hours. Punishing students for tending to their familial responsibilities forces them to choose between their health, the health and well-being of their child, and their education. In a National Women's Law Center (NWLC) survey, girls who are pregnant or parenting (91%) were more likely than girls overall (69%) to say that allowing special scheduling and attendance arrangements for students who provide care to family members would make schools better for girls.¹

School districts routinely neglect the needs of pregnant and parenting students. As a result, only 51% of teenage mothers earn a high school diploma by age 22, compared to 89% of girls who do not parent as a teen,² and less than 2% of teen mothers graduate from college by age 30.³ One third of Black teen mothers and 54% of Latina teen mothers never obtain

a high school diploma or GED.⁴ We can implement policies to ensure better outcomes for these students. When pregnant and parenting students receive institutional support and resources, they can thrive.

Ensuring school attendance laws accommodate pregnancy, parenting, and caregiving-related absences is one crucial way to avoid pushing pregnant and parenting students out of school.

This resource is for state policymakers and advocates seeking to better support pregnant and parenting students in secondary schools. It is part of a series of reports surveying state laws and programs that impact pregnant and parenting students in high school and middle school. Ensuring school attendance laws accommodate pregnancy, parenting, and caregiving-related absences is one crucial way to avoid pushing pregnant and parenting students out of school.

The Scope of This Report

This report outlines laws in all 50 states, the District of Columbia (D.C.), and Puerto Rico. These laws typically apply to all public middle schools and high schools. In some states, these laws also apply to K-12 charter schools, private schools that receive public funds, and some private institutions for higher education (IHEs). To verify the scope of a specific law, we encourage readers to reference the endnotes.

To conduct our research, we used state legislature websites and state board of education websites. We used Westlaw, the legal research database, to find the most recent version of each statute or regulation and cross-checked these sources with public legal databases such as FindLaw and CaseText. This report is current as of March 2023.

Data collection and research practices are still evolving to include gender-nonconforming youth. We know that not everyone who can become pregnant is a cisgender women and girl and not all cisgender women or girls can become pregnant.⁵ We also know that many transgender

men and nonbinary people can lactate⁶ and may prefer the term “chestfeeding” instead of breastfeeding.⁷ Unfortunately, the experiences of intersex, nonbinary, gender-nonconforming, and transgender pregnant and parenting people are underrepresented in data collection systems. As such, most of the data cited in this series is limited to the experiences of pregnant and parenting cisgender women and girls.

While not addressed in this report, we remain committed to advocating for more comprehensive and intersectional data collection systems that can better capture the experiences of the diverse communities we advocate for.⁸

DISCLAIMER

While text, citations, and data are, to the best of the authors' knowledge, current as of the date the report was prepared, there may well be subsequent developments, including legislative actions and court decisions, that could alter the information provided herein. This report does not constitute legal advice; individuals and organizations considering legal action should consult with their own counsel.





Making the Case for Excused Absences

Girls who are pregnant or parenting (54%) were more likely than girls overall (25%) to report they had missed 15 days or more of school in a year.

and recovery, when their children are ill, or if child care arrangements fall through. When pregnant or parenting students' absences are not excused, they may not be permitted to make up work or may otherwise be punished, making it more difficult to meet program requirements and graduate. In a National Women's Law Center 2017 survey, girls who are pregnant or parenting (54%) were more likely than girls overall (25%) to report they had missed 15 days or more of school in a year.⁹

Many state laws restrict the total number of absences a student can have and authorize school districts to enforce truancy proceedings if students exceed that number. This leads to further discipline (and sometimes criminal punishment) of students who are already struggling to stay in the classroom.

Many state attendance laws do not define an "excused absence" and instead grant this authority to each school district. In other states, neither state law nor school district attendance policy defines an "excused absence." As a result, what constitutes an excused absence may vary not

Inflexible school attendance laws can disconnect pregnant, parenting, and caregiving students from their education, making it difficult to complete their studies. These students may miss class for medical appointments, for pregnancy complications, for childbirth and recovery, for abortion

only by district but by school and even by classroom. When individual schools or instructors each have the discretion to create their own attendance policies, it is unlikely such policies will consistently address the needs of pregnant, parenting, and caregiving students.

Title IX of the Education Amendment of 1972 (Title IX) is a federal law that prohibits discrimination based on a student's sex, which includes a student's pregnancy and related medical conditions. Title IX also protects against treating students of different sexes differently based on their parental status and against discrimination based on gender stereotypes about parents and caregivers.¹⁰ Title IX requires schools to excuse absences for pregnancy and related medical conditions, including childbirth, termination of pregnancy, and recovery from these conditions.¹¹ Title IX rules make clear that students who take such excused absences must be reinstated to the same status in their program when they return. We know, however, that school staff and students are often not aware of these rights and that they are inconsistently honored.¹² For example, a graduate student at an Institute of Higher Education was given a failing grade because she was in the hospital recovering from a miscarriage during her final exams.¹³ Students should not have to decide between their health and their education.

When individual schools or instructors each have the discretion to create their own attendance policies, it is unlikely such policies will consistently address the needs of pregnant, parenting, and caregiving students.



Parenting and caregiving students are also put in a difficult situation when their children (or the people who usually provide child care for their children) are sick. Many child care facilities will not allow ill children to attend their programs until they have been symptom- and fever-free for 24 hours. As a result, a minor illness can keep a child out of child care and a parent out of school for multiple days. Unfortunately, Title IX rules do not explicitly require schools to excuse absences related to parenting responsibilities. This means that under federal law, schools are not required to excuse a student for taking time off for their child's doctor's appointment. Indeed, even if a student's child is placed in the Intensive Care Unit (ICU), schools are not required under federal law to excuse a student for taking time off to care for their hospital-bound child. It is crucial that state laws address this legal gap and require schools to excuse parenting- and caregiving-related absences.

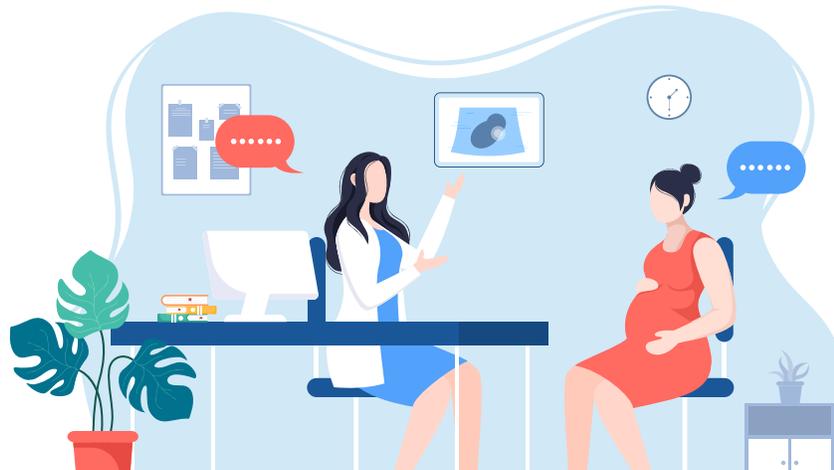
Flexible attendance laws can also remove a barrier to graduation for "system-involved" pregnant and parenting students, meaning youth who are tied to legal systems such as foster care, the juvenile justice system, and the family court system. Many pregnant and parenting students are also system-involved youth. For example, the rate of pregnancy before age 21 is three times greater for girls in foster care than for girls who are not in foster care.¹⁴ These students may need to be excused from the classroom to attend judicial proceedings and other legal appointments. Relevant court proceedings may include, but are not limited to, petitions for orders of protection against abusive partners or co-parents,¹⁵ child support proceedings, judicial bypass proceedings for abortions, and custody and visitation hearings. Judicial proceedings and appointments should be included in excused absences because they occur during the day, students generally have a compelling need to attend, and the timing is typically outside of the student's control.

Title IX requires schools to excuse absences for pregnancy and related medical conditions, including childbirth, termination of pregnancy, and recovery from these conditions.

Flexible attendance laws are necessary to ensure that pregnant, parenting, and caregiving students have an equal opportunity to complete their education.

What We Found: Student Attendance Laws by State

- 10 states ([Arizona](#),¹⁶ [California](#),¹⁷ [Louisiana](#),¹⁸ [Maryland](#),¹⁹ [Nebraska](#),²⁰ [New Mexico](#),²¹ [North Carolina](#),²² [Pennsylvania](#),²³ [Washington](#),²⁴ and [Wyoming](#)²⁵) and [Puerto Rico](#)²⁶ explicitly require K-12 schools to adopt policies excusing at least some pregnancy-related absences.
- 11 states ([Arizona](#),²⁷ [California](#),²⁸ [Connecticut](#),²⁹ [Illinois](#),³⁰ [Louisiana](#),³¹ [Maryland](#),³² [Mississippi](#),³³ [New Mexico](#),³⁴ [North Carolina](#),³⁵ and [Pennsylvania](#)³⁶ and [Washington](#)³⁷) explicitly excuse absences when a student's child is ill, but some of these states limit excused absences to when a student's child is hospitalized or seriously ill.
- 6 States ([Georgia](#),³⁸ [Minnesota](#),³⁹ [Oregon](#),⁴⁰ [South Dakota](#),⁴¹ [West Virginia](#),⁴² and [Wyoming](#),⁴³) explicitly excuse absences in K-12 for the "illness of a family member," which should include a student's child.
- 7 states ([California](#),⁴⁴ [Connecticut](#),⁴⁵ [Hawaii](#),⁴⁶ [Louisiana](#),⁴⁷ [Maryland](#),⁴⁸ [Missouri](#),⁴⁹ and [West Virginia](#)⁵⁰) and [Puerto Rico](#)⁵¹ excuse absences in K-12 for legal appointments or court appearances.
- [Florida](#)⁵² students participating in teenage parent programs are exempt from minimum attendance requirements for absences related to pregnancy or parenting. However, students must make up the work missed during their absence.
- [New Jersey](#)⁵³ has a statute addressing leave of absence for graduate students who are pregnant and for graduate students who are expecting a child, but not the parent giving birth.
- [Ohio](#)⁵⁴ has legislation excusing pregnancy related absences for students who attend Bowling Green University.
- Required by [state statute](#), the Nebraska Board of Education created a [Model Policy](#) in 2017 to support the educational success of pregnant and parenting students. This model policy includes excused absences for pregnant and parenting students to address their health, their child's health, and other pregnancy- and parenting-related appointments. However, the model policy also indicated that it expired in November 2021.
- The remaining states do not have attendance laws that define excused absences and instead grant school districts or individual schools the authority to create their own attendance policies.



Developing Pregnant and Parenting Student-Friendly Attendance Laws



When crafting any law, it is critical to assess the unique needs of the students and educational institutions the law covers. For example, states should ensure attendance laws account for legal appointments and other barriers to attending class for system-involved youth. States must also ensure that notice of and documentation of a student's pregnancy will be kept private.

At the very least, all state attendance laws for secondary schools should specifically include the following provisions:

- ✓ **EXCUSED ABSENCES FOR PREGNANCY AND PREGNANCY-RELATED MEDICAL CONDITIONS:** Excuse prenatal and postnatal absences related to pregnancy and pregnancy-related medical conditions including childbirth, termination of pregnancy, and recovery from these conditions for as long as medically necessary. However, the law should also be clear that no student will be required to take time off related to pregnancy that they do not wish to take.
- ✓ **EXCUSED ABSENCES FOR EMERGENCY PARENTING AND CAREGIVING NEEDS:** Excuse absences for a student's caregiving responsibilities including medical appointments, unexpected child care cancellations, caring for a sick child of any age, recovering from childbirth, or a sick family member.
- ✓ **MINIMUM DAYS OFF POST-CHILDBIRTH:** Upon request, excuse at least 10 days post-birth for the non-birthing parent to bond with their newborn child. For the birthing parent, the necessary time suggested by the student's medical provider for the student to recover must be honored.
- ✓ **JUDICIAL PROCEEDINGS:** Excuse absences for court proceedings and legal appointments involving the student, including petitions for orders of protection, adoption, judicial bypass, custody, and visitation.
- ✓ **REINSTATEMENT:** Require that students with extended pregnancy or parenting-related absences be reinstated to the status they were in before their absences and require that students be provided with opportunities and time necessary to make up any assignments missed during their absence. Opportunities to make up for missed work should include (i) access to home and hospital instruction and/or tutoring; (ii) a time period to make up missed work that equals at least as many days the student was absent; (iii) the opportunity to retake a semester; and (iv) the opportunity to participate in an online credit recovery program.
- ✓ **DOCUMENTATION:** Prohibit schools from requiring documentation from a guardian or physician of a pregnancy-related medical condition necessitating absence unless such documentation is required for all students seeking an excused absence for other medical reasons. For caregiving responsibilities related to the medical condition of a child or family member, the policy should at least offer four excused absences per school year for which the school may not require a note from a physician.
- ✓ **REPORTING MECHANISMS:** Require schools to provide a clear mechanism for students to report instances to the governing state education agency where their request for a pregnancy-, parenting-, or caregiving-related excused absence was denied. Such information should be collected at the state level and used to identify schools or school districts that have failed to implement these requirements.
- ✓ **DISSEMINATION:** Require the state education agency or state board of education and local school districts to publicize the attendance laws policy on their websites and require school districts to designate an appropriate employee to inform students of the laws.

Examples of Pregnant and Parenting Student-Friendly Attendance Policies

While no state law has all the components recommended above, the following are three state attendance laws that account for many of pregnant and parenting students' needs.

MARYLAND

Maryland's school attendance law⁵⁵ is rather comprehensive. It explicitly states that pregnancy- and parenting-related absences are lawful. The law requires school counties to develop attendance policies that, at a minimum, excuse absences for labor, delivery, recovery, and prenatal and postnatal appointments; grant 10 days off of school for parenting students following the birth of their child; and excuse absences related to caring for a sick child or attending their child's medical appointments. The law also excuses absences related to family law proceedings. Finally, to account for work that pregnant and parenting students may miss while out of school, the law requires counties to provide pregnant and parenting students with the following options (i) online course credit recovery, (ii) retake the semester, or (iii) allow the student six weeks to complete their schoolwork and finish at later date. This law could be improved to clarify that all pregnancy-related medical appointments must be excused, including abortion procedures and recovery therefrom.

NEW MEXICO

New Mexico law⁵⁶ requires each school district and charter school to maintain an attendance policy that grants pregnant and parenting students 10 days off per school year following the birth of their child. Such policies must also provide four days of excused absences for a student tending to a child under the age of 13. Schools must also grant pregnant and parenting students an opportunity to make up for work missed during an excused absence. Finally, the district or charter school must disseminate the attendance policy to all middle, junior, and high schools.



This law could be improved by expanding its scope to address all caregiving-related absences. Additionally, rather than limiting the number of excused absences for pregnant and parenting students to 10 days following the birth and four additional days, the law should excuse all medically necessary absences. Finally, the law should account for system-involved pregnant and parenting students by excusing absences for legal appointments.

LOUISIANA

Louisiana's Support Pregnant and Parenting Students Act⁵⁷ requires every public high school to adopt an attendance policy that excuses pregnancy- and parenting-related absences, including but not limited to labor, childbirth, recovery, and other medically necessary absences. Schools must accept documentation from a medical provider or a legal guardian to verify the need for such absences. The law requires schools to excuse absences related to judicial appointments and to provide at least 10 days to both parents following childbirth. Finally, students must have a reasonable amount of time to make up for work missed in their absence. This law could be improved by expanding its scope to cover middle schools and by requiring all covered schools to disseminate the attendance policy to all students.



Conclusion

Pregnant and parenting students deserve the opportunity to complete their education without unnecessary barriers that push them out of the classroom. Attendance policies should reflect the actual needs of pregnant and parenting students to ensure that they can complete their education. Implementing flexible attendance policies is one critical change that policymakers can implement to provide student parents with the support they need to complete their education goals.

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Endnotes

- 1 Nat'l Women's Law Ctr., *Let Her Learn: Stopping Pushout For Girls Who are Pregnant or Parenting*, 7 (2017), <https://nwl.org/resources/stopping-school-pushout-for-girls-who-are-pregnant-or-parenting/>.
- 2 Kate Perper, Kristen Peterson, and Jennifer Manlove, *Diploma attainment among teen mothers*. Child Trends (Jan. 2010), https://www.childtrends.org/wp-content/uploads/2010/01/child_trends-2010_01_22_FS_diplomaattainment.pdf
- 3 Cynthia Costello, *Pathways to postsecondary education for pregnant and parenting teens*. Institute for Women's Policy Research. (May 2014), <https://files.eric.ed.gov/fulltext/ED556724.pdf>
- 4 Kate Perper, Kristen Peterson, and Jennifer Manlove, *Diploma attainment among teen mothers*. Child Trends (Jan. 2010), https://www.childtrends.org/wp-content/uploads/2010/01/child_trends-2010_01_22_FS_diplomaattainment.pdf
- 5 See, e.g., Margaret Besse, Nik M. Lampe, and Emily S. Mann, *Experiences with Achieving Pregnancy and Giving Birth Aong Transgender Men: A Narrative Literature Review*, Yale J. Biol Med. 93(4): 517-528 (Sept 2020), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7513446/>
- 6 The Lactation Network, *Breastfeeding FAQ for Trans and Non-Binary Parents*, <https://lactationnetwork.com/blog/breastfeeding-faq-for-trans-and-non-binary-parents/>
- 7 Nat'l Women's Law Ctr., *A Call to Action to Support LGBTQ+ Pregnant, Expectant, and Parenting Students* (March 2022), <https://nwl.org/resource/a-call-to-action-to-support-lgbtqi-pregnant-expectant-and-parenting-students/>
- 8 See, e.g. Nat'l Women's Law Ctr. *Mandatory Civil Rights Data Collection Public Comment*, Docket No. ED-2021-SCC-0158, at 86 Fed. Reg. 70831, (Feb. 2022) at 32, <https://nwl.org/wp-content/uploads/2022/02/CRDC-comment-2.11.22-vF.pdf>
- 9 Nat'l Women's Law Ctr., *Let Her Learn: Stopping Pushout For Girls Who are Pregnant or Parenting*, 7 (2017), <https://nwl.org/resources/stopping-school-pushout-for-girls-who-are-pregnant-or-parenting/>.
- 10 Nat'l Women's Law Ctr., *Pregnant and Parenting Students' Rights*, (Aug 24, 2016), available at <https://nwl.org/resource/pregnant-and-parenting-students-rights-2/>
- 11 34 C.F.R. §106.40(b)(1)
- 12 See, Nat'l Coal. for Women & Girls in Educ., Title IX at 40: Working to Ensure Gender Equity in Education 55 (2012), <http://www.ncwge.org/TitleIX40/TitleIX-print.pdf> [<https://perma.cc/Q3MD-W56W>]; Mangel, supra note 7 (“[T]he pregnant and parenting students aren't the only ones empowered by this information ... teachers, nurses, social service providers and others are always shocked to hear that the law actually is in place to protect the pregnant and parenting student.”). 20 Mary Ann Mason, *Opinion, Title IX and Babies: The New Frontier?*, Chron. Higher Educ. (Nov. 29, 2012), <https://www.chronicle.com/article/Title-IX-Babies-The-New/135936> [<https://perma.cc/5REJ-HMTW>].
- 13 75 Current and Former Pregnant and Parenting Students, Title IX Public Comment, Docket ID ED-2021-OCR-0166, RIN 1870-AA16, <https://nwl.org/wp-content/uploads/2022/09/PPS-students-comment-9.12.22.pdf>
- 14 Girls at the Margin National Alliance, *National Policy Platform: Centering Girls, Young Women, and Gender Expansive Young People* (2022), at 14, <https://static1.squarespace.com/static/5a1ff20d7cd39c3fed22e1488/t/620b06b61e9ee1f2fa91fbd/1644889801740/G+TM+Policy+Platform+2022.pdf>
- 15 See, e.g. Namrata Doshi, *Associations Between Substance Use and Teen Dating Violence Perpetration In Adolescents*, University of Illinois at Urbana-Champaign (2017). <https://www.ideals.illinois.edu/bitstream/handle/2142/99092/DOSHI-DISSERTATION-2017.pdf?sequence=1&isAllowed=y> (Teen survivors of dating violence are 4 to 6 times as likely to become pregnant than teens who have not suffered from violence)
- 16 A.R.S. § 15-901(A)(1) grants the authority to define 'excused absence' to the State Department of Education. It is defined as “an absence due to illness, doctor appointment, bereavement, family emergencies, and out-of-school suspensions.” However, Ariz. Rev. Stat. Ann. § 15-346, says that pregnancy complications are considered a chronic illness and schools must authorize absences from school for a pupil with a chronic health problem without the prior consent of the pupil's parent or guardian.
- 17 Cal. Educ. Code §46015, entitles pregnant and parenting students to eight weeks of parental leave, which they can take prior to labor if there is a medical necessity and after childbirth during the school year in which the birth takes place in order to care for the health of birthing student and to give an opportunity to the pupil to bond with the child. Student's do not have to take the full leave if they do not want to. Schools must grant students the right to return to study where the student left off and provide an opportunity to make up for missed work.
- 18 La. Stat. Tit. 17 §221.8 (2022)
- 19 MD. Educ. Code §7-301.1
- 20 Neb. Rev. Stat. §§ 79-2,149
- 21 NM Stat. §22-12A-9(B)(1)(2) (2021)(Attendance for Success Act)
- 22 N.C. Gen. Stat. § 115C-375.5.
- 23 While not specified in the state education code, the State Department of Education's website states “section 13-1329 [of the code] can be interpreted to allow the board to excuse attendance if it received evidence that attendance would be harmful to the physical or mental health of the pregnant or parenting student.” See, Pennsylvania Department of Education, “Pregnant and Parenting Students,” (1997), <https://www.education.pa.gov/Policy-Funding/BECS/Purdons/Pages/PregnantStudents.aspx>
- 24 WAC 392-401-020(1)(a)
- 25 Department of Education Policy No. 5200 (Attendance) available at, <https://www.wyomingcityschools.org/docs/district/COVID-19/WCS%20Policy%205200%20-%20Attendance.pdf>
- 26 Puerto Rico Compilation of School Discipline Laws and Regulations, Regulation No. 8502 Art. III (March 31, 2021), page 37, <https://safesupportivelearning.ed.gov/sites/default/files/discipline-compendium/Puerto%20Rico%20School%20Discipline%20Laws%20and%20Regulations.pdf> (justified absence includes absences related to pregnancy)
- 27 Ariz. Rev. Stat. Ann. § 15-346; pupils who have an infant with a severe health problem as certified by a health professional are considered ‘chronically ill.’ Chronically ill students must have their absences excused.
- 28 Cal. Educ. Code §48205(a)(6)(excuses absences if due to the illness or medical appointment during school hours of their child, including caring for a sick child with a doctor's note; parenting student should be given a reasonable amount of time to make up for missed work)
- 29 State of Conn. State Bd. Of Educ. “Guidelines for Excused and Unexcused Absences,” at 4(excused absences include emergencies include a student who is a parent whose child needs to go to the hospital”, https://portal.ct.gov/-/media/SDE/Chronic-Absence/guidelines_excused_and_unexcused_absences.pdf
- 30 105 ILCS 5/26-2a defines ‘valid cause for an absence’ to include a death in the immediate family or family emergency
- 31 La. Stat. Tit. 17 §221.8(A)(1)(a) (2022) excuses absences for postnatal medical appointments as absences related to a child's illness or medical appointment, and provides at least 10 days of excused absences for both student parents following the birth of their child.
- 32 MD Code, Education, § 7-301.1(c)(1)(ii)-(v) (student's absence due to parenting needs is lawful; district policies shall provide at least 10 days for parenting students after birth of child, parenting related absences due to illness or medical appointment of student's child, including up to 4 days for which school may not require a note from physician, legal appointments for family law proceedings)
- 33 Miss. Code Ann. S37-13-91(4)(d) excuses absences “when It results from the death or serious illness of a a member of the immediate family including the student's children.”
- 34 NM Stat. s22-12A-9(B)(2)(2021)
- 35 N.C. Gen. Stat. Ann. § 115C-375.5(b)(3)(excused absences ‘includes absences due to the illness or medical appointment during school hours of a child of whom the student is the custodial parent)
- 36 24 P.S. §13-1329 defines excused absences to include ‘urgent reasons.’ The State Department's website defines urgent reasons to include “permit excuses when extenuating circumstances necessitate that a pregnant or parenting student not attend school. For example, the board may adopt a policy to grant excuses in situations where a parenting student does not have adequate day care available.) See, Pennsylvania Department of Education, “Pregnant and Parenting Students,” (1997), <https://www.education.pa.gov/Policy-Funding/BECS/Purdons/Pages/PregnantStudents.aspx>
- 37 Absences related to the student's family obligations during regularly scheduled school hours that are temporarily necessary because of school facility closures, until other arrangements can be made; and
- 38 GA Bd. Of Educ. Rule 106-5-1.10(2)(b)2, defines excused absence to include, death or serious illness in family, or if attendance in school endangering a student's health or health of others
- 39 Minn. Stat. §120A. Subd. 12(iii) excuses absences for the serious illness of an immediate family member
- 40 ORS 339.065(2)(B) defines excused absence to include the sickness of some member of the pupil's family
- 41 S.D. Codified Laws §13-27-6 (school board may excuse a child from school attendance because of an illness in his immediate family, making their presence at home an actual necessity)
- 42 W. Va Code §18-8-4(3)(A)(ii) excused absences for personal illness or injury of the student's family member provided that the excuse includes a reasonable explanation for why the student's absence was necessary and caused by the illness or injury in the family
- 43 Department of Education Policy No. 5200 (Attendance) available at, <https://www.wyomingcityschools.org/docs/district/COVID-19/WCS%20Policy%205200%20-%20Attendance.pdf>
- 44 Cal. Educ. Code §48205(a)(7)(excuses absences for justifiable personal reasons, including, but not limited to, an appearance in court)
- 45 State of Conn. State Bd. Of Educ. “Guidelines for Excused and Unexcused Absences,” at 4(excused absences include mandated court appointments), https://portal.ct.gov/-/media/SDE/Chronic-Absence/guidelines_excused_and_unexcused_absences.pdf
- 46 State of Hawaii, Dept. of Educ. “School Attendance Procedures,” (October 2020), at 3, excused absences may include “family court hearings” and “hearings involving foster care”, available at <https://www.hsta.org/wp-content/uploads/2021/02/HIDOE-Attachment-School-Attendance-Procedures-October-2020.pdf>
- 47 La. Stat. Tit. 17 §221.8(A)(1)(a) (2022)(excuses absences for legal appointments related to pregnancy or parenting, including but not limited to custody, visitation, and adoption)
- 48 MD Code, Education, § 7-301.1(c)(1)(iv)(excuse any absence due to a legal appointment involving the pregnant or parenting student that is related to family law proceedings, including adoption, custody and visitation)
- 49 Missouri Board Policy JE.BP(2).(Excuses absences for “court appearances”)
- 50 W. Va Code §18-8-4(3)(A)(ix)(excused absence includes judicial obligation or court appearance involving the student
- 51 U.S. Dept. of Educ. “Puerto Rico Compilation of School Discipline Laws and Regulations,” (March 31, 2021), at 37, available at, <https://safesupportivelearning.ed.gov/sites/default/files/discipline-compendium/Puerto%20Rico%20School%20Discipline%20Laws%20and%20Regulations.pdf> (justified absence includes court hearings and administrative hearings)
- 52 Fla. Stat. § 1003.54(3)(a): Students participating in teenage parent programs shall be excused from minimum attendance requirements for absences related to pregnancy or parenting but must make up for missed work
- 53 N.J. Stat. § 18A:3B-75 (2021)
- 54 Ohio Admin. Code 3341:3341-2-47
- 55 MD. Educ. Code §7-301.1
- 56 NM Stat. §22-12A-9(B)(1)(2) (2021) (Attendance for Success Act)
- 57 La. Stat. Tit. 17 §221.8 (2022)



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