



FOR GENDER JUSTICE



STATE POLICY AGENDA

# PROMOTE OPPORTUNITY FOR YOUNG WOMEN AND GIRLS IN YOUR STATE

Young women and girls, including trans and cisgender women and girls, as well as gender-nonconforming and nonbinary people, are students, workers, and parents. Yet they face gender-based barriers—from school pushout to inability to access health care to unfair wages—that make it harder for them to succeed. Unfair and discriminatory policies can keep these young people from experiencing security and success in their education, health, jobs, families, and futures. Additionally, the COVID-19 pandemic exposed inequities that already existed in these systems for Black, Latinx, and Indigenous communities—leading many young people to feel like the system is rigged against them. A [spring 2022 poll](#) found that more than half (56%) of young adults ages 18 to 29 believe that “politics today are no longer able to meet the challenges our country is facing.”

Young people know it doesn't have to be this way. They are looking for policymakers to show up for them and enact policies that will help them succeed and create a more just and fair future.

## YOUNG WOMEN AND GIRLS NEED POLICIES THAT WILL WORK FOR THEM

Starting as early as preschool, Black, Latinx, and Indigenous students of all genders are subject to harsh and discriminatory discipline policies that can force them out of school and have long-lasting effects on their futures. Sex harassment and sexual violence is also a pervasive issue for students starting in grade school and continuing into college—and schools are more likely to disbelieve and punish women and girls of color (especially Black women and girls), LGBTQI+ students, pregnant and parenting students, and disabled students. Additionally, pregnant and parenting students—whether in secondary school, college, or grad school—

may face discrimination or be denied simple accommodations that would allow them to remain in and succeed in school. Many young people also face particular barriers to accessing health care, including college students who may be unable to access necessary reproductive health care services. Young people need fair pay to help support themselves and their families, yet many states allow them to be paid a wage that is lower than the minimum wage and many employers subject them to unpredictable work hours incompatible with school or training or caring for themselves or family members.

Schools, health care providers, and employers should not get in the way of young people working to secure their futures, and government should help eliminate these barriers—centering the young people of color for whom barriers are often the greatest. Policymakers and advocates who want to support young people must put forward a progressive policy agenda that tackles these issues to help young people get a good start in life rather than deny them opportunities.

**Policies that will work together to support opportunities for young women and girls include:**

**Ending Discriminatory Discipline Policies:** [Discriminatory discipline policies](#) can push girls out of school with long-lasting effects on their education. Black and Indigenous girls, for example, are more likely than white girls to be suspended from school, even though they are no more likely to misbehave, nor is their misbehavior more severe. Instead, these girls are [more likely to be suspended](#) for conduct that is minor (e.g., being late), subjective (e.g., “defiance”), or both (e.g., many [dress code](#) violations). These practices keep girls out of the classroom, making it harder for them to succeed and increasing their chances of being pushed out of school or being involved with the juvenile legal system. [States can reverse this trend](#) by passing laws that ensure educators have the

tools to identify and address their biases as well as other underlying problems that contribute to perceived misbehavior in the classroom. **States can also pass laws** that end suspensions and expulsions for minor or subjective conduct and that replace exclusionary discipline with alternatives that keep students in the classroom while building positive social and emotional connections to school.

**Investing in Counselors, Not Criminalization:** Following the nationwide reckoning with racism and police violence and a pandemic that highlighted the educational inequities that have long existed in school districts with significant populations of Black, Latinx, and Indigenous students, many youth advocates have pushed school districts to **divest from resources that criminalize students** and instead invest in resources that allow students to thrive academically, socially, and emotionally. For example, **3 million students** attend schools with police but no school nurse. **Six million students** attend schools with police but no school psychologist. At the same time, a growing body of research has **not found any evidence** that school-based police make schools safer; instead, the presence of school-based police has been shown to **increase the likelihood** that students—**especially Black students**—will be arrested for typical childlike behavior. For example, **Black girls** are almost **4 times more likely** to be arrested in school than their white peers, even though **studies show** Black girls are not more likely to misbehave. During this time especially, when students are still wrestling with the emotional toll **of living through a pandemic** that has disproportionately affected Black, Latinx, and Indigenous communities, **policymakers should** not only replace school-based police with mental and other health professionals, but also solicit and include the input of students, parents, and community advocates on how to invest in better, safer schools for all students.

**Addressing Sex Harassment and Sexual Assault in K–12 & Higher Education:** Violence starts early. Nearly **one in five girls** report being kissed or touched without their consent during their time in high school and **one in four women are sexually assaulted during their time in college**. Thus, waiting until college to talk to students about sex harassment and sexual violence is too late. To ensure all students have a safe and healthy learning environment, states should require schools to teach all students about consent and healthy relationships, train all staff how to recognize and address sex harassment, and conduct regular climate surveys to gauge whether students feel safe in school. In addition, **states should require schools** to provide **supportive measures** to all students who report sex harassment and prohibit schools from disciplining those who break a school rule in connection to their own victimization (e.g., disciplining a survivor for using alcohol during their own assault or for engaging in consensual sexual activity leading up to the assault). Furthermore, students who want their school to address sex harassment should be able to choose, without pressure, between a prompt and equitable disciplinary investigation of the named harasser or nondisciplinary proceeding, such as a **restorative process**, that is conducted by trained individuals.

**Supporting Pregnant and Parenting Students:** Students who are pregnant and parenting often encounter schools that are not

supportive of their needs, or their caregiving responsibilities. For example, pregnant and parenting students need excused absence policies that consider their health needs as well as the realities of unexpected childcare needs. **States can implement** basic protections that enshrine and improve upon federal requirements by requiring schools to explicitly outline lactation accommodations, inform students of their right to have excused absences for pregnancy-related reasons, and excuse absences for parenting students to care for sick children, or when child care plans fall through. This will ensure that pregnant and parenting students are able to take care of themselves and their children while continuing to succeed in school.

**Ensuring Access to Reproductive Health Care:** Young people should be able to make their own decisions about their reproductive health care on their own terms and timelines. Yet, young people continue to face significant barriers to accessing many reproductive health care services, and the Supreme Court's decision to overturn *Roe v. Wade* and allow states to criminalize abortion has put young people's access to care at even greater risk. States should remove barriers to abortion, including those targeting young people, like laws that require a parent's consent or notification prior to an abortion. States can also use their authority to regulate self-funded college student health insurance to require coverage of comprehensive reproductive health care, including birth control, abortion, prenatal care, childbirth, and postpartum care. States can also ensure access to comprehensive reproductive health care services at college campus health centers, or referrals to these services when appropriate. Coverage of and access to reproductive health care facilitates the decision-making that empowers young people to take charge of their health and future.

**Raising the Minimum Wage and Ending Abusive Work Schedules for Students and Young Workers:** While young people represent a relatively small share of the low-paid workforce overall, most young people who work receive low pay. For example, recent data shows that while teenagers represent just 12.6% of the working people who would benefit if the federal minimum wage rose to \$17 by 2028, **nearly two-thirds of all teens who work would get a raise if the minimum wage went up to \$17 by 2028**, because their current wages are so low. Many young people are working to help support their families or to pay for college—but teens and students are often subject to carve-outs that allow employers to pay them even less than the minimum wage. They are also more likely to work in jobs that have unpredictable work schedules, which can lead to unstable income and make it incredibly difficult to succeed in school, participate in extracurricular school activities, or pursue post-secondary education or training. Black and Latinx workers, in particular, are more likely than their white counterparts to be **paid low wages** and to **experience volatile work schedules**. States can improve economic security for young people and their families by raising the minimum wage and eliminating the lower minimum wages applicable to youth, students, tipped workers, and other groups; and by implementing baseline protections to give working people input in their schedules and more predictable and stable work hours.