

New York State Assembly

Memorandum in Support of Legislation A6606 (Forrest)/S5444 (Persaud)

Protecting rights of pregnant students, parenting students, and students with pregnancy-related conditions in schools and education act.

The Coalition for Pregnant and Parenting Students Advocacy and the undersigned organizations strongly support A6606/S5444, which would extend critical protections to pregnant and parenting students under New York state law. These protections and supports are essential for securing the educational attainment and well-being of pregnant and parenting students and their families.

The Coalition for Pregnant and Parenting Students Advocacy is a group of advocates dedicated to promoting educational equity and success for pregnant and parenting students in secondary school and higher education. Members include former and current pregnant and parenting students, community organizers, federal and state policy advocates, researchers, public interest attorneys, and college administrators and service providers from across the country.

While 13% of New York undergraduate students and 18% of graduate students are parents,ⁱ the current infrastructure supporting them is largely informal and inconsistently applied. These students are highly motivated, and their success benefits not only them, but also their children, their school communities, and the local and state economy. But without strong policies in place, pregnant, postpartum, and parenting students face discrimination, harassment, and unique obstacles to graduation. Nationwide, only 17% of student parents earn a degree within six years, despite having GPAs comparable to their childless peersⁱⁱ—in large part because they lack institutional support to manage both caregiving and schooling. This low persistence rate means not only is New York failing to support these students, it is also missing out on the economic and social benefits of having a more educated workforce and more resilient families.

State laws provide reliable protection and guidance to students and educational institutions, especially where protections at the federal level may fall short. A6066/S5444 would close this gap and protect the health and well-being of pregnant and parenting students by:

- **Ensuring that pregnant and parenting students are protected from discrimination under state law.** Today, student parents often face hostility and retaliation related to their status as a caregiver. Even a request as simple as an excused absence to attend to their hospitalized child can result in grade penalties, which can have cascading negative impacts on their educational achievement. This bill would prohibit biased and discriminatory treatment that can limit students' success. Discrimination on the basis of pregnancy or parental status is already banned in the employment context in New York; it should also be prohibited while students are getting the education necessary to launch their careers and provide for their families.
- **Providing a state right to reasonable accommodations to protect the health and wellbeing of pregnant and postpartum students.** Pregnant students and those

impacted by pregnancy-related conditions often need accommodations to enable them to stay healthy while pursuing their education. This provision would protect the health of students and their children by ensuring they can access reasonable supports such as lactation breaks, changes to seating, altered food and drink policies, parking permits, or the ability to avoid toxic chemicals in class. The bill would also enshrine Title IX's protections for absences, allowing pregnant students to attend medical appointments necessary for their care.

- **Enabling on-time graduation by giving student parents priority registration for the courses they need.** Providing priority registration addresses the time crunch faced by student parents, who face the acute burden of managing both academic and child care schedules. This scheduling difficulty is heightened for the 65% of student parents who also work full time in addition to going to school.ⁱⁱⁱ
- **Ensuring student parents can find institutional and community resources.** By establishing a student parent "liaison officer" and requiring that their information be shared, educational institutions can create a reliable point of connection to existing resources, including public benefits, childcare, and employment assistance programs, reducing the burden on students to navigate fragmented systems on their own.

The federal law Title IX of the Education Amendments of 1972 has protected students impacted by pregnancy and related conditions from discrimination, which also requires schools to provide accommodations and leave for those students, since the 1970s. Many of the provisions in this bill also mirror the U.S. Department of Education's changes to its Title IX regulations in 2024, which clarified Title IX's protections for pregnant students, strengthened protections against sex based harassment, and made explicit that anti-LGTBQI+ discrimination is prohibited by Title IX. Unfortunately, due to litigation by groups and states seeking to dismantle Title IX and weaken civil rights protections, and the resulting lack of clarity around its existing protections, pregnant and postpartum students still commonly face discrimination—including by denial of accommodations, punishment for taking time off to recover from birth or to meet their health needs, and harassment and bullying from educators and school administrators. Now, given the current agenda of the Department of Education, these students are left without any remedy from the federal government for violations of their Title IX rights. Since January 2025, the Department of Education has dismissed approximately 90% of complaints^{iv} and resolved zero cases of pregnancy or gender discrimination.^v Recent changes in federal guidance, moreover, may create compliance uncertainty for institutions and instability for students. Codifying these protections in state law would provide the clear, durable, and reliable baseline that federal enforcement has failed to deliver.

Instituting supportive policies is a win-win for students and schools alike. When pregnant and parenting students can meet their educational goals, their families and communities thrive. We urge the legislature to pass A6606/S5444 and ensure that all New York students have a genuine opportunity to succeed.

Sincerely,

The Coalition for Pregnant and Parenting Students Advocacy:

National Women's Law Center
Pregnant Scholar at the Center for WorkLife Law
A Better Balance
Equal Rights Advocates
Justice + Joy National Collaborative
New America Higher Education Policy Program
The Institute for College Access & Success

Joined by:

Student Veterans of America
U.S. Breastfeeding Committee
Raheem Brooks, NY Student Parent Advocate
Jesus Benitez, NY Student Parent Advocate
Mary Ann M. DeMario, Student Parent Advocate
Margaret Sallee, Professor, Higher Education, University at Buffalo

ⁱ National Center for Education Statistics, "National Postsecondary Student Aid Study: 2020 Undergraduate Students" (describing students with legal residence in NY); "National Postsecondary Student Aid Study: 2020 Graduate Students" (describing students enrolled in NY graduate institutions).

ⁱⁱ Ryberg, Renee and Padilla, Christina, *Student Parents Combine Studying, Working, and Public Programs to Support Their Families While in School*, SPARK Collaborative, September 2025, Available at: https://studentparentaction.org/assets/r-file/D2B_Data-Brief_FINAL-9.29.pdf.

ⁱⁱⁱ Id.

^{iv} U.S. Government Accountability Office, *Department of Education: Full Costs and Savings Estimate Needed for Reduction-in-Force and Restructuring of the Office for Civil Rights* (GAO-26-108320), January 2026, Available at: <https://www.gao.gov/products/gao-26-108320>.

^v Lee, Jessica and Shaw, Westley, *Abandoned Priorities and Cases in Limbo: An Analysis of Title IX Enforcement in the First Year of Trump's Second Term*, January 2026. UC Law San Francisco Research Paper, Available at: <http://dx.doi.org/10.2139/ssrn.6173899>.