

Out of the Shadows: Structuring Title IX Provisions to Support Expectant and Parenting Students

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Abstract: In times past, expectant (pregnant) and parenting youth were expelled from the classroom. Sometimes, they were sent to alternate learning programs or not included in the learning process at all. With the rates of college completion being impacted by societal stressors, expectancy and parenting add other dimensions to the obstacles. Title IX was enacted in 1972 to limit sex and gender discrimination in federally funded institutions. This law was expanded to protect the educational rights of expectant and parenting youth. Even so, the provisions of the law have remained in the shadows and need to be structured and disseminated in colleges and universities to protect this vulnerable population. A website review of colleges was conducted to determine provisions Title IX Units currently advertised to support Expectant and Parenting Students.

Keywords: College Education, Expectant and Parenting Students, Title IX.

I. INTRODUCTION

Nationally, the teen birth rate (births per 1,000 females 15 to 19) has been declining since 1991. The decline has continued from 17.4 per 1,000 females in 2018 to 16.7 in 2019.¹ This trend, however, has not been replicated in all states. For example, in Georgia, the teen birth rate was 20.6 per 1,000 in 2018.¹ Selected cities in the southwest portion of Georgia display even graver statistics. With such statistics on youth birthrates, post-secondary graduation rates will likely be affected. In 2020, the U.S. Department of Education, National Center for Education Statistics, reported the six-year graduation rate for college students as 65% for females and 59% for males.² Therefore, efforts must be taken to support the post-secondary school completion for youth who are expectant and parenting. As of 2014, student parents constituted one quarter of the undergraduate student population.³

There are historical accounts of expectant and parenting youth being expelled from school and not being permitted to engage in the learning process. Legislation enacted by the Department of Education, Title IX, was specifically designed to protect against sex and gender discrimination in organizations that receive federal financial assistance. This legislation was also expanded to include expectant and parenting students. In this paper an internet search was conducted to review the provisions for expectant and parenting teens in fifty colleges and universities.

II. HIGHLIGHTS FROM TITLE IX

Title IX of the Education Amendments of 1972 is a federal civil rights law that prohibits discrimination on the basis of sex – including pregnancy and parental status in educational programs and activities.⁴ The law adds that a school that receives federal funding may not discriminate on the basis of pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery from these conditions.⁴

The law specifically asserts that a school must allow a pregnant or parenting student to participate in classes and extracurricular activities; allow the student to choose whether she wants to participate in special instructional programs or classes for pregnant students; allow the student to participate in classes and extracurricular activities even though the student is pregnant and not require the student to submit a doctor’s excuse unless the school requires a doctor’s excuse from all students who have a physical or emotional condition requiring treatment by a doctor; provide reasonable adjustments for the student, such as a larger desk, elevator access, or make frequent trips to the restroom; allow for excused absences due to the pregnancy or childbirth as long as the student’s doctor says it is necessary; allow the student to return to the same academic and extracurricular status as held before the medical leave began – and make up work missed during the absences.⁴ Teachers should also allow students to submit work after a missed deadline and make up participation and attendance credits. Schools should provide the same special services as would be provided to students with a temporary medical condition – e.g., homebound instruction, at-home tutoring, or independent study.⁴

Students are also protected from harassment (comments, name calling, jokes and sexual propositions). Schools are required to have and distribute the policy against sex discrimination – with a recommendation that the policy makes clear that sex discrimination includes pregnant and parenting students. In addition, the school should adopt and publish grievance procedures for students to file complaints of sex discrimination, including discrimination related to pregnancy and parenting status. Schools should also identify at least one employee to conduct Title IX responsibilities. All students and employees should be notified of the name and contact information for the Title IX Coordinator.⁴

III. APPLICATION OF THE TITLE IX POLICY/PROVISIONS FOR EXPECTANT (PREGNANT) AND PARENTING TEENS

In an internet search of fifty colleges and universities, a Title IX statement/ summary and contact individual were available on the website of nearly all of the colleges. For many of the colleges, the title “Title IX” was available from the college or universities’ home page as a link or sub-link. However, statements or provisions for pregnant and parenting students were non-existent or in the shadows for many of the colleges of universities. Eighteen colleges (36%) of the fifty reviewed included information for pregnant and parenting students. The following table provides highlights of information available on the website for selected colleges and universities – in accordance with the Title IX guidelines:

1. Statement of Non-discrimination for Pregnant or Parenting Status
2. Statement on Reasonable Accommodations
3. Statement Regarding Excused Absences and / or Make Up Work or Support Available
4. Title IX Coordinator / Representative Name and Contact Information
5. Listed Campus Resources for Pregnant and Parenting Students
6. Listed Community Resources for Pregnant and Parenting Students

TABLE I – TITLE IX POLICIES AND PROVISIONS IN SELECTED UNITED STATES COLLEGES AND UNIVERSITIES

	1 Nondiscrimination Statement	2 Reasonable Accommodations Statement or Listing	3 Make up Work or Excused Absence Statement /or Support	4 Title IX Representative or Coordinator with Contact Information	5 Statement or List of Campus Resources (Lactation Space, Parking etc.)	6 Statement or List of Community Resources
Albany State University ⁵	x	x	x	x	x	
American University ⁶	x	x	x	x	x	x
Berea College ⁷	x	x	x	x		

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Clayton State University ⁸	x	x		x		
Fresno Community College ⁹	x	x	x	x		
Gateway Technical College ¹⁰	x childcare is excluded	x	x	x	x	
Georgia Southern University ¹¹	x	x	x	x	x	x
	1 Nondiscrimination Statement	2 Reasonable Accommodations Statement or Listing	3 Make up Work or Excused Absence Statement /or Support	4 Title IX Representative or Coordinator with Contact Information	5 Statement or List of Campus Resources (Lactation Space, Parking etc.)	6 Statement or List of Community Resources
Kennesaw State University ¹²	x	x	x	x		
Maricopa Community College ¹³	x	x	x	x	x	
Monroe Community College ¹⁴	x	x	x	x	x	
Moraine Park Technical College ¹⁵	x	x	x	x		
Ozark Technical College ¹⁶	x	x	x	x	x	x
Rowan - Cabarrus Community College ¹⁷	x	x	x	x	x	
South Louisiana Community College ¹⁸	x	x	x	x		
South Texas College ¹⁹	x	x	x	x		
University of Georgia ²⁰	x	x	x	x	x	
University of Massachusetts at Amherst ²¹	x	x	x	x	x	x
University of West Georgia ²²	x	x	x	x	x	

IV. CONCLUSION

While several colleges and universities made a calculated effort to publish and identify services to expectant (pregnant) and parenting students, much more emphasis is needed. In the Pregnancy Scholar, it was suggested that instructors include information on provisions for pregnant and parenting students in their course syllabi.³ One university have even held webinar during the Faculty and Staff conference period to inform teachers of guidelines for pregnant and parenting students.⁵ While most of the universities that published guidelines included essential components, many Title IX websites and online

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information sites did not include pregnancy and parenting provisions. One university, however, stipulated that the provisions for pregnant and parenting students did not include basic childcare.¹⁰ Other universities included special services that were available such as in-home tutoring and online courses. One university specifically stated that male parenting students could also utilize the Title IX provisions. Several universities made it clear that the student's plan for course completion could be customized to the individual student by services and length. Generally, the term of services was based on medical necessity (with certification by a physician to the Title IX Coordinator).

Some colleges and universities stated that students could choose to move to online course sections or spend additional time in their program. Yet, it is important that teachers understand that pregnant and parenting youth may or may not be able to complete assignments during the excused period. Some universities included the right of student to have larger uniforms for curricular and extracurricular events. Few colleges and universities addressed protocols or guidelines for lab participation or exposure to toxic substances. Title IX suggested that students be informed and provided guidance for their decisions to participate in laboratory activities or alternate activities.

In addition to routine accommodations for course work, several colleges and universities included provisions for frequent bathroom and water breaks, larger desks, elevator access, lactation space and temporary parking spaces. Ideally a general listing of possible accommodations should be developed and disseminated by all colleges and universities for pregnant and parenting students. One Georgia university provided a student pantry that included items for mothers and infants. A discussion on housing accommodations would also be useful.⁵

While campus resources are useful, community resources could provide similar benefits to pregnant and parenting youth. An online community resource directory would be useful to address needs such as parenting, nutrition, food stamps / food services, stress management, mental health, health and insurance needs, financial aid and more. A few colleges and universities included links for community support services and resources.^{6, 11, 16, 21}

It is clear that a coordinated array of services and supports should be developed, published, and effectively disseminated for expectant and parenting youth at colleges and universities – along with directions for submitting grievances.

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