

Department of Legislative Services  
Maryland General Assembly  
2020 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 1298  
Ways and Means

(Delegate Cain, *et al.*)

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County Boards of Education - Pregnant and Parenting Students - Policies and Reports

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This bill requires each local school system to designate a coordinator for education of pregnant and parenting students to assist pregnant and parenting students in accessing lactation accommodations, child care services, and other support services. The bill also requires each school to, among other requirements, provide (1) private lactation space in the school and (2) either onsite child care or referrals to safe, affordable, and reliable child care. Each local school board must collect specified information and submit it to the University of Maryland Institute for Innovation and Implementation (UMIII), which must in turn submit an interim and final report by specified dates. The bill also expands the types of absences that must be excused for pregnant and parenting students. **The bill takes effect July 1, 2020.**

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Fiscal Summary

**State Effect:** None. The University of Maryland can conduct the necessary analysis and complete the reporting requirements with existing resources.

**Local Effect:** Local school expenditures increase by a significant amount to hire the necessary staff and provide the required services to pregnant and parenting students. No effect on revenues. **This bill imposes a mandate on a unit of local government.**

**Small Business Effect:** Minimal.

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## Analysis

**Bill Summary:** Each local school system must establish a policy to support the educational and parenting goals, and improve the educational outcomes of pregnant and parenting students. The policy must:

- designate a coordinator for education of pregnant and parenting students;
- require that *each* school have a private lactation space that is located close to a sink and refrigerator, includes at least one seating option with a flat surface and electrical outlet, has a door that may be locked from the inside, and is not a bathroom or a closet;
- require schools to provide either on-site child care or referrals to safe, affordable, and reliable child care;
- incorporate a specified attendance policy for pregnant and parenting students;
- address any need for transportation accommodations or coordination of resources to assist pregnant and parenting students in getting to and from school; and
- provide training to school personnel on the bill's requirements.

Each local school system must collect and track specified data that relates to educational outcomes for pregnant and parenting students. By June 1 of each year, each local school system must submit the collected data to UMIII, which must analyze the data, submit an interim report with findings and recommendations to the General Assembly by June 30, 2022, and submit a final report by June 30, 2024.

Parenting-related absences by students due to child care emergencies or due to use of a lactation space must be excused absences.

**Current Law:** A student's absence due to a student's pregnancy or parenting needs is a lawful absence. Each local school system must develop a written attendance policy for pregnant and parenting students that, at a minimum, must (1) excuse all absences due to pregnancy- or parenting-related conditions and (2) provide at least 10 days of excused absences for a parenting child after the birth of a child. The policy must also excuse any parenting-related absences due to an illness or medical appointment of the student's child and due to a legal appointment involving the pregnant or parenting child that is related to family law proceedings.

**Local Fiscal Effect:** Some local school systems may have the staffing capacity to designate an existing staff member as the coordinator for education of pregnant and parenting students, and therefore can satisfy that requirement with existing resources. However, smaller school systems may not have the staffing capacity and may need to hire a new staff person to fill that position.

The bill requires each public school to include a lactation space and to either provide onsite child care or referrals to safe, affordable, and reliable child care. Most schools do not have an available location to provide a designated lactation space and, therefore, would need to either renovate existing space or install an addition to the school. Alternatively, self-contained lactation “pods” are in use at Thurgood Marshall Baltimore-Washington International Airport, with a total cost of about \$24,000 for delivery and installation. With approximately 1,400 schools in the State, the total cost of installing a lactation pod in each school may be as high as \$33.6 million; costs are less to the extent some schools do have other space available for a lactation room.

Similarly, some high schools provide onsite child care, but spaces are limited and many have wait lists. Similarly, access to high quality child care is limited, especially in rural and urban areas. The bill requires all schools to have either onsite child care or make referrals to private child care services; to the extent that such services are not available in some communities, the cost of providing child care services in all schools may be significant.

The bill’s requirements to address transportation needs of pregnant and parenting students and provide training to staff may result in additional expenditures, with the total costs being potentially significant in certain local school systems.

**Additional Comments:** As noted above, the bill requires *all* schools, including elementary and middle schools, to have a designated lactation space and to provide access to child care services.

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### **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** SB 791 (Senator Lam) - Education, Health, and Environmental Affairs.

**Information Source(s):** Maryland State Department of Education; Montgomery County Public Schools; University System of Maryland; Department of Legislative Services

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