

PREGNANT STUDENTS

The Board has adopted this policy to comply with its obligations not to discriminate in its education programs and activities against students based on a student's current, potential, or past pregnancy or related conditions. The Title IX Coordinator/Affirmative Action Officer is responsible for implementing this procedure in consultation with the Superintendent and others as appropriate.

For the purposes of this policy, pregnancy or related conditions includes:

- Pregnancy, childbirth, false pregnancy, termination of pregnancy, or lactation;
- Medical conditions related to pregnancy, childbirth, false pregnancy, termination of pregnancy, or lactation; or
- Recovery from pregnancy, childbirth, false pregnancy, termination of pregnancy, lactation, or related medical conditions.

A. Notifications

When a student or their parent/guardian informs any school unit employee of a student's pregnancy or related condition(s), the employee should promptly provide the student or the parent/legal guardian with the Title IX Coordinator/Affirmative Action Officer's contact information so that the student may contact the Title IX Coordinator/Affirmative Action Officer who can take any necessary actions to ensure the student's equal access to the school unit's education programs and activities.

If the Title IX Coordinator/Affirmative Action Officer is informed of a student pregnancy or related condition(s), they shall inform the student (or the parent/legal guardian if they informed the Title IX Coordinator/Affirmative Action Officer) of the school unit's obligations (outlined below) and provide a copy of Board Policy AC.

B. Reasonable Modifications

1. Reasonable modifications to the school unit's policies, procedures, and practices shall be made to prevent sex discrimination and ensure equal access to education programs and activities based on the individual needs of a student who is pregnant or has related condition(s). The Title IX Coordinator/Affirmative Action Officer will consult with the student regarding any such modifications.
2. The student has the discretion to accept or decline each reasonable modification offered. If the student accepts a modification, the Title IX Coordinator/Affirmative Action Officer will see that it is implemented.
3. Reasonable modifications may include, but are not limited to:

- a. Breaks during class to express breast milk, breastfeed, or attend to health needs associated with pregnancy or related conditions (such as eating, drinking, or using the restroom);
- b. Intermittent absences to attend medical appointments;
- c. Access to online or homebound education;
- d. Change in schedule or course sequence;
- e. Extensions of time for coursework and rescheduling of tests and examinations;
- f. Allowing the student to sit or stand, or carry or keep water nearby;
- g. Counseling;
- h. Changes in physical space or supplies (such as access to a larger desk or a footrest);
- i. Elevator access; and/or
- j. Other reasonable changes in policies, procedures, or practices.

C. Voluntary Access to Separate and Comparable Portions of Education Programs or Activities

1. If the school unit offers a separate and comparable portion of an education program or activity, the student must voluntarily agree to participate in such program or activity.

D. Voluntary Leave of Absence

1. The school unit shall allow the student to voluntarily be absent from school to cover, at a minimum, the period of time deemed medically necessary by the student's licensed health care provider.
2. When the student returns to the school unit's education programs and activities, they shall be reinstated to the academic status, and to the extent practical, any extracurricular status, that they held prior to the voluntary leave.

E. Lactation Space

1. The student shall be able to access a lactation space, other than a bathroom, that is clean, shielded from view, free from intrusion from others, and may be used by the student for expressing breast milk or breastfeeding as needed.

F. Limits on Requiring Documentation

1. The student shall not be required to provide supporting documentation, except to ensure that the student is physically and emotionally able to continue to participation where such certification is required for all students with other physical or emotional conditions requiring the attention of a physician.

Legal References: Title IX of the Education Amendments of 1972
(Title IX), 20 U.S.C. §§ 1681-1688; 34 C.F.R. § 106.40.
5 M.R.S.A. § 4602 (2021); MHRC/MDOE Joint Rule Chapter 94-348 and

05-071, ch. 4.
20-A M.R.S.A. § 5001-A(4)(A) (2019).

Cross Reference: AC – Nondiscrimination/Equal Opportunity and Affirmative Action
ACAA – Harassment of Students
ACAA-R2 – Student Sex Discrimination/Harassment Complaint
Procedure

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