

## Separate Schools and Programs for Expecting and Parenting Students

Separate schools and programs can be created for students who are expecting a child and students who are parenting. School districts CANNOT force a student expecting a child or parenting to attend a separate school or program because of their status as an expecting or parenting student. It is the student's choice whether or not to attend a separate school or program. Students expecting a child or parenting cannot be forced to go on homebound study.



Separate schools and programs are required to give the student expecting a child or parenting the same opportunities as other schools or programs. Expecting and parenting students must have the same access to extracurricular activities, sports, and academic support as students who are not expecting or parenting.



If you or your child is having issues at school or is facing discrimination based on pregnancy or parenting a child, please call us for assistance.

**Southwest Women's Law Center**  
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## Expecting and Parenting Students

**Know Your Rights!**

## Schools and Programs for Students

Schools cannot treat expecting or parenting students differently than other students. Treating expecting and parenting students differently is prohibited by Title IX of the Education Amendments of 1972, 20 U.S.C §1681 et seq. All schools that receive federal funding must comply with Title IX.



## Extracurricular Activities

Schools cannot exclude expecting or parenting students from extracurricular activities. Schools cannot make expecting or parenting students provide a doctor's note to participate in activities unless the school makes all students who are seeing a doctor for a physical or emotional condition provide a doctor's note to join the activity.

School cannot force an expecting or parenting student out of honors classes, school clubs, honor societies, after school programs, student leadership positions, band membership, or sports.

## Attendance Policy for Expecting and Parenting Students

In New Mexico, schools are required to give an expecting student at least **10 excused absences to give birth.**

Schools can ask the student to provide a doctor's note to prove the reason for the student's absence. If a doctor says the student requires more than 10 days to recover from giving birth, the school is required to allow for additional absences. These additional absences must be medically necessary.



Furthermore, New Mexico law requires that schools must allow an expecting or parenting student to have **four additional excused absences per semester.** These absences can be used for a variety of purposes including attending doctor's appointments or caring for a sick child.

## Missed Work



Since missing assignments comes with missing school, schools are required to allow an expecting or parenting student to make up missed work when the absences are excused. Students have the same number of days to make up work as they were out of class. The student will be given enough time to complete any missed assignments.

## Additional Assistance Available for Expecting and Parenting Students

Schools are required to treat pregnant students like all other temporarily disabled students, and they should receive the same special services.

These services may include assistance such as a personal tutor.