

## **Pregnant and Parenting Students**

### **24 P.S. § 13-1327**

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### **PURPOSE**

The purpose of this Basic Education Circular is to address questions regarding the education of Pennsylvania students in public and private schools who are pregnant or parenting. Consequently, the following sections discuss such issues as attendance, homebound instruction and special education.

### **ATTENDANCE**

Based upon the general rule for attendance, pregnant students and students who are parenting must, like all students, satisfy the Commonwealth's compulsory school attendance requirements. These students may, however, like any other students, obtain an excuse from attending school.

### **Exceptions to Compulsory Attendance Requirements**

A school district's board of directors may excuse a student from attending school as required by the Public School Code if the board receives certification from a "licensed practitioner of the healing arts" or other "satisfactory evidence" that the student is prevented from attending school or applying herself or himself to study because of any "mental, physical, or other urgent reasons" (24 P.S. §13-1329 and [22 Pa. Code §11.34](#)). "Urgent reasons" are to be strictly construed and may not be interpreted to permit irregular attendance. Any excuse from attending school for longer than "temporary periods" shall not be final until the board obtains the approval of the Secretary of Education.

Although pregnancy and parenting are not specifically mentioned in the Public School Code as conditions for which the board may issue an excuse, section §13-1329 can be interpreted to allow the board to excuse attendance if it receives evidence that attendance would be harmful to the physical or mental health of the pregnant or parenting student.

Also, "urgent reasons" can be construed to permit excuses when extenuating circumstances necessitate that a pregnant or parenting student not attend school. For example, the board may adopt a policy to grant excuses in situations where a parenting student does not have adequate day care available. The development of such a policy is within the discretion of the board. The board should maintain documentation regarding the reason(s) for the excuse and submit that documentation to the Secretary of the Department of Education for approval in all case where non-attendance is being sought for longer than a temporary period.

Although the Public School Code has other exceptions to the compulsory attendance requirement, such exceptions do not apply to pregnant or parenting students. 24 P.S. §13-

1330. For instance, the Code states that students who are fifteen, engaged in farm work or domestic service in a private home on a permit issued by the school board are not held to the same responsibility as compulsory school age students. The use of a domestic work permit to allow a pregnant or parenting student to be exempt from compulsory school attendance is not appropriate. Thus, schools should not construe §13-1330 to include students who are pregnant or parenting.

**Excuses from Attending School**

In addition to the board's authority to issue excuses, a principal or teacher may, upon receipt of satisfactory evidence, excuse a student for nonattendance during a temporary period ([22 Pa. Code §11.25](#)). The school district shall, however, adopt rules and procedures governing the granting of temporary excuses by such individuals. Consequently, a principal or teacher may temporarily excuse attendance for a pregnant or parenting student for the reasons stated above and when presented with satisfactory evidence. The board must, however, devise rules and procedures that will guide principals and teachers when presented with situations involving pregnant or parenting students. Temporary excuses do not have to be approved by the Secretary of the Department of Education.

**EQUAL EDUCATION OPPORTUNITY**

Pursuant to federal law, every citizen of the United States is to receive equal education opportunities. With regard to the citizens of Pennsylvania, all persons residing in the Commonwealth between the ages of six and twenty-one are entitled to a free and full education in its public schools, and may not be excluded from the public schools nor from extracurricular activities because of being married or pregnant.

To maintain the educational opportunities of pregnant or parenting students, programs may be designed to meet the special scheduling and curriculum needs of such students. Schools may offer, for instance, separate programs and special courses for pregnant or parenting students. These programs and courses, however, shall be voluntary and their instruction must be comparable to the curriculum provided to other students.

**HOMEBOUND INSTRUCTION**

Students who are excused due to illness or other urgent reasons may be provided with homebound instruction. Becoming pregnant or being a parent does not, in itself, necessitate that a student receive homebound instruction. Certification of a physician is required for any student, including pregnant or parenting students, who are requesting homebound instruction because of an illness or other urgent reason.

**Suggested Guidelines of Attendance for a Pregnant/Parenting Student**

<i>Pregnancy</i>	All efforts should be made to ensure that the pregnant student is enrolled and attending school.
<i>Complicated Pregnancy</i>	If complications arise during pregnancy such that attendance at school would be harmful to the physical or mental health of the pregnant student or infant, the student should submit a statement from the attending physician specifically supporting the absence and requesting homebound instruction for a specific period of time.

<i>Parenting Female Student</i>	Following the birth of the infant, a female student requires a period of time to recuperate from child birth and arrange for child care. The student should submit a statement from the attending physician stating the birth date of the infant. Homebound instruction may be provided up to six weeks following the birth. LEAs should ensure that the student is receiving homebound instruction and counseling to assist the student in accessing available social services to ensure that the student remains in school to achieve graduation.
<i>Parenting Student</i>	Following the six week post-partum period for a female student, the parenting student shall follow LEA policies for absences.

A student who is absent from school due to pregnancy or parenting should be allowed to reenter the school in the same manner as any other student whose non-attendance is a result of an excused absence or a temporary disability. A student over compulsory school age who leaves school due to pregnancy or parenting demands without achieving a high school diploma, shall be allowed to reenter school up until the age of 21, as any other student.

#### **REFERENCES:**

##### **Purdon's Statutes**

- 24 P.S. §13-1326
- 24 P.S. §13-1327
- 24 P.S. §13-1327.1
- 24 P.S. §13-1329
- 24 P.S. §13-1330
- 24 P.S. §13-1371

##### **State Board of Education Regulations**

- [22 Pa. Code §11.13](#)
- [22 Pa. Code §11.25](#)
- [22 Pa. Code §11.34](#)
- [22 Pa. Code §12.1](#)