



HB0295 – Nonpublic Elementary and Secondary Schools – Discrimination - Prohibition

Presented to Hon. Anne R. Kaiser and members of the House Ways and Means Committee

February 14, 2019 1:00 p.m.

POSITION: SUPPORT

NARAL Pro-Choice Maryland **urges the House Ways and Means Committee to give a favorable report on HB0295 – Nonpublic Elementary and Secondary Schools – Discrimination – Prohibition**, sponsored by Delegate Jheanelle Wilkins.

Our organization is an advocate for reproductive health, rights, and justice for all Marylanders. Ensuring students and employees are protected from school or workplace discrimination is an essential part of reproductive freedom, as equality in the workplace and the access and completion of one's education is an essential to an individual's ability to make decisions about family planning and reproductive health. This is of particular concern for pregnant and parenting individuals, as sex discrimination resulting from a pregnancy can impact educational attainment and financial stability for generations¹ ultimately restricting reproductive choices and power to make informed decisions now and in the future. Students or staff should not have to choose between completing their education, making a living, or taking care of their families.

Pregnant and parenting students may experience unwelcoming, inequitable, or stigmatizing school environments or discriminatory practices by school personnel. Under Title IX, "school pushout" - practices which may include the lack of accommodations of childcare and lactation, stigmatization and harassment from peers and staff, and involuntary leave from school - and other discriminatory practices based on sex, which includes pregnant and parenting students, are prohibited²; however, schools struggle to support these students. This ultimately harms pregnant and parenting students and prevent them from completing their education making these students and their children more likely to be poor and utilize public assistance programs, less likely to complete their education or earn a high school diploma.³

HB0295 alters Maryland's current Annotated Code by prohibiting nonpublic elementary and secondary schools that are receiving state funds from discriminating against employees as well as potential and current students. This legislation institutes additional protections for students that are not already covered by federal law including prohibitions of discriminatory education practices on the basis of sexual orientation, gender identity national origin, and marital status. In establishing and reinforcing sex and gender discrimination protections, pregnant and parenting individuals within these schools are able to access and complete their education, should they be enrolled in a nonpublic institution.

HB0295 aims to protect the education and employment of those who do become pregnant in expanding protections against discrimination in nonpublic schools. As such, it will allow students and staff to thrive and meet the education and parenting goals of both staff and students. For these reasons, **NARAL Pro-Choice Maryland urges a favorable report on HB0295**. Thank you for your time and consideration.

¹ National Conference of State Legislatures, *Postcard: Teen Pregnancy Affects Graduation Rates*, 2013 <http://www.ncsl.org/research/health/teen-pregnancy-affects-graduation-rates-postcard.aspx>

² U.S. Department of Education *Know Your Rights: Pregnant or Parenting? Title IX Protects You from Discrimination at School*.

³ Hoffman, S. D., & Maynard, R. A. (Eds.). (2008). *Kids having kids: economic costs and social consequences of teen pregnancy* (2nd ed.). Washington, DC: Urban Institute Press