

Senate File 252 - Introduced

SENATE FILE 252
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SF 58)

A BILL FOR

1 An Act relating to students who are pregnant or who recently
2 gave birth who attend state institutions of higher education
3 governed by the board of regents and community colleges.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 261J.1 Student parents at
2 institutions.

3 1. For the purposes of this section:

4 a. "Institution" means an institution of higher education
5 governed by the state board of regents or a community college
6 established under chapter 260C. "Institution" also includes
7 the faculty, staff, and other employees of such institution of
8 higher education or community college established under chapter
9 260C.

10 b. "Reasonable accommodations" includes but is not limited
11 to all of the following:

12 (1) Taking additional health and safety measures.

13 (2) Allowing a student to reschedule tests and assignment
14 due dates that are missed for reasons related to the student's
15 pregnancy.

16 (3) Allowing a student to take a leave of absence.

17 (4) Excusing absences for reasons deemed medically
18 necessary due to the pregnancy.

19 2. An institution shall not require a student enrolled
20 in a course of study or research activity to take a leave
21 of absence, withdraw from a program, or limit the student's
22 participation in academic activities solely due to pregnancy.
23 An institution shall make reasonable accommodations to a
24 pregnant student to allow the student to complete a course of
25 study or research.

26 3. a. An institution shall allow a student who is pregnant
27 or has recently given birth an additional amount of time to
28 take examinations up to the longer of a period consistent with
29 the policies of the institution or twelve months from the
30 originally scheduled examination date, unless a longer period
31 is medically necessary.

32 b. An institution shall allow a student who is pregnant
33 or has recently given birth an additional amount of time to
34 complete a degree or candidacy for a degree up to the longer
35 of a period consistent with the policies of the institution

1 or twelve months from the date originally scheduled for
2 completion, unless a longer period is medically necessary.

3 4. An institution shall allow a student who is pregnant
4 or has recently given birth a period of up to twelve months to
5 take a leave of absence unless there is a medically necessary
6 reason for a longer leave of absence. Following the leave
7 of absence, the student shall be allowed to return to the
8 student's program with the same standing as the student left to
9 the degree reasonably possible.

10 5. a. The attorney general shall maintain a system to
11 receive and investigate complaints from students alleging a
12 violation of this section.

13 b. The attorney general shall forward complaints it
14 has determined as founded to the United States department
15 of education's office for civil rights to allow for an
16 investigation into the institution's compliance with the
17 federal Higher Education Act of 1965, as amended, 20 U.S.C.
18 §1681 et seq.

19 6. An institution shall do all of the following:

20 a. Maintain a written policy for students on pregnancy
21 discrimination and procedures for addressing pregnancy
22 discrimination complaints under this section and the federal
23 Higher Education Act of 1965, as amended, 20 U.S.C. §1681 et
24 seq. The institution shall provide a copy of the policy to
25 institution faculty, staff, and employees in required training.
26 The institution shall provide a copy of the policy to all
27 students attending orientation at the institution.

28 b. Prominently post notice of the protections afforded to
29 pregnant students and students who have recently given birth
30 under the federal Higher Education Act of 1965, as amended, 20
31 U.S.C. §1681 et seq., on the institution's internet site.

32 c. Provide information concerning the protections afforded
33 to pregnant students and students who have recently given birth
34 under the federal Higher Education Act of 1965, as amended, 20
35 U.S.C. §1681 et seq., through the institution's medical center

1 and student health center to a student upon the student's
2 request and when otherwise appropriate.

3 d. Assign responsibility for pregnancy and parenting support
4 and protection to a staff member of the institution. The
5 institution shall post the responsible staff member's name,
6 title, and contact information on the institution's internet
7 site. Responsibilities assigned to a staff member pursuant to
8 this paragraph shall include but not be limited to:

9 (1) Maintaining current knowledge of the provisions of this
10 section.

11 (2) Overseeing institution compliance with this section.

12 (3) Understanding and publicizing topics related to
13 pregnancy and parenting, including but not limited to child
14 care availability, breastfeeding accommodations, and pregnancy
15 and parenting assistance from public and private providers, in
16 order to enhance campus life and academic performance.

17 EXPLANATION

18 The inclusion of this explanation does not constitute agreement with
19 the explanation's substance by the members of the general assembly.

20 This bill relates to students who are pregnant or who
21 recently gave birth who attend state institutions of higher
22 education governed by the board of regents.

23 The bill defines the term "institution" as an institution of
24 higher education governed by the state board of regents or a
25 community college. "Institution" also includes the faculty,
26 staff, and other employees of such institution of higher
27 education or community college.

28 The bill defines "reasonable accommodations" as including
29 but not being limited to taking additional health and safety
30 measures; allowing a student to reschedule tests and assignment
31 due dates that are missed for reasons related to the student's
32 pregnancy; allowing a student to take a leave of absence; and
33 excusing absences for reasons deemed medically necessary due
34 to the pregnancy.

35 The bill prohibits an institution from requiring a student

1 enrolled in a course of study or research activity to take
2 a leave of absence, withdraw from a program, or limit the
3 student's participation in academic activities solely due to
4 pregnancy.

5 The bill requires an institution to make reasonable
6 accommodations to a pregnant student to allow the student to
7 complete a course of study or research.

8 The bill requires an institution to allow a student who is
9 pregnant or has recently given birth an additional amount of
10 time to take examinations, complete a degree, or complete a
11 candidacy for a degree up to the longer of a period consistent
12 with the policies of the institution or 12 months from the date
13 originally scheduled for examination or completion, unless a
14 longer period is medically necessary.

15 The bill requires an institution to allow a student who
16 is pregnant or has recently given birth a period of up to 12
17 months to take a leave of absence unless there is a medically
18 necessary reason for a longer leave of absence. Following the
19 leave of absence, the student shall be allowed to return to
20 the student's program with the same standing and manner as the
21 student left to the degree reasonably possible.

22 The bill requires the state attorney general to maintain
23 a system to receive and investigate complaints from students
24 alleging a violation relating to pregnancy and recent birth
25 accommodations.

26 The bill requires the attorney general to forward complaints
27 it has determined as founded to the United States department
28 of education's office for civil rights to allow for an
29 investigation into the institution's compliance with the
30 federal Higher Education Act of 1965.

31 The bill requires an institution to maintain a written
32 policy for students on pregnancy discrimination and procedures
33 for addressing pregnancy discrimination complaints under this
34 Code section and the federal Higher Education Act of 1965. The
35 institution must provide a copy of the policy to institution

1 faculty, staff, and employees in required training and to all
2 students attending orientation at the institution.

3 The bill requires an institution to prominently post
4 notice of the protections afforded to pregnant students and
5 students who have recently given birth under the federal Higher
6 Education Act of 1965 on the institution's internet site.

7 The bill requires an institution to provide information
8 concerning the protections afforded to pregnant students and
9 students who have recently given birth under the federal
10 Higher Education Act of 1965, as amended, 20 U.S.C. §1681 et
11 seq., through the institution's medical center and student
12 health center to a student upon the student's request and when
13 otherwise appropriate.

14 The bill requires an institution to assign responsibility
15 for pregnancy and parenting support and protection to a staff
16 member of the institution. The institution must post the
17 responsible person's name, title, and contact information
18 on the institution's internet site. The responsibilities
19 assigned to the staff member include but are not limited to
20 maintaining current knowledge of Code provisions relating to
21 accommodations afforded to pregnant students and students
22 who recently gave birth; overseeing institution compliance
23 with Code provisions relating to accommodations afforded to
24 pregnant students and students who recently gave birth; and
25 understanding and publicizing topics related to pregnancy
26 and parenting, including but not limited to child care
27 availability, breastfeeding accommodations, and pregnancy and
28 parenting assistance from public and private providers, in
29 order to enhance campus life and academic performance.