



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE FOR CIVIL RIGHTS

THE ASSISTANT SECRETARY

June 25, 2013

Dear Colleague:

We as a nation need to do more to help the hundreds of thousands of young people who become mothers and fathers each year graduate from high school ready for college and successful careers. According to studies cited in the attached pamphlet, *Supporting the Academic Success of Pregnant and Parenting Students Under Title IX of the Education Amendments of 1972*, 26 percent of young men and young women combined who had dropped out of public high schools — and one-third of young women — said that becoming a parent was a major factor in their decision to leave school. And, only 51 percent of young women who had a child before age 20 earned their high school diploma by age 22. The educational prospects are worse at the higher-education level. Only 2 percent of young women who had a child before age 18 earned a college degree by age 30. This low education attainment means that young parents are more likely than their peers to be unemployed or underemployed, and the ones who do find jobs will, on average, earn significantly less than their peers.

To help improve the high school and college graduation rates of young parents, we must support pregnant and parenting students so that they can stay in school and complete their education, and thereby build better lives for themselves and their children. In view of this need, my office has prepared the attached pamphlet to help secondary school administrators, teachers, counselors, parents and students in this important work.¹ Although this pamphlet focuses on secondary schools, the legal principles apply to all recipients of federal financial assistance, including postsecondary institutions.

The pamphlet provides background on school retention problems associated with young parents and the requirements related to these issues contained in the Department's regulation implementing *Title IX*, 20 U.S.C. §§ 1681 *et seq.* As the pamphlet explains, it is illegal under *Title IX* for schools to exclude pregnant students (or students who have been pregnant) from participating in any part of an educational program, including extracurricular activities. Schools may implement special instructional programs or classes for pregnant students, but participation must be completely voluntary on the part of the student. Also, the programs and classes must be comparable to those offered to other students with regard to the range of academic, extracurricular and enrichment opportunities.

¹ This pamphlet replaces the pamphlet entitled *Teenage Pregnancy and Parenthood Issues Under Title IX of the Education Amendments of 1972*, which the Department of Education's Office for Civil Rights published in 1991.

Schools must treat pregnant students in the same way that they treat similarly situated students. Thus, any special services provided to students who have temporary medical conditions must also be provided to pregnant students. Likewise, a student who is pregnant or has given birth may not be required to submit medical certification for school participation unless such certification is also required for all other students with physical or emotional conditions requiring the attention of a physician.

A school must excuse a student's absences because of pregnancy or childbirth for as long as the student's doctor deems the absences medically necessary. When a student returns to school, she must be allowed to return to the same academic and extracurricular status as before her medical leave began. By ensuring that the student has the opportunity to maintain her academic status, we can encourage young parents to work toward graduation instead of choosing to drop out of school.

The pamphlet also includes information on strategies that educators may use and programs schools can develop to address the educational needs of students who become pregnant or have children.

The pamphlet is available online at <http://www2.ed.gov/about/offices/list/ocr/docs/pregnancy.pdf>. If you need additional information about *Title IX*, have questions regarding the Office for Civil Rights' (OCR) policies or seek technical assistance, please contact the OCR enforcement office that serves your state or territory. The list of offices is available at <http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm>.

Thank you for your attention to the importance of ensuring that young parents have the opportunity to graduate from high school and earn a college degree. I look forward to continuing our work together to provide all students with the opportunity to fully benefit from their schools' educational programs and activities.

Sincerely,

/s/

Seth Galanter
Acting Assistant Secretary for Civil Rights

Attachment