

***Title IX* Requirements Regarding Pregnant and Parenting Students**

Title IX provides that:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

ED's regulation implementing *Title IX* specifically prohibits discrimination against a student based on pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery from any of these conditions.¹⁵ The *Title IX* regulation also prohibits a school from applying any rule related to a student's parental, family, or marital status that treats students differently based on their sex.¹⁶

Under *Title IX*, it is illegal for schools to exclude a pregnant student from participating in any part of an educational program.¹⁷ This prohibition applies to specific classes such as advanced placement or honors classes, extracurricular programs, interscholastic sports, honor societies, and opportunities for student leadership, among other activities. Schools may implement special instructional programs or classes for a pregnant student, but participation must be completely voluntary on the part of the student, and the programs and classes must be comparable to those offered to other students.¹⁸

In addition, 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.¹⁹

Any special services provided to students who have temporary medical conditions must also be provided to a pregnant student.²⁰ Therefore, if a school provides special services, such as homebound instruction or tutoring, for students who miss school because they have a temporary medical condition, it must do the same for a student who misses school because of pregnancy or childbirth.²¹

A school may require a pregnant student or student who has given birth to submit medical certification for school participation only if the school also requires such certification from all students with physical or emotional conditions requiring the attention of a physician.²² Thus, for example, a student who has been hospitalized for childbirth must not be required to submit a medical certificate to return to school if a certificate is not required of students who have been hospitalized for other conditions.