

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

As Engrossed: H1/30/23 H2/2/23

A Bill

HOUSE BILL 1161

5 By: Representatives Hudson, Pilkington, Ennett, D. Garner, Gramlich, McCullough, Ray
6 By: Senators C. Tucker, L. Chesterfield, B. Davis, Dees, J. Dotson
7

For An Act To Be Entitled

9 AN ACT TO CREATE THE SUPPORT FOR PREGNANT AND
10 PARENTING STUDENTS ACT; AND FOR OTHER PURPOSES.
11

Subtitle

14 TO CREATE THE SUPPORT FOR PREGNANT AND
15 PARENTING STUDENTS ACT.
16
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
19

20 SECTION 1. Arkansas Code Title 6, Chapter 18, Subchapter 2, is amended
21 to add an additional section to read as follows:

22 6-18-234. Support for Pregnant and Parenting Students Act.

23 (a) This section shall be known and may be cited as the "Support for
24 Pregnant and Parenting Students Act".

25 (b) Each public school district and open-enrollment public charter
26 school shall include in its attendance policy the requirement that the public
27 school district or open-enrollment public charter school shall:

28 (1) Excuse absences due to conditions that are related to
29 pregnancy or parenting, including without limitation:

30 (A) Labor, delivery, and recovery;

31 (B) A prenatal and postnatal medical appointment and other
32 medically necessary, pregnancy-related absences;

33 (C) The illness or medical appointment of a child
34 belonging to a parent who is enrolled at the public school district or open-
35 enrollment public charter school; and

36 (D) A legal appointment related to pregnancy or parenting.



1 including without limitation appointments regarding:

2 (i) Adoption;

3 (ii) Custody; and

4 (iii) Visitation;

5 (2)(A) Provide at least ten (10) school days of excused absences
6 for both a parenting mother and a parenting father after the birth of a
7 child.

8 (B) The absences required under subdivision (b)(2)(A) of
9 this section shall not count towards the requirement that a public school
10 district or open-enrollment public charter school dismiss or drop from its
11 attendance records a student who is absent from daily attendance for more
12 than ten (10) consecutive school days under § 6-18-213(f).

13 (3)(A) At the conclusion of a pregnancy-related or parenting-
14 related period of absence, allow a student to make up missed work in a
15 reasonable amount of time that shall not be less than the number of days the
16 student was absent.

17 (B) A student may choose from various options to make up
18 missed work, including without limitation:

19 (i) Retaking a semester at the public school
20 district or open-enrollment public charter school in which he or she is
21 enrolled;

22 (ii) Participating in an online course credit
23 recovery program;

24 (iii) Being granted six (6) weeks to continue at the
25 same pace and finish the semester at a later date, provided that the student
26 may:

27 (a) Complete his or her coursework within the
28 current school year; or

29 (b) Attend previously scheduled summer school
30 classes made available by the public school district or open-enrollment
31 public charter school in which he or she is enrolled; and

32 (iv) Receiving home-based instruction services to
33 the extent made available by the public school district or open-enrollment
34 public charter school;

35 (4) Provide that, for absences or checkouts for reasons listed
36 under subdivision (b)(1) of this section, the following shall be accepted as

1 validation for the absence or checkout:

2 (A) Documentation from a student's physician; or

3 (B) Permission from a parent, legal guardian, or person
4 standing in loco parentis;

5 (5)(A) Provide for reasonable accommodations for a lactating
6 student on the public school district or open-enrollment public charter
7 school campus to express breast milk, breastfeed, or address other
8 breastfeeding needs, including without limitation:

9 (i) Access to a private and secure room other than a
10 restroom to express breast milk or breastfeed a child;

11 (ii) Permission to bring a breast pump and any other
12 equipment used to express breast milk to school;

13 (iii) Access to a power source for a breast pump or
14 any other equipment used to express breast milk; and

15 (iv)(a) Access to a place to safely store breast
16 milk.

17 (b) A place in which breast milk may be stored
18 under subdivision (b)(5)(A)(iv)(a) of this section shall include, but not be
19 limited to, a refrigerator or cooler in:

20 (1) A nurse's office;

21 (2) A teachers' lounge; or

22 (3) Another private location or location
23 with limited accessibility in which the breast milk may be safely secured.

24 (B) However, this section does not require a public school
25 district or open-enrollment public charter school to provide a lactating
26 student additional excused absences from the school day to breastfeed a child
27 off the public school district or open-enrollment public charter school
28 campus;

29 (6) Ensure that a lactating student shall be provided a
30 reasonable amount of time to accommodate the need to express breast milk; and

31 (7) Provide that a student shall not incur an academic penalty
32 as a result of the use, during the school day, of the reasonable
33 accommodations provided under subdivisions (b)(5) and (6) of this section and
34 shall be provided the opportunity to make up any work missed due to the use
35 of the reasonable accommodations provided under subdivisions (b)(5) and (6)
36 of this section.

