

1 State of Arkansas As Engrossed: H1/30/23 H2/2/23 S2/16/23

2 94th General Assembly

# A Bill

3 Regular Session, 2023

HOUSE BILL 1161

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5 By: Representatives Hudson, Pilkington, Ennett, D. Garner, Gramlich, McCullough, Ray, *Brooks*

6 By: Senators C. Tucker, L. Chesterfield, B. Davis, Dees, J. Dotson

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## For An Act To Be Entitled

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AN ACT TO CREATE THE SUPPORT FOR PREGNANT AND

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PARENTING STUDENTS ACT; AND FOR OTHER PURPOSES.

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## Subtitle

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TO CREATE THE SUPPORT FOR PREGNANT AND

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PARENTING STUDENTS ACT.

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

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SECTION 1. Arkansas Code Title 6, Chapter 18, Subchapter 2, is amended

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to add an additional section to read as follows:

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

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(a) This section shall be known and may be cited as the "Support for

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Pregnant and Parenting Students Act".

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(b) Each public school district and open-enrollment public charter

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school shall include in its attendance policy the requirement that the public

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school district or open-enrollment public charter school shall:

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(1) Excuse absences due to conditions that are related to

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pregnancy or parenting, including without limitation:

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(A) Labor, delivery, and recovery;

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(B) A prenatal and postnatal medical appointment and other

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medically necessary, pregnancy-related absences;

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(C) The illness or medical appointment of a child

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belonging to a parent who is enrolled at the public school district or open-

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enrollment public charter school; and

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(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;

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 and

25 (v) Access to a location to clean a breast pump and  
26 any other equipment used to express breast milk at school.

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

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

34 (7) Provide that a student shall not incur an academic penalty  
35 as a result of the use, during the school day, of the reasonable  
36 accommodations provided under subdivisions (b)(5) and (6) of this section and

1 shall be provided the opportunity to make up any work missed due to the use  
2 of the reasonable accommodations provided under subdivisions (b)(5) and (6)  
3 of this section.

4 (c)(1) A public school district that is associated with a public high  
5 school that provides access to child care either on campus or off campus  
6 shall adopt a policy that requires information regarding the child care  
7 provided on campus or off campus be provided to student mothers and student  
8 fathers.

9 (2) If a public high school does not provide child care either  
10 on campus or off campus, the public school district associated with the  
11 public high school shall adopt a policy that identifies and notifies students  
12 of child care providers available to the students.

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14 /s/Hudson  
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