

INVESTING IN THE FUTURE



reforming absence
and leave policy
for pregnant and
parenting students
in new mexico

PARTICIPATING ORGANIZATIONS & INDIVIDUALS

Albuquerque Public Schools (including New Futures and Home Hospital)
American Civil Liberties Union of New Mexico
New Mexico Children, Youth and Families Department
New Mexico GRADS
Pegasus Legal Services for Children
Southwest Women's Law Center
University of New Mexico Public Health Program
Young Women United
Young Parents, Melissa Romero and Diana Cardenas

BACKGROUND



Young people in New Mexico deserve equality in education. As we continue to build a healthy New Mexico where all families can thrive we must ensure that pregnant and parenting students are not left behind. For pregnant and parenting students in many school districts across the state, absence and leave policies are unclear and arbitrarily enforced. A statewide absence and leave policy designed around the needs of pregnant and parenting students will get us closer to equality in education and improved educational outcomes for young parents.

New Mexico has the second highest teen birth-rate in the country. While the long-term health and well-being of young families is intimately connected with their educational achievements, research shows that negative school experiences and barriers for parenting teens may prevent achievement of educational goals and result in lower graduation

“Pregnant and parenting students face the reality of more required medical visits to ensure a healthy pregnancy, birth, and post-partum experience as well as the addition of well-baby check-ups and nurturing sick infants and toddlers.”

Sally Kosnick, Executive Director, NM GRADS

rates (citations 1,2,3,4). Teen mothers are less likely to graduate from high school than their non-parenting peers. Nationally, only 51% of teen mothers receive a high school diploma by age 22 compared to 89% of women who did not become parents in their teens. Hispanic teen mothers have even lower graduation rates; only 34% receive a high school diploma, the lowest percentage of any ethnic group (2010 Child Trends Research Brief, citation 5).

Individuals with less education are more likely to experience unemployment, less likely to accumulate higher household financial wealth, and less likely to have better health outcomes (citations 6,7). The economic impact of the inequality faced by pregnant and parenting students is clear. In 2009, the median household income in New Mexico was \$42,830, the average income of those without a high school diploma was only \$11,426.

In 2011, Young Women United and the American Civil Liberties Union of New Mexico conducted focus groups with young moms to learn about their experiences in accessing education as pregnant and parenting teens. This process revealed that many pregnant and parenting teens face serious obstacles to completing their educations. Some of these obstacles are school absence policies that do not take the needs of young parents into account. For example, most schools do not have a policy that provides any maternity leave when a student gives birth. Parenting students need to take their children to the doctor and care for them when they are sick. Pregnant students must attend their prenatal doctor's visits to ensure a healthy pregnancy. Many pregnant and parenting students have reported that teachers and administrators arbitrarily refuse to excuse their absences and will not allow them to make up missed work. This places the student in a position of falling behind when she or he is trying to catch up. Additionally, research cited by the Foundation for Child Development links higher parental education attainment to stronger educational outcomes for children and can provide greater financial resources to the family.

Health outcomes for pregnant and parenting teens and their children are also significantly impacted by inconsistent and arbitrary leave policies. New Mexico is currently facing a crisis in pre-natal and early childhood health care and development. In general, pregnant teens are less likely to seek early prenatal care, and are, therefore, less likely to have access to programs that positively affect their health and the health of their children, such

as prenatal vitamins that prevent birth defects and health interventions that prevent premature births. For Medicaid eligible populations alone, over one-third of children do not receive the recommended number of well-child visits, which screen children to ensure that they are meeting physical and developmental milestones. School policies that provide sufficient leave for pregnant and parenting teens to obtain appropriate pre-natal and well-child care

will positively impact the health and wellbeing of children. See Report to the Legislative Finance Committee, Health and Human Services Department: Improving Outcomes for Pregnant Woman and Infants Through Medicaid, September 27, 2012.

In New Mexico many teachers and educational administrators have diligently worked to make schools a place where all students, including pregnant and parenting teens, can thrive. A strong example is the New Mexico GRADS program. With over 26 sites across 20 school districts, GRADS runs in primarily rural New Mexico high schools. GRADS provides parenting classes for credit,

on-site licensed child development centers, personalized academic support, and countless other resources. In Albuquerque Public Schools, New Futures High School has been serving pregnant and parenting students with a curriculum and setting designed around young parents and their children. The Santa Fe Teen Parent Center provides a physical classroom home to guided online learning and on-site childcare for their student parents.

With advocates across New Mexico committed to addressing this issue, Senator Cynthia Nava sponsored a memorial during the 2012 legislative



“As a teen mom in high school I had to miss classes to take care of my daughter. I was working hard to graduate some teachers worked with me to keep up with my assignments, others didn’t.”

*Elisiana Montoya,
Teen Parent*

session that mandated the creation of a task force to set to assess and improve upon educational barriers faced by pregnant and parenting students in New Mexico. Although the joint memorial carried bi-partisan support, it did not pass in the short session. To build on the momentum of this effort, organizations and individuals vested in building educational equality for pregnant and parenting students formed a working group to build out the ideas proposed in the memorial.

Our working group includes the expertise of young parents, educational administrators, community organizing projects, public health professionals, and advocates for civil and women’s rights. Working group partners have a wide knowledge of the issues negatively impacting young families; our work to date and collective policy recommendations are presented in this report.

RELEVANT LAW & POLICIES

A complex network of federal, state and local laws and policies are relevant to the issue of absence and leave for pregnant and parenting teens. At the federal level, a law commonly referred to as Title IX (20 U.S.C. §§ 1681-1688) prohibits discrimination on the basis of gender in schools that receive federal financial assistance. Title IX is most frequently discussed in the context of school athletics programs, but the law applies to all aspects of education. Furthermore, a federal regulation (34 C.F.R. § 106.40 Section B) indicates that girls can’t be discriminated against on the basis of pregnancy. Because most schools in the United States receive some type of financial assistance from the federal government, this prohibition essentially applies to all schools in the country.

At the state level, laws require that all school age persons in New Mexico have a right to a free public education. State laws also require that each

school district and charter school maintain attendance policies designed to provide early identification of students with unexcused absences and habitual truants, who are defined as students who have accumulated 10 or more days of unexcused absences within a school year. The statute requires that these policies provide intervention strategies aimed at keeping at-risk students in school.

At the local level, school districts around the state have adopted very diverse absence and leave policies and programs to help keep pregnant and parenting teens in school. Adding complexity to this issue is the fact that school district policies addressing pregnant and parenting teens are often unclear and arbitrarily enforced. The policies that exist on paper are often very different from the ones that operate in the classroom or at the administrative level.

To take just one example, what constitutes an “excused absence” varies enormously from school district to school district. The number of absences allowed for a student to maintain active status in a school also varies widely. School district policies for engaging in early intervention with students at risk of accruing excessive absences are likewise quite diverse.

“Pregnant and parenting teens are future teachers, doctors, lawyers, police officers, etc. They are capable of success, and it is our job to support their academic goals.”

*- Melissa Romero,
Teen Parent*

Albuquerque Public Schools is the only district with a school – New Futures – that specifically serves pregnant and parenting teens. APS also makes home and hospital instruction available for pregnant and parenting students needing medical assistance due to their pregnancy. The Teen Parent Center at Santa Fe High School provides pregnant and parenting students with a child care center, prenatal and parenting classes, tutoring and academic support services. In other areas of the state, New Mexico GRADS offers in-school programs and support for teen parents as well as on-site child care, career training and fatherhood programs.

RECOMMENDATIONS

Addressing the educational barriers faced by pregnant and parenting teens in New Mexico is a complex task. We understand how crucial attendance is to educational achievement and believe it is critically important to prevent habitual truancy among all students. To identify reforms that are both achievable and will have a concrete impact, we focused the scope of this report on absence and leave policies.

The group recommends a close examination of state attendance laws and proposes amendments to state law that would achieve the following:

- Schools and school districts would be required to allow for (unexcused or excused) absences of up to 14 school days per semester for pregnant and parenting teens. This would be allowed for both male and female student parents. Students would need to provide documentation showing that they have a child who needs their attention/care.
- Schools and school districts would be required to allow for up to 10 days of maternity leave. Students would need to provide documentation of the birth of their child.
- Teachers would be required to provide make-up work and missed testing for students who have missed school due to their pregnancy and/or parenting responsibilities.
- Students will be allowed an equal number of days to make up work as they were absent or on leave from school. Teachers shall make work available in a timely manner for pick-up. For work that can't be made up at home, teachers shall make time for the students to make-up the assignment at school or offer students an alternative assignment. These requirements do not bar the implementation of an academic improvement plan designed to help young parents plan their academic courses and provide the support and guidance they need to remain in school.
- Schools shall distribute absence and leave policies to all students, including pregnant and parenting teens
- In addition to the above suggested statutory amendments, we recommend that schools and school districts offer training for teachers and administrators on the rights for pregnant and parenting teens to receive a quality education.

“Students can often be two or three years out of school when they come to us, and they have big gaps in their education. They get frustrated because they don’t have some of the skills they need to succeed in school.”

*- Jinx Baskerville, Principal, New Futures
(Albuquerque Public School for Pregnant and Parenting Teens)*



YOUNG WOMEN UNITED & THE NEW MEXICO DAY IN RECOGNITION OF YOUNG PARENTS

Young Women United works with women and families to create positive changes in our lives and communities. Last year we worked with young parent leaders to collectively author Senate Memorial 25 establishing August 25th as the New Mexico Day in Recognition of Young Parents, this memorial passed with bi-partisan support. From committee hearings to conversations with legislators, these leaders let their message be known: young parents deserve respect, trust, and recognition.

Working to recognize young parents has shifted the way our families, communities and institutions talk about and treat young parents. Beginning in Santa Fe, moving south to Albuquerque and ending in Las Cruces, we organized three New Mexico Young Parents Day celebrations with over 400 young parents, families, and allies! For Christian Redbird, a YWU organizer raised in a young family, Young Parents Day was “a lot of work, but completely worth it ... so many young parents showed up and were really touched that their families were treated with kindness and respect.”

Too much is at stake when we shame and stigmatize young parents. Blaming social ills on young parents pushes them away from the support and resources that all families need to be healthy. While this memorial and these New Mexico celebrations were affirmations of equality that all families deserve, we have work ahead. Alongside our committed allies, Young Women United is centering the voices of young parents ready to create change; we can and must build communities where all our families can thrive.



SOURCES

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