

STATE OF NEW YORK

5444--B

2025-2026 Regular Sessions

IN SENATE

February 21, 2025

Introduced by Sen. PERSAUD -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- committee discharged and said bill committed to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Higher Education in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to protecting rights of pregnant students, parenting students, and students with pregnancy-related conditions in schools and education

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Short title. This act shall be known and may be cited as
2 the "protecting rights of pregnant students, parenting students, and
3 students with pregnancy-related conditions in schools and education
4 act".

5 § 2. Title 7 of the education law is amended by adding a new article
6 129-C to read as follows:

ARTICLE 129-C

PROTECTIONS FOR PREGNANT STUDENTS,

PARENTING STUDENTS, AND STUDENTS WITH PREGNANCY-RELATED CONDITIONS

Section 6450. Definitions.

6450-a. Rights and protections.

6450-b. Designation of liaison officer.

6450-c. Dissemination of information.

14 § 6450. Definitions. As used in this article, the following terms
15 shall have the following meanings:

16 1. "Institution" shall mean any college or university chartered by the
17 regents or incorporated by special act of the legislature that maintains
18 a campus in New York.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 2. "Parenting student" shall have the same meaning as "familial
2 status" as defined in subdivision twenty-six of section two hundred
3 ninety-two of the executive law.

4 3. "Pregnancy-related condition" shall include but not be limited to
5 childbirth, termination of pregnancy, lactation, and medical conditions
6 or recovery related to any of these conditions.

7 4. "Reasonable accommodation" shall mean actions taken which permit a
8 student, prospective student, parenting student or student with a preg-
9 nancy-related condition, to perform in a reasonable manner the activ-
10 ities involved in obtaining a degree from an educational institution or
11 participating in student life and include, but are not limited to,
12 provision of an accessible learning environment, acquisition or modifi-
13 cation of equipment, support services for pregnant students, parenting
14 students or students with a pregnancy-related condition, and modified
15 learning or testing schedule; provided, however, that such actions do
16 not impose an undue hardship on the institution from which such actions
17 are requested.

18 5. "Cooperative dialogue" shall mean the process by which an institu-
19 tion and a person entitled to an accommodation, or who may be entitled
20 to an accommodation under the law, engage in good faith in a written or
21 oral dialogue concerning the person's accommodation needs, including
22 alternatives to a requested accommodation, and the difficulties that
23 such potential accommodations may pose for the covered institution.

24 § 6450-a. Rights and protections. 1. An institution may not, solely
25 because of a student's status as a pregnant or parenting student or due
26 to issues related to a pregnancy-related condition, do or require a
27 student to do any of the following:

28 a. Take leave of absence or withdraw from the student's degree or
29 certificate program;

30 b. Limit the student's studies;

31 c. Participate in an alternative program;

32 d. Change the student's major, degree, or certificate program;

33 e. Terminate or reduce athletic, merit, or needs-based scholarships;
34 or

35 f. Refrain from joining or cease participating in any course, activ-
36 ity, or program at the institution.

37 2. An institution shall not:

38 a. Demand or require any student to:

39 (i) Undergo tests for pregnancy; or

40 (ii) Disclose the results of tests for pregnancy or pregnancy-related
41 conditions;

42 b. Demand or require any student's healthcare provider to:

43 (i) Disclose the results of tests related to pregnancy or pregnancy-
44 related conditions; or

45 (ii) Disclose the status or condition of any student in regard to
46 pregnancy-related conditions; or

47 c. Exclude a student from classes, a school program, or school activ-
48 ity for exercising the rights under this subdivision. Provided, howev-
49 er, that this subdivision shall not preclude staff from offering to
50 support students who wish to seek appropriate medical and support
51 services and providing referrals to such services.

52 3. An institution of higher education shall provide reasonable accom-
53 modations to pregnant students, parenting students, and students with
54 pregnancy-related conditions. Each reasonable accommodation shall be
55 based on the student's individual needs related to the health and safety
56 of the student and the student's child. The institution shall consult

1 with the student to determine which reasonable accommodations are
2 required under this section. It shall be an unlawful discriminatory
3 practice under this section for an institution to require a student to
4 accept accommodation other than a reasonable accommodation determined
5 through a cooperative dialogue. If a student accepts an institution's
6 offered reasonable accommodation, the institution shall implement it.

7 4. Examples of reasonable accommodations may include, but are not
8 limited to: breaks during class to express breast milk, breastfeed, or
9 attend to health needs associated with pregnancy or related conditions,
10 including eating, drinking, or using the restroom; access to online or
11 homebound education; changes in schedule or course sequence; extensions
12 of time for coursework and rescheduling of tests and examinations;
13 allowing a student to sit or stand, or carry or keep water nearby; coun-
14 seling; changes in physical space or supplies (for example, access to a
15 larger desk or a footrest); elevator access; or other changes to poli-
16 cies, practices, and procedures.

17 5. An institution of higher education shall, for reasons related to a
18 student's pregnancy, childbirth, or any resulting medical status or
19 condition:

20 a. Excuse the student's absence;

21 b. Allow the student to make up missed assignments or assessments;

22 c. Allow the student additional time to complete assignments;

23 d. Provide the student with access to instructional materials and
24 video recordings of lectures for classes for which the student has an
25 excused absence under this subdivision; and

26 e. Provide a private, non-bathroom lactation space and breaks to
27 parenting students needing to express breast milk.

28 6. Each institution shall adopt a policy for students on pregnancy,
29 pregnancy-related conditions and parenting discrimination. The policy
30 shall:

31 a. Include the contact information for the employee or office of the
32 institution that is the designated point of contact for a student
33 requesting each protection or accommodation pursuant to section sixty-
34 four hundred fifty-b of this article as well as the Title IX Coordina-
35 tor;

36 b. Be posted in an easily accessible, straightforward format on the
37 institution's website; and

38 c. Be made available annually to faculty, staff, and employees of the
39 institution.

40 7. If an institution of higher education provides early registration
41 for courses or programs at the institution for any group of students,
42 the institution shall provide early registration for those courses or
43 programs for pregnant students, parenting students, and students with
44 pregnancy-related conditions in the same manner.

45 § 6450-b. Designation of liaison officer. 1. Each institution shall
46 designate at least one employee of the institution to act as a liaison
47 officer for current or incoming students at the institution who are
48 pregnant, parenting, or have a pregnancy-related condition.

49 2. The liaison officer shall provide information to students regarding
50 support services and other resources available to students at the insti-
51 tution, including:

52 a. Resources to access, including:

53 (i) Medical and behavioral health coverage and services; and

54 (ii) Public benefit programs, including programs related to food secu-
55 rity, affordable housing, and housing subsidies;

56 b. Parenting and child care resources;

1 c. Employment assistance;
2 d. Transportation assistance;
3 e. Student academic success strategies;
4 f. Rights of pregnant students, parenting students, and students with
5 a pregnancy-related condition pursuant to section sixty-four hundred
6 fifty-a of this article; and
7 g. Any other resources developed by the institution to assist students
8 who are pregnant, parenting, or have a pregnancy-related condition.

9 § 6450-c. Dissemination of information. 1. Each institution shall
10 disseminate the information required pursuant to subdivision two of this
11 section in the manner provided in subdivision three of this section to
12 prospective and enrolled students, including those attending or planning
13 to attend less than full time.

14 2. The information to be disseminated pursuant to this section shall
15 include but not be limited to:

16 a. Information on the resources available to pregnant students,
17 parenting students, or students with a pregnancy-related condition,
18 including the resources listed in subdivision two of section sixty-four
19 hundred fifty-b of this article;

20 b. Information on how to contact the liaison officer required pursuant
21 to section sixty-four hundred fifty-b of this article;

22 c. Information on how to file a complaint with the federal department
23 of education, if a student believes there was a violation by the insti-
24 tution of title IX of the Education Amendments of 1972 (20 U.S.C. 1681
25 et seq.) on account of such student's determination to carry a pregnancy
26 to term; and

27 d. Information on how to file a complaint with the department of
28 education if a student believes there was a violation by the institution
29 of this article.

30 3. Information required to be disseminated pursuant to this section
31 shall be disseminated:

32 a. In an email to each enrolled student at the start of each period of
33 study during an academic year;

34 b. In student handbooks, if any;

35 c. At each orientation for enrolled students; and

36 d. At student health or counseling centers, if any.

37 § 3. Section 355 of the education law is amended by adding a new
38 subdivision 22 to read as follows:

39 22. The state university trustees shall adopt rules as necessary to
40 administer article one hundred twenty-nine-C of this chapter. Such rules
41 shall include a requirement that pregnant students, parenting students,
42 and students with a pregnancy-related condition be offered, but not
43 required to take, a leave of absence. Such rules shall establish mini-
44 imum periods of time for such leave of absence, which shall be no less
45 than the period of time determined to be medically necessary for each
46 individual pregnant student, parenting student, and student with a preg-
47 nancy-related condition.

48 § 4. Section 6306 of the education law is amended by adding a new
49 subdivision 13 to read as follows:

50 13. The board of trustees of each community college shall adopt rules
51 as necessary to administer article one hundred twenty-nine-C of this
52 chapter. Such rules shall include a requirement that pregnant students,
53 parenting students, and students with a pregnancy-related condition be
54 offered, but not required to take, a leave of absence. Such rules shall
55 establish minimum periods of time for such leave of absence, which shall
56 be no less than the period of time determined to be medically necessary

1 for each individual pregnant student, parenting student, and student
2 with a pregnancy-related condition.

3 § 5. Section 6206 of the education law is amended by adding a new
4 subdivision 25 to read as follows:

5 25. The board of trustees shall adopt rules as necessary to administer
6 article one hundred twenty-nine-C of this chapter. Such rules shall
7 include a requirement that pregnant students, parenting students, and
8 students with a pregnancy-related condition be offered, but not required
9 to take, a leave of absence. Such rules shall establish minimum periods
10 of time for such leave of absence, which shall be no less than the peri-
11 od of time determined to be medically necessary for each individual
12 pregnant student, parenting student, and student with a pregnancy-relat-
13 ed condition.

14 § 6. This act shall take effect on the one hundred eightieth day after
15 it shall have become a law.