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:

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

§ 2. Title 7 of the education law is amended by adding a new article 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.

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

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

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

LBD09767-11-6

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

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

4. "Reasonable accommodation" shall mean actions taken which permit a student, prospective student, parenting student or student with a pregnancy-related condition, to perform in a reasonable manner the activities involved in obtaining a degree from an educational institution or participating in student life and include, but are not limited to, provision of an accessible learning environment, acquisition or modification of equipment, support services for pregnant students, parenting students or students with a pregnancy-related condition, and modified learning or testing schedule; provided, however, that such actions do not impose an undue hardship on the institution from which such actions are requested.

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

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

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

b. Limit the student's studies;

c. Participate in an alternative program;

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

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

f. Refrain from joining or cease participating in any course, activity, or program at the institution.

2. An institution shall not:

a. Demand or require any student to:

(i) Undergo tests for pregnancy; or

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

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

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

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

c. Exclude a student from classes, a school program, or school activity for exercising the rights under this subdivision. Provided, however, that this subdivision shall not preclude staff from offering to support students who wish to seek appropriate medical and support services and providing referrals to such services.

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

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

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

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

a. Excuse the student's absence;

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

c. Allow the student additional time to complete assignments;

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

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

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

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

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

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

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

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

2. The liaison officer shall provide information to students regarding support services and other resources available to students at the institution, including:

a. Resources to access, including:

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

(ii) Public benefit programs, including programs related to food security, affordable housing, and housing subsidies;

b. Parenting and child care resources;

c. Employment assistance;
d. Transportation assistance;
e. Student academic success strategies;
f. Rights of pregnant students, parenting students, and students with a pregnancy-related condition pursuant to section sixty-four hundred fifty-a of this article; and
g. Any other resources developed by the institution to assist students who are pregnant, parenting, or have a pregnancy-related condition.
§ 6450-c. Dissemination of information. 1. Each institution shall disseminate the information required pursuant to subdivision two of this section in the manner provided in subdivision three of this section to prospective and enrolled students, including those attending or planning to attend less than full time.
2. The information to be disseminated pursuant to this section shall include but not be limited to:
a. Information on the resources available to pregnant students, parenting students, or students with a pregnancy-related condition, including the resources listed in subdivision two of section sixty-four hundred fifty-b of this article;
b. Information on how to contact the liaison officer required pursuant to section sixty-four hundred fifty-b of this article;
c. Information on how to file a complaint with the federal department of education, if a student believes there was a violation by the institution of title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) on account of such student's determination to carry a pregnancy to term; and
d. Information on how to file a complaint with the department of education if a student believes there was a violation by the institution of this article.
3. Information required to be disseminated pursuant to this section shall be disseminated:
a. In an email to each enrolled student at the start of each period of study during an academic year;
b. In student handbooks, if any;
c. At each orientation for enrolled students; and
d. At student health or counseling centers, if any.

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

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

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

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

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

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

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

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