

1-1 By: Paxton, et al. S.B. No. 412
 1-2 (In the Senate - Filed January 12, 2023; February 15, 2023,
 1-3 read first time and referred to Subcommittee on Higher Education;
 1-4 April 3, 2023, reported adversely, with favorable Committee
 1-5 Substitute from Committee on Education by the following vote:
 1-6 Yeas 12, Nays 0; April 3, 2023, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			
1-19	X			
1-20	X			
1-21	X			

1-22 COMMITTEE SUBSTITUTE FOR S.B. No. 412 By: Springer

1-23 A BILL TO BE ENTITLED
 1-24 AN ACT

1-25 relating to protections for pregnant and parenting students
 1-26 enrolled in public institutions of higher education.

1-27 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-28 SECTION 1. Subchapter 2, Chapter 51, Education Code, is
 1-29 amended by adding Section 51.982 to read as follows:

1-30 Sec. 51.982. PROTECTIONS FOR PREGNANT AND PARENTING
 1-31 STUDENTS. (a) In this section:

1-32 (1) "Institution of higher education" has the meaning
 1-33 assigned by Section 61.003.

1-34 (2) "Parenting student" means a student who is the
 1-35 parent or legal guardian of a child under 18 years of age.

1-36 (b) An institution of higher education may not require a
 1-37 pregnant or parenting student, solely because of the student's
 1-38 status as a pregnant or parenting student or due to issues related
 1-39 to the student's pregnancy or parenting, to:

1-40 (1) take a leave of absence or withdraw from the
 1-41 student's degree or certificate program;

1-42 (2) limit the student's studies;

1-43 (3) participate in an alternative program;

1-44 (4) change the student's major, degree, or certificate
 1-45 program; or

1-46 (5) refrain from joining or cease participating in any
 1-47 course, activity, or program at the institution.

1-48 (c) An institution of higher education shall provide
 1-49 reasonable accommodations to a pregnant student, including
 1-50 accommodations that:

1-51 (1) would be provided to a student with a temporary
 1-52 medical condition; or

1-53 (2) are related to the health and safety of the student
 1-54 and the student's unborn child, such as allowing the student to
 1-55 maintain a safe distance from substances, areas, and activities
 1-56 known to be hazardous to pregnant women or unborn children.

1-57 (d) An institution of higher education shall, for reasons
 1-58 related to a student's pregnancy, childbirth, or any resulting
 1-59 medical status or condition:

1-60 (1) excuse the student's absence;

2-1 (2) allow the student to make up missed assignments or
2-2 assessments;
2-3 (3) allow the student additional time to complete
2-4 assignments in the same manner as the institution allows for a
2-5 student with a temporary medical condition; and
2-6 (4) provide the student with access to instructional
2-7 materials and video recordings of lectures for classes for which
2-8 the student has an excused absence under this section to the same
2-9 extent that instructional materials and video recordings of
2-10 lectures are made available to any other student with an excused
2-11 absence.

2-12 (e) An institution of higher education shall allow a
2-13 pregnant or parenting student to:

2-14 (1) take a leave of absence; and

2-15 (2) if in good academic standing at the time the
2-16 student takes a leave of absence, return to the student's degree or
2-17 certificate program in good academic standing without being
2-18 required to reapply for admission.

2-19 (f) Each institution of higher education shall adopt a
2-20 policy for students on pregnancy and parenting discrimination. The
2-21 policy must:

2-22 (1) include the contact information for the employee
2-23 or office of the institution that is the designated point of contact
2-24 for a student requesting each protection or accommodation under
2-25 this section;

2-26 (2) be posted in an easily accessible, straightforward
2-27 format on the institution's Internet website; and

2-28 (3) be made available annually to faculty, staff, and
2-29 employees of the institution.

2-30 (g) The Texas Higher Education Coordinating Board, in
2-31 consultation with institutions of higher education, shall adopt
2-32 rules as necessary to administer this section. The rules must
2-33 establish minimum periods for which a pregnant or parenting student
2-34 must be given a leave of absence under Subsection (e). In
2-35 establishing those periods, the board shall consider the maximum
2-36 amount of time a student may be absent without significantly
2-37 interfering with the student's ability to complete the student's
2-38 degree or certificate program.

2-39 SECTION 2. Not later than January 15, 2024, each public
2-40 institution of higher education shall adopt and post on the
2-41 institution's Internet website the policy on pregnancy and
2-42 parenting discrimination required under Section 51.982(f),
2-43 Education Code, as added by this Act.

2-44 SECTION 3. Section 51.982, Education Code, as added by this
2-45 Act, applies beginning with the 2024 spring semester.

2-46 SECTION 4. This Act takes effect September 1, 2023.

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