



December 21, 2009

[address]

Re: The California School Age Families Education (Cal-SAFE) Program

Dear Board President and Superintendent:

You have maintained a Cal-SAFE program in your school district for many years. We applaud you for supporting Cal-SAFE, and giving the expectant and parenting students you serve the best possible chance for successful futures.

In February 2009, the California legislature provided LEAs with new flexibility to determine whether the funding levels of their "categorical" programs will be maintained or reduced in light of the fiscal crisis. Consequently, LEAs must now decide which programs to reduce or cut. One of the categorical programs that this new flexibility provision applies to is Cal-SAFE. The National Women's Law Center and the California Child Development Administrators Association strongly urge you to continue your district's Cal-SAFE program at the level it was funded in fiscal year 2008-2009. For a number of reasons, you should make sure that your Cal-SAFE program is spared from these budget cuts and is sufficiently funded to ensure its ongoing success.

The Cal-SAFE program is primarily a school-based program supporting expectant and parenting students with academic and support services (including transportation). Cal-SAFE also provides high quality child care and development services for the children of participating students. Additionally, some LEAs provide local expectant and parenting students self-contained, very comprehensive Cal-SAFE programs with all of the components of academic services, support services, and child care services under one roof. Regardless of where a Cal-SAFE program is located, all of them provide students with the support they need to be successful.

I. LEAs should retain programs that help expectant and parenting students stay in school by offering them necessary supports.

While much of the attention relating to the national dropout crisis has focused exclusively on the significant problems for male students, female students drop out of high school at very high rates too. Female students of color are at particular risk of not graduating. The latest data show that 41% of Latina students, 43% of African-American female students, and 49% of Native American/Alaskan Native female students do not complete high school on time with a standard diploma.¹ Furthermore, the consequences of dropping out are even worse for female students than for male students. Females who do not graduate from high school are more likely than their male counterparts to be unemployed, to earn lower wages, and to lack access to health insurance coverage. As a result, they are more likely to need to rely on public support programs to support themselves and their families.²

¹ EPE Research Center, *Diplomas Count 2009: Broader Horizons: The Challenge of College Readiness for All Students*, available at <http://www.edweek.org/ew/toc/2009/06/11/index.html>.

² See, e.g., National Women's Law Center, *When Girls Don't Graduate, We All Fail: A Call to Improve High School Graduation Rates for Girls* (2007), available at www.nwlc.org/dropout.

Additionally, teen pregnancy rates in the U.S. are distressingly high, far higher than in most other developed countries.³ Overall, 16 percent of female students in this country will have a baby before they turn 20.⁴ Also, teen pregnancy rates are highest among females of color: 53% of Latina teens and 51% of African American teens get pregnant at least once before age 20.⁵ Between 2005 and 2006, for the first time in 15 years, the overall teen birth rate rose – as did the rates for African-American, Native American, and Latina girls⁶ – troubling statistics that both reflect and reinforce the barriers that they face.

In California, the overall dropout rate for female students is 29.4%.⁷ For female students of color, the rates are higher: 39% of Latina students, 42% of African-American female students, and 49.8% of Native American/Alaskan Native students in California do not graduate on time.⁸ The California teen pregnancy rate among girls ages 15-19 is higher than the national average, and California teen pregnancies account for 14% of the teen pregnancies in the U.S.⁹ In the year 2006, almost 53,000 teen girls ages 15-19 gave birth in California, out of over 435,000 teen births nationally.¹⁰

Pregnant and parenting students face serious challenges to receiving and completing their education. In a recent Gates Foundation survey, nearly one-half of the female dropouts surveyed said that becoming a parent was a factor in their decision to drop out of high school, while one-third of female dropouts said it was a *major* factor.¹¹ This is an issue for males too: over one-third of the males surveyed said it was a factor for them; with 19 percent saying it played a major role in their decisions to drop out.¹² Pregnant and parenting students' chances of success are all too often harmed by active discouragement or even outright discrimination and stigmatization by school personnel, inferior alternative education programs that do not offer the same opportunities available at traditional high schools, and a lack of support from their schools.¹³ But schools that take serious steps to keep their pregnant and parenting students in school are likely to have a positive impact on their graduation rates. This is in part because pregnant and parenting students tend to be highly motivated: In the same Gates survey, students who left school because they became a parent or to care for a family member, more than any other group of dropouts, were "most likely to say they would have worked harder if their schools had demanded more of them and provided the necessary support."¹⁴

Programs, like Cal-SAFE, that take proactive steps to keep expectant and parenting students in school are critical to ensuring the success of these students and to addressing the significant gap in graduation rates among racial and ethnic subgroups of students. Your district should prioritize funds to maintain its Cal-SAFE programs.

II. Cal-SAFE programs have been tremendously successful.

³ Jacqueline E. Darroch et al., Guttmacher Institute, *Teenage Sexual and Reproductive Behavior in Developed Countries: Can More Progress Be Made?*, OCCASIONAL REPORT 3 (2001), available at http://www.guttmacher.org/pubs/eurosynth_rpt.pdf.

⁴ The National Campaign to Prevent Teen and Unplanned Pregnancy, Policy Brief: Racial and Ethnic Disparities in Teen Pregnancy (July 2008), available at http://www.thenationalcampaign.org/resources/pdf/Briefly_PolicyBrief_RacialEthnicDisparities.pdf.

⁵ *Id.*

⁶ *Id.*

⁷ EPE Research Center, 2009 (available here: http://www.edweek.org/media/ew/dc/2009/33sos_gains.pdf – from web materials of *Diplomas Count 2009: Broader Horizons*).

⁸ *Id.*

⁹ The Alan Guttmacher Institute. (2004). *U.S. teenage pregnancy statistics: Overall trends, trends by race and ethnicity and state-by-state information*. Retrieved February 20, 2004, from www.guttmacher.org/pubs/state_pregnancy_trends.pdf

¹⁰ Centers for Disease Control and Prevention. National Center for Health Statistics. VitalStats: Birth Data Files. <http://www.cdc.gov/nchs/vitalstats.htm> (January 2009).

¹¹ Peter D. Hart Research Associates, *Gates Foundation Dropouts Survey*, (Sep./Oct. 2005).

¹² *Id.*

¹³ For example, according to a study of Latina girls who had dropped out after having a baby, many left school because they did not have the resources or support mechanisms to help them balance school and raising a child. Aviles, R.M.D., Guerrero, M.P., Howarth, H.B., & Thomas, G., *Perceptions of Chicano/Latino students who have dropped out of school*, *Journal of Counseling and Development*, 77(4), 465-473 (1999).

¹⁴ Bridgeland et al., *The Silent Epidemic: Perspectives of High School Dropouts* (Civic Enterprises, 2006), at 6.

Cal-SAFE is a unique program serving two sets of vulnerable children at the same time, expectant, and parenting students (females and males) and their babies. As of June 2007, the Cal-SAFE program served over 72,000 students and 42,000 babies at 730 school sites and 225 child development centers in 44 of California's counties. In many counties, Cal-SAFE is a program primarily serving Latina students (e.g. 91% in Los Angeles County).

Statewide, over 75% of Cal-SAFE students graduate from high school, with most planning to enroll in a local community college. This far exceeds the traditional 30% graduation rate for non-supported teen mothers.¹⁵ The program's focus on graduation is critical, particularly in light of California's 32.5% overall high school dropout rate and the even higher dropout rates for low-income students and students of color.¹⁶ And students in Cal-SAFE programs have exceptionally low second birth rates (just 1% for those enrolled in the program), eliminating another potential dropout risk factor. With teen pregnancy rates on the rise, this is no time to eliminate or reduce this school support program.

The children of dropouts tend to have poorer health outcomes and are more likely to drop out of school themselves, so dropout is a multi-generational problem that will affect the state of California for generations to come if left unaddressed. But 94% of Cal-SAFE students' babies are up-to-date on immunizations and most are benefiting from developmentally appropriate learning and play. Cal-SAFE attacks the "achievement gap" at both ends by providing early education for children ages 0 to 5 as well as targeted remediation and assistance for middle and high school students who might otherwise fall through the cracks. It helps to break the multi-generational cycles of teen pregnancy, dropout, and poverty.

III. Title IX guarantees equal access to education for pregnant and parenting students.

Title IX of the Education Amendments of 1972 prohibits schools that receive federal funds from discriminating against students on the basis of sex,¹⁷ including a student's "actual or potential" parental status and a student's "pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery there from."¹⁸ This means that schools must provide all students who *might be, are or have been* pregnant (whether currently parenting or not) equal access to school programs and extracurricular activities, and treat pregnant and parenting students in the same way that they treat other students who are similarly able or unable to participate in school activities. Title IX also creates a number of requirements particular to pregnant and parenting students, including:

- Schools must provide equal access to school programs and extracurricular activities for students who are pregnant, who have been pregnant, or who have a child.
- Separate programs or schools for pregnant and parenting students must be completely *voluntary* and must offer opportunities equal to those offered to non-pregnant students. Some LEAs in California have self-contained, very comprehensive programs with all the components of academic services, support services, and childcare services under one roof.
- Absences due to pregnancy or childbirth must be excused for as long as is deemed medically necessary by the student's doctor.
- A doctor's note can be required for pregnant students to participate in activities *only* if the school requires a doctor's note from *all* students who have conditions that require medical care.
- Any special services provided for temporarily disabled students must be provided for pregnant students as well.

Not only is discrimination against expectant and parenting students illegal under Title IX, but such treatment also decreases expectant and parenting students' engagement in school, increasing the risk that they will drop out. Schools

¹⁵ Berglas, N., Brindis, C., & Cohen, J. (2003). *Adolescent Pregnancy and Childbearing in California*. Retrieved March 1, 2005 from <http://www.library.ca.gov/html/statseg2a.cfm>.

¹⁶ EPE Research Center, 2009 (available here: http://www.edweek.org/media/ew/dc/2009/33sos_gains.pdf – from web materials of *Diplomas Count 2009: Broader Horizons*).

¹⁷ 20 U.S.C. §1681 et seq.

¹⁸ 34 C.F.R. §106.40.

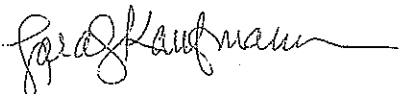
must, at a minimum, prevent discrimination against expectant and parenting students, but schools can – and should – do much more to support expectant and parenting students and enable them to succeed in school.

The Cal-SAFE program is a promising example of how schools can support their expectant and parenting students and their children to ensure that they have real access to educational opportunities. California schools should maintain their Cal-SAFE programs to improve their graduation rates and their citizens' chances of success and economic security.

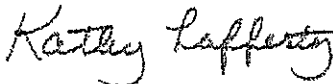
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We appreciate your time and attention to these important issues, and we would be happy to discuss our comments further or answer any questions you may have. For additional information, please contact Nina Buthee, CCDAA Executive Director at 916-443-5919 or Lara Kaufmann, Senior Counsel for Education and Employment at NWLC, at 202-588-5180.

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