

Date of Hearing: April 21, 2026

ASSEMBLY COMMITTEE ON JUDICIARY  
Ash Kalra, Chair  
AB 1784 (Pellerin) – As Amended April 9, 2026

PROPOSED CONSENT

**SUBJECT:** POSTSECONDARY EDUCATION: NONDISCRIMINATION: PREGNANCY OR PREGNANCY-RELATED ISSUES

**KEY ISSUE:** SHOULD RIGHTS AND ACCOMMODATIONS THAT EXISTING LAW AND POLICY AFFORD TO PREGNANT GRADUATE STUDENTS BE EXTENDED TO PREGNANT UNDERGRADUATE STUDENTS AS WELL?

**SYNOPSIS**

*Both federal and state law provide that no person shall be discriminated against in any educational program, nor be denied the benefits thereof, on the basis of sex or gender. More specifically, for purposes of this bill, both federal and state law prohibit colleges and universities from discriminating against students for any reason related to a student's pregnancy or pregnancy-related condition. Existing state law prohibits a college from requiring a pregnant graduate student to take a leave of absence who chooses not to take a leave, and, on other hand, it requires a college to make reasonable accommodations for a pregnant graduate student, including permitting a graduate student who chooses to do so to take a leave. Existing law also requires colleges to post these policies at various locations on campus and requires faculty and staff to be trained in those policies. However, these existing requirements do not extend these same protections to undergraduate students who are pregnant or experiencing pregnancy-related conditions. This arguably leaves a gap in the law, considering that today's undergraduates have a range of ages, and they need most, if not all, of the same accommodations as graduate students.*

*This bill fills the gap in existing law by extending the rights and accommodations to undergraduates that are presently provided only to graduate students. In addition, the bill provides helpful guidelines for institutions' compliance with the reasonable accommodations process.*

*The bill recently passed the Assembly Higher Education Committee unanimously. It is supported by a diverse group of educational, religious, and professional groups. There is no registered opposition to this bill.*

**SUMMARY:** Expands existing law to provide parity between pregnant undergraduate and graduate students by extending existing leave of absences to undergraduate students and requiring other reasonable accommodations. Specifically, **this bill:**

- 1) Expands existing findings relating to equal access to rights and opportunities in the postsecondary educational institutions of the state to also include all persons, regardless of ancestry, national origin, medical condition, marital status, familial status, citizenship, or primary language.

- 2) Defines “familial status” for purposes of 1) to have the same meaning as Government Code Section 12955.2.
- 3) Defines all of the following for the purposes of the Equity in Higher Education Act:
  - a) “Gender” means sex, and includes a person’s gender identity and gender expression;
  - b) “Pregnancy or pregnancy-related conditions” includes all of the following:
    - i) Pregnancy, childbirth termination of pregnancy, or lactation;
    - ii) Medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation;
    - iii) Recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.
  - c) “Sex” includes, but is not limited to, pregnancy or pregnancy-related conditions.
- 4) Modifies existing policy findings in statute regarding the intent of the State to additionally hold that it is the policy that all persons, regardless of familial status or marital status should enjoy freedom from discrimination of any kind in the postsecondary educational institutions of the state.
- 5) Expands prohibitions on postsecondary educational institutions discriminating against graduate students to apply to all postsecondary students, including undergraduate students. Makes conforming changes throughout the section.
- 6) Prohibits a postsecondary educational institution from discriminating against a student or applicant based on the actual or potential familial status or marital status of the student or applicant, or based on the student’s or applicant’s pregnancy or pregnancy-related conditions.
- 7) Prohibits a postsecondary educational institution, including the faculty, staff, or other employees of the institution, from doing either of the following based on a student’s pregnancy or pregnancy-related condition:
  - a) Require a student to take a leave of absence or withdraw from an extracurricular program or activity;
  - b) Limit the student’s undergraduate or graduate program.
- 8) Expands requirement for a postsecondary educational institution to provide reasonable accommodations to an institutional program for a student experiencing pregnancy or pregnancy-related condition to apply to undergraduate students. Makes conforming changes throughout the section.
- 9) Requires reasonable accommodations to be provided in consultation with the student and to meet the individual needs of the student. Requires the designated employee to discuss the reasonable accommodations that the postsecondary educational institution is prepared to provide with the student after consulting with them on their individual needs in order to

address their needs. Provides examples of the types of accommodations that a postsecondary educational institution may provide.

- 10) Clarifies that an accommodation that a postsecondary educational institution can demonstrate would fundamentally alter the nature of its education program or activity is not a reasonable accommodation.
- 11) Requires a student to complete an academic requirement that a postsecondary educational institution can demonstrate is essential to either the academic integrity of a program or course being pursued by the student or any directly related licensing requirement, and establishes that the requirement is not regarded as discrimination within the meaning of the section.
- 12) Authorizes a student to voluntarily accept or reject any reasonable accommodation offered pursuant to the section. Requires the institution to implement the reasonable accommodation if accepted by the student. Prohibits a postsecondary educational institution from requiring that a student accept a reasonable accommodation.
- 13) Requires a postsecondary educational institution to designate at least one employee of the institution to coordinate its efforts to comply with and carry out its responsibilities under this section. Allows the same employee to be the same individual as the institution's federal Title IX coordinator. Requires the employee or employees to have adequate training on what constitutes discrimination based on the student's pregnancy or pregnancy-related conditions and the policies in place, pursuant to the section and other related state and federal laws, to maintain equal access for a student experiencing pregnancy or a pregnancy-related condition.
- 14) Obligates a postsecondary educational institution to require employees who are obligated to report pursuant to the institution's nondiscrimination policy, upon being directly informed by a student of the student's pregnancy or pregnancy-related condition, to inform the student of their right to receive reasonable accommodations to maintain access to the educational program and to provide the student with the contact information for the employee or employees designated by the postsecondary education institutions, as specified.
- 15) Requires, on or before July 1, 2027, the Board of Governors of the California Community Colleges to adopt regulations for a systemwide policy that include the requirements of this section and best practices for implementing the requirements.
- 16) Requires, on or before September 1, 2027, the regulations adopted by the Board of Governors to be adopted by the governing board of each community college district and to serve as the required written policy for the community college district, as specified.
- 17) Authorizes a postsecondary educational institution to seek guidance, as needed, from the Pregnant Scholar at the Center for WorkLife Law, University of California College of the Law, San Francisco.
- 18) Notwithstanding Education Code Section 67400 providing that no provision of the Education code shall apply to the University of California except to the extent that the Regents, by appropriate resolution, make the provision applicable, applies the section to the University of California.

**EXISTING LAW:**

- 1) Provides that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance except for specified circumstances including membership of fraternities and sororities. (20 U.S.C. Section 1681 *et seq.*, commonly known as Title IX.)
- 2) Prohibits a college or university that receives funding from the federal government, from discriminating against or excluding a student from educational programs or activities based on the student's pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery unless the student volunteers to participate in the separate program if the program is fundamentally the same as programs offered to other students. (34 CFR Section 106.40.)
- 3) Prohibits a college from requiring a graduate student to take a leave of absence or withdraw from the program or otherwise limit the student's graduate studies because the student is pregnant or experiencing pregnancy-related conditions. Requires a college to provide reasonable accommodations to the pregnant graduate student so the student may complete their graduate program. Requires the policies regarding pregnancy protections to be posted in various locations on campus and requires employees to be trained on the policies. (Education Code Section 66281.7.)
- 4) Requires the CCC and the CSU, and encourages a satellite campus of CCC or CSU, and the UC, to provide reasonable privacy accommodations for a lactating student to express breast milk, breast-feed an infant child, or address other needs related to breast-feeding. (Education Section 66271.9.)
- 5) Defines familial status to mean one or more individuals under the age of 18 who reside with a parent or a person with care or legal custody of the individual. Stipulates the protections afforded under the definition of familial status extends to any individual who is pregnant, in the process of securing legal custody, or who is in the process of being given care or custody of any individual under the age of 18. (Government Code Section 12955.2.)

**FISCAL EFFECT:** As currently in print this bill is keyed fiscal.

**COMMENTS:** The federal Title IX program, as well as parallel provisions in the California Education Code, provide that no person shall be discriminated against in any educational program, or denied the benefits thereof, on the basis of sex. Both federal and state law define discrimination based on sex to include discrimination based on pregnancy or pregnancy-related conditions. For example, existing state law prohibits a college from requiring a pregnant graduate student to take a leave of absence who chooses not to take a leave. Conversely, existing law requires a college to make reasonable accommodations for a pregnant graduate student, including permitting a student who chooses to do so to take a leave. Existing law also requires colleges to post these policies at various locations on campus and requires faculty and staff to have training on these policies. However, these existing requirements only protect *graduate* students who are experiencing pregnancy or pregnancy-related conditions, or who recently gave birth. Existing laws and policies do not extend these same protections to *undergraduate* students who are pregnant or experiencing pregnancy-related conditions.

***Development and limitation of existing law.*** It is not entirely clear why existing California law applies only to graduate students, though it apparently reflected the state's efforts to follow federal guidelines. In light of research showing that pregnancy was one the most common reasons that female students gave for dropping out of college, in 2013 the Obama administration issued a "Dear Colleague" letter that prohibited a college from separating a pregnant student into an alternative education program or requiring medical documentation for continual participation in educational programs. The letter also reiterated the requirement that colleges provide reasonable accommodations when necessary to preserve a pregnant student's access to equal participation in educational programs. The following year, partly in response to this federal guidance, California enacted AB 2350 (Chap. 637, Stats. 2014), which required leaves of absence and reasonable accommodations for *graduate* students. According to the legislative findings and declarations in AB 2350, the limitation to graduate students reflected the Obama administration's focus on increasing female graduate participation in science, technology, engineering, and mathematic (STEM) fields.

Despite the important and controversial differences between Title IX regulations and guidelines provided by the successive Trump and Biden administrations, both sets provided protections for pregnant students. As meticulously set forth in the Assembly Higher Education Committee's fine analysis of this bill, the 2020 regulations finalized under the final year of the first Trump administration prohibited discrimination based on pregnancy and pregnancy-related conditions for *both* undergraduate and graduate students. In 2024, the Biden administration's regulations strengthened these protections, specifying, for example, that pregnancy-related conditions included lactation, childbirth, termination of pregnancy, or recovery from pregnancy. The 2024 regulations also required colleges to provide pregnant students or those experiencing pregnancy-related conditions with the Title IX coordinator's contact information so that the Title IX coordinator could inform the students of their rights to accommodations and protections from discrimination. According to the author:

California has long been a leader in ensuring educational equity for our students. Higher education is one of the most powerful factors for upward economic and social mobility, and access for our pregnant, postpartum, and pregnancy-impacted students must be preserved. However, not all pregnant students experience support in balancing their academics during their pregnancy or when postpartum. In 2021, the U.S. Department of Education Office of Civil Rights found that the College of the Canyons had likely violated Title IX by not allowing a student to make up a quiz she missed while she was giving birth.

For a state that has done so much for reproductive care, this is not acceptable. AB 1784 updates the California Equity in Education Act to ensure that undergraduate students have the same protections and rights as their graduate student peers. These additional protections come at a crucial time for pregnant and parenting students given the Supreme Court's decision to strike down the constitutional right to abortion and ongoing attacks to the constitutional right to birth control. Furthermore, AB 1784 codifies the best practices of the 2024 Title IX regulations in state law, ensuring that the additional protections afforded to students by these overturned federal regulations continue to be accessible to California students.

***This bill***, therefore, not only follows federal guidelines by applying protections to both graduate and undergraduate students, but also provides helpful specificity for the reasonable

accommodations process. Additionally, this bill ensures that students who could benefit from the bill's protections are informed of their rights in order to advocate for themselves if necessary.

Last year, this Committee heard and approved AB 1098 (Fong, 2025), which was substantially similar to the current measure. However, that measure was subsequently amended to establish the California Education Interagency Council and thus the expansion of anti-discrimination protections for pregnant students in the state's colleges and universities remains incomplete.

**ARGUMENTS IN SUPPORT:** This measure is supported by the American Association of University Women – California, the California Catholic Conference, the Church State Council, EdTrust West, and Reproductive Freedom for All California. In support of the measure the American Association of University Women submits:

AB 1784 is an important measure that ensures pregnant undergraduates are provided the same rights and accommodations that are presently provided only to graduate students. In addition, the bill strengthens protections for both groups and requires colleges and universities to have more robust and effective means of informing students about their rights under federal and state law.

Pregnant and parenting students should be afforded every opportunity to pursue their academic goals and be protected from any bias or discrimination based on the student's pregnancy or pregnancy-related conditions. AB 1784 provides certainty for these students by prohibiting a college from requiring an undergraduate or graduate student to take a leave of absence or withdraw from an undergraduate or graduate program because of their pregnancy, or otherwise limit the student's studies, because the student is pregnant or experiencing pregnancy-related conditions. While students may request accommodations for bonding with a newborn or adopted infant or child, primary caregivers, who are largely women, are most susceptible to unjust conditions. The lack of accommodations, including medically necessary leave, access to participation in academic work during and post-pregnancy and accommodating a student's appropriate return rights to their academic standing, may ultimately drive them to withdraw from their studies and forgo their higher education goals.

AB 1784 protects the basic rights of pregnant students and provides important guidance for colleges and universities to ensure they provide equal access under the law for pregnant students and for those who are experiencing pregnancy – related conditions.

Lastly, the measure ensures colleges and universities inform students about their rights under federal and state law, thereby increasing the likelihood that they will seek the assistance of the Title IX coordinator to pursue those rights. A 2023 study published in the *Journal of Higher Education Policy* showed that Title IX is not being implemented consistently to its fullest extent. Increasing regulations, and specificity enacting AB 1784, would help to reduce this issue and provide students with the accommodations they deserve.

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

American Association of University Women - California  
California Catholic Conference  
Church State Council

EdTrust-west  
Reproductive Freedom for All California

**Opposition**

None on file

**Analysis Prepared by:** Manuela Boucher-de la Cadena / JUD. / (916) 319-2334