

ASSEMBLY THIRD READING

AB 1784 (Pellerin)

As Amended April 9, 2026

Majority vote

SUMMARY

Establishes a reasonable accommodation standard for students who are pregnant or experiencing pregnancy-related conditions and permits all students who have given birth or whose partner has given birth to receive a leave of absence from coursework without impacting their academics at a postsecondary education institution in California. education: nondiscrimination: pregnancy or pregnancy-related issues.

Major Provisions

- 1) Adds a definition of "sex" to the Equity in Higher Education Act. Define "sex" to include pregnancy, childbirth, or medical conditions related to pregnancy, as defined.
- 2) Clarifies that people at higher education institutions should enjoy freedom from discrimination regardless of their sex, familial status, or marital status.
- 3) States that a postsecondary education institution will not discriminate against a student nor an applicant based on the student's actual or potential familial or marital status. States a postsecondary education institution will not discriminate against a student based on the student's pregnancy or pregnancy-related conditions. Stipulates a postsecondary education institution does not commit discrimination if the institution permits a student to voluntarily participate in a separate, but comparable program of education or activity
- 4) Prohibits employees of the postsecondary education institution from discriminating against a student based on the student's pregnancy or pregnancy-related condition; specifically, prohibits the following actions:
 - a) Requiring a student to take a leave of absence or to withdraw from an education program/activity or an extracurricular program/activity; and,
 - b) Limiting in any way the student's undergraduate or graduate program.
- 5) Compels a postsecondary education institution to provide excused leave of absences for appointments that are medically necessary as determined by the student's medical provider.
- 6) Requires a postsecondary education institution to provide reasonable accommodations to a pregnant student or a student experiencing pregnancy-related conditions. The accommodations shall be provided to ensure the student is able to maintain equal access to educational program and activities. The reasonable accommodation will be provided in consultation with the student and will meet the individual needs of the student. Provides a list of potential accommodations that may be provided to the student.
- 7) Maintains the student's agency to accept or reject any reasonable accommodation offered by the postsecondary education institution.

- 8) Clarifies an accommodation is not considered reasonable if the postsecondary education institution can demonstrate it would fundamentally alter the nature of its education program or activity. Further clarifies an accommodation would not be considered reasonable if the postsecondary education institution can demonstrate the accommodation would impede the academic integrity of a program or would directly impact a related licensing requirement that is required to be completed by the student.
- 9) Expands existing leave policies for pregnant and partners of pregnant graduate students to pregnant and partners of pregnant undergraduate students.
- 10) Requires each postsecondary education institution to designate at least one employee to coordinate the efforts required of this measure. The designated employee will have training on what constitutes discrimination based on the student's current, past, or potential pregnancy or pregnancy – related conditions and the policies developed by the institution to maintain equal access to education for students experiencing a pregnancy or pregnancy – related conditions.
- 11) Requires employees of the postsecondary education institution, upon being informed by the student of the student's pregnancy or pregnancy – related condition, to do the following:
 - a) Inform the student of their rights to receive accommodations; and,
 - b) Provide students with the contact information for the designated employee pursuant to (10) of this analysis.
- 12) Requires each postsecondary education institution to have a written policy for students on procedures for addressing pregnancy complaints under Title IX and procedures for accessing reasonable accommodations under Title IX consistent with this measure. A copy of the policy will be emailed to students, faculty, staff, and employees at the beginning of each academic year and will be available to faculty, staff, and employees in their required training. The policy will be made available to all students during their student orientation.
- 13) Requires each postsecondary education institution to notify pregnant and parenting students of the protections afforded to them through Title IX and as required pursuant to the provision of the measure. Requires each postsecondary education institution to post the requirements established above on the campus website and if the institution has a medical center on campus, the notice of the protections will also be posted in the center.
- 14) Requires by July 1, 2027, for the Board of Governors of the California Community College to adopt regulations for the implementation of the measure and subsequently requires the community college districts to adopt the regulations by September 1, 2027.

COMMENTS

Need for the measure. In February 2026, *the Journal of Sex Research*, published an article entitled "Title IX and Sexual Violence in Higher Education: A Mapping Review and Assessment of Policy Implementation and Effectiveness." The peer-reviewed article found "infrequencies in the provision of accommodations and supportive measures" even when a sexual harassment complaint is filed. An article, "What is Academe's Problem With Pregnancy?," highlighted the need for the measure as:

"Title IX and the Americans With Disabilities Act require institutions of higher education to give pregnant students accommodations just as they would any disabled student, especially if the institution is providing these services to students with other temporary medical conditions. If a pregnant student chooses to take a leave, when they return, they must be reinstated to their status at the time they left and allowed to resume their studies without penalty. I've also learned, from interviewing close to 100 pregnant academics, that illegal actions that violate these protections happen all the time. As Joan C. Williams and Jessica Lee write, 'We hear over and over about women are penalized for their absence or forced to reapply to their programs as if they had never been accepted.' Pregnant academics 'who do stay in school often face an uphill climb in a hostile environment.'"

Since 2018, there have been two cases were settled by the Office for Civil Rights, U.S. Department of Education in which a college and a university denied accommodations to a student and therefore, potentially violated Title IX. In September 2021, College of the Canyons entered into a resolution with the U.S. Department of Education Office for Civil Rights (OCR) after a student alleged the campus had violated Title IX because the pregnant student alleged she was denied the ability to make up course work missed due to labor and delivery. At the time of the allegation and resolution, Title IX included specified protections for pregnant students.

In 2018, OCR entered into a resolution with CSU East Bay, due to an allegation that a pregnant student had been discriminated against when the university failed to provide academic adjustments to ensure she could participate in the education program during her absences and failed to allow her to return to the same academic status. The resolution between the CSU East Bay and OCR included reimbursing the student her tuition and campus fees and removing the course from her transcript. The student was a graduate student in a post-graduate certificate program at CSU East Bay.

In both cases, additional clarity on the type of leave of absences, program modifications, and policies upon return to campus would have helped the institutions avoid potential violations of Title IX and allegations of discrimination. The measure seeks to provide such clarity for postsecondary education institutions by expanding the existing leave protections to undergraduate students and by defining reasonable accommodations or modifications, a college or university should provide in order to avoid discrimination claims.

According to the Author

As identified by 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."

According to the author, "AB 1784 updates the California Equity in Higher 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.

Arguments in Support

As explained by the American Association of University Women of California, "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 accommodation, 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."

Arguments in Opposition

None on file.

FISCAL COMMENTS

According to the Assembly Committee on Appropriations:

- 1) Ongoing Proposition 98 General Fund costs in the low millions of dollars for the California Community Colleges (CCC), collectively statewide, to adopt updated policies, post notices, and provide accommodations. Exact costs will depend on the extent to which a college's policies need updating relative to this bill's requirements and how many accommodations it already offers pregnant or recently pregnant students.
- 2) Minor one-time General Fund costs to the CCC Chancellor's Office to issue guidance on updated policy requirements.
- 3) Minor and absorbable costs to the CSU campuses to update policies and training.
- 4) Minor and absorbable General Fund costs to the UC campuses to update policies and training.

The Legislative Analyst's Office recently warned of General Fund structural deficits of around \$35 billion per year in the 2027-28 fiscal year and ongoing.

VOTES

ASM HIGHER EDUCATION: 10-0-0

YES: Fong, DeMaio, Boerner, Jeff Gonzalez, Jackson, Irwin, Patel, Bennett, Sharp-Collins, Tangipa

ASM JUDICIARY: 12-0-0

YES: Kalra, Macedo, Bauer-Kahan, Bryan, Connolly, Dixon, Harabedian, Pacheco, Papan, Sanchez, Stefani, Zbur

ASM APPROPRIATIONS: 15-0-0

YES: Wicks, Hoover, Aguiar-Curry, Calderon, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache, Ta, Tangipa

UPDATED

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