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Policy Name and Number: Pregnant and Parenting Student Policy (D2.1)

Policy Developer(s): Title IX Office

Original Date: July 26, 2022

Last Review Date: May 12, 2023

Approval Date: May 12, 2023

Contact Person for Website: Title IX Coordinator

Body

POLICY

John Carroll University is committed to creating and maintaining a community where all individuals enjoy freedom from discrimination, including discrimination on the basis of sex, as required by Title IX of the Education Amendments of 1972 (Title IX). Consistent with obligations under federal regulations, sex discrimination, which can include [discrimination](#) based on [pregnancy](#), marital status, or parental status, is prohibited and illegal in admissions, educational programs and activities, hiring, leave policies, and employment policies. John Carroll University hereby establishes a policy and associated procedures for ensuring non-discrimination and equal treatment, as well as a [reasonable accommodation](#) process, for pregnant students, students with pregnancy-

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extracurricular activities; leave policies; and student employment policies. Individual departments or programs should consult with the Title IX Coordinator about any questions about this policy or issues related to pregnancy, childbirth, or related conditions, and may adopt related department or program protocols or processes only in conjunction with the Title IX Coordinator and consistent with the provisions of this policy.

PROCEDURES

- A. Reasonable Accommodations of Students Affected by Pregnancy, Childbirth, or Related Conditions
 - a. John Carroll University and its faculty, staff, and other employees will not require students to limit their studies as the result of [pregnancy or pregnancy-related conditions](#).
 - b. The benefits and services provided to students affected by pregnancy will be no less than those provided to students with temporary medical conditions.
 - c. Students with pregnancy-related disabilities, like any student with a short-term or temporary disability, are entitled to [reasonable accommodations](#) so that they will not be disadvantaged in their courses of study or research.
 - d. Requests for accommodations for pregnancy or pregnancy-related conditions should be made to the Title IX Coordinator or designee.
 - e. Students may make requests for accommodation for pregnancy or pregnancy-related conditions at any time. No artificial deadlines or time limitations will be imposed on requests for accommodations, but John Carroll University is limited in its ability to impact or implement accommodations retroactively. Accommodations may need to change over the course of a pregnancy (including post-delivery).
 - f. If the student is seeking accommodations, the Title IX Coordinator or designee may obtain medical documentation from the student, including a diagnosis of pregnancy, pregnancy-related condition, and/or recommended accommodations that are [medically necessary](#).
 - g. The Title IX Coordinator or designee will engage in an interactive process with the student who is requesting accommodations for pregnancy or a pregnancy-related condition. The Title IX Coordinator also will discuss requested accommodations with instructors, academic department leaders, athletics and recreation staff, or other administrators, as needed, to review and determine reasonable accommodations. After such interaction, the Title IX Coordinator will notify the student in writing of any reasonable accommodations granted to the student.
 - h. Reasonable accommodations may include, but are not limited to:
 - i. Providing accommodations requested by a pregnant student to protect the health and safety of the student and/or the pregnancy (such as allowing the student to maintain a safe distance from hazardous substances);
 - ii. Making modifications to the physical environment (such as accessible seating);

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- iii. Providing mobility support;
 - iv. Extending deadlines and/or allowing the student to make up tests or assignments missed for pregnancy-related absences;
 - v. Offering remote learning options, typically for a defined period of time;
 - vi. Excusing medically-necessary absences (as supported by medical documentation and irrespective of classroom attendance requirements set by an instructor, department, or division);
 - vii. Granting leave per Job # 1000 by [Permanent Withdrawal and Leave of Absence Policy](#) or implementing incomplete grades for classes that will be resumed at a future date; or
 - viii. Allowing breastfeeding students reasonable time and space to pump breast milk in a location that is private, clean, and reasonably accessible. Bathroom stalls do not satisfy this requirement.
- i. Nothing in this policy requires modification to the essential elements, requirements or technical standards of any academic program.
 - j. Pregnant students cannot be channeled into an alternative program or school, unless requested or voluntarily agreed to by the student.
 - k. As appropriate and/or requested, the Title IX Coordinator or designee may provide information to students on campus and community resources available for pregnant or parenting students, including mental health resources.
- B. Modified Academic Responsibilities for [Parenting](#) Students
 - a. Students with child caretaking/parenting responsibilities who wish to

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- b. To the extent possible, the University will take reasonable steps to ensure that pregnant students who take a leave of absence or medical leave return to the same position of academic progress that they were in when they took leave, including access to the same course requirements that were in place when the leave began,

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- b. For students who are not eligible for FMLA leave and/or Paid Parental Leave under applicable policies, pregnancy and related conditions will be regarded as a justification for a leave of absence without pay for a reasonable period of time (i.e. typically 6 weeks), at the conclusion of which employees will be reinstated to the status that they held when the leave began or to a comparable position, without decrease in rate of compensation or loss of promotional opportunities, or any other right or privilege of employment.
- E. Retaliation and Harassment
- a. Harassment of any member of the University community based on sex, gender identity, gender expression, pregnancy, or parental status is prohibited.
 - b. Faculty, staff, and other University employees are prohibited from interfering with or otherwise exercise their rights under this policy.
 - c. Faculty, staff, and other University employees are prohibited from retaliating against students for exercising the rights articulated by this policy, including imposing or threatening to impose negative educational outcomes because students request leave or accommodation, file a complaint, or otherwise exercise their rights under this policy.
- F. Off-campus housing status will not be altered based on pregnancy status unless requested by the pregnant students.
- G. Documentation and Privacy
- a. @ faculty and staff only to the extent necessary to provide the reasonable accommodations. Faculty and staff will regard all information associated with such requests as private and will not disclose this information unless necessary.
 - b. Administrative responsibility for these accommodations lies with the Title IX Coordinator or designee, who will maintain all appropriate documentation related to accommodations.

DEFINITIONS

- A. Caretaking: caring for and providing for the needs of a child.
- B. Medical Necessity (including choosing) that
- C. Parenting

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- E. Pregnancy Discrimination: includes treating an individual affected by pregnancy or a pregnancy-related condition less favorably than similar individuals not so affected, and includes a failure to provide legally mandated leave or reasonable accommodations.
- F. Pregnant Student/Birth-Parent: refers to the student who is or was pregnant. This policy and its pregnancy-related protections apply to all pregnant persons, regardless of gender identity or expression.
- G. Reasonable Accommodations: (for the purposes of this policy) changes in the academic environment or typical operations that enable pregnant students or students with pregnancy-related conditions to continue to pursue their studies and enjoy the equal benefits of John Carroll University.

CROSS REFERENCES

[Permanent Withdrawal and Leave of Absence Policy](#)

[Sexual Harassment & Interpersonal Violence Policy](#)

[Sexual Harassment and Interpersonal Violence Complaint Resolution Process](#)

[Non-Discrimination, Non-Harassment, and Bias-Related Incident Policy](#)

[Undergraduate and Graduate Bulletin](#)

[HR Family and Medical Leave Act Policy](#)

[HR General Leaves Policy](#)

[HR Lactation Accommodation Policy](#)

This policy will next be reviewed *five years* from the approval date/date of last review.