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

Policy Developer(s): Title IX Office

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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-related conditions, and students who have recently become parents. Based on requests from the student, consultation with instructors, and a determination of reasonable accommodations by the University, reasonable accommodations provided to the student may include leaves of absences, academic adjustments, physical modifications, and other accommodations for support and assistance for the student.

PURPOSE

John Carroll University seeks to create a community that promotes personal growth and development in a safe and welcoming environment. The University is committed to the belief that respect for the rights and dignity of all people must be protected. This goal is an integral part of all aspects of University life, rooted in our Jesuit Catholic identity and mission, and is essential to our academic community. The purpose of this Policy is to help ensure that John Carroll University does not discriminate against and provides reasonable accommodations and support to pregnant students, students with pregnancy-related conditions, and students who have recently become parents.

SCOPE

This Policy applies to all enrolled students (either full-time or part-time) and to all aspects of John Carroll University's activities, including, but not limited to, admissions; educational programs and activities; intercollegiate, club and intramural athletics;

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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's health care provider as to the 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 John Carroll University's [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 remain engaged in their coursework while adjusting their academic responsibilities because of the birth or adoption of a child or placement of a foster child may request an academic modification period during the first six (6) months from the time of birth, adoption, or placement. Extensions may be granted when additional time is required by medical necessity or extraordinary caretaking/parenting responsibilities.
 - b. During the modification period, the student's academic requirements will be adjusted and deadlines postponed as appropriate and feasible in light of the program's essential requirements or technical standards, in collaboration with the Title IX Coordinator, the student's academic advisor and/or instructors, and/or the appropriate academic department(s).
 - c. Students seeking a period of modified academic responsibilities may consult with the Title IX Coordinator or designee to determine appropriate and reasonable academic accommodations. The Title IX Coordinator will engage in an interactive process with the student to determine an appropriate academic modification plan, in consultation with the academic advisor, instructors and/or academic department. Should the period of accommodation span across multiple semesters, the plan may need to be revisited in light of new courses and new instructors. As needed, the Title IX Coordinator or designee will communicate all requests under this policy to

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- students' instructors and/or academic advisor and coordinate accommodation-related efforts with the advisors unless the student specifically requests that their advisors be excluded. The Title IX Coordinator has the authority to determine that such accommodations are necessary and appropriate, and to inform instructors of the need to adjust academic parameters accordingly.
- d. Once confirmation of accommodations is received from the Title IX Coordinator, students are encouraged to work with their advisor and instructors to reschedule course assignments, lab hours, examinations, or other requirements, and/or to reduce their overall course load, as appropriate. If, for any reason, caretaking/parenting students are not able to work with their advisor/instructors to obtain appropriate modifications, students should alert the Title IX Coordinator as soon as possible, and the office will help facilitate reasonable accommodations and modifications.
 - e. Extended deadlines, make-up assignments (e.g., papers, quizzes, tests, and presentations), tutoring, independent study, online course completion options, and incomplete grades that can be completed at a later date (and potentially extensions of the deadline for changing an incomplete to a final grade), may be requested and considered, in addition to any other ergonomic and assistive supports typically provided by Student Accessibility Services.
 - f. In timed degree, certification or credentialing programs, students who seek modifications upon the birth or placement of their child will be allowed an extension of up to 12 months to prepare for and take preliminary and qualifying examinations, and an extension of up to 12 months toward normative time to degree while in candidacy, to the extent those deadlines are controlled by John Carroll University or possible in light of essential requirements or technical standards of the program. Longer extensions may be granted in extenuating circumstances, if permissible in light of essential requirements of the program or credentialing requirements.
 - g. Students can request modified academic responsibilities under this policy regardless of whether they elect to take a leave of absence.
 - h. While receiving academic modifications, students will remain registered and retain benefits accordingly.
 - i. If an academic modification plan is not possible due to essential requirements of the program or credentialing requirements, the student may be granted alternative accommodations or may request a leave of absence or withdrawal.
- C. Leave of Absence
- a. Appropriate treatment of a pregnant student includes granting the student leave for so long a period of time as is deemed medically necessary by the student's physician, and then effectively reinstating the student to the same status as was held when the leave began. This generally means that pregnant students should be treated by the University the same way as someone who has a temporary disability, and will be given an opportunity to make up missed work wherever possible.

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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, consistent with how non-pregnant students with a temporary disability are treated.
 - c. In situations such as clinical rotations, performances, labs, and group work, the institution will work with the student to devise an alternative path to completion, if possible and in light of the essential requirements and technical standards for the program. In progressive curricular and/or cohort-model programs, medically necessary leaves are sufficient cause to permit the student to shift course order, substitute similar courses, or join a subsequent cohort when returning from leave.
 - d. As long as students can maintain appropriate academic progress, faculty, staff, or other John Carroll University employees will not require them to take a leave of absence, or withdraw from or limit their studies as the result of pregnancy, childbirth, or related conditions, but nothing in this policy requires modification of the essential elements of any academic program.
 - e. Enrolled students may elect to take a leave of absence for up to two academic terms within a 12-month period, excluding summer, by completing the [Withdrawal/Leave of Absence Form](#) because of pregnancy and/or the birth, adoption, or placement of a child. The leave term may be extended in the case of extenuating circumstances or medical necessity.
 - f. Students taking a leave of absence under this policy will provide notice of the intent to take leave 30 calendar days prior to the initiation of leave, or as soon as practicable.
 - g. Intermittent leave may be taken with the advance approval of the Title IX Coordinator and students' academic department(s), when medically necessary.
 - h. To the extent possible, the University will take reasonable steps to ensure that upon return from leave, students will be reinstated to their program in the same status as when the leave began.
 - i. Continuation of students' scholarship, fellowship, or similar John Carroll University-sponsored funding during the leave term will depend on the students' registration status and the policies of the funding program regarding registration status. Students will not be negatively impacted by or forfeit their future eligibility for their scholarship, fellowship, or similar University-supported funding by exercising their rights under this policy.
- D. Student Employee Leave
- a. All student-employees who meet eligibility requirements for Family and Medical Leave Act leave will be entitled to the protections of the Family and Medical Leave Act under Human Resources' [Family and Medical Leave Policy](#), regardless of whether they are also students or hold post-doctoral status.

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- b. For students who are not eligible for FMLA leave and/or Paid Parental Leave under Human Resources' 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 students' right to take leave, seek reasonable accommodation, 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. Housing Related Accommodations: Pregnant students' on-campus housing status will not be altered based on pregnancy status unless requested by the pregnant students.
- G. Documentation and Privacy
 - a. Information about pregnant students' requests for accommodations will be shared with 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:** a determination made by a health care provider (of the student's choosing) that a certain course of action is in the patient's best health interests.
- C. **Parenting:** the raising of a child by the child's parents or guardians in the reasonably immediate postpartum period, which is typically within 6 months from the birth or adoption of a child unless that period is extended.
- D. **Pregnancy and Pregnancy-Related Conditions:** include (but are not limited to) pregnancy, childbirth, false pregnancy, termination of pregnancy, miscarriage, conditions arising in connection with pregnancy, and recovery from any of these conditions.

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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.