



## **Students and Pregnancy: Law, Policy and Campus Resources**

*“No person in the United States shall, 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.” Title IX of the Education Amendments of 1972.*

### **The Law and Policy**

#### **What legal protections apply to students who are pregnant or recovering from childbirth?**

The federal law known as Title IX of the Education Amendments Act prohibits discrimination on the basis of sex – including pregnancy, childbirth or termination of a pregnancy – in all educational programs and activities that receive federal funding. Students who are pregnant must have the same access to school programs and educational opportunities as non-pregnant students.

#### **Must a student’s absence due to pregnancy or recover from childbirth be excused?**

Yes, for as long as the student’s doctor deems it is medically necessary. When the student returns to college after an absence due to pregnancy or childbirth, the student must be reinstated to the same academic and extracurricular statuses that the student held prior to medical leave.

#### **Can a student be penalized for missing class due to pregnancy or related conditions or for not submitting assignments on time?**

Students cannot be penalized for pregnancy or related conditions. For example, if a professor provides specific points or other advantages based on class attendance, pregnant students must be given an opportunity to earn back the points from classes missed. They must also be provided with an opportunity to make up missed work.

#### **How does this impact an individual professor’s absence or make-up policy?**

Where an individual professor’s absence or make-up policy conflict with the College’s obligation to uphold and comply with the Title IX regulations, the Title IX Policy will supersede.

#### **Can a professor require a doctor’s note from a student who is pregnant or recovering from childbirth?**

Any requests for medical documentation will be handled by the Health Center or the Disability Office and in compliance with all applicable confidentiality and privacy laws.

## **Options and Resources**

If a student in a class is pregnant or recovering from childbirth, the student may ask what options are available, the professor has the following options to consider, for example: pursue a medical withdrawal or individual course withdrawal.

The professor may advise the student to contact the Health Center of the Disability office for more information about required paperwork and medical documentation to pursue a medical withdrawal. Students who seek medical withdrawal may be eligible to pursue a tuition refund and may contact Student Accounts for more information.

Note: Since withdrawal from courses may affect financial aid, veteran benefits, etc., please consult with an academic advisor, counselor and/or financial aid counselor before pursuing a withdrawal. See the Academic Calendar for withdrawal deadlines.

### **Request an incomplete from a professor**

The student will want to contact their professor for advice on how to proceed with an incomplete. Eligibility generally depends on the student's current academic standing in the course and the percentage of work the student has completed at the time of the request. The student and professor complete the Incomplete paperwork that identifies the requirements for course completion and a completion deadline not more than one year from the end of the semester in which the incomplete grade is received. Once the student completes the course requirements, the student will receive a grade. If the requirements are not completed by the deadline, the incomplete grade defaults to a grade at the default date according to the Incomplete Agreement.

### **Reasonable Request Accommodations**

The professor may advise the student to contact Rhonda Lanni, Coordinator of Services for Students with Disabilities. The process is the same as the process for requesting accommodations for other temporary medical conditions or disabilities.

### **What is a reasonable accommodation?**

An accommodation provides equal access to education for students who are pregnant or recovering from childbirth. Accommodations are specific to each individual based on their functional limitations. The Coordinator of Services for Students with Disabilities will determine reasonable and appropriate accommodations. The College is not required to alter fundamental academic requirements as part of the accommodation process.

Requests for accommodations should be made as early as possible. The student is responsible for scheduling an Intake appointment with the Coordinator to initiate the process.

### Must all pregnant students be referred to Health Services and/or the Services for Students with Disabilities?

Not every student who is pregnant will require support from the Health Center or the Office for Services for Students with Disabilities. However, it is recommended that students be provided the opportunity to be aware of their options and resources at the College.

### **Campus Resources**

#### Is there a private space for lactation or breastfeeding at Roberts?

The student may contact the Health Center at 585-594-6360 or Human Resources at 585-594-6260 to access a private space on the main campus.

#### Available resources

- Health Center – 585-594-6360
- Counseling Center – 585-594-6882
- Rhonda Lanni, Coordinator for Services for Students with Disabilities – 585-594-6494
- Monika Robertson, Title IX Coordinator – 585-594-6222
- 292-BABY – 585-292-2229 or [www.292baby.org](http://www.292baby.org) to talk with a Registered Nurse for free about non-emergency issues.

**If you have any questions or would like additional clarification regarding this topic, please contact Monika Robertson, Title IX Coordinator at 585-594-6222 or [Robertson\\_monika@roberts.edu](mailto:Robertson_monika@roberts.edu)**