

Ivy Tech Community College of Indiana
Academic Support and Operations Manual

POLICY TITLE

Students Experiencing Pregnancy, Childbirth, or Related Conditions

POLICY NUMBER

5:15

PRIMARY RESPONSIBILITY

College Title IX Coordinator

CREATION/REVISION/EFFECTIVES DATES

Created November 2019/Effective February 2020

PURPOSE

Ivy Tech Community College hereby establishes guidelines for ensuring the protection and equal treatment of pregnant individuals, persons with pregnancy-related conditions, and new parents through application of Title IX of the Education Amendments of 1972 (Title IX).

ORGANIZATIONAL SCOPE OR AUDIENCE

Students, faculty, staff

DEFINITIONS

Reasonable Accommodation: To provide appropriate and reasonable accommodations to qualified students to promote student learning and academic success.

POLICY

Ivy Tech Community College is committed to creating and maintaining a community where all individuals enjoy freedom from discrimination, including discrimination on the basis of sex, as mandated by Title IX of the Education Amendments of 1972 (Title IX). 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, employment policies, and health insurance coverage.

Under the Department of Education's (DOE) Title IX regulations, an institution that receives federal funding "shall not discriminate against any student or exclude any student from its education program or activity, including any class or extracurricular activity, on the basis of such student's pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom." According to the DOE, 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.

PROCEDURES

Pregnant students who experience medical conditions related to pregnancy that would prevent them from meeting course requirements, should be treated the same way as someone who has a temporary disability and will be given an opportunity to make up missed work wherever possible. 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, should all be employed, in addition to any other ergonomic and assistive supports typically provided by Disability Support Services (DSS). To the extent possible, Ivy Tech Community College 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 catalog that was in place when the leave began. The Title IX Coordinator, in consultation with DSS, has the authority to determine that such accommodations are necessary and appropriate, and to inform faculty members of the need to adjust academic parameters accordingly.

As with disability accommodations, information about pregnant students' requests for accommodations will be shared with faculty and staff only to the extent necessary to provide the reasonable accommodation. Faculty and staff will regard all information associated with such requests as private and will not disclose this information unless necessary. Administrative responsibility for these accommodations lies with the Title IX Coordinator in tandem with DSS, who will maintain all appropriate documentation related to accommodations.

In situations related to medically necessary leave, the institution will work with the student to devise an alternative path to completion, if possible. In progressive curricular and/or cohort-model programs, medically necessary leaves are sufficient cause to permit the student to work with DSS and Title IX coordinator, in tandem with the dean of the necessary school, to make appropriate changes to shift course order, substitute similar courses when possible, or join a subsequent cohort when returning from leave. If there is not a dean of a particular campus, please refer to the lead academic officer on that campus.

Students are encouraged to work with their faculty members and Ivy Tech Community College support systems to devise a plan for how to best address the conditions as pregnancy progresses, anticipate the need for leaves, minimize the academic impact of their absence, and get back on track as efficiently and comfortably as possible. The Title IX Coordinator will assist with plan development and implementation as needed.

Reasonable Accommodation of Students affected by Pregnancy, Childbirth, or Related Conditions:

- 1) Ivy Tech Community College and its faculty, staff, and other employees will not require otherwise qualified students to limit their studies as the result of pregnancy or pregnancy-related conditions.
- 2) The benefits and services provided to students affected by pregnancy will be no less than those provided to students with temporary medical conditions.
- 3) 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 and may seek assistance from the Title IX office.

- 4) No artificial deadlines or time limitations will be imposed on requests for accommodations, but Ivy Tech Community College is limited in its ability to impact or implement accommodations retroactively.
- 5) Reasonable accommodations may include, but are not limited to:
 - a) Providing accommodations, requested by a pregnant student, to protect the health and safety of the student and/or the pregnancy
 - b) Making modifications to the physical environment (such as accessible seating);
 - c) Extending deadlines and/or allowing the student to make up tests or assignments missed for medically necessary absences related to pregnancy;
 - d) Offering remote learning options, when appropriate
 - e) Excusing medically-necessary absences (this must be granted, irrespective of classroom attendance requirements set by a faculty member, department, or division);
 - f) Granting leave per Ivy Tech Community College's medical leave guidelines or implementing incomplete grades for classes that will be resumed at a future date; (reference ASOM 4.16)
 - g) Allowing breastfeeding students reasonable time and space to pump breast milk in a designated location that is private, clean, and reasonably accessible.

Nothing in these guidelines require modification to the essential elements of any academic program. Pregnant students cannot be channeled into an alternative program or school against their wishes.

REFERENCES

Title IX of the Education Amendments of 1972, 20 U.S.C. AS 1681 EX. SEQ.,
<https://www.ivytech.edu/files/DSS-Policies-Procedures-Manual.pdf>

U.S. Department of Education, Office of Civil Rights, Pregnant and Parenting? Title IX Protects You From Discrimination at School, <https://www2.ed.gov/about/offices/list/ocr/docs/dcl-know-rights-201306-title-ix.html>

Ivy Tech Disability Support Services Policies and Procedures Manual,
<https://www.ivytech.edu/files/DSS-Policies-Procedures-Manual.pdf>

RESOURCE PERSON

College Title IX Coordinator, Campus Title IX Coordinators, Disability Support Service Leads