Pregnancy and Related Conditions and Parenting Policy *(Note: Required by Federal Regulations)*	**BOT Approved: September 18, 2018** **Updated: August 1, 2024**

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POLICY STATEMENT:

Garrett College ("the College") does not discriminate in its education program or activity against any applicant for admission, student, applicant for employment, or employee on the basis of current, potential, or past pregnancy or related conditions as mandated by Title IX of the Education Amendments of 1972 (Title IX). The College prohibits members of the College community from adopting or implementing any policy, practice, or procedure which treats an applicant for admission, student, applicant for employment, or employee differently on the basis of current, potential, or past parental, family, or marital status. This policy[1] and its pregnancy-related protections apply to all pregnant persons, regardless of gender identity or expression.

DEFINITIONS:

Familial Status The configuration of one's family or one's role in a family.

Marital Status The state of being married or unmarried.

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.

Parental Status The status of being a person who, with respect to another person who is under the age of 18,[2] is a biological, adoptive, foster, or stepparent; a legal custodian or guardian; *in loco parentis* with respect to such a person; or actively seeking legal custody, guardianship, visitation, or adoption of such a person.

Pregnancy and Pregnancy-Related Conditions The full spectrum of processes and events connected with pregnancy, including pregnancy, childbirth, termination of pregnancy, or lactation; related medical conditions; and recovery therefrom.[3]

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[1] All policy and procedural language is taken from the ATIXA Model Policy, updated Summer of 2024, and used in accordance with the College's membership with the organization.
[2] Or a person who is 18 or older but who is incapable of self-care because of a mental or physical disability.
[3] "[T]he Department interprets 'termination of pregnancy' to mean the end of pregnancy in any manner, including, miscarriage, stillbirth, or abortion." Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 89 F.R. 33474, April 29, 2024, codified at 34 C.F.R. 106.

Reasonable Modifications Individualized modifications to the College's policies, practices, or procedures that do not fundamentally alter the College's education program or activity.

INFORMATION SHARING REQUIREMENTS

Any College employee who becomes aware of a student's pregnancy or related condition is required to provide the student with the Title IX Coordinator's contact information[4] and communicate that the Coordinator can help take specific actions to prevent discrimination and ensure equal access to the College's education programs and activities. If the employee has a reasonable belief that the Title IX Coordinator is already aware of the pregnancy or related condition, the employee is not required to provide the student with the Title IX Coordinator's contact information.

Upon notification of a student's pregnancy or related condition, the Title IX Coordinator will contact the student and inform the student of the College's obligations to:

- Prohibit sex discrimination.
- Provide reasonable modifications.
- Allow access, on a voluntary basis, to any separate and comparable portion of the institution's education program or activity.
- Allow a voluntary leave of absence.
- Ensure lactation space availability.
- Maintain a Resolution Process for alleged discrimination.
- Treat pregnancy as comparable to other temporary medical conditions for medical benefit, service, plan, or policy purposes.

The Title IX Coordinator will also notify the student of the process to file a complaint for alleged discrimination, harassment, or retaliation, as applicable.

REASONABLE MODIFICATIONS for STUDENTS:

Students who are pregnant or are experiencing related conditions are entitled to Reasonable Modifications to prevent sex discrimination and ensure equal access to the College's education programs and activities. Any student seeking Reasonable Modifications must contact the Title IX Coordinator to discuss appropriate and available Reasonable Modifications based on their individual needs. Students are encouraged to request Reasonable Modifications as promptly as possible, although retroactive modifications may be available in some circumstances. Reasonable Modifications are voluntary, and a student can accept or decline the offered Reasonable Modifications. Not all Reasonable Modifications are appropriate for all contexts.

[4] Shelley Menear, the Director of Institutional Compliance, serves as the College's Title IX Coordinator. Phone: 301-387-3037, Email: shelley.menear@garrettcollege.edu, Office: TECH-327

Reasonable Modifications may include:

- Breaks during class to express breast milk, breastfeed, or attend to health needs associated with pregnancy or related conditions, including eating, drinking, or using the restroom
- Intermittent absences to attend medical appointments
- Access to online/virtual education
- Changes in schedule or course sequence
- Time extensions for coursework and rescheduling of tests and examinations
- Allowing a student to sit or stand, or carry or keep water nearby
- Counseling
- Changes in physical space or supplies (for example, access to a larger desk or a footrest)
- Elevator access
- A larger uniform or other required clothing or equipment
- Other changes to policies, practices, or procedures determined by the Title IX Coordinator

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. 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. Students are encouraged to work with their faculty members and the College's 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.

Supporting documentation for Reasonable Modifications will only be required when it is necessary and reasonable under the circumstances to determine which Reasonable Modifications to offer to determine other specific actions to take to ensure equal access.

Information about pregnant students' requests for modifications will be shared with faculty and staff only to the extent necessary to provide the Reasonable Modification.

Students experiencing pregnancy-related conditions that manifest as a temporary disability under the Americans with Disabilities Act (ADA) or Section 504 of the Rehabilitation Act are eligible for reasonable accommodations just like any other student with a temporary disability. The Title IX Coordinator will consult with Disability Support Services to ensure the student receives reasonable accommodations for their disability as required by law.

CERTIFICATION TO PARTICIPATE

All students should be informed of health and safety risks related to participation in academic and co-curricular activities, regardless of pregnancy status. A student may not be required to provide health care provider or other certification that the student is physically able to participate in the program or activity, unless:

1. The certified level of physical ability or health is necessary for participation;
2. The institution requires such certification of all students participating; and
3. The information obtained is not used as a basis for pregnancy-related discrimination.

LACTATION SPACE ACCESS

The College provides students and employees with access to lactation spaces that are functional, appropriate, and safe. Such spaces are regularly cleaned, shielded from view, and free from the intrusion of others.

Lactation space arrangements can be made by contacting the Director of Institutional Compliance using one of the methods listed below:

- Phone: 301-387-3037
- Email: shelley.menear@garrettcollege.edu

Office: TECH-327

STUDENT PARENTS

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 three (3) months from the time the child entered the home. Extensions may be granted when additional time is required by medical necessity or extraordinary caretaking/parenting responsibilities.

During the modification period, the student's academic requirements will be adjusted and deadlines postponed as appropriate, in collaboration among the Institutional Compliance Office, the student's academic advisor, and the appropriate academic department(s).

Students seeking a period of modified academic responsibilities may consult with their academic advisor or with the Institutional Compliance office to determine appropriate academic adjustment requests. The Institutional Compliance office will communicate all requests under this policy to students' academic advisors and coordinate adjustment-related efforts with the advisors unless the student specifically requests that their advisors be excluded.

Students are encouraged to work with their advisors and faculty members to reschedule course assignments, lab hours, examinations, or other requirements, and/or to reduce their overall course load, as appropriate, once authorization is received from the Institutional Compliance office.

If, for any reason, caretaking/parenting students are not able to work with their advisors/faculty members to obtain appropriate modifications, students should alert the Institutional Compliance office as soon as possible, and the office will help facilitate needed accommodations and modifications.

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 three (3) months to prepare for and take preliminary and qualifying examinations, and an extension of up to three (3) months toward normative time to degree while in candidacy, to the extent those deadlines are controlled by the College. Longer extensions may be granted in extenuating circumstances.

Students can request modified academic responsibilities under this Policy regardless of whether they elect to take a leave of absence.

While receiving academic modifications, students will remain registered and retain benefits accordingly.

LEAVE OF ABSENCE

Students

Students are permitted to take a voluntary leave of absence for a reasonable time as deemed medically necessary by their healthcare provider 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.

To the extent possible, the College will take reasonable steps to ensure that 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 or an equivalent course catalog that was in place when the leave began.

Continuation of students' scholarships, fellowships, or similar College-sponsored funding during the leave term will depend on student 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 College-supported funding by exercising their rights under this policy.

The Office of Institutional Compliance can and will advocate for students with respect to financial aid agencies and external scholarship providers in the event that a leave of absence places eligibility into question.

In order to initiate a leave of absence, the student must contact the Title IX Coordinator at least 30 calendar days prior to the initiation of leave, or as soon as practicable. The Coordinator will assist the student in completing any necessary paperwork.

Employees

Information on employment leave can be found in *Part Five: Employee Leave* of the Human Resources Manual, which is available on HR Departmental intranet page.

If an employee, including a student-employee, is not eligible for leave under the aforementioned leave policy because they either (1) do not have enough leave time available under that policy, or (2) have not been employed long enough to qualify for leave under that policy, they are eligible to qualify for pregnancy or related condition leave under Title IX. Pregnancy and related conditions will be regarded as a justification for a leave of absence without pay for a reasonable period of time.

Employees who take leave under Title IX must be reinstated to the status held when leave began or a comparable position without a negative effect on any employment privilege or right.

COLLEGE HOUSING

Pregnant students' on-campus housing status will not be altered based on pregnancy status unless requested by the pregnant student. Parenting students' access to housing is managed on a case-by-case basis.

RETALIATION AND HARASSMENT

1. Harassment of any member of the Garrett College community based on sex, gender identity, gender expression, pregnancy, or parental status is prohibited.
2. Faculty, staff, and other Garrett College employees are prohibited from interfering with students' right to take leave, seek reasonable modifications, or otherwise exercise their rights under this policy.
3. Faculty, staff, and other Garrett College employees are prohibited from retaliating against students for exercising their rights articulated by this policy, including imposing or threatening to impose negative educational outcomes because students request leave or modification, file a complaint, or otherwise exercise their rights under this policy.

POLICY DISSEMINATION and TRAINING

A copy of this policy will be made available to faculty, staff and employees in annually required training and posted on the College website. Garrett College will alert all new students about this policy and the location of this policy as part of orientation. The Institutional Compliance office will make educational materials available to all members of the Garrett College community to promote compliance with this policy and familiarity with its procedures.