

UNIVERSITY OF SCRANTON
PREGNANT AND PARENTING STUDENTS POLICY

Office of Equity and Diversity
Responsible Office: Office of Equity and Diversity
Effective Date: January 26, 2022
Approved by the President: December 1, 2022
This Policy will be reviewed every three (3) years

SCOPE OF POLICY

This policy applies to all aspects of the University of Scranton’s program, including, but not limited to, admissions, educational programs and activities, and extracurricular activities.

POLICY STATEMENT

The University 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). 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.”

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 or similar status as was held when the leave began.

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. Extended deadlines, make-up assignments (e.g., papers, quizzes, tests, and presentations), tutoring, independent study, and incomplete grades that can be completed at a later date, may also be utilized, in addition to any other ergonomic and assistive supports typically provided to temporarily disabled students. 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 or substantially similar position of academic progress that they were in when they took leave. The Title IX Coordinator or designee, in collaboration with the student’s faculty members, will develop an accommodation plan.

As with disability accommodations, information about student’s 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 situations such as clinical rotations, performances, labs, and group work, the Title IX Coordinator, in consultation with the student's faculty members, will work with the student to devise an alternative path to education completion, if possible. In progressive curricular and/or cohort-model programs, medically necessary leaves may be 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 the Title IX Coordinator and their faculty members 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.

Parenting students may also be eligible for accommodations per this policy and should contact the Title IX Coordinator for more information.

COMPLIANCE

Reporting:

Any member of the University community may report a violation of this policy to any supervisor, manager, or to the Title IX Coordinator. All supervisors and managers must promptly forward such reports to the Office of Equity and Diversity. The Title IX Coordinator is responsible for overseeing complaints of discrimination involving pregnant and parenting students.

The Title IX Coordinator for the University is:

Elizabeth M. Garcia, Esq.
Office of Equity and Diversity
IMBM Suite 315
elizabeth.garcia2@scranton.edu
570-941-6645
<https://www.scranton.edu/equity-diversity/>

DEFINITIONS

- a. Caretaking: caring for and providing for the needs of a child, including adoptive or foster.
- 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.
- d. Pregnancy and Pregnancy-Related Conditions: include (but are not limited to) pregnancy, childbirth, false pregnancy, conditions arising in connection with pregnancy, termination of pregnancy, and recovery from any of these conditions.

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 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 enables pregnant students or students with pregnancy-related conditions to continue to pursue their studies and enjoy the equal benefits of the University.

REASONABLE ACCOMMODATION OF STUDENTS AFFECTED BY PREGNANCY, CHILDBIRTH, OR PREGNANCY RELATED CONDITIONS

a. The University cannot 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 disabilities.

c. Students with pregnancy-related disabilities, similar to 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, which those reasonable accommodations provide through an interactive process with the Title IX Coordinator.

d. No artificial deadlines or time limitations will be imposed on requests for accommodations, but the University is limited in its ability to impact or implement accommodations retroactively.

e. Reasonable accommodations may include, but are not limited to:

1. Providing accommodations 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);

2. Making modifications to the physical environment (such as accessible seating);

3. Providing mobility support and breaks during class;

4. Extending deadlines and/or allowing the student to make up tests or assignments missed for pregnancy-related absences;

5. Excusing medically-necessary absences, irrespective of classroom attendance requirements set by a faculty member, department, or division);

6. Granting leave per the University's medical leave policy or implementing incomplete grades for classes that will be resumed at a future date; or

7. Allowing breastfeeding mothers who are University 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.

Reasonable accommodations may not be appropriate if they fundamentally alter the programs of instruction. Students will need to meet the academic and or technical standards of the programs. Nothing in this policy requires modification to the fundamental elements of any academic program. Pregnant students cannot be channeled into an alternative program or school against their wishes.

MODIFIED ACADEMIC RESPONSIBILITIES POLICY FOR PARENTING STUDENTS

- a. Students with child caretaking responsibilities who wish to remain engaged in their coursework while adjusting their academic responsibilities because of the birth of a child, fostering or adopting a child may request an academic modification period during the first three months from the time the child entered the home. Extensions may be granted when additional time is required by medical necessity or extraordinary caretaking responsibilities.
- b. During the modification period, the student's academic requirements may be adjusted and deadlines postponed as determined by the interactive process with the Title IX Coordinator or designee.
- c. In timed degree, certification or credentialing programs, students who seek modifications upon the birth or placement of a child will be allowed an extension to prepare for and take preliminary and qualifying examinations, and toward normative time to degree while in candidacy, to the extent those deadlines are controlled by the University. Longer extensions may be granted in extenuating circumstances.
- d. Students can request modified academic responsibilities under this policy regardless of whether they elect to take a leave of absence.

NOTIFICATION OF PLAN:

Once a student engaged in the process with the Title IX Coordinator or designee, and a plan is developed, the Title IX Coordinator will provide a copy of the plan to the student and the student's faculty members.

LEAVE OF ABSENCE

- a. As long as students can maintain appropriate academic progress, faculty, staff, or other 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 fundamental elements of any academic program. However, enrolled students may elect to take a leave of absence 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.

- b. 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.
- c. Intermittent leave may be taken with the advance approval of the Title IX Coordinator, in consultation with faculty members, when medically necessary, and when the intermittent leave does not fundamentally alter the programs of instruction as students will need to meet the academic and or technical standards of the programs.
- d. Students who elect to take leave under this policy should contact the registrar's office (and financial aid, if appropriate) to discuss status options to continue their eligibility for certain benefits.
- e. 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 or substantially similar status as when the leave began, with no tuition penalty.
- g. Continuation of students' scholarship, fellowship, or similar University-sponsored funding during the leave term will depend on the students' registration status and the policies of the funding program regarding registration status.
- h. The Financial Aid office 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.

STUDENT-EMPLOYEE LEAVE

- a. All full-time students that also work for the University may be entitled to the protections of the Family and Medical Leave Act and other handbook related protections.
- b. Pregnancy and related conditions will be treated as any other temporary disability for job purposes, including leave and benefits.
- c. Pregnancy and related conditions will be regarded as a justification for a leave of absence without pay for a reasonable period of time, 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.

REQUESTING PREGNANCY AND PARENTING ACCOMMODATIONS

Students seeking a pregnancy accommodation are to complete a [Pregnancy Adjustment Request Form](#) noting the requested reasonable adjustment and submit it to the Office of Equity and Diversity. Specific adjustments will be handled on a case-by-case basis and will depend on medical need and academic requirements.

RETALIATION, DISCRIMINATION AND HARASSMENT

- a. Harassment or discrimination 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.

d. Reports of harassment, discrimination or retaliation should be reported pursuant to the University's Non-Discrimination and Anti-Harassment Policy to the Title IX Coordinator, Elizabeth Garcia, in the Office of Equity and Diversity, elizabeth.garcia@scranton.edu or 570 941-6645. A copy of the discrimination policy can be located at: <https://www.scranton.edu/equity-diversity/docs/nondiscrimination-antiharassment-policy.pdf>