

## **TITLE IX: Key Considerations for Working with Pregnant and Parenting Students**

Jeanine Bias-Nelson

Director, Office of Equity and Inclusion/Title IX Coordinator  
Sam Houston State University | [jbias@shsu.edu](mailto:jbias@shsu.edu)



## **LEARNING OUTCOME**

### **After participating...**

You will be able to more effectively develop policies and procedures around working with pregnant and parenting students on campus.



### Questions to Consider

- How long must an institution excuse absences for medical reasons related to a student's pregnancy?
- Does an institution have to provide all accommodations requested by a pregnant or parenting student?
- Can an institution remove a student from an extracurricular activity because of their pregnancy?
- Do male students have the same rights as female students as it relates to childbirth and childcare?



### ACTIVITY

#### Assess your institution:

Does your institution have policies and/or procedures related to pregnant or parenting students?

Do students know where to find information regarding pregnancy rights and procedures?

How can your institution improve services and resources related to pregnant and parenting students?

## BRIEF OVERVIEW OF POLICIES



### TITLE IX

“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  
Implementing Regulations at:  
20 U.S.C. § 1681 & 34 C.F.R. Part 106



## Title IX: Key Considerations for Working with Pregnant and Parenting Students

### Relevant Guidance

- Dear Colleague Letter – June 25, 2013
- Americans with Disabilities Act
- Pregnancy Discrimination Act
- Case Law



### Relevant Guidance Continued

- Schools must treat pregnant students in the same way that they treat similarly situated students.
- School must excuse a student's absences because of pregnancy or childbirth for as long as the student's doctor deems the absences medically necessary.
- School must make adjustments to the regular program that are reasonable and responsive to the student's temporary pregnancy status.

## REASONABLE ACCOMMODATIONS

### ■ What is a Reasonable Accommodation?





**POLL**

**Is this reasonable?**



**Examples of Reasonable Accommodations**

- Excused absences
- Classroom specific needs
- Make-up work
- Extension on assignments
- Alternative assignments
- Breaks



## CHILDBIRTH VS. CHILDCARE

### ■ Childbirth

Childbirth includes:

- Recovery
- False pregnancy
- Miscarriage
- other related conditions



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### Childcare



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### Is this protected?

- Student is on medical “bed rest” following childbirth
- Student wants bring child to class to breastfeed
- Student would like to take incompletes in coursework to care for newborn
- Student must take child to doctor’s appointment

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### ■ Things to consider

- Breastfeeding students
- Limited rights related to childcare
- Paternal rights

## INSTITUTIONAL POLICIES AND PROCEDURES

### ■ Is it mandatory for your institution to have policies?



### ■ What is required?

- Distribute policy related to gender/sex discrimination
  - recommended that the policy make clear that prohibited discrimination covers discrimination against pregnant and parenting students.
- Adopt and publish grievance procedures for students to file complaints of sex discrimination, including discrimination related to pregnancy or parental status.
- Identify at least one employee at your institution to carry out responsibilities under Title IX ( Title IX Coordinator )

## Tips and Best Practices

- Model Policies
- Training
- Access to Information
- Students vs Employees
- Invite key stakeholders to the conversation

## **CHAT**

### **What would you do?**

Discuss the following scenario to with your group:

- Could this happen on your campus?
- How would you help this student?
- Are the actions in this scenario discriminatory?

## Challenges

- Make Expectations Clear to Avoid Pitfall
- Don't Over Accommodate
- Excessive Requests
- Make Sure Students Understand Your Policy
- No One Person Is Alike



## RESOURCE

[Academic Success of Pregnant and Parenting Students \(US Department of Education\)](#)

[Pregnant and Parenting Students \(National Women's Law Center\)](#)

[Pregnant and Parenting Student Athletes \(NCAA\)](#)



## TAKEAWAYS

### Now what...

Remember – No one pregnant/parenting student is the same.  
Most situations are handled on a case by case basis.



## QUESTIONS



## EVALUATION

### Thank you!

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