

## Title IX and Pregnant Students

Title IX requires all schools that receive federal funding ensure that students are not discriminated against on the basis of sex. The relevant implications for academic administrators and professors related to pregnant students are:

1. Professors must excuse all medically necessary class absences related to pregnancy.
2. Professors may require a doctor's note from a pregnant student only if they require such notes from all students.
3. Professors must allow students to make up any work or graded element missed due to these excused absences.
4. The College must make sure that professors do not discriminate against students who are pregnant.
5. The College must ensure that students returning after pregnancy-related leave return with the same status they held before their absences.

As noted in the College Catalog:

Professors can use both absence policies that distinguish between excused and unexcused absences and policies that do not. However, medically necessary absences related to pregnancy cannot be the cause of a grade penalty or contribute to a limited number of allowed excused absences.

### FAQs for Faculty

**“My student is pregnant. What do I need to do?”** If you learn that one of your students is pregnant, feel free to call the Title IX Deputy Coordinator in Academic Affairs (Gail Steehler) to review federal obligations and how you might handle the situation. Although each situation must be evaluated individually, if the student has medically-necessary absences, accommodations must be provided. Strategies typically include extended deadlines, make-up tests, substitute assignments to replace in-class grades, and similar strategies that do not disadvantage the student.

**“My pregnant student is going to be absent for a long period. What will be expected of me?”** The instructor should contact the Title IX Deputy Coordinator in Academic Affairs (Gail Steehler) to discuss additional options the College can provide so that the student is not penalized. These options might include allowing a student to withdraw from a course, extending the period of academic probation, allowing a student to take a course pass-fail, or granting a medical withdrawal. Cases will be examined on an individual basis as the appropriate outcome may differ markedly depending on the length of absences and remaining course expectations. No student should be pressured to drop a course or withdraw from the College even if you feel this would be the best option for the student. The student may be offered such options, but must be free to make her own choice.

## Cases

1. **Situation:** A student says she has recurring morning sickness and misses numerous classes. The professor receives a doctor's note that confirms her pregnancy. **Response:** The professor is under no obligation to excuse these absences since the note does not indicate they were medically necessary.
2. **Situation:** A student says she has recurring morning sickness and misses three classes in a row. The professor receives a doctor's note that indicates the student was hospitalized overnight for dehydration and ordered on bed rest for an additional two days. These days coincide with the missed classes. **Response:** The professor must excuse these absences. If there were graded components on those days (e.g., a quiz, presentation, or group work), the professor must allow the student to make up that work.
3. **Situation:** A student says she has recurring morning sickness and misses numerous classes. Halfway through the semester the professor receives a doctor's note that indicates the student has been diagnosed with a severe, pregnancy-related condition that requires bed rest until her delivery date (which is after the semester will end). **Response:** Given that the student will miss more than half the semester, asking the professor to create new assignments for more than half the semester may be an undue burden. The professor should consult the Title IX Deputy Coordinator in Academic Affairs (Gail Steehler) who will determine if an undue burden exists and what alternatives may be offered. The student may be given the option to take a medical withdrawal from the College. If the student had been on academic warning, the College would also extend the time available to raise her GPA to the required minimum.
4. **Situation:** Similar to above, but the student's absences were limited to the last few weeks of the semester. **Response:** In most cases, the student should be able complete/make up the remaining work by extending deadlines and assigning a grade of NG. If the student were able to work out a way to complete course work for some, but not all her classes (e.g., INQ 300 might pose unique difficulties), PARA could grant a retroactive "W" for the courses that could not be completed.
5. **Situation:** A pregnant student goes into labor early—during the last week of classes. She misses three class days, including her final presentation and the final exam. Two weeks later the professor receives a doctor's note indicating that the student had an emergency C-section and was told to rest in bed for a week. **Response:** Since the absences from class and the exam were clearly medically necessary, the professor cannot impose any grade penalty due to those absences and must allow the student to make up the presentation and the final exam.
6. **Situation:** Part way through the semester, a pregnant student begins to miss her Block 1 class every Monday for a regular OB-GYN appointment. After three absences, the professor reminds her of the course absences policy (which allows 4 absences without penalty) and urges her to schedule her appointment later in the day on Monday since she only has this one MWF class. By the end of the semester, she misses seven class meetings for this reason and provides doctor's notes confirming the appointments. **Response:** Without any compelling reason why the appointments had to take place precisely at the time of class, the professor is not obligated to excuse these absences. However, if the doctor indicated that the appointments included a test that had to be performed first-thing in the morning (e.g., glucose level), then the professor cannot enact any grade penalty for those absences.