



ENTERPRISE STATE

COMMUNITY COLLEGE

ESCC POLICY ON CAMPUS PREGNANCY AND PARENTING ACCOMMODATIONS

I. POLICY STATEMENT

Enterprise State 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. 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.

Enterprise State Community College hereby establishes a policy and procedures for ensuring the protection and equal treatment of pregnant persons, individuals with pregnancy-related conditions, and new parents. Under the Department of Education's 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."

This generally means that pregnant students should be treated by Enterprise State Community College 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 Student Accessibility Services. To the extent possible, Enterprise State Community College will take reasonable steps to ensure that pregnant students who take a leave of absence 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 has 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 to anyone, unless there is a legitimate need to know. Administrative responsibility for these accommodations lies with Title IX officers that handles pregnancy and who will maintain all appropriate documentation related to accommodations. 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



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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 Enterprise State Community 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 planning development and implementation as needed.

II. SCOPE OF POLICY

This policy applies to all aspects of Enterprise State Community College's program, including admissions, educational programs and activities, extracurricular activities, hiring, leave policies, employment policies, and health insurance coverage.

III. DEFINITIONS

- a. "Medical necessity" is a determination made by a health care provider of a student's or employee's choosing.
- b. "Parenting" is the raising of a child by the child's parents in the reasonably immediate post-partum period.
- c. "Pregnancy and pregnancy-related conditions" include pregnancy, childbirth, false pregnancy, termination of pregnancy, conditions arising in connection with pregnancy, and recovery from any of these conditions, in accordance with federal law.
- d. "Pregnancy discrimination" includes treating a woman 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.
- e. "Pregnant student/Birthparent" refers to the student who is or was pregnant. Although the pronoun "she" and "her" are used herein, this policy and its pregnancy-related protections apply to all pregnant persons regardless of gender identity or expression.
- f. "Reasonable accommodations" for the purposes of this policy are changes in the academic environment or typical operations that enable a pregnant student or student with a pregnancy-related condition to continue to pursue her studies and enjoy equal benefits of the College.

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

A. Enterprise State Community College and its faculty, staff, and other employees shall not require a student to limit her studies due to pregnancy or pregnancy-related conditions.



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b. The benefits and services provided to students affected by pregnancy shall be no less than those provided to students with temporary medical conditions.

c. Students with pregnancy-related disabilities, like any other student with a disability, are entitled to reasonable accommodation so they will not be disadvantaged in their courses of study or research and may seek assistance from the ADA Coordinator.

d. Where ADA Services requires students to identify their disabilities and request accommodations by a fixed date in the term, deadline exceptions may be granted in the case of disabilities arising as a result of pregnancy or related conditions, but Enterprise State Community College is limited in its ability to impact or implement accommodations retroactively.

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

- accommodations requested by the pregnant student to protect the health and safety of the student and/or her pregnancy (such as allowing the student to maintain a safe distance from hazardous substances)
- modifications to the physical environment (such as accessible seating)

- mobility support

- extending deadlines and/or allowing the student to make up tests or assignments missed for pregnancy-related absences

- offering remote learning options

- excusing medically necessary absences (this must be granted, irrespective of classroom attendance requirements set by a faculty member, department, or division)

- granting leave per Enterprise State Community College's medical leave policy or implementing incomplete grades for classes that will be resumed at a future date

f. Breastfeeding students must be granted 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.

g. Nothing in this policy requires modification to the essential elements of any academic program. Pregnant students cannot be channeled into an alternative program or school against their wishes.

V. MODIFIED ACADEMIC RESPONSIBILITIES POLICY FOR PARENTING STUDENTS

a. Students with child caretaking/parenting responsibilities who wish to remain engaged in their coursework while adjusting their academic responsibilities because of the birth of a child may request an academic modification period during the first 6 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.



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b. During the modification period, the student's academic requirements will be adjusted and deadlines postponed as appropriate, in collaboration with the Title IX Coordinator the student's academic advisor, and the appropriate academic department(s).

c. Students seeking a period of modified academic responsibilities may consult with their academic advisor, who will in turn contact the Title IX Coordinator. The Title IX Coordinator will coordinate accommodation-related efforts with the advisors unless the students specifically requests that their advisors be excluded. Students are provided with a letter that details out approved accommodations and students are encouraged to work with their advisors and/or 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 Title IX Coordinator. If, for any reason, parenting students are not able to work with their advisors/faculty members to obtain appropriate modifications, students should alert the Title IX Coordinator as soon as possible, who will help facilitate needed accommodations and modifications.

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

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

Title IX Student Coordinators: Dr. Kevin Ammons-Please contact at kammons@escc.edu

Student ADA Coordinator: Dava Leverette-Please contact at dleverette@escc.edu

VI. LEAVE OF ABSENCE

a. Faculty, staff, or other employees shall not require a student to take a leave of absence or withdraw from or limit their studies due to pregnancy, childbirth, or related conditions, but nothing in this policy requires modification of the essential elements of any academic program.

b. Duration of Leave:

a. Pursuant to Title IX, Enterprise State Community College shall treat pregnancy and related conditions as a justification for a leave of absence for as long a period of time as is deemed medically necessary by a student's physician.

b. A student taking a leave of absence under this policy shall provide notice of the intent to take leave thirty days prior to the initiation of leave, or as soon as practicable.

c. Intermittent leave may be taken with the advance approval of the student's department, or when medically necessary due to the student's health condition.



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d. Students who elect to take leave under this policy may register in an inactive or “on-leave” status to continue their eligibility for certain benefits. While registered in that status, students who choose to take a leave of absence under this policy can elect to keep their health insurance coverage and continue residing in university housing, subject to the payment of applicable fees.

e. Upon return from leave, the student will be reinstated to his or her program in the same status as when began.

f. The Title IX 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.

VII. STUDENT EMPLOYEE LEAVE

- Offer the protections of the Family and Medical Leave Act to eligible employees regardless of whether they are also a student or postdoc (29 USC §2601 et seq.);
- Treat pregnancy and related conditions as any other temporary disability for job purposes, including leave and benefits (34 C.F.R. § 106.57 (c));² and where your institution doesn’t provide leave or where employees are ineligible for other leave policies, accept pregnancy and related conditions as a “justification for a leave of absence without pay for a reasonable period of time, at the conclusion of which the employee shall be reinstated to the status that she 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” (34 C.F.R. § 106.57 (d)).]

VIII. RETALIATION AND HARASSMENT

a. Harassment by any member of Enterprise State Community College community based on sex, gender, gender identity, gender expression, pregnancy, or parental status is prohibited.

b. Faculty, staff, and other Enterprise State Community College employees are prohibited from interfering with a student’s taking leave, seeking reasonable accommodation, or otherwise exercising her rights under this Policy.

c. Faculty, staff, and other Enterprise State Community College employees are prohibited from retaliating against a student for exercising the rights articulated by this Policy, including imposing or threatening to impose negative educational outcomes because a student requests leave or accommodation, files a complaint, or otherwise exercises their rights under the Policy.

IX. DISSEMINATION OF THE POLICY AND TRAINING

a. A copy of this Policy shall be made available to faculty, staff, and employees in their required training and posted on the Enterprise State Community College website. Enterprise State Community College shall alert all new students to this Policy and the location of this Policy as part of orientation. The Title IX Office/HR shall make preventive educational materials available to all members of the Enterprise State Community College



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community to promote compliance with this Policy and familiarity with its procedures. Institutions are covered by the ADA and the employee is entitled rights under the ADA concomitant to the nature of her condition.

X. COMPLIANCE

a. Reporting: Any member of the Enterprise State Community College community may report a violation of this Policy to any supervisor, manager, or to the Title IX Coordinator. All mandated reporters are responsible for promptly forwarding such reports to the Title IX Coordinator. The Title IX Coordinator is responsible for overseeing complaints of discrimination involving pregnant and parenting students.

b. The Title IX Coordinator for Enterprise State Community College is Jessica Solomon, HR Director

c. Grievance process

Note: Insert here a section on institution's policy for processing and responding to Title IX complaints grievances, and disciplinary procedures. Complaints of pregnancy discrimination can be rolled into your institutions existing Title IX grievance processes. An effective process includes an early resolution option, independent fact finding, and independent and fair administration of discipline for offenders.