

PREGNANT AND PARENTING

Approved by: Academic Affairs

History: 2021 | 2022

Related Policies: Title IX Sexual Assault, Sexual Harassment and Sexual Misconduct Policy (SSC1) (<https://www.alverno.edu/Civility-Sexual-Misconduct-and-Harassment/>)

Related Forms, Procedures and References: Medical Exception (<https://catalog.alverno.edu/collegepolicies/studentacademicpolicies/ug/medicalexcemption/>) | Student On Leave (<https://catalog.alverno.edu/collegepolicies/studentacademicpolicies/ug/studentonleave/>)

For Questions Contact: Title IX Coordinator | 414.382.6151 | jason.pilarski@alverno.edu | FO 254

Purpose

Title IX of the Education Amendments of 1972 is a Federal civil rights law that prohibits discrimination on the basis of sex—including pregnancy and parental status—in educational programs and activities.

All public and private schools, school districts, colleges, and universities receiving any Federal funds (“schools”) must comply with Title IX.” - U.S. Department of Education

This policy covers the area of Pregnancy and Parenting related matters as covered under Title IX regulations and law. This policy shall set guidelines for addressing issues involving pregnancy or parenting related matters at Alverno College.

Scope of Policy

All policies, decisions, accommodations, or actions of the Alverno College community shall be in accordance with the rules and regulations set forth by the Department of Education in conjunction with the Title IX law. This policy applies to: 1) pregnancy, false pregnancy, childbirth, or pregnancy termination-related conditions; 2) all post-partum medical conditions or needs; 3) breastfeeding and related activities.

This policy is a sub-set policy to the full Title IX policy as located on the Alverno Website, or available through the Dean of Students office, Human Resources, or the Campus Safety Department. Both this policy and the full Title IX policy have authority over all students, employees, volunteers, or persons with a special relationship to the college. This policy applies to all students and may not be limited by gender, gender identity, sexual orientation or other protected classification.

Definitions

False Pregnancy – Clinically termed pseudocyesis, is the belief that you are expecting a baby when you are not really carrying a child. People with pseudocyesis have many, if not all, symptoms of pregnancy – with the exception of an actual fetus.

Abortion – The act of terminating a pregnancy prior to viability of the fetus.

Spontaneous Abortion – Noninduced embryonic or fetal death or passage of products of conception before 20 weeks gestation. Also known as Miscarriage.

Ectopic Pregnancy – Pregnancy in which the fertilized egg implants outside the uterus

Breastfeeding – To directly breastfeed, pump by use of electric or mechanical device for collection of breast milk, express breast milk, or meet other lactation needs.

Lactation Needs – Cleaning of breast and torso region, cleaning of pump and accessories, changing or rinsing of wardrobe.

Extra-Curricular Activities – participation in an organized and college approved club, student group, or academic society; or as a part of an organized college athletic or intermural team or event.

Pregnancy Related Medical Conditions – Conditions that might be considered disabilities include, but not limited to: carpal tunnel syndrome, gestational diabetes, acid reflux, severe morning sickness, chronic migraines, and severe pelvic or back pain.

Oversight and responsibility for this policy:

Title IX Coordinator

Jason Pilarski, Chief / Director for Campus Safety
Founders Hall 254; 414.382.6151; jason.pilarski@alverno.edu

Title IX Deputy Coordinator for Students

Rachel Haos, Assistant Dean of Students
Founders Hall 119; 414.382.6006; rachel.haos@alverno.edu

Title IX Deputy Coordinator for Employees

Director of Human Resources
Founders Hall 211B; 414.382.6420; HR@alverno.edu

Student Accessibility Coordinator

Colleen Barnett
Founders Hall 411; 414.382.6026; colleen.barnett@alverno.edu

Department of Education – Office of Civil Rights

Lyndon Baines Johnson Department of Education Bldg
400 Maryland Avenue, SW
Washington, DC 20202-1100

(800) 421-3481 | OCR@ed.gov

Protection from Harassment/Discrimination

Under Title IX, students have the right to continue their education activities regardless of pregnancy, childbirth, or pregnancy termination-related conditions. This includes school sponsored internships, clinics, lab work, athletics and extracurricular activities. Harassment or intimidation because of a pregnancy-related condition is sex discrimination in violation of Title IX and is illegal. To report potential violations or concerns regarding this policy, please contact the Title IX Coordinator or a Deputy Coordinator.

Absence

Absence(s) related to pregnancy-related conditions are justified so long as the absence is medically necessary (a doctor's note is not required unless other students in the class, program, clinical or activity must provide a note when they are absent). This Title IX requirement applies regardless of a specific course attendance policy. Students returning

from their absence must be allowed to make up any missed work, including assessments and projects, and they must have opportunities to compensate for in-class participation through some other opportunity.

The makeup work should be comparable to the amount of work given other students, not extra. Deadlines for the work must be comparable to the amount of time other students were given to complete the work.

Accommodation

Students impacted by pregnancy-related conditions are eligible for at least the same accommodations given to students with temporary disabilities. Some pregnancy-related accommodations may include an assessment room near a bathroom and opportunity to take frequent breaks. If a student can't lift heavy equipment, others may be allowed to assist. In some cases, even though pregnancy itself is not considered a disability, certain pregnancy-related conditions are considered protected under the Americans with Disabilities Act Amendment Act (ADAAA) as well - if they substantially limit one or more major life activities such as walking, standing, lifting, etc. Examples of

Accommodations are meant to address each student's specific needs and give opportunity for access to the program that is equal to that given to other students. An accommodation that is unreasonable because it would require significant administrative or financial burdens is not required to be provided under the law. Colleges also can't be required to make fundamental or substantial modifications that change the very nature their program or academic standards.

Students wanting to request accommodations should contact the Student Accessibility Coordinator who will engage in an interactive discussion with the student, instructor, and other need-to-know personnel, up to and possibly including the Title IX Coordinator, regarding their requests. Once decisions are made, notification to student and instructors will be made in writing.

Protocol for Investigation and Actions

Upon receiving a report of suspected of violation of this policy

- (A) Member(s) of the Title IX team will respond to the report.
- Statements will be obtained from all persons involved or with knowledge of the reported matter.
- A report on the matter will be prepared and submitted to the Title IX Coordinator.
- The Title IX Coordinator will meet with the Student Accessibility Coordinator.
- The Title IX Coordinator will meet with members of the Administrative Council as needed to address issues arising from reported issues.
- The Title IX Coordinator and/or Student Accessibility Coordinator will communicate with the effected student

Breastfeeding

Alverno has designated FO 114 in the Commons as the Mother's room.

It is private, clean and a reasonably accessible place for breastfeeding. Depending upon the particular details of a student's situation, other arrangements may be available. Other similar or equivalent locations on campus maybe identified for these purposes in a specific or ongoing basis.

Instructors and students shall work together to identify solutions for making up in-class work or participation credits, as well as any

instruction missed, when the need for absence due to the occurrence of breastfeeding activities.

Extracurricular activities

Student participation in a college club, student group or academic society can't be limited because of pregnancy or related condition. The club can ask for a doctor's note saying it is engagement in a particular activity is safe only if it requires other students with conditions must provide a note.

Pregnant athletes must be treated like any other athlete with a temporary disability. Alverno cannot assume that it is unsafe for them to play. Medical clearance from a doctor to participate can be requested only if players with other medical conditions are asked to do so. If there is a disagreement about whether it is safe, athletic staff members are expected to rely on the opinion of the student's obstetrician or other specialists.

Student on Campus Employment by the College

Pregnancy, childbirth, false pregnancy, termination of pregnancy, and resulting disability or recovery must be treated the same as any temporary disability for all job-related purposes, including the provision of accommodations and other services. Additionally, students may be entitled to accommodation of a pregnancy-related disability under the ADA. Students should speak with their employment supervisor, human resources department, The Student Accessibility Coordinator, or the Title IX Coordinator for more information about receiving accommodations.

Leave Status

A student may of their free will, decide to take a leave for pregnancy-related reasons, but the college cannot require a leave. No employee, volunteer, or other person associated with the college may require or imply a requirement to take a leave or other action detrimental to the student's educational attainment process due to issues covered under this policy.

Financial Aid Considerations

All students should consult with the Financial Aid office prior to taking any form of leave to determine what impact there may be on their aid.

According to Title IX, school financial assistance programs can't apply rules that treat students differently because of sex. To the extent possible, Alverno will take reasonable steps to ensure that, upon return from leave, a student will be reinstated to their program with access to the same institutional aid as when the leave began. Continuation of a student's scholarships or other funding during the leave term will depend on the policies of the funding program. Students will not be negatively impacted by or forfeit their future eligibility for institutional scholarship, fellowship, or similar college-sponsored funding by exercising their rights for a leave under the policy. Federal and state awards are subject to refund calculations, satisfactory academic progress, repayment, and related regulations in place at the time of leave of absence or withdrawal from class. Alverno's tuition refund policy and schedule will be used to determine if a tuition refund will be applied for students who withdraw from classes. In order to determine eligibility for a full or partial refund, students are required to apply for a Medical Exception.

Filing of Reports of Possible Violations

The Responsible Employee or primary Campus Safety Officer shall, upon receipt of a reported possible violation: file an incident report concerning the initial investigation, whether there is probable cause to believe that

the reported violation occurred or not, prior to going off duty from the current shift. The report shall include information on what prompted the concern by the reporting party, the officer's review of the available information, who was involved in the matter to date of report, what was said during discussion of the matter between involved parties, and interview(s) of the subject(s) if they were available when the report is received.

Review, Decision Making, and Appeal

The reported matter shall be reviewed in a timely will be issued through the Student Accessibility Coordinator and the Title IX Coordinator. A decision on requested accommodations may be made by the will be issued through the Student Accessibility Coordinator and the Title IX Coordinator with input from the Director of Campus Safety, the Dean of Students, the Director of Facilities Management, the Vice President for Finance and Management Services, the Director of Human Resources, or their designee. The decision shall be based upon all known factors including extent, intent, and governing laws.

A decision on accommodations will be issued through the Student Accessibility Coordinator. A decision on related reports of potential violations of this policy and/or Title IX policy will be issued through the Title IX Coordinator.

All appeals of these decisions for students will be referred to the Dean of Students.

All appeals of these decisions for employees will be referred to the Director of Human Resources.

All appellate decisions will be final. Appellate requests must be made in writing to the appropriate person within 10 business days of the original decision being issued. Appeals may be made on the basis of improper handling of the process, bias or conflict of interest, evidence that was not reasonably available at the time of decision.

Notification for Disciplinary Review

Reports resulting in a finding of possible violation of this policy or the Title IX policy shall result in a Formal Complaint meeting and referral by the Title IX Coordinator into the Title IX process as set forth in the greater Title IX policy.

Training

The Title IX Coordinator and Core Team, shall be responsible for creation and revision of a campus wide training program on the Pregnancy and Parenting policy.

The Title IX Coordinator and Core Team, upon notification or becoming aware of a change to the current regulations, precedent, or law governing this policy, shall take steps to change this policy and related trainings accordingly.

The training shall be made available to all persons at Alverno College.

The training may be offered to all community members annually. Additionally this training shall be offered to all new persons joining the College community.