Policy and Procedures for Supporting Pregnant and Parenting Students
Effective Date: August 1, 2024

Policy Summary
Susquehanna University prohibits bias, harassment, and discrimination based on any protected category under applicable federal, state, and/or local laws.

This Policy Applies to:
□ Board
x Campus Visitors
x Faculty
x Independent Contractors
□ Other _____
x Staff
x Students
x Vendors

1. NON-DISCRIMINATION STATEMENT

Susquehanna University does not discriminate in its education program or activity against any applicant for admission, student, applicant for employment, or employee on the basis of current, potential, or past pregnancy or related conditions as mandated by Title IX of the Education Amendments of 1972 (Title IX). Susquehanna University prohibits members of the campus community from adopting or implementing any policy, practice, or procedure which treats an applicant for admission, student, applicant for employment, or employee differently on the basis of current, potential, or past parental, family, or marital status.[1] This policy and its pregnancy-related protections apply to all pregnant persons, regardless of gender identity or expression.

2. DEFINITIONS

- *Familial Status.* The configuration of one's family or one's role in a family.

[1] "Title IX does not prohibit discrimination based on marital status *per se*, as discrimination based on marital status does not necessarily require consideration of a person's sex. Title IX does, however, prohibit a recipient from applying rules concerning marital status that treat individuals differently on the basis of sex (e.g., treating married women more or less favorably than married men, treating an unmarried mother worse than a married mother based on sex stereotypes, treating a man who is married to a man worse than a woman who is married to a man)." Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 89 F.R. 33474, April 29, 2024, codified at 34 C.F.R. 106.

- *Marital Status.* The state of being married or unmarried.
- *Parental Status.* The status of a person who, with respect to another person who is under the age of 18,[2] is a biological, adoptive, foster, or stepparent; a legal custodian or guardian; in loco parentis with respect to such a person; or actively seeking legal custody, guardianship, visitation, or adoption of such a person.
- *Pregnancy and Related Conditions.* The full spectrum of processes and events connected with pregnancy, including pregnancy, childbirth, termination of pregnancy, or lactation; related medical conditions; and recovery therefrom.[3]
- *Reasonable Modifications.* Individualized modifications to Susquehanna University's policies, practices, or procedures that do not fundamentally alter the University's education program or activity.

3. INFORMATION SHARING REQUIREMENTS

Any Susquehanna University employee who becomes aware of a student's pregnancy or related condition is required to provide the student with the Title IX Coordinator's contact information and communicate that the coordinator can help take specific actions to prevent discrimination and ensure equal access to Susquehanna University's education program and activity. If the employee has a reasonable belief that the Title IX Coordinator is already aware of the pregnancy or related condition, the employee is not required to provide the student with the Title IX Coordinator's contact information.

Once the student shares their pregnancy or related condition with the Title IX Coordinator, the Title IX Coordinator will promptly share the University's obligations to:

- Stop and respond to sex discrimination, as well as maintain a resolution process for alleged discrimination.
- Provide Reasonable Modifications (see below).
- Allow access, on a voluntary basis, to any separate and comparable portion of the institution's education program or activity.
- Allow a voluntary leave of absence.
- Ensure lactation space availability.
- Maintain a Resolution Process for alleged discrimination.
- Treat pregnancy as comparable to other temporary medical conditions for medical benefit, service, plan, or policy purposes.

[2] Or a person who is 18 or older but who is incapable of self-care because of a mental or physical disability.

[3] "[T]he Department interprets 'termination of pregnancy' to mean the end of pregnancy in any manner, including, miscarriage, stillbirth, or abortion." Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 89 F.R. 33474, April 29, 2024, codified at 34 C.F.R. 106.

The Title IX Coordinator will also notify the student of the process to file a complaint for alleged discrimination, harassment, or retaliation, as applicable.

4. TITLE IX AND THE TITLE IX COORDINATOR

The following individuals are responsible for coordinating Susquehanna University's efforts to comply with Title IX and this Policy:

Chelsey Eiel, Title IX Coordinator
570-372-4302
titleix@susqu.edu

Amy Davis, Deputy Title IX Coordinator and Assistant Director of Inclusion & Diversity
570-372-4590
davisam@susqu.edu
Degenstein Campus Center

Stephanie Johnson, Deputy Title IX Coordinator and Associate Director of Athletics
570-372-4605
johnsonstephanie@susqu.edu
Garrett Sports Complex

Please contact any of the above staff members with questions regarding Title IX or this Policy. The Title IX Coordinator manages the Title IX Team and acts with independence and authority free from bias and conflicts of interest. The Title IX Coordinator oversees all resolutions under this Policy and these procedures. The members of the Title IX Team are vetted and trained to ensure they are not biased for or against any party in a specific complaint, or for or against Complainants and/or Respondents.

5. REASONABLE MODIFICATIONS FOR STUDENTS

Students who are pregnant or are experiencing related conditions are entitled to Reasonable Modifications to prevent sex discrimination and ensure equal access to Susquehanna University's education program and activity. Any student seeking Reasonable Modifications must contact the Title IX Coordinator to discuss appropriate and available Reasonable Modifications based on their individual needs. Students are encouraged to request Reasonable Modifications as promptly as possible, although retroactive modifications *may be* available in some circumstances. Reasonable Modifications are voluntary, and a student can accept or decline the offered Reasonable Modifications. Not all Reasonable Modifications are appropriate for all contexts.

Reasonable Modifications may include:

- Breaks during class to express breast milk, breastfeed, or attend to health needs associated with pregnancy or related conditions, including eating, drinking, or using the restroom
- Intermittent absences to attend medical appointments
- Access to online or homebound education
- Changes in schedule or course sequence
- Time extensions for coursework and rescheduling of tests and examinations
- Allowing a student to sit or stand, or carry or keep water nearby
- Counseling
- Changes in physical space or supplies (for example, access to a larger desk or a footrest)
- Elevator access
- A larger uniform or other required clothing or equipment
- Other changes to policies, practices, or procedures determined by the Title IX Coordinator

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 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 the University'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 plan development and implementation as needed.

Supporting documentation for Reasonable Modifications will only be required when it is necessary and reasonable under the circumstances to determine which Reasonable Modifications to offer, or to determine other specific actions to take to ensure equal access.

Information about pregnant students' requests for modifications will be shared with faculty and staff only to the extent necessary to provide the Reasonable Modification.

Students experiencing pregnancy-related conditions that manifest as a temporary disability under the Americans with Disabilities Act (ADA) or Section 504 of the Rehabilitation Act are eligible for reasonable accommodations just like any other student with a temporary disability. The Title IX Coordinator will consult with Associate Director of Disability Services to ensure the student receives reasonable accommodations for their disability as required by law.

6. CERTIFICATION TO PARTICIPATE

All students should be informed of health and safety risks related to participation in academic and co-curricular activities, regardless of pregnancy status. A student may not be required to provide health care provider or other certification that the student is physically able to participate in the program or activity, unless:

- The certified level of physical ability or health is necessary for participation;
- The institution requires such certification of all students participating; and
- The information obtained is not used as a basis for pregnancy-related discrimination.

7. LACTATION SPACE ACCESS

Parenting students have the right to utilize the University's dedicated lactation room conveniently located within the Violence Intervention and Prevention (VIP) Center, situated in the lower level of the Blough-Weis Library. This space is clean, private, and comfortable. Students and employees alike can make use of this space for lactation purposes on a first come, first served basis.

Susquehanna employees may contact Facilities Management to learn about retrofitting personal offices for lactation purposes.

8. LEAVES OF ABSENCE

A. STUDENTS

Students are permitted to take a voluntary leave of absence for a reasonable time as deemed medically necessary by their healthcare provider 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. Students who elect to take leave under this policy may register under an "on leave/inactive" status to continue their eligibility for certain benefits. While registered under 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 Susquehanna University housing, subject to the payment of applicable fees.

To the extent possible, Susquehanna University will take reasonable steps to ensure that students who take a leave of absence or medical leave return to the same position of academic progress that they were in when they took leave, including access to the same or an equivalent course catalog that was in place when the leave began.

Continuation of students' scholarships, fellowships, or similar Susquehanna University-sponsored funding during the leave term will depend on student registration status and the policies of the funding program regarding registration status. Students will not be negatively impacted by or forfeit their future eligibility for their scholarship, fellowship, or similar Susquehanna University-supported funding by exercising their rights under this policy.

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.

In order to initiate a leave of absence, the student must contact the Title IX Coordinator at least 30 calendar days prior to the initiation of leave, or as soon as practicable. The Title IX Coordinator will assist the student in completing any necessary paperwork.

B. STUDENT EMPLOYEE LEAVE

All student-employees will be entitled to the protections of the Family and Medical Leave Act. Pregnancy or related conditions will be treated as any other temporary disability for job purposes, including leave and benefits. Pregnancy or 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 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.

C. STUDENT PARENTS

Students with child caretaking/parenting responsibilities who wish to remain engaged in their coursework while adjusting their academic responsibilities because of the birth or adoption of a child or placement of a foster child may request an academic modification period during the first three (3) 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.

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

Students seeking a period of modified academic responsibilities may consult with their academic advisor or with the Title IX Office to determine appropriate academic adjustment requests. The Title IX Office will communicate all requests under this policy to students'

academic advisors and coordinate adjustment-related efforts with the advisors unless the student specifically requests that their advisors be excluded.

Students are encouraged to work with their advisors and 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 Office.

If, for any reason, caretaking/parenting students are not able to work with their advisors/faculty members to obtain appropriate modifications, students should alert the Title IX Office as soon as possible, and the office will help facilitate needed accommodations and modifications.

In timed degree, certification, or credentialing programs, students who seek modifications upon the birth or placement of their child will be allowed an extension of up to three (3) months to prepare for and take preliminary and qualifying examinations, and an extension of up to three (3) months toward normative time to degree while in candidacy, to the extent those deadlines are controlled by Susquehanna University. Longer extensions may be granted in extenuating circumstances.

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

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

9. SUSQUEHANNA UNIVERSITY HOUSING

A pregnant student's Susquehanna University housing status will not be altered based on pregnancy status unless requested by the student. Parenting students' access to housing is governed by the Residence Life and Community-Living Policies – Susquehanna University.

10. RETALIATION AND HARASSMENT

Harassment of any member of the University's community based on sex, gender identity, gender expression, pregnancy or parental status is prohibited and will be governed by the University's Title IX, Bias, Harassment, and Discrimination Policy. Faculty, staff, and other University employees are prohibited from interfering with students' right to take leave, seek reasonable accommodations, or otherwise exercise their rights under this Policy. Members of the Susquehanna University community are prohibited from retaliating against students for exercising the rights articulated by this Policy, including imposing or threatening to impose

negative educational outcomes because students request leave or accommodation, file a complaint, or otherwise exercise their rights under this Policy.

11. POLICY DISSEMINATION AND TRAINING

A copy of this policy will be made available to faculty and employees in annually required training and posted on the Susquehanna University website. Susquehanna University will alert all new students about this policy and the location of this policy as part of orientation. The Title IX Office will make educational materials available to all members of the Susquehanna University community to promote compliance with this policy and familiarity with its procedures.

For complaints involving student conduct, questions may be directed externally to:

Assistant Secretary for Civil Rights
U.S. Department of Education Office for Civil Rights
400 Maryland Avenue
SW Washington, D.C. 20202-1100
Telephone: 800-421-3481
TDD#: 877-521-2172
Email: OCR@ed.gov
Web: http://www.ed.gov/ocr

Links With Other Policies

- Policies and Procedures posted on the Susquehanna University website:
    - Title IX, Bias, Harassment, and Discrimination Policy: https://www.susqu.edu/live/files/859-title-ix-bias-harassment-and-discrimination-policy
    - Susquehanna University Student Handbook: https://www.susqu.edu/campus-life/student-handbook/
    - Other Susquehanna University Policies and Procedures: https://www.susqu.edu/about-susquehanna/policies-disclosures-and-consumer-information/policies/
- Policies and Procedures posted Internally on myNest:
    - Department Policies: myNest/Policies and Procedures
    - Faculty Handbook: myNest/Resources by Office/Provost/Reference/Resource Materials/Faculty Handbook

Exclusions and Special Situations

Not applicable

Policy Contact(s)
Responsible Office: Office of Title IX/Human Resources
Policy Author: Title IX Coordinator
Email: titleix@susqu.edu
Phone: 570-372-4302

Policy History
Original Policy: August 1, 2024
Revised: November 11, 2024
Most Recent Revision Posted: NA

Appendix
Not applicable