



Title: Procedures for Assisting Students who are Pregnant, Nursing, or with Pregnancy-Related Conditions

Source: Office of Institutional Equity

I. INTRODUCTION

Title IX of the Education Amendments of 1972 and the University of Colorado Colorado Springs (“UCCS” or “University”) prohibits discrimination on the basis of sex, which includes the guarantee of equal educational opportunity to pregnant and nursing students. As stated in 34 C.F.R § 106.40,

Recipients of federal funds “(a) shall not apply any rule concerning a student’s actual or potential parental, family, or marital status which treats students differently on the basis of sex...[and] (b)(1) 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, unless the student requests voluntarily to participate in a separate portion of the program or activity of the recipient.

In order to comply with Title IX and University policy, these procedures set forth the protections that should be provided for pregnant and nursing students based on medical need, including those with pregnancy-related conditions. The University strives to protect all students’ physical and psychological health, and their ability to complete their education. The University also prohibits retaliation against any student who complains in good faith about violations of University policy.

For procedures related to employees, please contact the Department of Human Resources at 719-255-3372

For questions related to student employment, please contact the Office of Student Employment at 719-255-3454

II. PROCEDURES

A. General Compliance

1. The University will assist students who are pregnant, nursing, or experiencing conditions related to pregnancy with planning for their continued academic progress, returning to the academic and educational environment, and locating resources that are available to all students.
2. The University will excuse medically necessary absences from educational programs or activities due to pregnancy, nursing, or pregnancy-related conditions.
3. The University will provide assistance to students who are pregnant, nursing, or experiencing one or more pregnancy-related conditions, in the same manner that such assistance is provided to other students with medical conditions.

4. The University will require a student who is pregnant, nursing, or experiencing one or more pregnancy-related conditions to obtain a certificate from their physician to certify fitness as a condition for participating in educational programs or activities only when such certification is required of students who experience other medical conditions requiring the attention of a physician. For example, a student who has been hospitalized for childbirth must not be required to submit a medical certificate to return if a certificate to return is not required of students who have been hospitalized for other medical conditions.
5. The University prohibits a hostile or intimidating environment on the basis of pregnancy or parental status. Acts or statements that are hostile toward students who are pregnant, nursing, or experiencing one or more pregnancy-related conditions, will not be tolerated.
6. The University will not terminate or reduce a student's financial aid solely because of the student's pregnancy or parental status. Students are encouraged to contact the Office of Financial Aid with any questions regarding the terms of their financial aid. 719-255-3460 finaidse@uccs.edu.
7. The University will not permit the use of any written or verbal contract that requires a student not to get pregnant or become a parent as a condition of participating in educational programs or activities or receiving a financial aid award.

B. Student Options and Responsibilities.

1. Students may request accommodations due to pregnancy, nursing, or pregnancy-related conditions from the University's Office of Disability Services. Students may be required to produce documentation in accordance with University policy and procedure.
2. Students may take leave for pregnancy and pregnancy-related conditions. At the end of that leave, students are encouraged to contact their academic advisor to review their academic plan, and revise as needed, in an effort to return to the same academic and extracurricular status as before the leave began. Alternatives that are reasonable and responsive should be offered to the returning student to make up missed work, such as retaking a semester, taking part in an online course credit recovery program, and/or allowing the student additional time in a program to continue at the same pace and finish at a later date.
3. Students may take advantage of University health benefits for pregnancy and pregnancy-related conditions, including counseling, physical examinations, medical treatment, and medication, to the same degree that students who experience other medical conditions are provided these benefits.

C. Reporting.

1. The University will not require any student to reveal pregnancy, nursing status, or pregnancy-related conditions and will not require students to produce a doctor's note in order to stay in school or participate in activities or other educational programs unless the same requirements to obtain a doctor's note applies to all students being treated by a doctor. The University will work to create an environment that encourages the students to reveal pregnancy, nursing status, and pregnancy-related conditions voluntarily, in order for the University to provide optimal support to the student.

D. Grievance Process.

1. Any individual who becomes aware of conduct that violates this policy should report the conduct to the Title IX Coordinator. The Title IX Coordinator may be contacted at 719-255-4324 or equity@uccs.edu

2. Retaliation is specifically prohibited against anyone who complains about pregnancy or parental status discrimination in good faith.

III. RELATED POLICIES, PROCEDURES, FORMS, AND OTHER RESOURCES

A. Other Policies

Regent Law Article 10: Nondiscrimination

<https://www.cu.edu/regents/laws-and-policies/regent-laws/article-10-nondiscrimination>

UCCS Policy 300-017: Discrimination and Harassment Policy:

<https://www.uccs.edu/equity/sites/equity/files/inline-files/300-017.pdf>

B. Forms

Students who are pregnant, nursing, or have one or more pregnancy-related conditions and wish to request an accommodation, should contact UCCS Disability Services at 719-255-3354 or dservice@uccs.edu. Disability Services can assist students to ensure they are aware of what documentation and forms are necessary, based on the student's needs.

C. Other Resources

20 U.S.C. §1681, *et. seq.* (Title IX)

<https://www.justice.gov/crt/title-ix-education-amendments-1972>

U.S. Department of Education, "Know Your Rights: Pregnant or Parenting? Title IX Protects You from Discrimination at School"

<http://www2.ed.gov/about/offices/list/ocr/docs/dcl-know-rights-201306-title-ix.html>

U.S. Department of Education, "Supporting the Academic Success of Pregnant and Parenting Students"

<http://www2.ed.gov/about/offices/list/ocr/docs/pregnancy.pdf>

UCCS Office of Institutional Equity:

<http://www.uccs.edu/~equity/>

UCCS Office of Disability Services:

<http://www.uccs.edu/~disability/>