

Pregnancy Title IX Sexual Harassment & Sex Discrimination

From the U.S. Department of Education pamphlet: Supporting the Academic Success of Pregnant and Parenting Students Under Title IX of the Education Amendments of 1972.

Title IX provides that:

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance. The Education Department’s regulation implementing Title IX specifically prohibits discrimination against a student based on pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery from any of these conditions. The Title IX regulation also prohibits colleges from applying any rule related to a student’s parental, family, or marital status that treats students differently based on their sex.”

Requirements:

- Excuse absences because of pregnancy or childbirth as long as the student’s doctor deems the absences medically necessary; upon the student’s return, she must be allowed to return to the same academic and extracurricular status as before medical leave began, and she must be permitted to earn any credits missed during the absence.
- Any special instructional programs or classes must be voluntary and comparable to what is offered to other students; a pregnant student must be permitted to participate in regular programs and classes if she wishes. Likewise, any special services provided to students who have temporary medical conditions must also be provided to a pregnant student.
- Make adjustments to a regular program or class that are reasonable and responsive to the student’s temporary pregnancy status (eg., larger desk, frequent trips to bathroom)

Prohibitions:

- Exclude a pregnant student from participating in any part of an educational program – including, but not limited to specific classes, extracurricular programs, interscholastic sports, honor societies, and opportunities for student leadership.
- Require pregnant students or students who have given birth to submit medical certification for participation in educational program/activities unless such certification is required for all students with physical or emotional conditions requiring the attention of a physician.
- Harassment.

In summary, pregnant and parenting students cannot be treated differently than any other student or temporary medical condition. Students may also be eligible for accommodations. Contact the Dean of Student Access and Success.

*NOTE to Faculty: It can be complicated, so if you have any questions or if a situation arises in your class, do not hesitate to contact the Title IX Coordinator for guidance. Together, we will develop a plan that protects the rights of the student without compromising academic integrity and rigor. Title IX also prohibits discrimination against employees on the basis of pregnancy and parent status. Employees may also be e