



UNIVERSITY OF SAINT JOSEPH PREGNANCY & PARENTING ACCOMMODATIONS POLICY

COMPLIANCE

Reporting: Any member of the University of Saint Joseph 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 office. The Title IX Coordinator is responsible for overseeing complaints of discrimination involving pregnant and parenting students.

The Title IX Coordinator for the University of Saint Joseph is:

Rayna Dyton-White, Title IX Coordinator/Director of Diversity and Inclusion
Lourdes Hall 18S
(860) 231-5499
titleix@usj.edu

Complaints may also be filed with the U.S. Department of Education's Office for Civil Rights at:

Office for Civil Rights (OCR)
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109-3921
Telephone: (617) 289-0111
Facsimile: (617) 289-0150
[Email: OCR.Boston@ed.gov](mailto:OCR.Boston@ed.gov)

Complaints may be filed online, using the form available, at www.ed.gov/ocr/complaintintro.html



POLICY STATEMENT

University of Saint Joseph 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 (Title IX). 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. The University of Saint Joseph puts forth this policy for the protection and equal treatment of pregnant individuals; persons with pregnancy related conditions; and new parents.

Under the Department of Education's (DOE) 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." According to the DOE, appropriate treatment of a pregnant student includes granting the student leave "for so long a period of time as is deemed medically necessary by the student's physician," and then effectively reinstating the student to the same status as was held when the leave began. This generally means that pregnant students should be treated by the University of Saint Joseph 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 where available, and incomplete grades that can be completed at a later date, should all be employed, in addition to any other assistive supports typically provided by Disability Services. To the extent possible, University of Saint Joseph will take reasonable steps to return pregnant students, who take a leave of absence or medical leave, to the same position of academic progress that they were in when they took leave. The Title IX Coordinator or designee has the 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 unless necessary. Administrative responsibility for these accommodations lies with the Title IX Coordinator or designee, 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 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 university accessibility coordinator 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.



SCOPE OF POLICY

This policy applies to all aspects of University of Saint Joseph's program, including, but not limited to, admissions, educational, programs and activities, extracurricular activities, hiring, leave policies, employment policies, and health insurance coverage.

DEFINITIONS

- a. *Caretaking*: caring for and providing for the needs of a child.
- b. *Medical Necessity*: a determination made by a health care provider (of the student's choosing) that a certain course of action is in the patient's best health interests.
- c. *Parenting*: the raising of a child by the child's parents in the reasonably immediate post-partum period.
- d. *Pregnancy and Pregnancy Related Conditions*: include (but are not limited to) pregnancy, childbirth, false pregnancy, termination of pregnancy, conditions arising in connection with pregnancy, and recovery from any of these conditions.
- e. *Pregnancy Discrimination*: includes treating an individual 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.
- f. *Pregnant Student/Birth Parent*: refers to the student who is or was pregnant. This policy and its pregnancy-related protections apply to all pregnant students or students, regardless of gender identity or expression.
- g. *Reasonable Accommodations: (for the purposes of this policy)* changes in the academic environment or typical operations that enables pregnant students or students with pregnancy-related conditions to continue to pursue their studies and enjoy the equal benefits of University of Saint Joseph.

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

- a. University of Saint Joseph and its faculty, staff and other employees will not require students to limit their activities as the result of pregnancy or pregnancy-related conditions.
- b. The benefits and services provided to students affected by pregnancy will be no less than those provided to students with temporary medical conditions.
- c. Students with pregnancy-related disabilities, like any student with a short-term or temporary disability, are entitled to reasonable accommodations so that they will not be disadvantaged in their courses of study or research, and may seek assistance from the Title IX office, or a designee.
- d. No artificial deadlines or time limitations will be imposed on requests for accommodations, but the University of Saint Joseph is limited in its ability to impact or implement accommodations retroactively.
- e. Reasonable accommodations may include, but are not limited to:



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1. Providing accommodations requested by a parent student to protect the health and safety of the student and/or the pregnancy (such as allowing the student to maintain a safe distance from hazardous substances);
2. Making modifications to the physical environment (such as accessible seating);
3. Providing mobility support;
4. Extending deadlines and/or allowing the student to make up tests or assignments missed for pregnancy-related absences;
5. Offering remote learning options;
6. Excusing medically necessary absences (this must be granted, irrespective of classroom attendance requirement set by a faculty member, department or division);
7. Granting leave per the University of Saint Joseph's medical leave policy or implementing incomplete grades for classes that will be resumed at a future date; or
8. Allowing breastfeeding students 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.

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.

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 or adoption of a child or placement of a foster child may request an academic modification period during the first 12 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.
- b. 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 accessibility coordinator, the registrar, and possibly an appropriate faculty contact person.
- c. Students seeking a period of modified academic responsibility may consult with their academic advisor or the accessibility coordinator to determine appropriate academic accommodations requests. Once authorization is received from the Title IX Coordinator, the accessibility coordinator will coordinate accommodation-related efforts with the student and faculty or faculty contact person. The Title IX office will communicate authorization of an accommodation under this policy to the registrar for documentation and distribution to any employee or department instructed to make an accommodation. The Title IX Coordinator will oversee this process and work with the registrar to distribute accommodations so as to respect the student's privacy. Unless the accommodation is too burdensome to enact without disclosure, the Title IX office, the



accessibility coordinator, and the registrar will work to maintain the privacy of students who requests that the details of why the accommodation is sought not be disclosed (i.e. a student who has miscarried/stillbirth/death of an infant, student who is not visibly pregnant but has bad morning sickness/or is on bed rest). The accessibility coordinator will communicate to the Title IX Coordinator, any accommodated related efforts, and apprise of any concerns or issues with the accommodation. Students who are granted accommodations are encouraged to work with their faculty, advisors, or clinical coordinators to reschedule course assignments, lab hours, examinations, or other requirements, and/or to reduce their overall course load, as appropriate. 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 Accessibility Coordinator or Title IX Coordinator as soon as possible, the offices will help facilitate needed accommodations and modifications.

- d. In time degree, certification or credentialing programs, students who seek modification upon the both or placement of their child will be allowed an extension of up to 12 months or two semesters to prepare for and take preliminary and qualifying examination, and an extension up to 12 months toward normative time to degree while in candidacy, to the extent those deadlines are controlled by University of Saint Joseph. Longer extensions may be granted in extenuating circumstances.
- e. Students can request modified academic responsibilities under this policy regardless of whether they elect to take a leave of absence.
- f. While receiving academic modifications, students will remain registered and retain benefits accordingly.

LEAVE OF ABSENCE

- a. As long as students can maintain appropriate academic progress, faculty, staff, or other University of Saint Joseph employees will not require them to take a leave of absence or withdraw from or limit their studies as a result of pregnancy, childbirth, or related conditions, but nothing in this policy requires modification of the essential elements of any academic program.
- b. Enrolled students may elect to take a leave of absence for up to 2 semesters 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.
- c. Students taking a leave of absence under this policy will provide notice of the intent to take leave 30 calendar days prior to the initiation of the leave, or as soon as practicable. Students who are, hospitalized unexpectedly or students who must take leave on an emergency basis and lack the ability to physically return to campus may contact any of the following offices to begin the process for requesting a pregnancy related leave of absence: the accessibility coordinator, the Title IX office, the registrar, the student health center. The University would like to remind students that they may fill out a FERPA release to allow another person such as a, parent, partner or caregiver to have access to their student records in the event the student is incapacitated. Federal law does not allow third parties to access student records or make adjustments of any kind



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to the student's schedule without a signed release form. The release can be withdrawn by the student at any time. A FERPA release form may be obtained from the Registrar's office. The registrar is the department responsible for student records and data, this department will house the release and advise any employees on the nature of what part of the student record may be discussed with the person(s) named in the release.

https://my.usj.edu/ICS/Student/Office_of_the_Registrar/Office_of_the_Registrar.jnz

- d. Intermittent leave maybe taken with the advance approval of the Title IX office.
- e. Students who elect to take leave under this policy may register under an on leave status to continue their eligibility for certain benefits. While registered under that status, student who choose to take a leave of absence under this policy can elect to keep their health insurance, and continue to access campus facilities and the library. Students who are not registered for full-time classes may not occupy student housing.
- f. To the extent possible, University of Saint Joseph will take reasonable steps to ensure that upon return from leave, students will be reinstated to their program in the same status as when the leave began, with no tuition penalty.
- g. Continuation of a students' scholarship, fellowship, or similar University of Saint Joseph sponsored funding during the leave term will depend on the students' registration status and the policies of the funding program regarding registration status. Students will not be negatively impacted by or forfeit their future eligibility status for their scholarship, fellowship, or similar University of Saint Joseph supported funding by exercising their rights under this policy.
- h. The Title IX Office can and will advocate for student with respect to financial aid agencies and external scholarship providers in the event that a leave of absence places eligibility into question.

STUDENT-EMPLOYEE LEAVE

- a. All student-employees will be entitled to the protections of the Family Medical Leave Act, regardless of whether they are also students or hold post-doctoral status.
- b. Pregnancy and related conditions will be treated as any other temporary disability for job purposes, including leave and benefits.
- c. If the employees in this class are ineligible for benefits or leave: Pregnancy 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 that they held when the leave began or to a comparable position, without decrease in the rate of compensation or loss of promotional opportunities, or any other right or privilege of employment.

RETALIATION AND HARASSMENT

- a. Harassment of any member of the University of Saint Joseph community based on sex, gender identity, gender expression, pregnancy or parental status is prohibited. The Title IX Coordinator or a designee investigates complaints of retaliation. Violation of this policy may subject employees and students to disciplinary measures.



- b. Faculty, staff and other University of Saint Joseph employees are prohibited from interfering with students' right to take leave, seek reasonable accommodation, or otherwise exercise their rights under this policy.
- c. Faculty, staff, and other University of Saint Joseph employees are prohibited from retaliating against students for exercising their 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.
- d. The Title IX Coordinator has the authority to enforce this policy. Reports or concerns of retaliation or harassment under this policy may be made by any USJ community member by contacting the following:

Rayna Dyton-White, Title IX Coordinator
18s Lourdes Hall
(860)231-5499
Titleix@usj.edu

Deb Spencer, Deputy Title IX Coordinator/ Executive Director of Human Resources
Mercy Hall
(860) 231-5391
dspencer@usj.edu

Jenn Boylan, Accessibility Coordinator
CAE center, Pope Pious Library
(860) 231-5481
Accessibility@usj.edu

HOUSING-RELATED ACCOMMODATIONS

Pregnant students' on-campus housing status will not be altered based on pregnancy status unless requested by pregnant students. Parenting students' access to housing is governed by the University Housing agreement.



DISSEMINATION OF THE POLICY AND TRAINING

A copy of this policy will be made available to faculty, staff, and employees on the University of Saint Joseph website. Annual training of this policy will be offered. The University of Saint Joseph will alert all students about this policy via the University Student Affairs website and Student Handbook. The Title IX office will provide educational materials and trainings to members of the University of Saint Joseph to promote compliance with this policy, and familiarity with its procedures. The Title IX office works in conjunction with, Human Resources, the Accessibility Coordinator, and the Office of Student Affairs to provide education and awareness of this policy. The Title IX office encourages departments and divisions to contact the Title IX Coordinator for trainings and presentations.