

Missouri Western State University
Pregnant and Parenting Students Accommodation Policy
University Policies
Approved: 09/12/2017

Effective August 28, 2017

Missouri Western State University 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 Amendment of 1972. Sex discrimination, which can include discrimination based on pregnancy, marital status, or parental status, is prohibited and illegal in admissions, educational programs and activities. Missouri Western State University hereby establishes a policy and procedures for ensuring the protection and equal treatment of pregnant persons, individuals with pregnancy-related conditions, and new parents.

SCOPE OF POLICY

This policy applies to all aspects of Missouri Western State University's program, including, but not limited to, admissions, educational programs, activities, and extracurricular activities.

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 postpartum period.
- d. Pregnancy and Pregnancy-Related Conditions: include (but are not limited to) pregnancy, childbirth, false pregnancy, termination of the 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 persons, 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 Missouri Western State University.

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

- a. Missouri Western State University and its faculty, staff, and other employees will not require students to limit their studies as the result of pregnancy or pregnancy-related conditions.
- b. The benefits and services provided to students affected by the 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 and should do so as soon as they are aware they are pregnant or may need an accommodation.

- d. No artificial deadlines or time limitations will be imposed on requests for accommodations, but Missouri Western State University is limited in its ability to impact or implement accommodations retroactively.
- e. Reasonable accommodations may include, but are not limited to:
 - 1. Providing accommodations requested by a pregnant student to protect the health and safety of the student and/or 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 from medically necessary pregnancy-related absences;
 - 5. Offering remote learning options;
 - 6. Excusing medically-necessary absences (this must be granted, irrespective of classroom attendance requirements set by a faculty member, department, or division);
 - 7. Granting medically necessary leave 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.
 - a. Dedicated, permanent lactation spaces may be found in:
 - i. Third floor of Hearn Library
 - ii. Second floor of the Looney complex
 - b. Other available space:
 - i. Esry Student Health Center, Blum Student Union

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 FOR PARENTING STUDENTS

- a. Students with child caretaking/parenting responsibilities, in the immediate reasonable postpartum period, who wish to remain engaged in their coursework while adjusting their academic responsibilities because of the birth may request an academic modification period during the recovery time established by their physician. 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 student's faculty members, and the appropriate academic department(s).
- c. Students seeking a period of modified academic responsibilities should consult with the Title IX Office to determine appropriate academic accommodation requests. The Title IX Office will communicate all requests under this policy to student's faculty members and coordinate accommodation-related efforts with the advisors. 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.
- d. 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.

- 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.
- g. For other, non-medically necessary leave, absence, or extension is needed, students can make the request directly to their faculty member, who may grant such leave, absence, or extension and/or make other modification depending on the circumstances of the request.

LEAVE OF ABSENCE

- a. As long as students can maintain appropriate academic progress, faculty staff or other Missouri Western State University employees will not require them to take a leave of absence, or withdraw from or limit their studies as the result of pregnancy, childbirth, or related conditions, but nothing in this policy requires modification of the essential elements of any academic program.
- b. Intermittent leave may be taken with the advance approval of the Title IX Office and student's academic department(s), when medically necessary.
- c. To the extent possible, Missouri Western State University will take reasonable steps to ensure that upon return from leave, the student shall be reinstated to his or her program in the same status as when the leave began, with no tuition penalty.
- d. Continuation of the student's scholarship, fellowship, or similar university-sponsored funding during the leave term will depend on the student's registration status and the policies of the funding program regarding registration status. Students will not negatively impact or forfeit their future eligibility for their scholarship, fellowship, or similar university-supported funding by taking leave under this policy.
- e. 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.

RETALIATION AND HARASSMENT

- a. Harassment by any member of Missouri Western State University's community based on sex, gender identity, gender expression, pregnancy, or parental status is prohibited.
- b. Faculty, staff, and other Missouri Western State University employees are prohibited from interfering with a student's taking leave, seeking reasonable accommodation, or otherwise exercising her rights under this Policy.
- c. Faculty, staff and other Missouri Western State University employees are prohibited from retaliating against a student for exercising the rights articulated by this Policy, including imposing or threatening to impose negative educational outcomes because a student requests leave or accommodation, files a complaint, or otherwise exercises their rights under the Policy.

DISSEMINATION OF THE POLICY AND TRAINING

A copy of this Policy shall be made available to faculty, staff, and employees in their required training and posted on the Missouri Western State University Title IX website (www.missouriwestern.edu/TitleIX). Missouri Western State University shall alert all new students to this Policy and the location of this Policy. The Title IX Office shall make preventative educational materials available to all members of the Missouri Western State University community to promote compliance with this Policy and familiarity with its procedures.

COMPLIANCE

Reporting: Any member of the Missouri Western State University 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.

Complaints of discrimination based on pregnant or parenting status will be addressed under Missouri Western State University's Sexual Misconduct Policy and Procedures.

The Title IX Coordinator for Missouri Western State University is:

Adam McGowan (he/him/his)

Blum Student Union 228

816-271-4432

amcgowan@missouriwestern.edu

Complaints may also be filed with the United States Department of Education's Office for Civil Rights regarding an alleged violation of Title IX by visiting www2.ed.gov/about/offices/list/ocr/complaintintro.html or by calling 1-800-421-3481.