

1.30 PREGNANCY AND PREGNANCY RELATED CONCERNS

1.0 Reason for Policy

This policy addresses the University's obligations under federal law to create an accessible environment through reasonable modifications in its educational programs and activities to all students and employees who are affected by pregnancy or related conditions.

The University prohibits discriminating against or excluding a student from an educational program or activity on the basis of pregnancy or related condition. This prohibition extends to any policy, practice, or procedure concerning past, present, or potential parental, family, or marital status that treats the student, employee, or applicant differently on the basis of sex. Pregnancy or related conditions shall be treated in the same manner as a temporary disability or physical condition in accordance with University policies and Federal law.

2.0 Policy Statement

Process for Pregnancy Related Disclosures to an Employee of the University

When an employee of the University learns of a student's pregnancy or related condition, the employee must either provide the student with the Title IX Pregnancy Handout or tell the Title IX Coordinator of the student's disclosure so that the Title IX Coordinator may provide the student with information outlined in section 2.0(B) of this policy. When the Title IX Coordinator is notified that a student is pregnant or has a related condition, all reasonable steps to preserve the student's privacy will be taken. An employee may choose to both provide the Title IX Pregnancy Handout and tell the Title IX Coordinator of the disclosure. The Title IX Pregnancy Handout provides a student with information about how to contact the Title IX Coordinator and that specific actions to prevent discrimination and ensure the student's equal access to their educational program or activity are available.

Response to Disclosure of Pregnancy or Pregnancy Related Condition

When the Title IX Coordinator, or their designee, receives notice of a student's pregnancy or related condition, the Title IX Coordinator, or their designee, shall promptly:

- Notify the student of the University's obligations regarding pregnancy or related conditions.
- Provide the student with information regarding their rights, resources, and a full explanation of the modification process under this policy. The Title IX Coordinator, or their designee, will also offer to meet with the student to discuss requests, options, and resources.
- The Title IX Coordinator, or their designee, will evaluate any requests for reasonable modifications. This may be done in conjunction with the following qualified campus partners:
 - Undergraduate and Graduate Students that are not in the School of Medicine or School of Law will be provided reasonable modifications through an interactive process from the Center for Accessibility and Disability Services (CADR). The contact information for CADR is:

- Kendra Johnston, Director of CADR
20 N. Grand Blvd.
Busch Student Center, Suite 331
St. Louis, MO 63103
(314) 977-3484
accessibility_disability@slu.edu
Center for Accessibility and Disability Resources (<https://www.slu.edu/life-at-slu/student-success-center/accessibility-and-disability-resources/>)
- Students in the School of Medicine will be provided reasonable modifications through an interactive process from Bill Bowey, the Assistant Dean of Student Affairs and Academic Records. The contact information for Bill Bowey is:
 - Bill Bowey, Ph.D.
Assistant Dean of Student Affairs and Academic Records
Office of Student Affairs
Saint Louis University School of Medicine
(314) 977-9827
william.bowey@health.slu.edu
- Students in the School of Law will be provided reasonable modifications through an interactive process from Zachery Wood, Assistant Director for Accessibility and Wellness in the School of Law. The contact information for Mr. Wood is:
 - Zachary Wood, Assistant Director for Accessibility and Wellness
Saint Louis University School of Law
100 N. Tucker Blvd.
St. Louis, MO 63101
(314) 977-3312
zach.wood@slu.edu

To the extent possible, and consistent with the purpose to promptly and effectively prevent sex discrimination and ensure equal access, the University will treat pregnancy or related conditions in the same manner and under the same policies as any other temporary medical condition with respect to any medical or hospital benefit, service, plan, or policy the University administers, operates, offer or participates in with respect to admitted students.

The Title IX Coordinator, or one of these campus partners, will continuously engage in an interactive and collaborative process with the student to implement reasonable modifications related to their pregnancy or related condition. The Title IX Coordinator will ultimately be available to assist a student at any time in the process. See section E. below for additional information.

The Title IX Coordinator is also the University contact for anyone that wants to report discrimination on the basis of sex due to pregnancy or a pregnancy related condition or due to the decision to offer or not offer a reasonable modification under this policy.

Medical Documentation

Students are only required to produce supporting medical documentation from a licensed healthcare provider when the documentation is deemed necessary and reasonable when assessing a requested modification. If students have previously provided such documentation for the pregnancy or related condition and requested modification, the student is not obligated to provide ongoing documentation.

The following modifications are examples of modifications that *do not* require documentation for a licensed healthcare provider:

- To access water
- To utilize a larger desk or uniform that is provided and required by the University
- To access a larger sitting area
- To sit, stand, or take breaks to eat, drink, or use the bathroom
- To utilize the lactation spaces

The University will not require medical certification to participate in any educational program or activity unless there is a certified level of physical ability or health that is required of all participants and such certification shall not be used for discriminatory purposes.

Reasonable Modifications

Reasonable Modification(s) are made as necessary to prevent sex discrimination and ensure equal access to the educational program or activity. What constitutes a reasonable modification is determined through an interactive and collaborative process between the University and the student affected by the pregnancy or related condition with the purpose being to address the student's individualized needs. The student may then accept or decline the modifications offered to them. Reasonable modifications include those that do not fundamentally alter the nature of the program or activity. Examples of such reasonable accommodations may include but are not limited to:

- Breaks during class, intermittent absences, access to online or homebound education, changes in schedule or course sequence, extensions of time, access to water or food, permission to sit or stand as needed, counseling, changes in space or supplies, and elevator access.

If a student accepts the offered modification, it must be implemented.

If a student is offered a reasonable modification, but does not respond to as to whether the modification is accepted or declined, a faculty member/instructor is not required to implement the reasonable modification.

Additional modifications include, but are not limited to lactation spaces, withdrawal from a course(s) and voluntary leaves of absence.

Lactation Spaces

Students are not required to submit medical documentation related to lactation concerns or conditions. The University provides private lactation spaces for the purpose of expressing breast milk or breastfeeding in the following locations.

Voluntary Leave of Absence

Students may voluntarily participate in a separate and comparable portion of an educational program or activity.

Students are permitted to take a voluntary leave of absence that is deemed medically necessary by a licensed healthcare provider. If there is a different leave policy that is applicable to the student and would grant the student more time, the student may elect to use that leave policy instead.

Upon the student's return to their program, the student shall be reinstated to the academic status and as practicable, to the extracurricular status that the student held when the voluntary leave began.

Employees and Designation of Duties

The Title IX Coordinator shall assign duties related to providing reasonable modifications to qualified personnel who are best positioned to perform them and may delegate responsibilities under this process

to qualified staff or appropriate departments, including those who support students with disabilities (see Center for Accessibility and Disability Resources). The Title IX Coordinator may remain engaged in the collaborative process and will maintain records related to the collaboration and coordination of services should those be provided to the Office of Equal Opportunity and Title IX.

In the case of student employees, coordination between the Title IX Coordinator and Human Resources may occur.

No employee shall be required to disclose their own pregnancy or related condition. Employees seeking modifications to their work environment and/or duties due to pregnancy or a related condition are encouraged to communicate with the Title IX Coordinator, their supervisor and Human Resources. For more information about employee rights and Family and Medical Leave Act (FMLA), please visit <https://www.slu.edu/human-resources/index.php>.

3.0 Scope

This policy applies to all operating units of Saint Louis University, excluding Saint Louis University-Madrid, including all faculty, staff, students, volunteers, and other workforce members not otherwise identified.

4.0 Procedures

Staff Parental Leave Policy

Graduate Student Parental Leave Policy

Family and Medical Leave Policy

Employee Family Care Benefits Policy

Faculty Manual

5.0 Sanctions

Any member of the University community that wishes to submit a complaint that this policy has been violated, should report that to the Title IX Coordinator. The Title IX Coordinator is:

Anna Kratky
DuBourg Hall, room 36
Anna.kratky@slu.edu
314-977-3838

Individuals who fail to comply with this policy and the procedures associated with it may be subject to disciplinary actions guided by the University Harassment Policy, University's Staff Performance Management Policy, or SLU Faculty Manual (St. Louis Campus). Additionally, the Student Handbook may guide matters involving student respondents. Non-compliance with this policy may result in disciplinary action, up to and including separation from the University.

6.0 Responsibilities

The Office of Equal Opportunity and Title IX is responsible for overseeing the University's Pregnancy and Pregnancy Related Conditions for Students and for maintaining this policy. All University employees involved in providing reasonable modifications to students for pregnancy or pregnancy related conditions, are responsible for complying with this policy. All employees that receive a disclosure of pregnancy or a pregnancy related condition are also responsible for complying with this policy.

7.0 References

University Policies Including But Not Limited To:

Non-Retaliation Policy

Reporting Concerns of Misconduct Policy

Staff Performance Management Policy

Title IX Sexual Harassment Policy

University Resources Including But Not Limited To:

SLU Faculty Manual (St. Louis Campus)

Student Handbook

Title IX Pregnancy Handout

8.0 Definitions

"Medical Necessity" is determined by a licensed healthcare provider's professional assessment of a student's need for a reasonable modification related to pregnancy or a pregnancy-related condition.

"Pregnancy or Related Conditions" includes but is not limited to pregnancy, childbirth, termination of pregnancy, lactation, or medical conditions arising out of connection to the aforementioned conditions or recovery from the aforementioned conditions. Throughout this policy, the use of the phrase "pregnancy or related conditions" encompasses all of the conditions within this non-exhaustive list.

"Parental Status" is the status of a person who, with respect to another person who is under the age of 18 or who is 18 or older but is incapable of self-care because of a physical or mental disability is: (1) a biological parent, (2) an adoptive parent, (3) a foster parent, (4) a stepparent, (5) a legal custodian or guardian, (6) in *loco parentis* with respect to such a person, or (7) a person who is actively seeking legal custody, guardianship, visitation, or adoption of such a person.

"Reasonable Modification(s)" are made as necessary to prevent sex discrimination and ensure equal access to the educational program or activity. What constitutes a reasonable modification is determined through an interactive and collaborative process between the University and the student affected by the pregnancy or related condition with the purpose being to address the student's individualized needs. The student may then accept or decline the modifications offered to them. Reasonable modifications include those that do not fundamentally alter the nature of the program or activity. Examples of such reasonable accommodations may include but are not limited to:

- Breaks during class, intermittent absences, access to online or homebound education, changes in schedule or course sequence, extensions of time, access to water or food, permission to sit or stand as needed, counseling, changes in space or supplies, and elevator access.

If a student accepts the offered modification, it must be implemented.

Title IX: Title IX is a federal law that prohibits discrimination on the basis of sex in an educational program or activity receiving Federal financial assistance. For more information please see the Title IX Sexual Harassment Policy.

9.0 History

This is a new University policy.