

PREGNANCY AND PARENTING POLICY

This document covers policies and procedures of Southern Arkansas
University Tech under Title IX of the Education Amendments of 1972, 20
U.S.C. § 1681 et seq.

Title IX-Pregnancy and
Parenting



SOUTHERN ARKANSAS UNIVERSITY TECH
Pregnancy and Parenting Policy

COMPLIANCE

Reporting: Any member of the Southern Arkansas University Tech 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 Southern Arkansas University Tech is:

Lee M. Sanders, Statistician, Institutional Effectiveness and Research
Administration Building, Room # 230, Second Floor
P. O. Box 3499
Southern Arkansas University Tech
Camden, AR 71711-1599
Work Phone: 870.574.4455
Work Fax: 870.574.4520
Email: lsanders@sautech.edu
Web: <https://www.sautech.edu/title-ix/>.

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

U.S. Department of Education
1999 Bryan Street, Suite 1620
Dallas, TX 75201-6810
Telephone: (214) 661-9600
Facsimile: (214) 661-9587
Email: OCR.Dallas@ed.gov
Web: www.ed.gov/ocr

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

POLICY STATEMENT

Southern Arkansas University Tech 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. Southern Arkansas University Tech



SOUTHERN ARKANSAS UNIVERSITY TECH Pregnancy and Parenting Policy

hereby establishes a policy and associated procedures for ensuring the protection and equitable 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 Southern Arkansas University Tech 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, and incomplete grades that can be completed at a later date should be employed in addition to any other ergonomic and assistive supports typically provided by Disability Services. To the extent possible, Southern Arkansas University Tech will take reasonable steps to ensure that pregnant students who take a leave of absence or medical leave return to the same course catalog that was in place when the leave began. The Title IX Coordinator 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 the 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, who will maintain all appropriate documentation related to accommodations.

In situations such as clinical rotations, performance labs, and group work, the institution will work with the student to devise an alternative path to completion where 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.



SOUTHERN ARKANSAS UNIVERSITY TECH Pregnancy and Parenting Policy

Students are encouraged to work with their faculty members and Southern Arkansas University Tech's support systems 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 Southern Arkansas University Tech's programs 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 a 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 persons, regardless of gender identity or expression.
- g. *Reasonable Accommodations*: (for the purpose of this policy) changes in the academic environment or typical operations that enable pregnant students or students with pregnancy-related conditions to continue to pursue their studies and enjoy the equal benefits of Southern Arkansas University Tech.

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

- a. Southern Arkansas University Tech 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 pregnancy will be no less than those provided to students with temporary medical conditions.



SOUTHERN ARKANSAS UNIVERSITY TECH
Pregnancy and Parenting Policy

- 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.
- d. No artificial deadlines or time limitations will be imposed on requests for accommodations, but Southern Arkansas University Tech 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 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 requirements set by a faculty member, department, division, institution, etc.);
 - 7. Granting leave per Southern Arkansas University Tech’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 [x] 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.



SOUTHERN ARKANSAS UNIVERSITY TECH
Pregnancy and Parenting Policy

- 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 academic advisor, the appropriate academic department/offices, and any other appropriate office(s).
- c. Students seeking a period of modified academic responsibilities may consult with their academic advisor or with the Title IX office to determine appropriate academic accommodations requests. The Title IX office will communicate all requests under this policy to students' academic advisors and coordinate accommodation-related efforts with the advisors unless the student specifically requests that their advisors be excluded. Students are encouraged to work with their advisors and faculty members to reschedule course assignments, lab hours, examinations, or other requirements and/or reduce their overall course load, as appropriate, once authorization is received from the Title IX office. 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.
- d. In timed degree, certification, or credentialing programs, students who seek modifications upon the birth or placement of their child will be allowed an extension of up to [x] months to prepare for and take preliminary and qualifying examinations, and an extension of up to [x] months toward normative time to degree while in the candidacy, to the extent those deadlines are controlled by Southern Arkansas University Tech. 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 Southern Arkansas University Tech 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 [x time period (should match school's medical leave or temporary disability policy)] because of pregnancy and/or 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 leave or as soon as possible.



SOUTHERN ARKANSAS UNIVERSITY TECH
Pregnancy and Parenting Policy

- d. Intermittent leave may be taken with the advance approval of the Title IX office and the students' academic department(s), when medically necessary.
- e. Students who elect to take leave under this policy may register under an [inactive/"on leave" etc. status] to continue their eligibility for certain benefits. While registered under that status, students who choose to take a leave of absence under this policy can elect to keep their health insurance coverage and continue residing in institution housing, subject to the payment of applicable fees.
- f. To the extent possible, Southern Arkansas University Tech 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 students' scholarship, fellowship, or similar Southern Arkansas University Tech-sponsored funding during the leave term will depend on the students' registration status and policies of the funding program regarding registration status. Students will not be negatively impacted by or forfeit their future eligibility for their scholarship, fellowship, or similar Southern Arkansas University Tech-supported funding by exercising their rights under this policy.
- h. 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.

STUDENT-EMPLOYEE LEAVE

- a. All student-employees will be entitled to the protections of the Family and 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 Southern Arkansas University Tech does not provide leave or if employees are ineligible for other leave policies, then:] Pregnancy and 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 had when the leave began or to a comparable position without decrease in 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 Southern Arkansas University Tech community based on sex, gender identity, gender expression, pregnancy, or parental status is prohibited.
- b. Faculty, staff, and other Southern Arkansas University Tech employees are prohibited from interfering with students' right to take leave, seek reasonable accommodation, or otherwise exercise their rights under this policy.



SOUTHERN ARKANSAS UNIVERSITY TECH
Pregnancy and Parenting Policy

- c. Faculty, staff, and other Southern Arkansas University Tech employees are prohibited from retaliating against students for exercising the 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.

HOUSING-RELATED ACCOMMODATIONS

Pregnant students' on-campus housing status will not be altered based on pregnancy status unless requested by the pregnant students. Parenting students' access to housing is governed by [insert policy here].

DISSEMINATION OF THIS POLICY AND TRAINING

A copy of this policy will be made available to faculty, staff, and employees in annually required training and posted on the Southern Arkansas University Tech website. Southern Arkansas University Tech will alert all new students about this policy and the location of this policy as part of student orientation. The Title IX office will make educational materials available to all members of the Southern Arkansas University Tech community to promote compliance with this policy and familiarity with its procedures.

NOTIFICATIONS

Southern Arkansas University Tech will make every effort to comply with all Title IX requirements regarding all student and employee categories covered by these regulations along with its updates. In that light, the following offices will always be notified of any and all accommodations regarding students and employees under Title IX purview:

- a. Title IX Coordinator office;
- b. Disability Services office;
- c. Human Resources office (employee issues);
- d. Student Services office (student issues);
- e. Vice Chancellor for Academics and Planning (academic related issues);
- f. Vice Chancellor for Student Services (student related issues);
- g. Vice Chancellor for Finance and Administration (all administrative issues regarding finances with students and employees);
- h. Student Financial Aid office (student financial aid related issues);
- i. Academic Advisors (student academic issues);
- j. Registrar's office (student related registration, enrollment, attendance, or academic-related issues)



SOUTHERN ARKANSAS UNIVERSITY TECH
Pregnancy and Parenting Policy

- k. Any other offices/entities designated by the Southern Arkansas University Tech Chancellor and/or required under Title IX regulations, policies, and procedures.

POLICY REVIEW

This policy shall be reviewed annually or as needed when there are pregnancy and/or parenting occurrences under Title IX requiring such action. The Title IX Coordinator or Deputy Title IX Coordinator(s) has the primary responsibility for ensuring that this occurs.



SOUTHERN ARKANSAS UNIVERSITY TECH Pregnancy and Parenting Policy

PROCEDURES

Students who are pregnant and/or have parenting responsibilities are required to notify the institution – Title IX Coordinator, faculty, academic advisors, etc. – as soon as they become aware of an impending absence. This must occur within two weeks of the beginning of the semester or within two weeks of the student becoming aware of the situation.

It is the student's responsibility to report this information to the appropriate institutional official – faculty, academic advisor, Title IX Coordinator, etc. – so that appropriate accommodations, if applicable, may be granted.

Pregnancy and parenting are protected categories under Title IX and are to be handled as a temporary medical condition and disability. Appropriate documentation from a qualified medical or other licensed professional is to be provided by the student for all absences that are pregnancy-related or from other appropriate officials for parenting-related absences.

Accommodations granted by the institution will be collaborated and coordinated with the Title IX office without exception. The Title IX Coordinator will maintain documentation of all accommodations granted by the institution along with any supporting documents.

While each situation is unique, there is a standard process that must be followed in order to ensure that the student's rights are not violated and all necessary accommodations granted so that the student is deprived of their educational benefits and privileges.

Southern Arkansas University Tech is committed to ensuring that every student completes their educational goals irrespective of health-related issues and will do everything within its power to empower its students for success in their endeavors. Nothing in this policy and/or procedures requires modifications to the essential elements of any academic program.

APPROVAL AND EFFECTIVE DATE

This policy becomes effective after review and approval by the Rocket Council and upon signature of the Southern Arkansas University Tech Chancellor.



SOUTHERN ARKANSAS UNIVERSITY TECH
Pregnancy and Parenting Policy

Appendix A – Pregnancy Notification Letter

Appendix B – Pregnancy Rights



SOUTHERN ARKANSAS UNIVERSITY TECH
Pregnancy and Parenting Policy

APPENDIX A – PREGNANCY NOTIFICATION LETTER

RE: Pregnancy Rights

STUDENT's NAME

ADDRESS

CITY STATE ZIP CODE

Dear Student's Name:

This letter is sent to notify you of your rights and responsibilities here at Southern Arkansas University Tech under Title IX and SAU Tech Policies and Procedures. While the laws and policies may change at any time, this institution will make a concerted effort to comply the current laws and policies in effect at the time of your pregnancy.

We want you to understand the following things regarding your pregnancy.

- **Request assistance from SAU Tech** - You can meet with the Title IX Coordinator or academic advisor regarding what the institution can do to support you in continuing your education;
- **Keep notes** - document your pregnancy-related absences, any instances of harassment and your interactions with institutional officials about your pregnancy, and **immediately report problems** to the institution's Title IX Coordinator, academic advisor, or other institutional staff;
- **File a complaint if you feel the institution is discriminating against you because you are pregnant or parenting:**
 - Use the institution's internal Title IX grievance procedures.
 - With the US Department of Education, Office for Civil Rights (OCR), even if you have not filed a complaint with the institution. If you file a complaint with OCR, make sure you do so within 180 days of when the discrimination took place.
 - In court, even if you have not filed a complaint with your institution or OCR.
- **Contact OCR if you questions.** OCR and this institution are here to help make sure all students, including pregnant and parenting students, have equal educational opportunities.



SOUTHERN ARKANSAS UNIVERSITY TECH
Pregnancy and Parenting Policy

The attached sheets contain additional information about some things that you should know about your rights. Should you have questions regarding anything in this letter, your rights, and/or pregnancy/parenting, you may contact the Title IX Coordinator, your academic advisor, or an institutional staff member in Student Services or Academic Affairs and Planning.

Sincerely yours,



SOUTHERN ARKANSAS UNIVERSITY TECH
Pregnancy and Parenting Policy

APPENDIX B – PREGNANCY RIGHTS

Classes and School Activities – your school MUST:

- Allow you to continue participating in classes and extracurricular activities even though you are pregnant. This means that you can still participate in advanced placement and honors classes, school clubs, sports, honor societies, student leadership opportunities, and other activities, like after-school programs operated at the school.
 - Allow you to choose whether you want to participate in special instructional programs or classes for pregnant students. You can participate if you want to, but your school cannot pressure you to do so. The alternative program must provide the same types of academic, extracurricular and enrichment opportunities as your school's regular program.
- Allow you to participate in classes and extracurricular activities even though you are pregnant and not require you to submit a doctor's note unless your school requires a doctor's note from all students who have a physical or emotional condition requiring treatment by a doctor. Your school also must not require a doctor's note from you after you have been hospitalized for childbirth unless it requires a doctor's note from all students who have been hospitalized for other conditions.
- Provide you with reasonable adjustments, like a larger desk, elevator access, or allowing you to make frequent trips to the restroom, when necessary because of your pregnancy.

Excused Absences and Medical Leave – your school MUST:

- Excuse absences due to pregnancy or childbirth for as long as your doctor says it is necessary.
- Allow you to return to the same academic and extracurricular status as before your medical leave began, which should include giving you the opportunity to make up any work missed while you were out.
- Ensure that teachers understand the Title IX requirements related to excused absences/medical leave. Your teacher may not refuse to allow you to submit work after a deadline you missed because of pregnancy or childbirth. If your teacher's grading is based in part on class participation or attendance and you missed class because of pregnancy or childbirth, you should be allowed to make up the participation or attendance credits you didn't have the chance to earn.
- Provide pregnant students with the same special services it provides to students with temporary medical conditions. This includes homebound instruction/at-home tutoring/independent study.



SOUTHERN ARKANSAS UNIVERSITY TECH
Pregnancy and Parenting Policy

Harassment – your school MUST:

- Protect you from harassment based on sex, including harassment because of pregnancy or related conditions. Comments that could constitute prohibited harassment include making sexual comments or jokes about your pregnancy, calling you sexually charged names, spreading rumors about your sexual activity, and making sexual propositions or gestures, if the comments are sufficiently serious that it interferes with your ability to benefit from or participate in your school's program.
- SAUT Handbook: <https://www.sautech.edu/wp-content/uploads/2019/08/SAU-Tech-Student-Handbook-2019-2020.pdf>.
- SAUT Catalog 2019-20: <https://www.sautech.edu/wp-content/uploads/2019/07/2019-2020-Catalog-SAU-Tech-Catalog.pdf>.