

Office of Equity & Title IX and Office of Accessibility Flexible Attendance for Pregnant and Parenting Students Policy and Agreement

Rationale

Title IX prohibits discrimination on the basis of a student's "actual or potential" parental, family, or marital status or "pregnancy, childbirth, termination of pregnancy, or recovery therefrom." This means that schools must give all students who might be, are, or have been pregnant (whether currently parenting or not) equal access to school programs and extracurricular activities. For the most part, compliance entails simply treating pregnant and parenting students in the same way that schools treat other students who are similarly able or unable to participate in school activities. Title IX also requires schools to prevent and address sex-based harassment, which includes harassment based on pregnancy. In addition to offering general protection, Title IX regulations detail how the law applies to a range of specific activities and policies that affect pregnant and parenting students. These regulations govern activities both in and outside of the classroom.

Excused Absences and Medical Leave

Federal Regulation and Guidance requires instructors to:

- Excuse absences due to pregnancy or childbirth for as long as the doctor says it is necessary.
- Allow students to return to the same academic and extracurricular status as before medical leave began, which should include the opportunity to make up any work missed while you were out.
- Understand the Title IX requirements related to excused absences/medical leave. Instructors may not refuse to allow pregnant students to submit work after a missed deadline due to pregnancy or childbirth. If grading is based in part on class participation or attendance and the student missed class because of pregnancy or childbirth, the student 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.
- Provide flexibility in attendance for lactation purposes.

Process

The Office of Equity & Title IX and Office of Accessibility are available to assist the instructor and student in how the accommodation applies to the course. The student should meet with the instructor of each course to discuss the amended attendance expectation, how to notify the instructor when a pregnancy related absence is needed and expectations of turning in work or taking exams during the absence. If, due to the nature of the course requirements, flexibility in attendance would require a significant modification to the program requirements, the instructor should notify the Office of Equity & Title IX and the Office of Accessibility to discuss opportunities for alternative accommodations that meet course objectives and ensure equal access.

Special Considerations

While parenting rights are not explicitly defined, students and instructors should discuss flexibility for child-related absences for medical purposes. In the case of regular medical exams, the student should schedule, to the best of their ability, appointments around their course schedule. Child illness and injury should be treated as similarly situated students (i.e. a student gets ill or injured).

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Course Name: _____ Course # _____ Section# _____

Student Name: _____ ID# _____

Email: _____@findlay.edu Phone: _____

Instructor Name: _____ Email: _____@findlay.edu

Office Phone: _____ Alt. Phone: _____

Expected leave of absence (Dates subject to change) _____ to _____.

If a student is late or absent due to pregnancy, delivery, recovery, lactation purposes, how will the student make up exams/quizzes, assignments and participation points?

How will assignments that cannot be made up such as group activities or labs be handled?

What is the timeline allotted for making up exams, assignments, practicums, or quizzes?

(e.g. Student will email to notify instructor for make-up exams. Student will have 3 business days to make up exam.)

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In case of a change to this plan:

Whom should the student notify? _____

How should notification be made? _____

When should notification be made (if able)? _____

* It is important for instructors and students to discuss expectations and flexibility when it comes to special considerations of parenting. Child illness and injury should be treated as similarly situated students (i.e. a student gets ill/injured, athlete traveling for games).

The student agrees to the following:

- o The student is responsible for obtaining any information missed.
- o The student is only able to utilize this plan for documented pregnancy, childbirth, recovery, and lactation related reasons.
- o There will be one attendance form required for each class. Meet with each instructor and complete the Flexible Attendance Form.
- o OAI will email a copy of the completed form to the instructor and student.
- o If not attending class due to a pregnancy, childbirth, recovery, or lactation related reason, notify the appropriate party listed on this agreement and the Office of Accessibility as soon as possible.

Student Signature: _____ **Date:** _____

Instructor Signature: _____ **Date:** _____

Director, OAI: _____ **Date:** _____

Director, TIX: _____ **Date:** _____