

Policy to Support Pregnant and Parenting Students

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I. Policy Summary

St. Mary's College of Maryland (the "**College**" or "**SMCM**") is committed to providing an educational, living and working environment free from all forms of harassment and discrimination for all members of the community. As stated in the St. Mary's Way, the College aspires to be a place "where people foster relationships based upon mutual respect, honesty, integrity, and trust."

As a recipient of federal funding, and in adherence to Title IX of the Education Amendments of 1972, the College prohibits discrimination on the basis of sex, including discrimination based on pregnancy and parental status, in educational programs and activities. The College hereby establishes this policy and procedures to ensure that all students who are pregnant, experiencing pregnancy-related conditions, and new parents, are treated equally and protected from discrimination.

The College's Title IX Coordinator and the staff of the Office of Title IX Compliance and Training (the "Title IX Office") are available to address any questions or concerns about this policy.

College employees who are pregnant or parenting may contact the [Office of Human Resources](#) or see [the Employee Handbook](#) for more information.

II. Offices Affected by this Policy

The College's Title IX Coordinator and the staff of the [Title IX Office](#) oversee the implementation of this policy. The Title IX Office partners with the [Office of Accessibility Services](#) and the [Office of Human Resources](#) to implement accommodations relating to pregnancy or parental status.

III. Who Should Know About this Policy

This policy applies to all students, faculty, and staff at the College, as well as all aspects of the College's program, including, but not limited to, admissions, educational programs, activities, and extracurricular activities.

A copy of this policy shall be made available to faculty, staff, and employees in their required training and posted on the website of the Office of Title IX Compliance and Training (www.smcm.edu/title-ix). The College shall alert all new students to this policy and the location of this Policy. The Title IX Office shall make educational materials available to all members of the College community to promote compliance with this policy and familiarity with its procedures.

IV. Definitions

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.

Parenting: The raising of a child by the child's parents or legal guardians.

Pregnancy and Pregnancy-Related Conditions: May include, but are not limited to, pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery from any of these conditions.

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.

Pregnant Student/Birth-Parent: Refers to the student who is or was pregnant. This policy and its pregnancy-related protections apply to all pregnant individuals, regardless of gender identity or expression.

Reasonable Accommodations: (For the purposes of pregnancy-related conditions) 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 the College.

V. Policy

a. Prohibition of Discrimination Based on Pregnancy and Parenting Status

The College prohibits discrimination against a student based on pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery from any of these conditions. The College shall not apply any rule related to a student's parental, family, or marital status that treats students differently based on their sex.

The College shall not exclude a pregnant student from participating in any part of an educational program. This prohibition applies to academic courses, extracurricular programs, interscholastic sports, and opportunities for student leadership, among other activities.

The College may modify or provide reasonable accommodations for a pregnant student. These modifications or accommodations cannot alter course goals/outcomes and must be comparable to the experience of other enrolled students.

In general, the College shall excuse a student's absences because of pregnancy or childbirth for as long as the student's doctor deems the absences medically necessary. The College will work with the student to provide appropriate accommodations and to assist the student in making up any missed work. When a student returns to school after a medical leave related to pregnancy or a pregnancy-related condition, the student must be allowed to return to the same academic and cocurricular status as before the medical leave began.

Pregnant students will be able to access the same general supports offered to students who experience extended health episodes and/or students who receive disability-related accommodations. The College will work with each pregnant or parenting student individually to determine which existing supports are the most reasonable to access in their circumstance.

The College may require a pregnant student or student who has given birth to submit medical releases for a return to classes only if the College also requires such releases from all students with physical or emotional conditions requiring the attention of a physician. Thus, for example, a student who has been hospitalized for childbirth shall not be required to submit a medical

release to return to the College if a provider's release is not required of students who have been hospitalized for other conditions.

b. Reasonable Accommodations for Pregnant and Parenting Students

Students with pregnancy-related disabilities, like any student with a short-term or temporary disability, are entitled to reasonable accommodations so that they are not disadvantaged in their courses of study or research. These students may seek assistance from the Office of Title IX Compliance and Training and/or the Office of Accessibility Services, and should do so as soon as they are aware they are pregnant or may need an accommodation. No artificial deadlines or time limitations will be imposed on requests for accommodations, but the College is limited in its ability to impact or implement accommodations retroactively.

Reasonable accommodations may include, but are not limited to:

- 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);
- Making modifications to the physical environment (such as accessible seating);
- Working with students who are using temporary mobility supports (e.g., wheelchair, cane) to ensure physical accessibility to campus;
- Extending deadlines and/or allowing the student to make up tests or assignments missed;
- Offering remote learning options where possible;
- Excusing medically-necessary absences (this must be granted, irrespective of classroom attendance requirements set by a faculty member, department, or division);
- Granting medically necessary leave or implementing incomplete grades for classes that will be resumed at a future date; or
- 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. Dedicated, permanent lactation spaces may be found in the Wellness Center and Montgomery Hall (forthcoming).

Students may not receive any accommodations that lessen or alter essential course requirements. Essential requirements vary from course to course, so what may be possible to support in one class (e.g., multiple absences from class, longer extensions on assignments) may not be feasible in another class. The College will collaborate closely with the student and their instructors to determine which course completion options are viable in a particular semester.

Pregnant students cannot be channeled into an alternative program, class, or institution of higher education against their wishes.

c. Prohibition of Harassment and Retaliation

In accordance with Title IX, the College prohibits harassment of students based on sex, including harassment because of pregnancy or related conditions. Harassing conduct can take many forms, including verbal acts and name-calling, graphic and written statements, and other conduct that may be humiliating or physically threatening or harmful. Particular actions that could constitute prohibited harassment include making sexual comments or jokes about a student's pregnancy, calling a pregnant student sexually charged names, spreading rumors about the pregnant student's sexual activity, and making sexual propositions or gestures.

Faculty, staff and other College 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.

VI. Complaints, Disputes, and Appeals

Any member of the College community may report questions, or concerns, or possible violations of this policy to the Office of Title IX Compliance and Training. The Title IX Coordinator is responsible for overseeing complaints of discrimination involving pregnant and parenting students. Alleged violations of this policy will be addressed and/or investigated through the College's Non-Discrimination Procedures.

Office of Title IX Compliance and Training

www.smcm.edu/title-ix

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VII. Responsible College Offices

The [Office of Title IX Compliance and Training](#) is available to address questions and concerns about this policy, its implementation, and its enforcement.

The [Office of Accessibility Services](#) and/or the [Office of Human Resources](#) are available to address questions and concerns about accommodations for pregnant and parenting students.

VIII. References

For more information about support and resources for pregnant and parenting students, and for more information about Title IX protections against discrimination, please see the following resources:

[Supporting the Academic Success of Pregnant and Parenting Students: Under Title IX of the Education Amendments of 1972](#), U.S. Department of Education, Office for Civil Rights, June 2013

[Know Your Rights: Pregnant or Parenting? Title IX Protects You From Discrimination At School](#), U.S. Department of Education, Office for Civil Rights, June 2013

Office for Civil Rights, U.S. Department of Education

Philadelphia Office (Regional Office for Maryland)

The Wanamaker Building

100 Penn Square East, Suite 515

Philadelphia, PA 19107-3323

Phone: 215-656-8541

TDD: 800-877-8339

Email: OCR.Philadelphia@ed.gov

Website: <http://www2.ed.gov/about/offices/list/ocr/index.html>

Maryland Commission on Civil Rights

Phone: 410-767-8600

Website: <http://mccr.maryland.gov/>

Equal Employment Opportunity Commission

Phone: 800-669-4000

TTY: 800-669-6820

Website: <https://egov.eeoc.gov/eas/>