**Title:** Pregnant and Parenting Students Policy

**Policy Owner:** Title IX Office

**Stakeholder(s):** Vice President of Diversity, Equity, and Inclusion/ADA Coordinator, Vice President of Facilities Operations, Provost, Commandant and Vice President of Student Affairs, Academic Achievement Center, CGCS ADA Coordinator, Director of Financial Aid

**POLICY APPLICABILITY AND SCOPE**

This policy applies to all aspects of Norwich University’s program, including, but not limited to, admissions, educational programs and activities, extracurricular activities, hiring, leave policies, employment policies, and health insurance coverage.

**POLICY STATEMENT AND PURPOSE**

Norwich 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. Norwich hereby establishes a policy and associated procedures for ensuring the protection and equal 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 Norwich the same way as someone who has a temporary disability, during which time each student’s needs will be assessed on an individual basis, taking into account both physical and cognitive needs.
Students will be offered an opportunity to complete coursework (including clinical and field placements) and access support services through the use of accommodations, as well as provided with the option for incomplete grades that can be completed at a later date. To the extent possible, Norwich will take reasonable steps to ensure that pregnant students who take a leave of absence or medical leave return to the same position of academic progress that they were in when they took leave, including access 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 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.

Students are encouraged to work with the Accessibility Coordinator or the CGCS ADA Coordinator 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.

DEFINITIONS

Caretaking: caring for and providing for the needs of a child.

Medical Necessity: a determination made by a qualified 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 in the reasonably immediate postpartum period.

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.

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 persons, regardless of gender identity or expression.

Reasonable Accommodations: (for the purposes 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 benefits of Norwich.
PROCEDURES

A. Reasonable Accommodation of Students Affected by Pregnancy, Childbirth, or Related Conditions
   i. Norwich and its faculty, staff, and other employees will not require students to limit their studies as the result of pregnancy or pregnancy-related conditions.
   ii. The benefits and services provided to students affected by pregnancy will be no less than those provided to students with temporary medical conditions.
   iii. Students with pregnancy-related disabilities, like any student with a short-term or temporary disability, are entitled to reasonable accommodations to ensure equal access to courses of study or research, and may seek assistance from the Title IX office.
   iv. No artificial deadlines or time limitations will be imposed on requests for accommodations, but Norwich is limited in its ability to impact or implement accommodations retroactively.
   v. 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. Providing deadline flexibility or rescheduling of assessments if needed due to pregnancy-related needs
      5. Offering alternative participation methods
      6. Excusing medically-necessary absences and providing course materials for that day (if deemed appropriate by the Title IX Coordinator). This must be granted, irrespective of classroom attendance requirements set by a faculty member, department, or division);
      7. Granting leave per Norwich’s 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.
   vi. Accommodations and supports should be provided unless it fundamentally alters a course or program. If it is believed that an accommodation may cause a fundamental alteration, then a review by relevant professionals should be conducted to identify the essential component that is impacted and an alternate accommodation should be considered.
   vii. Pregnant students cannot be channeled into an alternative program or school against their wishes.

B. Leave of Absence
   i. As long as students can maintain appropriate academic progress, faculty, staff, or other Norwich 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.
   ii. Enrolled students may elect to take a leave of absence because of pregnancy and/or the birth. The leave term may be extended in the case of extenuating circumstances or medical necessity.
iii. 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 practicable.

iv. Intermittent leave may be taken with the advance approval of the Title IX office and students’ academic department(s), when medically necessary.

v. To the extent possible, Norwich 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.

C. Student-Employee Leave
   i. 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.

   ii. Pregnancy and related conditions will be treated as any other temporary disability for job purposes, including leave and benefits.

D. Retaliation and Harassment
   i. Harassment of any member of the Norwich community based on sex, gender identity, gender expression, pregnancy, or parental status is prohibited.

   ii. Faculty, staff, and other Norwich employees are prohibited from interfering with students’ right to take leave, seek reasonable accommodation, or otherwise exercise their rights under this policy.

   iii. Faculty, staff, and other Norwich 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.

E. Housing-Related Accommodations
   Pregnant students’ on-campus housing status will not be altered based on pregnancy status unless requested by the pregnant student(s).

F. Corps of Cadets
   i. Commandant staff and Corps Leaders will not require students to limit their participation in the Corps of Cadets as the result of pregnancy or pregnancy-related conditions.

   ii. The benefits and services provided to students affected by pregnancy will be no less than those provided to students with medical profiles or temporary disabilities.

   iii. 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.
       2. Making modifications to the physical environment (such as accessible seating).
       3. Excusing medically-necessary absences.
       4. Granting a semester-long leave per with no penalty towards Corps of Cadets standing.
       5. Providing modified uniforms.
       6. 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.
EDUCATION, COMMUNICATION AND TRAINING

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