



OKLAHOMA CITY
COMMUNITY COLLEGE

NO. 1013 PREGNANCY AND PARENTING POLICY

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ADAPTED FROM AN ATIXA MODEL POLICY

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NO. 1013 PREGNANCY AND PARENTING POLICY

1.0 POLICY STATEMENT

Oklahoma City Community College (OCCC) 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. OCCC 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 will be treated by OCCC the same way as someone who has a temporary disability, and will be given an opportunity to make up missed work wherever possible. Faculty should extend deadlines, allow make-up assignments (e.g., papers, quizzes, tests, and presentations), facilitate tutoring, allow independent study, provide online course completion options, and permit incomplete grades that can be completed at a later date. In addition to these alternatives, any other ergonomic and assistive supports typically provided by Disability Services should be employed. To the extent possible, OCCC will take reasonable steps to ensure that pregnant students who take a 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, medical 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 medical documentation related to accommodations.

In situations such as clinical rotations, performances, labs, and group work, the institution will work with the student to devise a path to completion, if 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.

Students are encouraged to work with their faculty members and OCCC'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.

2.0 SCOPE OF POLICY

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

3.0 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 the 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 purposes of this policy) changes in the academic environment or typical operations that enables pregnant students or students with pregnancy-related conditions to continue to pursue their studies and enjoy the equal benefits of OCCC.

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

- a. OCCC 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.

- 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 OCCC is limited in its ability to impact or implement accommodations retroactively.
- e. Reasonable accommodations that faculty may provide at their own discretion 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, or division);
 - 7. Granting leave per 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.

5.0 AUTHORIZATION FOR 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 six (6) 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.
- 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 and the appropriate academic department(s).

- c. Students seeking a period of modified academic responsibilities may consult with the Title IX office to determine appropriate academic accommodations requests. The Title IX office will communicate all requests for Modified Academic Responsibilities and coordinate accommodation-related efforts between students and faculty. Students are encouraged to work with their faculty members to reschedule course assignments, lab hours, examinations, or other requirements, and/or to reduce their overall course load, as appropriate, once authorization is received from the Title IX office.
- d. If, for any reason, caretaking/parenting students are not able to work with their 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.
- e. While receiving academic modifications, students will remain registered and retain benefits accordingly.

6.0 MEDICAL ABSENCE

- a. As long as students can maintain appropriate academic progress, faculty, staff, or other OCCC employees will not require them to 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.
- b. To the extent possible, OCCC will take reasonable steps to ensure that upon return from medical absence students will be reinstated to their program in the same status as when the absence began, with no tuition penalty.
- c. Continuation of students' scholarship, or similar OCCC-sponsored funding during the period of absence will depend on the students' registration status and the 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 OCCC-supported funding by exercising their rights under this policy.
- d. The Title IX office can and will advocate for students with respect to financial aid in the event that a medical leave of absence places eligibility into question.

7.0 STUDENT-EMPLOYEE LEAVE

- a. All student employees will be entitled to the protections of the Family and Medical Leave Act.
- b. Pregnancy and related conditions will be treated as any other temporary disability for job purposes.
- c. For employees, pregnancy and related conditions will be regarded as a justification for a leave absence without pay for a reasonable period of time, at the conclusion of which employees will be reinstated to the status that they held 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.

8.0 RETALIATION AND HARASSMENT

- a. Harassment of any member of OCCC community based on sex, gender identity, gender expression, pregnancy, or parental status is prohibited.
- b. Faculty, staff, and other OCCC employees are prohibited from interfering with student's right to take leave, seek reasonable accommodation, or otherwise exercise their rights under this policy.
- c. Faculty, staff, and other OCCC 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.

9.0 DISSEMINATION OF THE 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 OCCC website. OCCC 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 OCCC community to promote compliance with this policy and familiarity with its procedures.