

1. Title

Student Pregnancy and Parenting Nondiscrimination Policy

2. Policy

Sec. 1 General Policy Statement.

[Name of Institution] (the University) is committed to maintaining a learning environment that is free from discrimination of pregnant or parenting students in accordance with the Texas Education Code, Section 51.982 and other applicable laws, such as Title IX of the Higher Education Amendments of 1972 (Title IX), which prohibits discrimination on the basis of sex (including pregnancy discrimination) in education programs or activities; Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of a disability (including disabilities based on temporary medical conditions from pregnancy); and Title II of the Americans with Disabilities Act of 1990 (ADA), which prohibits discrimination against individuals with disabilities in public schools such as institutions of higher education.

Sec. 2 Applicability and Scope.

2.1 Applicability. This Policy applies to all University administrators, faculty, staff, students, third parties within the University's control, and applicants for admission.

2.2 Prohibited Conduct. Discriminating against pregnant and parenting students is prohibited under this Policy, as outlined below.

Furthermore, the University may not require a pregnant or parenting student, solely because of the student's status as a pregnant or parenting student or due to issues related to the student's pregnancy or parenting, to:

- Take a leave of absence or withdraw from the student's degree or certificate program;
- Limit the student's studies;
- Participate in an alternative program;
- Change the student's major, degree, or certification program; or
- Refrain from joining or cease participating in any course, activity, or program at the institution.

2.3 Potential violations of this Policy will be processed in accordance with [University's Sex Discrimination/Sexual Misconduct Policy \[or insert applicable policy here\]](#) and are subject to potential disciplinary action. Reasonable accommodations will be provided as may be deemed appropriate.

Retaliation against pregnant or parenting students for engaging in protected activity is also prohibited and subject to disciplinary action, in accordance with [University's Retaliation Policy \[or insert applicable policy here\]](#).

For more information and reporting options, including filing a discrimination or retaliation complaint, visit [\[insert Title IX website or applicable website/online reporting form here\]](#).

Sec. 3 Reasonable Accommodations for Pregnant Students.

3.1 Reasonable Accommodations. The University will offer reasonable accommodations related to a student's pregnancy, pregnancy-related conditions, or childbirth, in accordance with state and federal laws and regulations. Accommodation requests are voluntary and involve an individualized, interactive process where both the institution and the student engage in a good faith discussion based on the student's specific needs with the goal of identifying reasonable options for accommodations. Accommodations that constitute undue hardship, fundamentally alter the essential program requirement, or conflict with federal law or accreditation standards are not reasonable accommodations.

Reasonable accommodations for pregnant students may include but are not limited to:

- Excused absences with the availability to make up missed assignments or coursework;
- Reasonable time to make up or complete any assignments or assessments missed due to such an excused absence;
- Allowing the student to maintain a safe distance from substances, areas, and activities known to be hazardous to pregnant students or unborn children;
- Access to instructional materials and video recordings of lectures (if available) for classes due to excused absences due to pregnancy or related conditions (applied in the same manner as any other student with excused absences); and
- Any other accommodations deemed reasonable, based on the student's individual needs.

3.2 Documentation Required. Documentation may be required for reasonable accommodations under this Policy. However, a doctor's certification that an

excused absence related to a student's pregnancy, pregnancy-related conditions, or childbirth is "medically necessary" is not required, under this Policy.

3.3 Contact Information. To request an accommodation, contact [insert office name, phone number, email, website, or any other contact information].

Sec. 4 Leave of Absence for Pregnant and Parenting Students.

4.1 Leave of Absence. The University will allow pregnant and parenting students to take a leave of absence, as defined in this Policy, for a reasonable duration depending on the circumstances, and at a minimum one term or semester without a showing of medical need.

(a) Pregnant Students. Regardless of the academic standing at the time of the leave of absence, pregnant students may return to the same degree or certificate program without being required to reapply for admission.

(b) Parenting Students. Parenting students in good academic standing at the time of the leave of absence may return to the same degree or certificate program in good academic standing without being required to reapply for admission.

The University will allow pregnant and parenting students to return to the same degree or certificate program at the same academic status held when the leave of absence began so long as the program still exists at the University and the program still meets accreditation standards.

4.2 Documentation Required. Documentation may be required for a leave of absence request under this Policy, if the leave of absence is longer than one term or semester. The University may request documentation to verify the student's status as a pregnant or parenting student.

4.3 Contact Information. To apply for a leave of absence, contact [insert the applicable School, College or Program Department or applicable office/location].

Sec. 5 Confidentiality.

The University will maintain the confidentiality of student records and documentation to the extent possible under state and federal law.

Sec. 6 Additional Parenting Student Services.

6.1 Early Registration. Parenting students are eligible for early registration for courses to the extent others have access to early registration of those same courses. For more information, contact [insert office name, phone number, email, website, or any other contact information].

6.2 Parenting Student Liaison. Current and incoming parenting students have access to a University Parenting Student Liaison, who provides parenting students information regarding support services and other available resources. For more information, contact [insert office name, phone number, email, website, or any other contact information].

Sec. 7 Terms and Definitions.

- A. **Leave of Absence.** A period of time when a student is not enrolled in classes but is eligible to reenroll in the future. A leave of absence, for the purpose of this Policy, is also known as an *academic withdrawal*.
- B. **Parenting Discrimination.** Occurs when an individual is treated less favorably on the basis of that person's parental status.
- C. **Parenting Student.** A student who is the parent or legal guardian of a child under 18 years of age.¹
- D. **Pregnancy Discrimination.** Occurs when an individual is treated less favorably on the basis of that person's pregnancy or pregnancy-related condition. Pregnancy discrimination is a form of sex discrimination.
- E. **Pregnancy or Related Condition.**
 - 1. Pregnancy, childbirth, miscarriage, or lactation;
 - 2. Medical conditions related to pregnancy, childbirth, pregnancy complications, miscarriage, lactation, or any other conditions directly related to being pregnant;
 - 3. Recovery from pregnancy, childbirth, lactation, or their related medical conditions directly related to pregnancy or the effects thereof.
- F. **Pregnant Student.** A student who has a pregnancy or related condition status.
- G. **Student.** [insert University's definition of "student", as defined in the University's academic policies]

4. Relevant Federal and State Statutes, and Standards

[Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681–1688 and its implementing regulations, 34 C.F.R. Part 106](#)

[Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794](#)

¹ As defined in Tex. Edu. Code. 51.982.

[Americans with Disabilities Act \(ADA\) of 1990 and 2008 amendments, 42 U.S.C. § 12101 et seq.](#)

[Americans with Disabilities Act Title II Regulations](#)

[FERPA Regulations, 34 C.F.R. Part 99](#)

[Texas Education Code, Chapter 51, Subchapter Z: Protections for Pregnant and Parenting Students §51.982](#)

[Texas Education Code, Chapter 51, Subchapter Z: Early Registration for Parenting Students §51.983](#)

[Texas Education Code, Chapter 51, Subchapter Z: Designation for Liaison Officer to Assist Students Who are Parents; Report §51.9357](#)

[Texas Administrative Code, Title 19, Part 1, Chapter 4, Subchapter X: Parenting and Pregnant Students §4.370-4.376](#)

5. Other Relevant Policies, Procedures, and Forms

[insert reference to]:

Insert University-related policies

Leave of Absence policy

Student Disability Services policy

Sex Discrimination/Sexual Misconduct Policy

Staff Discipline policy

Faculty Discipline policy

Student Discipline policy

6. System Administration Office(s) Responsible for Policy

Office of Systemwide Compliance and Office of Academic Affairs

7. Dates Approved or Amended

[insert new date]

June 20, 2024

November 7, 2023

8. Contact Information

Questions or comments about this Policy should be directed to:

SystemwideTitleIX@utsystem.edu