



**Division:** Human Resources

**Classification:** Governance & Legal

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TITLE	
Pregnancy and Related Conditions Policy	
POLICY NUMBER	
GL-05-065	
RESPONSIBLE OFFICER	UNIVERSITY CONTACT
Executive Director of Human Resources	Title IX Coordinator
SUMMARY	
This Pregnancy and Related Conditions Policy will ensure compliance with federal, state, and local civil rights laws and regulations with regard to those experiencing pregnancy and/or related conditions, and to affirm WOU's commitment to promoting the goals of fairness and equity in all aspects Western Oregon University's ("WOU")'s education program or activity.	
APPLICABLE TO	
All WOU employees, students, and other individuals participating in or attempting to participate in Western Oregon University's program or activities, including education and employment, who are experiencing pregnancy and/or related conditions.	
DEFINITIONS	
<p><b>Familial Status.</b> The configuration of one's family or one's role in a family.</p> <p><b>Marital Status.</b> The state of being married or unmarried.</p> <p><b>Parental Status.</b> The status of a person who, with respect to another person who is under the age of 18, or another person who is 18 or older but is incapable of self-care because of a mental or physical disability, is a biological, adoptive, foster, or stepparent, a legal custodian or guardian, in loco parentis with respect to such a person, or actively seeking legal custody, guardianship, visitation, or adoption of such a person.</p> <p><b>Pregnancy and Related Conditions.</b> The full spectrum of processes and events connected with pregnancy, including pregnancy, childbirth, termination of pregnancy, or lactation; related medical conditions; and recovery therefrom.</p>	

**Reasonable Modifications.** Individualized modifications to WOU’s policies, practices, or procedures that do not fundamentally alter WOU’s education program or activity.

## AUTHORITY

Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 et seq.

## STATEMENT OF AUTHORITY

### 1. Non-Discrimination Statement

Western Oregon University (“WOU”) does not discriminate in its education program or activity against any applicant for admission, student, applicant for employment, or employee on the basis of current, potential, or past pregnancy or related conditions as mandated by Title IX of the Education Amendments of 1972 (“Title IX”). WOU prohibits members of the WOU community from adopting or implementing any policy, practice, or procedure which treats an applicant for admission, student, applicant for employment, or employee differently on the basis of current, potential, or past parental, family, or marital status. This policy and its pregnancy-related protections apply to all pregnant persons, regardless of gender identity or expression.

### 2. Definitions

- **Familial Status.** The configuration of one’s family or one’s role in a family.
- **Marital Status.** The state of being married or unmarried.
- **Parental Status.** The status of a person who, with respect to another person who is under the age of 18, or another person who is 18 or older but is incapable of self-care because of a mental or physical disability, is a biological, adoptive, foster, or stepparent, a legal custodian or guardian, in loco parentis with respect to such a person, or actively seeking legal custody, guardianship, visitation, or adoption of such a person.
- **Pregnancy and Related Conditions.** The full spectrum of processes and events connected with pregnancy, including pregnancy, childbirth, termination of pregnancy, or lactation; related medical conditions; and recovery therefrom.
- **Reasonable Modifications.** Individualized modifications to WOU’s policies, practices, or procedures that do not fundamentally alter WOU’s education program or activity.

### 3. Information Sharing Requirements

Any WOU employee who becomes aware of a student’s pregnancy or related condition through the student, a parent of a minor student, other authorized legal representative, or in any other manner, is required to provide the student with WOU’s Title IX office contact

information and communicate that the Title IX Coordinator can help take specific actions to prevent discrimination and ensure equal access to WOU's education program and activity. If the employee has a reasonable belief that the Title IX Coordinator is already aware of the pregnancy or related condition, the employee is not required to provide the student with the Title IX office's contact information.

Upon notification of a student's pregnancy or related condition, the Title IX Coordinator will contact the student and inform the student of WOU's obligations to:

- Prohibit sex discrimination.
- Provide reasonable modifications.
- Allow access, on a voluntary basis, to any separate and comparable portion of WOU's education program or activity.
- Allow a voluntary leave of absence.
- Ensure lactation space availability.
- Maintain a Resolution Process for alleged discrimination.
- Treat pregnancy as comparable to other temporary medical conditions for medical benefit, service, plan, or policy purposes.

The Title IX Coordinator, or a designee, will also notify the student of the process to file a complaint for alleged discrimination, harassment, or retaliation on the basis of pregnancy and/or related conditions, as applicable.

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#### **4. Reasonable Modifications for Students**

Students who are pregnant or are experiencing related conditions are entitled to Reasonable Modifications to prevent sex discrimination and ensure equal access to WOU's education program and activity. Any student seeking Reasonable Modifications must contact the Title IX office to discuss appropriate and available Reasonable Modifications based on their individual needs. Students are encouraged to request Reasonable Modifications as promptly as possible, although retroactive modifications may be available in some circumstances. Reasonable Modifications are voluntary, and a student can accept or decline the offered Reasonable Modifications. Not all Reasonable Modifications are appropriate for all contexts.

Reasonable Modifications may include, but are not limited to:

- Breaks during class to express nursing milk, nurse, or attend to health needs associated with pregnancy or related conditions, including eating, drinking, or using the restroom
- Intermittent absences to attend medical appointments
- Access to online or homebound education
- Changes in schedule or course sequence
- Time extensions for coursework and rescheduling of tests and examinations
- Allowing a student to sit or stand, or carry or keep water nearby
- Counseling
- Changes in physical space or supplies (for example, access to a larger desk or a footrest)
- Elevator access
- A larger uniform or other required clothing or equipment
- Other changes to policies, practices, or procedures determined by the Title IX Coordinator

In situations such as clinical rotations, performances, labs, and group work, WOU will work with the student to devise an alternative 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 WOU'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, or a designee, will assist with plan development and implementation as needed.

Supporting documentation for Reasonable Modifications will only be required when it is necessary and reasonable under the circumstances to determine which Reasonable Modifications to offer to determine other specific actions to take to ensure equal access.

Information about pregnant students' requests for modifications will be shared with faculty and staff only to the extent necessary to provide the Reasonable Modification.

Students experiencing pregnancy-related conditions that manifest as a temporary disability under the Americans with Disabilities Act (ADA) or Section 504 of the Rehabilitation Act are eligible for reasonable accommodations just like any other student with a temporary disability. The Title IX Coordinator, or a designee, will consult with the Office of Disability Services to ensure the student receives reasonable accommodations for their disability as required by law.

## **5. Certification to Participate**

All students should be informed of health and safety risks related to participation in academic and co-curricular activities, regardless of pregnancy status. A student may not be required to provide health care provider or other certification that the student is physically able to participate in the program or activity, unless:

- 1) The certified level of physical ability or health is necessary for participation;
- 2) The institution requires such certification of all students participating; and
- 3) The information obtained is not used as a basis for pregnancy-related discrimination.

## **6. Lactation Space Access**

WOU provides students and employees with access to lactation spaces that are functional, appropriate, and safe. Such spaces are regularly cleaned, shielded from view, and free from the intrusion of others.

Lactation spaces are located in the following locations:

- Welcome Center, Room 154
- Richard Woodcock Education Center, Between Rooms 211 and 212
- Natural Sciences Building, Room 011

Lactation Rooms shall be unlocked at all times, except when in use.

### Lactation Room Map

## **7. Leaves of Absence**

### **A. Students**

Students are permitted to take a voluntary leave of absence for a reasonable time as deemed medically necessary by their health care provider because of pregnancy and/or the birth, adoption, or placement of a child. The leave term may be extended in the case of extenuating circumstances or medical necessity. Students who elect to take leave under this policy may register under an “on leave/inactive” status to continue their eligibility for certain benefits. While registered under that status, students who choose to take a leave of absence under this policy can elect to keep their health insurance coverage and continue residing in WOU housing, subject to the payment of applicable fees.

To the extent possible, WOU will take reasonable steps to ensure that 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 or an equivalent course catalog that was in place when the leave began.

Continuation of a student’s scholarship, fellowship, or similar WOU-sponsored funding during the leave term will depend on the student’s 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 WOU-supported funding by exercising their rights under this policy.

The Financial Aid office can and will advocate for students with respect to financial aid agencies and external scholarship providers in the event that a leave of absence places eligibility into question.

In order to initiate a leave of absence, the student must contact the Title IX Coordinator at least 30 calendar days prior to the initiation of leave, or as soon as practical. The Title IX Coordinator, or a designee, will assist the student in completing any necessary paperwork.

## **B. Employees**

Information on employment leave can be found here.

[WOU Human Resources Employee Info](#)

If an employee, including a student-employee, is not eligible for leave under the aforementioned leave policy because they either (1) do not have enough leave time available under that policy, or (2) have not been employed long enough to qualify for leave under that policy, they are eligible to qualify for pregnancy or related condition leave under Title IX. Pregnancy and related conditions will be regarded as a justification for a leave of absence without pay for a reasonable period of time.

Employees who take leave under Title IX must be reinstated to the status held when leave began or a comparable position without a negative effect on any employment privilege or right.

## **8. WOU Housing**

A pregnant student's Recipient housing status will not be altered based on pregnancy status unless requested by the student. Parenting students' access to housing is governed by WOU Policy Numbers ASA-04-057 through ASA-04-063 and can be found here.

[Western Oregon University Policy Library](#)

## **9. Policy Dissemination and Training**

A copy of this Policy will be made available to all employees and students in annually required training and posted on the WOU website. WOU will educate 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 WOU community to promote compliance with this policy and familiarity with its procedures.

**REFERENCED OR RELATED POLICIES**

[Title IX Policy](#)  
[Western Oregon University Policy Library](#)

**RELEVANT DOCUMENTS AND LINKS**

[Resolution Process for Alleged Violations of the Title IX Policy](#)  
[Title IX regulations, 34 C.F.R. § 106.45](#)  
[Online Sex Discrimination and/or Sex-Based Harassment Report Form](#)  
[Lactation Room Map](#)  
[WOU Human Resources Employee Info](#)

**HISTORY**

**APPROVAL DATE:** 08/01/2024  
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**LAST UPDATED:** 07/29/2024

**HISTORICAL DETAIL NOTES:**

**SOURCE:**

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