

Allegany College of Maryland
STUDENT & LEGAL AFFAIRS – Title IX

PROCEDURES: PREGNANCY
SEXUAL HARASSMENT & SEX DISCRIMINATION POLICY

From the U.S. Department of Education pamphlet: *Supporting the Academic Success of Pregnant and Parenting Students Under Title IX of the Education Amendments of 1972.*

Title IX provides that:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

The Education Department's regulation implementing Title IX specifically prohibits discrimination against a student based on pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery from any of these conditions. The Title IX regulation also prohibits colleges from applying any rule related to a student's parental, family, or marital status that treats students differently based on their sex.

Requirements:

- A pregnant student must be permitted to participate in programs, classes, services, sports, events, etc. if she wishes. Any adjustments to College curricular, co-curricular, or extra-curricular activities offered to students who have temporary medical conditions must also be offered to a pregnant student.
- Make adjustments to curricular, co-curricular, or extra-curricular activities that are reasonable and responsive to the student's temporary pregnancy status (eg., larger desk, frequent trips to bathroom).
- Excuse absences because of pregnancy or childbirth as long as the absences are **medically necessary**. (See the General Guidance Information sheet for more information.) Sometimes medical necessity is obvious, but sometimes the student must provide more information and/or documentation from a qualified health care provider. Upon the student's return, she must be allowed to return to the same academic and extracurricular status as before medical leave began, and she must be permitted to earn any credits missed during the absence.

Prohibitions:

- Exclude a pregnant student from participating in any part of an educational program – including, but not limited to specific classes, extracurricular programs, interscholastic sports, honor societies, and opportunities for student leadership.
- Require pregnant students or students who have given birth to submit medical certification for participation in educational program/activities unless such certification is required for all students with physical or emotional conditions requiring the attention of a physician.
- Harassment.

In summary, **pregnant and parenting students cannot be treated differently than any other student or temporary medical condition, and we cannot substitute *our* judgement regarding her pregnancy and her educational choices for hers.** Students who have a high-risk pregnancy or similar complication *may also* be eligible for accommodations via ACM's Academic Access & Disability Resources Office in H-1 (301-784-5234).

***NOTE to Faculty: It can be complicated, so if you have any questions or if a situation arises in your class, do not hesitate to contact the Title IX Coordinator for guidance. Together, we will develop a plan that protects the rights of the student without compromising academic integrity and rigor.**

Title IX also prohibits discrimination against employees on the basis of pregnancy and parent status. Employees *may* also be eligible for accommodations via ACM's Human Resources Office in CC-168 (301-784-5231).