

Texas Woman's University University Regulation and Procedure

**Regulation and Procedure Name: Student Pregnancy and Parenting
Nondiscrimination**

**Regulation and Procedure
Number: URP: 01.244**

Policy Owner: Student Life

POLICY STATEMENT

It is the policy of Texas Woman's University ("TWU" or "University") to maintain 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 Education Amendments of 1972 as amended ("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 the Americans with Disabilities Act of 1990 as amended ("ADA"), which prohibits discrimination against individuals with disabilities in public schools such as institutions of higher education.

This policy provides for the protection and equal treatment of students who are pregnant, have pregnancy-related conditions, or are Parenting Students. This policy applies to all TWU programs, including but not limited to, admissions, educational programs and activities, extracurricular activities, and leave of absence.

APPLICABILITY

This policy is applicable to TWU Students, Faculty, and Staff.

DEFINITIONS

1. "Faculty" means a person who teaches a course offered for academic credit by TWU, teaching assistants, instructors, lab assistants, research assistants, lecturers, adjuncts, assistant professors, associate professors, and full professors. This also includes clinical faculty, visiting faculty, and adjunct faculty.
2. "Fundamental Alteration" means any academic accommodation, adjustment, auxiliary aid, or service that would fundamentally affect or

change the nature of a program or course being taught or that fundamentally alters the essential requirements of instruction or course requirements and is not considered a reasonable accommodation. TWU is not required to alter or modify a course or program to the extent that it changes the fundamental nature of that course or program.

3. "Leave of Absence" means a period of time when a student is not enrolled in classes but is otherwise academically eligible to reenroll in the future. A Leave of Absence is one or more long semesters and is considered an academic withdrawal.
4. "Parenting Accommodation" means an alteration or change to an academic policy, procedure, or practice due to a student's status as a Parenting Student.
5. "Parenting Student" means a student who is the parent or legal guardian of a child under eighteen (18) years of age.
6. "Pregnancy Accommodation" means an alteration or change to an academic policy, procedure, or practice due to a Pregnancy or Pregnancy-Related Condition.
7. "Pregnancy Adjustment" means a temporary alteration to the classroom environment to allow for student needs due to Pregnancy or Pregnancy-Related Conditions such as sitting closer to the door for better access to the bathroom, allowed to have food or drinks in classroom, different desk or chair, bathroom breaks, and temporary access to elevators.
8. "Pregnancy or Pregnancy-Related Condition" means health conditions including, but not limited to, the following:
 - a. Pregnancy, childbirth, or miscarriage;
 - b. Medical conditions related to pregnancy, childbirth, pregnancy complications, miscarriage, or any other conditions directly related to being pregnant; or
 - c. Recovery from pregnancy, childbirth, or their related medical conditions directly related to pregnancy or the effects thereof.
9. "Pregnancy Discrimination" means treating an individual affected by Pregnancy or Pregnancy-Related Conditions less favorably than similar individuals not so affected on the basis of that individual's Pregnancy or

Pregnancy-Related Condition. Pregnancy discrimination is a form of sex discrimination.

10. “Pregnant Student” means a student who has a Pregnancy or Pregnancy-Related Condition as defined above.
11. “Staff” means each classified, administrative, and professional employee who is appointed to work in a regular full time or regular part time position, excluding students employed in positions for which student status is required as a condition of employment and those employees holding teaching and/or research positions classified as faculty.
12. “Student” means any individual who has accepted an offer of admission to the University; has an open academic program; is taking courses at the University, either full-time or part-time and pursuing undergraduate, graduate, or professional studies; is auditing a class; or has any other continuing relationship with the University. This includes, but is not limited to, new students at Orientation, individuals not currently enrolled but who are still seeking a degree from the University, dual credit students, non-degree seeking students, individuals who have completed coursework but are awaiting conferral of a degree, and any other individual enrolled in a course offered by Texas Woman’s University.
13. “Undue Burden or Hardship” means any academic accommodation, adjustment, auxiliary aid, or service that would result in a significant financial or administrative burden or expense constitutes an undue burden or hardship and is not considered a reasonable accommodation.
14. “University Parenting Student Liaison” means the person responsible for providing Parenting Students information regarding support services available to them.

REGULATION AND PROCEDURE

I. Discrimination Prohibited

- A. Discriminating against Pregnant and Parenting Students is prohibited. TWU 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:
 1. Take a Leave of Absence or withdraw from the student’s degree or certificate program;

2. Limit the student's studies;
3. Participate in an alternative program;
4. Change the student's major, degree, or certification program;
or
5. Refrain from joining or cease participating in any course, activity, or program at TWU.

B. For more information and to report concerns contact the Dean of Students Office at dos@twu.edu.

II. Pregnancy Adjustments

A. Requesting Pregnancy Adjustments

1. Pregnant Students may request pregnancy adjustments directly from their course faculty. Pregnant Students should request pregnancy adjustments as soon as practicable.
2. If a Pregnant Student feels they have not received necessary pregnancy adjustments, they should contact the Dean of Students Office for additional support and resources.

B. Types of Pregnancy Adjustments

Pregnancy adjustments for Pregnant Students may include, but are not limited to the following:

1. Excused absences with the availability of reasonable time to make up missed assignments, coursework, or tests during the semester;
2. A larger desk or chair;
3. Bathroom breaks during class as needed;
4. Additional time to complete assignments in the same manner as TWU allows for students with a temporary medical condition;
5. Access to instructional materials and video recordings of lectures (if available) for classes due to excused absences due to Pregnancy or Pregnancy-Related Conditions (applied in the same manner as any other student with excused absences); and
6. Any other adjustments to the classroom environment deemed reasonable based on the Pregnant Student's individual needs.

C. Faculty Responsibilities

Faculty should collaborate with Pregnant Students who request pregnancy adjustments. Faculty may not request documentation from Pregnant Students seeking a pregnancy adjustment. Faculty may refer pregnancy adjustment requests to the Dean of Students Office for assistance if needed.

III. Reasonable Pregnancy and Parenting Accommodations

A. The University will offer reasonable pregnancy and parenting accommodations to Pregnant and Parenting Students in accordance with state and federal laws and regulations. Accommodation requests are voluntary and involve an individualized, interactive process where TWU 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.

B. Requesting Pregnancy and Parenting Accommodations

1. Pregnant or Parenting Students seeking pregnancy or parenting accommodations must submit a Pregnant and Parenting Student Accommodation Form to the Dean of Students Office as soon as practicable. Students are encouraged to request pregnancy or parenting accommodations in advance whenever possible. Submission of this form by a student initiates the interactive process.
2. Pregnant Students seeking pregnancy accommodations will be required to provide medical documentation similar to other students with a disability requesting accommodations.
3. Parenting Students seeking parenting accommodations will be required to provide documentation.

C. Types of Reasonable Pregnancy Accommodations:

Pregnancy Accommodations for Pregnant Students may include, but are not limited to, the following:

1. Parking access or mobility support;
2. Academic modifications such as alternate assignments, remote learning, note-taker, or incomplete grade for extensions beyond the normal academic term (applied in the same manner as ADA/504 accommodations for additional time on assignments or tests, with required documentation);

3. Accommodations related to the health and safety of the Pregnant Student and their unborn child, such as allowing the student to maintain a safe distance from substances, areas, and activities known to be hazardous to pregnant individuals or unborn children;
4. Independent study or other department-level change such as approval of substitute course enrollment or to join a subsequent course for time-sensitive degree completion;
5. Exceptions to withdrawal limits; and
6. Extension of time limit to complete a timed degree, graduate degree, candidacy, certification, or credentialing program.

D. Pregnancy and Parenting accommodations may be applied retroactively if warranted based on an individualized assessment of the circumstances.

E. Determination of Pregnancy and Parenting Accommodations

1. The Pregnant or Parenting Student and the Dean of Students Office will engage in discussions regarding pregnancy or parenting accommodations and limitations due to Pregnancy or Pregnancy-Related Conditions to determine what reasonable pregnancy or parenting accommodations are needed for each class.
2. If pregnancy or parenting accommodations are approved by the Dean of Students Office, the approved pregnancy or parenting accommodations will be documented within the Maxient System by the Dean of Students Office. The Dean of Students Office will notify the Pregnant or Parenting Student and applicable TWU faculty or staff via email sent through the Maxient System with approved pregnancy or parenting accommodations.
3. If a change in approved pregnancy accommodations is required due to the progression of the Pregnancy or Pregnancy-Related Condition, a new request must be submitted by the Pregnant Student.
4. Faculty or staff who have questions or concerns about a pregnancy or parenting accommodation or believe that the pregnancy or parenting accommodation would result in a Fundamental Alteration or Undue Burden or Hardship must request a consultation with the Dean of Students Office. The consultation may be requested to do the following: discuss their concerns, engage in an additional interactive process to further understand the request, collaborate with the Pregnant or Parenting Student in providing

pregnancy or parenting accommodations, or discuss whether alternative pregnancy or parenting accommodations are appropriate.

5. Requests for pregnancy or parenting accommodations may be denied under some circumstances, including but not limited to the following:
 - a. The requested pregnancy or parenting accommodation poses an Undue Burden or Hardship on TWU operations;
 - b. The requested pregnancy or parenting accommodation would constitute a Fundamental Alteration;
 - c. The requested pregnancy or parenting accommodation would eliminate or change the learning objectives of the class;
 - d. The Pregnant or Parenting Student is not responsive to requests for information needed to finalize the pregnancy or parenting accommodation;
 - e. The requested pregnancy accommodation is not supported by the medical documentation;
 - f. The requested parenting accommodation is not supported by the documentation; or
 - g. The requested pregnancy or parenting accommodation is illegal.

IV. Lactation Access

Breastfeeding or lactating students must be granted reasonable time and space to express breast milk in a location that is private, clean, and reasonably accessible. An appropriate lactation facility should be located within reasonable distance of the student's location and be available for up to a year following childbirth. Break time should be adjusted to account for the distance to the nearest lactation facility.

V. Leave of Absence for Pregnant and Parenting Students

A. Leave of Absence

TWU will allow Pregnant or Parenting Students to take a Leave of Absence for a reasonable duration depending on the circumstances. If the Pregnant or Parenting Student is in good academic standing at the time of the Leave of Absence, the student may return to the same degree or certificate program in good academic standing without being required to reapply for admission.

B. Requesting a Leave of Absence

1. To request a Leave of Absence, Pregnant or Parenting Students must contact the Dean of Students Office at dos@twu.edu.
2. Documentation verifying the Pregnant or Parenting Student status will be required for a Leave of Absence request.

VI. International Students

International students attending TWU with an F-1 Student Visa or a J-1 Exchange Visitor Visa are strongly encouraged to consult in advance with TWU's International Student and Scholar Services Office about their plans if they are considering action under this policy to avoid unintended consequences related to their visa status. Students are responsible for ensuring their compliance with applicable law.

VII. Additional Services for Parenting Students

A. University Parenting Student Liaison

1. Current and incoming Parenting Students have access to a University Parenting Student Liaison, who provides Parenting Students information regarding support services, such as health coverage, housing and food benefits, and childcare resources. For more information, contact the Dean of Students Office.
2. The University Parenting Student Liaison will report the number of student parents and their basic demographic data to the state each year. In addition, they must report student parents' academic progress, including withdrawals and enrollment status.

B. Early Registration

Parenting Students are eligible for early registration for courses to the extent other students have access to early registration for those same courses.

VIII. Confidentiality

TWU will maintain the confidentiality of student records and documentation to the extent possible under state and federal law. In addition to requirements under the Family Educational Rights and Privacy Act of 1974 ("FERPA"), employees will regard all information associated with pregnancy adjustments, pregnancy or parenting accommodations, or leave of absence requests as private and will not disclose this information unless there is a business or academic need to know.

IX. Financial Aid Implications

- A. Continuation of students' scholarship, fellowship, or similar University sponsored funding during a leave of absence will depend on the funding program's policies regarding enrollment status. Students will not be negatively impacted by or forfeit their future eligibility for institutional scholarship, institutional fellowship, or similar University-sponsored funding by exercising their rights under this policy.
- B. Federal and state awards are subject to refund calculations, satisfactory academic progress, repayment, and related regulations in place at the time of the Leave of Absence or withdrawal from class. The University's tuition refund policy and schedule will be used to determine if a tuition refund will be applied for students who take a Leave of Absence or withdraw from classes. Students who plan to take a Leave of Absence or withdraw from TWU are strongly encouraged to meet with the Dean of Students Office in advance to discuss financial implications of these actions.

X. Reporting Violations

For more information and reporting options, including filing a discrimination or retaliation complaint, contact the Dean of Students Office at dos@twu.edu.

REVIEW

This policy will remain in effect and published until it is reviewed, updated, or archived. This policy is to be reviewed once every six years. Interim review may be required as a result of updates to federal and state law or regulations, Board of Regents policies, or internal processes or procedures.

REFERENCES

[Americans with Disabilities Act of 1990, Title II, 28 C.F.R. § 35 Nondiscrimination on the Basis of Disability in State and Local Government Services](#)

[Education Amendments of 1972, Title IX, 20 U.S.C. § 1681 et seq.](#)

[Rehabilitation Act of 1973, Section 504, as Amended, 29 U.S.C. § 794 Nondiscrimination Under Federal Grants and Programs](#)

[Texas Education Code § 51.982 Protections for Pregnant and Parenting Students](#)

[TWU's Dean of Students Office](#)

FORMS AND TOOLS

[Pregnant and Parenting Student Accommodation Form](#)

[Contact TWU's Dean of Students Office](#)

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