

THE UNIVERSITY OF TENNESSEE AT CHATTANOOGA

TITLE: POLICY ON EDUCATIONAL ADJUSTMENTS FOR STUDENTS EXPERIENCING PREGNANCY OR RELATED CONDITIONS¹

SECTION 1. PURPOSE

In accordance with Title IX of the Education Amendments of 1972 ("Title IX"), 20 U.S.C. § 1681, the University of Tennessee at Chattanooga ("UTC") prohibits discrimination against students on the basis of pregnancy or related conditions. This policy clarifies the legal rights and obligations of individuals covered by this policy under Title IX requirements.

SECTION 2. SCOPE AND APPLICATION; DEFINITIONS

A. Individuals Covered by this Policy

This policy applies to UTC and its employees. This policy provides protections for students who are experiencing pregnancy or related conditions.²

B. Definitions

For purposes of this policy, "pregnancy or related conditions" means pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery from any of those situations.

SECTION 3. POLICY

A. Participation in UTC Educational Programs and Activities

Discrimination against any student, or exclusion of any student from participation in any part of a UTC educational program or activity on the basis of a student's pregnancy or related conditions is prohibited, except as otherwise provided under this policy. UTC educational programs and activities include, but are not limited to, classes, extracurricular activities, internships, fellowships, clinics, and labs.

¹ This policy is based on the requirements and guidance set forth in the following publications: U.S. Department of Education, Office for Civil Rights, *Supporting the Academic Success of Pregnant and Parenting Students under Title IX of the Education Amendments of 1972*, Washington, D.C., 2013 (<http://www2.ed.gov/about/offices/list/ocr/docs/pregnancy.pdf>); and U.S. Department of Education, Office for Civil Rights, *Discrimination Based on Pregnancy and Related Conditions: A Resource for Students and Schools*, (Oct. 2022) (<https://www2.ed.gov/about/offices/list/ocr/docs/ocr-pregnancy-resource.pdf>).

² Title IX regulations also prohibit the application of any rule related to a student's parental, family, or marital status that treats students differently based on their sex. 34 C.F.R. § 106.40(a). Any student who has concerns regarding discrimination based on the student's parental, family, or marital status should contact the Title IX Coordinator at (423) 425-4255 or titleix@utc.edu.

UTC may elect to provide students experiencing pregnancy or related conditions with a written description of the health risks of participating in an educational program or activity, but a description of those risks should also be provided to students who are not experiencing pregnancy or related conditions.

A student experiencing pregnancy or related conditions is only required to obtain the certification of a physician that the student is physically and emotionally able to participate in an educational program or activity when such certification is required of all students for other physical or emotional conditions requiring the attention of a physician. For example, a student who has been hospitalized for childbirth will be required to submit the certification of a physician to participate in a particular UTC program or activity only if students who have been hospitalized for other conditions are also required to submit a certification of a physician to participate in the same program or activity. A student experiencing pregnancy or related conditions may be excluded from participating in a program or activity for failing to comply with any such requirement.

When necessary to ensure access to an educational program or activity for a student experiencing pregnancy or related conditions, UTC must provide reasonable adjustments to the program or activity for the student that are responsive to the student's pregnancy or related condition. Reasonable educational adjustments may include, but are not limited to, providing the student a larger desk or allowing the student the opportunity to take more frequent breaks to use the restroom. Furthermore, UTC must treat a student's pregnancy or related condition the same as any other temporary disability or medical condition with respect to any hospital or medical benefit, service plan, or policy for students.

B. Excused Absences and Medical Leave

1. A student's absences due to pregnancy or related conditions must be excused regardless of a program or faculty member's absence policies, as long as the student's physician deems the absences medically necessary.
2. A student experiencing pregnancy or related conditions will be allowed to return to the same academic and extracurricular status as the student had prior to any medically necessary absence(s) for the pregnancy or related conditions.
3. A student experiencing pregnancy or related conditions will be allowed to make up any work missed due to any medically necessary absence(s) for the pregnancy or related conditions. A student will be offered acceptable alternative arrangements to make up missed work as determined in consultation with the instructor. Examples of acceptable alternative arrangements include, but are not limited to, retaking a semester or allowing the student additional time to complete work; however, the student will be allowed to choose the option. The student will not be required to complete makeup work until the student's medically necessary absences for pregnancy or related conditions are completed.
4. If any part of a student's grade is based on in-class participation, a student experiencing pregnancy or related conditions will be allowed to make up the participation points for any time missed due to any medically necessary absence(s) for the pregnancy or related conditions.

C. Alternative Educational Programs for Pregnant Students

To the extent UTC offers alternative educational programs or activities for students experiencing pregnancy or related conditions, the programs or activities must be comparable to those offered to other students. A student's participation in any such programs or activities, however, is at their election and is completely voluntary.

SECTION 4. PROCEDURES

A. Requests for Educational Adjustments

1. Students seeking educational adjustments due to pregnancy or related conditions should first contact the Office of the Dean of Students at (423) 425-4761 and advise that they need educational adjustments due to pregnancy or related conditions.
2. The Office of the Dean of Students will discuss the educational adjustments that the student needs (makeup work, excused absences, etc.) and inform the Title IX Coordinator.
3. The student must submit to the Title IX Coordinator a letter from the student's physician that includes the dates that the student's attendance must be excused and a statement from the physician that the absences are medically necessary.
4. The Title IX Coordinator and the Office of the Dean of Students will work with the student and the faculty member to create a plan for completion of course work. Individual plans may be adjusted as circumstances change.

B. Reporting Violations

A person may report a violation of this policy to or file a complaint alleging discrimination on the basis of pregnancy or related conditions with the Title IX Coordinator. The Title IX Coordinator may be contacted at (423) 425-4255 or titleix@utc.edu.

SECTION 5. HISTORY AND REVIEW

A. Version

This is the second version of this policy.

B. Periodic Review

This policy is effective August 1, 2023. This policy shall be reviewed on or before August 1, 2028.

Authorization

REVIEWED BY:

Yousef Hamadeh
Office of the General Counsel

8/25/23
Date

John V. Matthews
Policy Review Committee Chair

8/25/2023
Date

REVIEWED AND APPROVED BY:

Steven R. Angle
Chancellor

8-28-2023
Date