



## Pregnant and Parenting Students' Rights Questions and Answers

Title IX prohibits discrimination on the basis of sex — including pregnancy, parenting, and all related conditions — in education and in programs and activities that receive federal funding. If you are a pregnant or parenting student, you have the right to stay in school so you can meet your education and career goals. Below are some frequently asked questions from UNC Pembroke students regarding their Title IX rights.

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### **How can I use Title IX to ensure that my pregnancy or family responsibilities do not interfere with my education?**

Title IX requires professors and administrators treat pregnancy, childbirth, and related conditions in the same manner as any other temporary disability. UNC Pembroke can require a pregnant student to provide a doctor's certification of fitness to continue in an education program or activity only if the same requirement is imposed on all other students with physical or emotional conditions requiring a doctor's care. Pregnant students must be provided the same accommodations and support services available to other students with similar medical needs. Your professors or administrators should not tell you that you have to drop out of your classes or academic program or change your educational plans due to your pregnancy. If you have a concern regarding your status as a pregnant or parenting student at UNC Pembroke, please contact the Office of Title IX and Clery Compliance.

### **Do my professors have to excuse my absences due to pregnancy, childbirth, adoption, or abortion?**

Your professors must excuse your absences due to pregnancy and related conditions. This includes absences for labor, delivery, and recovery, as well as prenatal and postpartum appointments and adoption. Your professors must provide you a leave of absence for as long as it is deemed necessary by your medical provider. At the end of your leave, you must be reinstated to the status you held prior to your leave. After returning from an excused absence, your professors must allow a reasonable amount of time to make up missed assignments and tests. The makeup assignments and tests must be reasonably equivalent to those missed, but need not be identical. If a professor provides specific "points" or other advantages to students based on class attendance, you must be given the opportunity to earn the credit from classes missed due to pregnancy or related conditions.

### **What if my professors say their absence/makeup policy applies regardless of any medical condition?**

While your professor may have a strict attendance policy, the university is bound by federal civil rights law. Title IX requires the university ensure that all faculty and staff comply with the law and do not discriminate against pregnant and parenting students. An individual professor's policy is not acceptable if it breaks the law. Please contact the Office of Title IX and Clery Compliance if you have questions about your professor's attendance policy as it relates to your pregnancy or parental responsibilities.

### **Does the university need to provide me with special academic services, like tutoring?**

Title IX requires UNC Pembroke provide pregnant and parenting students with any special services we provide to students with any other type of temporary disability. Please contact the Title IX Coordinator at 910.521.6281.

### **If my program requires internships, career rotations or other off-campus elements, can I be excluded from participation?**

No. You have the right to participate in all elements of your program while pregnant or parenting. Your program must allow you to continue participating in off-campus programs. If your program provides opportunities to "work in the field," you cannot be excluded based on your pregnancy. The university cannot require a doctor's note for continued participation unless we require one for all students who have a medical condition that requires treatment by a doctor. If we do ask for a note, we will not second-guess your doctor's decision. Request for a doctor's note should come from the Office of Title IX and Clery Compliance.

### **My professor says it's unsafe for me to do certain lab experiments or be exposed to certain chemicals. How can I make sure I'm getting the experience I need?**

You have the right for UNC Pembroke to have the appropriate equipment for all students and for programs to make adjustments in the lab on a case-by-case basis. If your doctor says it is safe for you to do experiments, your professor may not second-guess that decision. If your doctor says it is safe only under certain conditions, your program should try to provide those conditions. If your doctor says participation is unsafe, your program must give you a chance to make-up assignments later.

**What if classmates or professors have made offensive comments to me about my pregnancy?**

Title IX requires UNC Pembroke prevent and address sex-based harassment, including harassment based on pregnancy. If you experience this sort of treatment, you should seek help immediately. The law prohibits anyone from retaliating against you for filing a complaint or raising a concern. The university's reporting form can be found on the Office of Title IX and Clery Compliance website. [www.uncp.edu/titleixclery](http://www.uncp.edu/titleixclery)

**I want to return to school three days after I have the baby so I do not fall too far behind. But my department head thinks I should take more time off to recover. What should I do?**

It is up to you and your doctor to decide when you can return; not UNC Pembroke. Your professors must offer to excuse more than three days if that is what your doctor recommends. But no one can force you to take more leave than you want—even if they think it would be better for you (and/or your baby). Also, a professor cannot have a rule that bans students from returning to classes for a set period after childbirth.

**I would like to take a semester off. Can I keep my student status, scholarships, etc.?**

You will keep your status as a student for up to one year. If you want to take off more time than your doctor says is medically necessary, please contact the Registrar's Office for more information.

**What does "parenting" mean?**

Parenting is the raising of a child by the child's parents in the reasonably immediate postpartum or adoption period.

**I want to breastfeed my infant. Where can I use a breast pump while I am on campus?**

The U.S. Department of Education recommends that all universities have private rooms for students to nurse (breastfeed) or pump milk during the school day. This space cannot be a bathroom. Contact the Title IX Coordinator for access to private nursing and pumping accommodations.

**I'm a student-athlete. Can I still play if I'm pregnant?**

You and your doctor should decide whether you can play sport, not your coach or the athletics department. You should read the NCAA Pregnant and Parenting Student-Athletes: Resources and Model Policies.

**I have an athletic scholarship from my university. Can they take my scholarship away if they find out I am pregnant?**

No. UNC Pembroke cannot cut off or reduce your scholarship during your award term based on pregnancy, suspected pregnancy, parenthood, or termination of pregnancy. The university's athletics department allows the coaching staff the option to renew the athletics scholarship for the next academic year for an injured or ill student-athlete, as long as the student-athlete remains engaged with all non-physical requirements set forth by the athletics department/team and continuously works with the athletic training staff to rehabilitate themselves. Pregnant student-athletes will be treated the same way under the same requirements.

Before a school can decline to renew your athletic scholarship, it must tell you in writing by July 1 (before the school year the non-renewal is to take effect). The statement must say the reasons for non-renewal. The statement must also say how you can appeal the decision. For more information, read the NCAA Pregnant and Parenting Student-Athletes: Resources and Model Policies.

**I have a merit or need-based scholarship. Can my university take away my scholarship if they find out I am pregnant?**

No. UNC Pembroke cannot end or reduce merit or need-based scholarships based on pregnancy. If you stay in good standing in your program, you must be allowed to keep your scholarship.

**Any questions or concerns:**

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