

HILLSBOROUGH COMMUNITY COLLEGE

PREGNANCY AND PARENTING GUIDELINES FOR STUDENTS

Title IX, in addition to other state and federal laws, prohibit discrimination on the basis of sex (including pregnancy, childbirth, false pregnancy, termination of pregnancy, parenting, recovery and all related conditions) in education and in HCC programs and activities that receive federal funding.

If you are a pregnant or parenting student, you have the right to stay in school to meet your education and career goals.

Under Title IX regulations, HCC can only require students who are pregnant, (or have a related condition), to provide a physician's certification to confirm that the student is physically and emotionally able to continue participation in a particular program, if a certification is required for all students for other physical or emotional conditions that require a physician's attention.

- HCC will provide students who might be, are pregnant, or have been pregnant the same access to school programs and educational opportunities as other students. Absences due to medical conditions relating to pregnancy will not count against a student's class grade.
- A student who is excused from class and cannot complete assignments will be provided a reasonable accommodation to complete the coursework during the semester.
- If a student cannot complete coursework by the conclusion of the semester, the student may request an "Incomplete" for a class. The Incomplete affords the student an opportunity to complete the remaining coursework by a date agreed to during the following semester.
- These rules supersede any classroom based attendance policy/practices regarding allowable numbers of absences.
- Students may also be offered the option of a retroactive drop or withdrawal from the class, however, this cannot be mandated. Students may return to their studies, without penalty, with clearance from their doctor.

Students should be referred to an HCC Office of Services for Students with Disabilities to work with them to obtain a reasonable accommodation(s). This office will provide the student with documentation criteria and explain what accommodations are available (such as extended time to when sitting for a test, excused absences, incomplete grades and flexibility in making up missed work as long as there is no compromise to the integrity of the educational process). For programs that contain requirements of clinical rotations, group projects, or laboratory work, HCC will work with the student on a case-by-case basis to provide alternate paths to degree or certificate completion.

Documentation must include information such as the dates of absence and when the student is eligible to return to school. It is the student's obligation to voluntarily disclose and ask for necessary accommodations related to pregnancy and related conditions. The office will also notify a pregnant or parenting student of their Title IX protections and their right to contact the HCC Equity and Diversity Department/Title IX, and/or use the grievance process for claimed violations.

Laboratories (Labs)—HCC cannot prohibit a pregnant student from enrolling in labs that may pose hazards to a developing fetus.

- The faculty member should include general warnings in the syllabus or a written communication to students concerning the health risks a student may encounter as a result of her participation in course work, clinical assignments, or other components of an education program, and possible precautionary measures if appropriate.

These warnings will better ensure that students are informed and that pregnant students are aware of any risks. Additionally, such warnings may encourage students who may be pregnant to self-identify so accommodations are provided.

Clinical Placements—Each Health Science program, the Vet tech and any externship where a health concern exists should provide warnings about clinical settings where there may be health hazards including the effects of strenuous activity. (Some of these guidelines and requirements would apply to internships and externships for non-health science/vet tech programs as well.) Students may request a leave of absence, withdrawal from the program with reinstatement after her pregnancy ends, or withdraw solely from the clinical courses while completing the didactic courses, in addition to other accommodations.

- In general, HCC should provide students in clinical placements appropriate precautionary instruction that includes education about protective devices and ensure students are aware of problems which could be encountered including special problems for pregnant students.
- HCC should ensure that students understand that neither HCC or its clinical affiliates assume responsibility for any harm that might occur to a fetus or pregnant student. HCC requests for these types of programs where there are potential health risks, that students self-identify.

Progression or readmission to clinical programs when pregnant or parenting students decide to take a leave of absence.

- Many clinical Health Science programs require rotations or courses offered only at limited times, HCC's clinical programs have progression or readmission policies including an appeals process to address situations when students may take a leave of absence for pregnancy-related reasons.
- For students who continue their course work but do seek accommodations, HCC may offer specific, reasonable accommodations for the unique circumstances of the clinical program.
- For example, where radiation is involved, faculty or staff can accommodate by limiting the student's exposure to radiation to the extent possible or allowing the student to delay completion of a particular component of the program.

Refer to the Health Science Department for additional information.

Questions and Answers

May HCC require a pregnant student to participate in a separate program for pregnant students?

No. Any such requirement would violate Title IX.

May HCC require a pregnant student to obtain a doctor's permission before allowing her to attend school late in her pregnancy if faculty are worried about the student's health or safety?

HCC 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.

What types of assistance must HCC provide to a pregnant student at school?

To ensure a pregnant student's access to its educational program, we must make adjustments to the regular program that are reasonable and responsive to the student's temporary pregnancy status if necessary. Title IX requires HCC to provide the same special services to a pregnant student that it provides to students with temporary medical conditions.

Absences due to pregnancy, childbirth or related medical conditions must be excused and cannot be treated or penalized like unexcused absences for as long as the student's doctor deems the absences to be medically necessary. This supersedes any faculty policy stated in their syllabus.

In addition to allowing a pregnant student to attend classes, does HCC need to allow the student to participate in school clubs, class activities, sports, and other school-sponsored organizations?

Yes. Title IX prohibits HCC from excluding a pregnant student from any part of its educational program, including all extracurricular activities, such as clubs, academic societies, honors programs, or sports.

What are HCC's responsibilities for student athletes who become pregnant?

HCC must treat student-athletes with pregnancy-related conditions the same way as other sick or injured student-athletes.

A financial scholarship to a pregnant student-athlete who remains eligible for an HCC sport must be renewed.

A formerly pregnant student athlete must be returned "to the status which she held when the leave began." This requirement includes her return as a member of the team (including eligibility for athletics awards) if that was her status when the leave began.

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

Title IX requires faculty and administrators to treat pregnancy, childbirth and related conditions in the same manner and under the same policies as any other temporary disability. Pregnant students must be provided the same accommodations and support services available to other students with similar medical needs. HCC faculty and staff 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 a program such as Health Sciences or Vet Tech requires internships, career rotations or other off-campus elements, can a student be excluded from participation?

No. 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. Your faculty member cannot require a doctor’s note for continued participation unless your faculty member requires one for all students who have a medical condition that requires treatment by a doctor. If they do ask for a note, they cannot second-guess your doctor’s decision.

What if a student wants to take a semester off after their baby is born?

The student will keep their student status as a student for up to one year. Students will be required to reapply to HCC if they are out longer than one (1) year.

Lactation—The Department of Education suggests that HCC and all educational institutions “designate a private room for young mothers to breastfeed, pump milk, or address other needs related to breastfeeding.” Please see the campus Dean of Student Services for information on options.

Male Parent—Title IX’s prohibition on pregnancy discrimination also applies to parenting male students who are parents. The Department of Education has advised that any policy HCC has allowing excused absences for parenting students who need to take their children to doctors’ appointments or to take care of their sick children, must cover both male and female students.

For questions and complaints please contact:

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