

Board of Trustees of the Nebraska State Colleges

Student Affairs

POLICY NAME: Pregnancy and Related Conditions

POLICY NUMBER: 3680

A. PURPOSE

To communicate the Board's commitment and the Colleges' responsibility to provide an environment for students experiencing pregnancy and related conditions free of discrimination.

B. DEFINITIONS

1. **Pregnancy and Related Conditions:** The full spectrum of processes and events connected with pregnancy, including pregnancy, childbirth, termination of pregnancy, or lactation; related medical conditions; and recovery therefrom.
2. **Reasonable Modifications:** Individualized adjustments to policies, practices, or procedures that do not fundamentally alter the education program or activity.

C. POLICY

1. **Reasonable Modifications for Students**

Students who are pregnant or are experiencing related conditions are entitled to Reasonable Modifications to prevent sex discrimination and ensure equal access to the College's education program and activity. Any student seeking Reasonable Modifications must contact the Title IX Coordinator to discuss appropriate and available Reasonable Modifications based on their individual needs. Reasonable Modifications are voluntary, and a student can accept or decline the offered Reasonable Modifications. Not all Reasonable Modifications are appropriate for all contexts.

1.1. Reasonable Modifications may include:

- Breaks during class to express breast milk, breastfeed, or attend to health needs associated with pregnancy or related conditions, including eating, drinking, or using the restroom
- Intermittent absences to attend medical appointments
- Access to online courses when reasonable

- Changes in schedule, course sequence, or course labs when reasonable
 - Time extensions for coursework and rescheduling of tests and examinations
 - Allowing a student to sit or stand, or carry or keep water nearby
 - Counseling
 - Changes in physical space or supplies (for example, access to a larger desk or a footrest)
 - Elevator access
 - A larger uniform or other required clothing or equipment
 - Other changes to policies, practices, or procedures determined by the Title IX Coordinator in consultation with other appropriate college personnel
- 1.2. Students are encouraged to work with their faculty members and the Recipient's support systems to devise a plan for how to best address the conditions as pregnancy progresses, anticipate the need for leaves, minimize the academic impact of their absence, and get back on track as efficiently and comfortably as possible. The Title IX Coordinator will assist with plan development and implementation as needed.
 - 1.3. Supporting documentation for Reasonable Modifications will only be required when it is necessary and reasonable under the circumstances to determine which Reasonable Modifications to offer to determine other specific actions to take to ensure equal access.
 - 1.4. Information about pregnant students' requests for modifications will be shared with faculty and staff only to the extent necessary to provide the Reasonable Modification.

2. Pregnancy-Related Temporary Disability

Students experiencing pregnancy-related conditions that manifest as a temporary disability under the Americans with Disabilities Act (ADA) or Section 504 of the Rehabilitation Act are eligible for reasonable accommodations just like any other student with a temporary disability. The Title IX Coordinator will work with and refer the student to the College's disability service coordinator to ensure the student receives reasonable accommodations for their disability as required by law.

3. Certification to Participate

- 3.1. All students should be informed of health and safety risks related to participation in academic and co-curricular activities, regardless of pregnancy status. A student may not be required to provide health care provider or other certification that the student is physically able to participate in the program or activity, unless:

- 3.2. The certified level of physical ability or health is necessary for participation;
- 3.3. The institution requires such certification of all students participating; and
- 3.4. The information obtained is not used as a basis for pregnancy-related discrimination.

4. Lactation Space Access

The Colleges must provide students and employees access to lactation spaces that are functional, appropriate, and safe.

- 4.1. Such spaces must be regularly cleaned, shielded from view, and free from the intrusion of others.
- 4.2. Lactation spaces cannot be bathrooms.

SOURCE:

Policy Adopted: November 2024

Policy Revised: